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**A P P E N D I X**

**TO**

**JOURNAL,**

**HOUSE OF ASSEMBLY.**

**1835.**

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**A P P E N D I X**  
**TO**  
**J O U R N A L**  
**OF THE**  
**H O U S E O F A S S E M B L Y**  
**OF**  
**U P P E R C A N A D A .**

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**OF THE FIRST SESSION OF THE TWELFTH PROVINCIAL PARLIAMENT.**

**IV. WILLIAM IV.**

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**MARSHALL SPRING BIDWELL, ESQ. Speaker.**

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**SESSION 1835.**

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**SIR JOHN COLBORNE, K. C. B.**  
**LIEUTENANT GOVERNOR.**

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**TORONTO:**  
M. REYNOLDS, PRINTER TO THE HON. THE HOUSE OF ASSEMBLY.

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**1835.**

**INDEX**  
**TO THE FIRST VOLUME**  
**OF APPENDIX**  
**TO JOURNAL, OF ASSEMBLY, OF 1835.**

Date when bro't in, sent down- or presented.	No. at head of page.	ITEMS.
1835		
10th Feb.	1	Accounts public.
	2	do do detailed.
"	4	do Casual and Territorial.
	11	Appendix to 1st report on Trade, following page 23 of No. 11
18 March	13	Bill to amend the Charter of King's College.
2 April	23	Bill to amend the Charter of King's College as amended and pas'd by the House of Ass'y with Yeas and Nays on pas'g.
31 March	24	Bill to promote education.
11 April	25	Bill to promote the freedom of election in the County of Leeds, with Yeas and Nays on passing.
10 Feb'y	5	Letters from Archdeacon Strachan (page 21 of No. 5.)
"	5	List of Ministers of Church of England (page 20 of No. 5.)
29 Jan'y	8	Message from His Excellency with documents relating to the Post Office Department.
10 Feb'y	14	Payments from revenues under 14th Geo. 3rd (Fund A.)
31 Jan'y	6	Petition of Justices, Midland District.
10 Feb'y	5	Receipts and payments arising from sales of Clergy Reserves, (page 6 of No. 5.)
"	10	Receipts and payments from Crown Lands.
"	5	Rents and payments of Clergy Reserves.
"	7	Report of Commissioners on St. Lawrence improvement.
"	18	Report of Commissioners of Toronto Harbour.
3 April	16	Report of Committee on Finance (1st.)
10 Feb'y	20	Report of Commissioners on Provincial Penitentiary.
13 "	3	Report of Select Committee on expediency of establishing a provincial bank.
7 "	19	Report of Select Committee on Grievances (1st.)
21 "	9	do do do (2nd)
11 April	21	do do do (7th)
2 "	22	Report of Select Committee on petition of William Forsyth of the Niagara Falls Pavilion.
6 March		Report of Sel. Com. on Trade (1st) will be found between Nos. 10 & 11.
12 "	11	do do do (2nd)
15 April		do do do (3rd) page 18 of No. 11.
14 March	12	Report of Trustees of York roads.

# UPPER CANADA.

SCHEDULE of ACCOUNTS prepared to be laid before the First Session of the Twelfth Provincial Parliament.

- No. 1.—Statement of Monies paid to the Receiver General of Lower Canada, between the 1st July 1833, and the 1st January 1834, arising from duties collected at the Port of Quebec.
- 2.—Statement of Monies paid to the Receiver General of Lower Canada, between the 1st January and 1st July 1834, arising from duties collected at the Port of Quebec.
- 3.—Statement of Monies paid to Receiver General of Lower Canada, between the 1st July 1834, and the 1st January 1835, arising from duties collected at the Port of Quebec.
- 4.—Abstract of Warrants issued on the Receiver General, under Provincial enactments, from the 6th October to the 31st December 1833.
- 5.—Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 6th October to the 31st December 1833.
- 6.—Account of Revenue arising from the Duties on Imports from the United States of America, from the 6th October to the 31st December 1833.
- 7.—Account of Revenue from Shop, Innkeepers, Steam Boats, and Billiard Table Licences, from the 6th October to the 31st December 1833.
- 8.—Account of Revenue from Licences issued to Hawkers and Pedlers, from the 6th October to the 31st December 1833.
- 9.—Abstract of Warrants issued on the Receiver General of the Province, under Provincial enactments, from the 1st January to the 30th June 1834.
- 10.—Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st January to the 30th June, 1834.
- 11.—Abstract of Warrants issued on the Receiver General of the Province, under Provincial enactments, from the 1st July to the 31st December 1834.
- 12.—Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st July to the 31st December 1834.
- 13.—Account of Revenue from Shop, Innkeepers, Distillers, Steam Boats, and Billiard Table Licences, from the 5th January 1834 to the 5th January 1835.
- 14.—Account of Revenue from Duties on Imports from the United States of America, from the 1st January to the 31st December 1834.
- 15.—Account of Revenue from Licences issued to Hawkers and Pedlers, from the 1st January to the 31st December 1834.
- 16.—Account of Revenue from Licences issued to Auctioneers and on Sales at Auction, from the 1st January to the 31st December 1834.
- 17.—Statement of Monies outstanding in the hands of Collectors and Inspectors on the 1st January 1835.
- 18.—Statement of Monies paid to the Receiver General since the 1st January 1835.
- 19.—Estimate of the Civil Expenditure of 1835.
- 20.—General Estimate of the Expenditure and Resources of the Province for the year 1835.

Inspector General's Office, }  
1st February, 1835. }

COPY No. 1.

STATEMENT of MONIES paid into the hands of the Receiver General of Lower Canada, between the 1st July 1833, and the 1st January 1834, arising from Duties on Importations by sea into the said Province, in virtue of the Imperial Act 14 Geo. III. ch. 83, and of sundry Provincial Acts, to a proportion of which the Province of Upper Canada is entitled, agreeably to the provisions of the Imperial Act 3 Geo. IV. ch. 119.

ACTS.	Quarter ended	Quarter ended
	5th July, 1833.	10th Oct. 1833.
	£ s. d.	£ s. d.
Under Imperial Act 14 Geo. III. ch. 83. ....	22315 15 4	21107 16 10½
Under Provincial Act 33 Geo. III. ....	908 17 4	1536 14 6
..... 35 ditto .....	2466 13 4	11502 15 9
	Carried forward, £ 25691 6 0	34147 7 1½

**No. I.**  
**PUBLIC ACCOUNTS.**

STATEMENT OF MONIES, &c.—CONTINUED.

ACTS.	Quarter ended 5th July 1833.	Quarter ended 10th Oct. 1833.
Brought forward, £	25691 6 0	34147 7 1½
Under Provincial Act 41 Geo. III, .....	81 5 9	1532 12 10
..... 53 & 55 Geo. III. ....	16592 17 2	8895 7 3
..... 55 Geo. III. ch. 3. ....	10760 14 6	3034 5 1
Amount to 5th July 1833, .....	53126 3 5	47609 12 3½
		53126 3 5
		100735 15 8½
Deduct sundry incidental expenses of collection, .....	1109 2 4	
Six months' Salary of two tide Waiters, .....	50 0 0	1159 2 4
		99576 13 4½
Proportion for Upper Canada, one-third, is, Currency .....		33192 4 5½
Equal in Sterling to .....		29873 0 0

(Signed)

JOSEPH CAREY,  
INSPECTOR GENERAL P. P. ACCOUNTS.

Quebec 1st January 1834.

[A true Copy,]

(Signed)

H. CRAIG, SECRETARY.

[A true Copy,]

GEO. H. MARKLAND, INSPECTOR GENERAL.

COPY No. 2.

STATEMENT of MONIES paid into the hands of the Receiver General of Lower Canada, between the 1st January and the 1st July 1834, arising from Duties on Importations by sea into the said Province, in virtue of the Imperial Act 14 Geo. III. ch. 88, and of sundry Provincial Acts, to a proportion of which the Province of Upper Canada is entitled, agreeably to the provisions of the Imperial Act 3 Geo. IV. ch. 119.

ACTS.	Quarter ended 5th Jan. 1834.	Quarter ended 5th April, and up to 1st May, 1834.
	£ s. d.	£ s. d.
Under Imperial Act, 14 Geo. III. ch. 88, .....	6813 1 5	578 4 5
.... Provincial .... 33 do. ....	3234 2 10	0 0 0
..... 35 do. ....	30078 3 8	326 15 6
..... 41 do. ....	1439 4 6	11 8 9
..... 53 & 55 do. ....	7588 12 10	1144 6 9
..... 55 do. ch. 3. ....	818 6 6	43398 16 4
Amount to 5th January, 1834, .....	49966 11 9	45459 11 9
		49966 11 9
Deduct expenses of collection at Quebec, .....	455 12 6	
..... at Montreal, .....	153 14 1	
Six months' Salary of two tide Waiters, .....	50 0 0	659 6 7
Net amount, .....		94766 16 11
Proportion for Upper Canada, one-third, is, Currency .....		31588 19 6
Equal in Sterling to .....		28430 1 1

(Signed)

JOSEPH CAREY,  
INSP. GEN. P. P. ACCOUNTS.

Quebec, 1st July, 1834.

[A true Copy,]

GEO. H. MARKLAND,  
INSPECTOR GENERAL.

**No. I.**  
**PUBLIC ACCOUNTS.**

**3**

COPY No. 3.

**STATEMENT of MONIES paid into the hands of the Receiver General of Lower Canada, between the 1st July 1834, and the 1st January 1835, arising from Duties on Importations by sea into the said Province, in virtue of the Imperial Act 14 Geo. III. ch. 88, and of sundry Provincial Acts, to a proportion of which the Province of Upper Canada is entitled under the provisions of the Imperial Act 3 Geo. IV. ch. 119.**

ACTS.	Quarter ended 5th July, 1834.	Quarter ended 10th Oct. 1834
	£ s. d.	£ s. d.
Under Imperial Act 14 Geo. III. ch. 88,.....	18885 12 11	9957 17 9
Under Provincial Act 33 Geo. III.....	595 1 10	994 19 6
..... 35 do. ....	2039 4 1	13988 19 0
..... 41 do. ....	8 8 9	694 12 9
..... 53 & 55 .....	12190 1 9	4736 17 9
..... 55 do. ....	1847 18 10	1338 19 2
	35566 8 2	31712 5 11
Amount to 5th July, 1834. ....		35566 8 2
		67278 14 1
Amount detained by the Collector of Quebec in 1830, for per centage on certain Provincial Duties now refunded by order of the Treasury. ....		2035 10 7
		69314 4 8
Deduct sundry expenses of collection,.....		901 10 0
Net amount. ....		68412 14 8
The proportion of Upper Canada, one-third, is Currency .....		22804 4 10 $\frac{1}{2}$
Equal in Sterling to.....		20523 16 5

[Signed]

JOSEPH CAREY,  
INSP. GEN. P. P. ACCOUNTS.

Quebec, 1st January, 1835.

[A true Copy.]

GEO. H. MARKLAND,  
INSPECTOR GENERAL.

NOTE.—The amount outstanding on Bonds is £42,152 19 7 currency, subject to deductions and casualties. The net sum received will form part of the amount, to a proportion of which the Province of Upper Canada will be entitled on the 1st July next.

COPY No. 4.

**UPPER CANADA.**

**ABSTRACT of WARRANTS issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under the several Provincial enactments, from the 6th October to the 31st December, 1833, inclusive.**

ENACTMENT.	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY.
			£ s. d.
11 Geo. 4, ch. 10.	Alexander Fraser, Esq.....	Being the sum appropriated in aid of Agricultural Societies in the Eastern District for the year 1833,....	100 0 0
.....	David Smart, Esq. ....	Being the sum due to the County of Durham in aid of Agricultural Societies for the year 1833,.....	50 0 0
.....	George Hamilton, Esq.....	Being the sum appropriated in aid of Agricultural Societies in the Ottawa District for the year 1833,....	100 0 0
.....	Mr. William Cunningham,.....	Being the sum allowed to the County of Prince Edward, out of the appropriation in aid of Agricultural Societies for the year 1831, .....	25 0 0

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENT.	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY:		
			£	s.	d.
M Geo. 4, ch. 10.	Isaac P. Gates, Esq.....	Am't. brought over, £ Being the sum allowed to the County of Grenville out of the appropriation in aid of Agricultural societies for the year 1833	275	0	0
3 Wil. 4, ch. 49.	Lt. Col. Wm. Rowan, Civil Sec'y	Being to enable him to defray the expense of postage of public letters to and from the Government Office, for the quarter ended 30th September, 1833,	50	0	0
3 Wil. 4, ch. 32.	James G. Chewitt, Esq.....	Being so much of the appropriation for the erection of a pier in York Harbour,.....	.....	165	7 5
do. do. do.	James G. Chewitt, Esq. ....	Being the residue of the appropriation for the erection of a pier in York harbour,.....	500	0	0
3 Wil. 4, ch. 34.	James G. Bethune, Esq. ....	Being on account of the appropriation for the erection of a bridge over the River Trent, ..	.....	1000	0 0
4 Geo. 4, ch. 8.	William Clark, Esq.....	Being the sum appropriated in aid of common Schools in the Niagara District for the year 1833,	250	0	0
do. do. do.	Alexander McLean, Esq.....	Being the sum appropriated in aid of common Schools in the Eastern District for the year 1833,	250	0	0
do. do. do.	John McKay, Esq.....	Being the sum appropriated in aid of common Schools in the Bathurst District for the year 1833, .....	250	0	0
3 Wil. 4, ch. 56.	John McKay, Esq.....	Being the sum appropriated in aid of common Schools in the Bathurst District for the year 1833, .....	.....	750	0 0
59 Geo. 3, ch. 7.	Samuel P. Hurd, Esq. Sur.Gen.	Being for 211 old and 8 new Returns furnished to District Treasurers for the year ended 30th June, 1833, .....	.....	500	0 0
Address of the } H. of Assembly. }	Nichol H. Baird, Esq. ....	Being on ac't of the expense of certain Surveys performed by him,	.....	34	7 6
	3 Wil. 4, ch. 31,	Charles Duncombe, Esq. ....	Being the residue of the appropriation for the erection of a bridge at Brantford, .....	200	0 0
41 Geo. 3, ch. 12.	Grant Powell, Esq. Clk. Legislative Council, .....	Being the allowance for copying Clerks in his Office, during the 4th Session of the 11th Provincial Parliament, .....	.....	500	0 0
3 Wil. 4, ch. 49.	Mr. John Kidd, Deputy Sheriff Niagara District, .....	Being to enable him to pay the Reward for apprehending John Fitzgerald, a prisoner who had escaped from the Jail of the Home District, on the 15th November 1833, where he had been confined on a charge of murder, .....	.....	25	0 0
Sundry Acts, .....	The Hon. John H. Dunn, Receiver General, .....	Being the amount of interest paid by him on Government Debentures for the half year ended 31st December, 1833, as per pay list, .....	.....	50	0 0
7 Geo. 4, ch. 6.	The Hon. John H. Dunn, Receiver General, .....	Being, with the sum of £106 6 7 in hand on the 30th June 1833, the amount paid for Militia Pensions for the half year ended 31st December 1833, as per pay list, .....	.....	5464	12 6
				413	13 5
		Total Currency, .....	.....	9928	0 10

**No. 1.**  
**PUBLIC \* ACCOUNTS.**

**5**

**RECAPITULATION.**

AUTHORITY.	SERVICE.	CURRENCY.		
		£	s.	d.
3 Wil. 4, ch. 49.	Appropriation for the support of the Civil Government,	215	7	5
..... 32.	erection of a Pier in York Harbour,	1000	0	0
11 Geo. 4, ch. 10.	supporting Agricultural Societies,..	325	0	0
3 Wil. 4, ch. 34.	erection of the River Trent Bridge,	500	0	0
4 Geo. 4, ch. 8.	Common Schools,.....	750	0	0
3 Wil. 4, ch. 56.	ditto. ....	500	0	0
Addr's H. Assembly	certain Surveys,.....	200	0	0
3 Wil. 4, ch. 31.	the erection of Brantford Bridge, ..	500	0	0
41 Geo. 3, ch. 12.	Copying Clerks,.....	25	0	0
Sundry Acts.	Interest on Government Debentures,.....	5464	12	6
7 Geo. 4, ch. 6.	Militia Pensions, .....	413	13	5
59 Geo. 3, ch. 7.	Returns to District Treasurers,.....	34	7	6
	Currency,.....£	9928	0	10

*Inspector General's Office, }  
1st February, 1835. }*



COPY No. 5.

**UPPER CANADA.**

**STATEMENT of the Receiver General's RECEIPTS and PAYMENTS of the Provincial Revenue, from the 6th October to the 31st December, 1833, inclusive.**

RECEIPTS.	CURRENCY.			PAYMENTS.	CURRENCY.		
	£	s.	d.		£	s.	d.
Balance in the Receiver General's hands on the 5th October, 1833,.....	15632	13	3	Amount of Warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, as per Abstract No. ....	9928	0	10
Cash received for Debentures issued, viz. For the River Trent Bridge, £500, For the Brantford Bridge, .. £500,—	1000	0	0	Amount of the Receiver General's allowance of one-half per cent. on the sum of £34079 4 0 currency, received from the Receiver General of Lower Canada,.....	170	7	11
Cash received from Collectors of Customs on account of duties on Importation from the United States of America, ..	2654	3	3½	Balance in the Receiver General's hands on the 31st December, 1833, .....	10605	15	2½
Cash received from do. on account of the duty on Salt imported from the United States of America, .....	749	8	8½				
Cash received from do. on account of the duty on Pedler's Licences issued,	94	0	0				
Cash received from do. on account of the duty on Auctioneer's Licences issued, and on sales at Auction,.....	42	18	5				
Cash received from Inspectors on acc't. of Licences issued to Shopkeepers, Innkeepers, Distillers, and steam-boats.	424	2	4				
Cash received on account of Tolls collected on the inland waters of the Newcastle District, .....	60	0	0				
Cash received as the balance unexpended of the appropriation for the erection of a Light House on Nine Mile Point,	5	1	3				
Cash received on account of Ale and Beer Licences issued,.....	1	10	0				
Amount charged on account No. 8 of last Session, as the salary of the Hon. Jno. Elmsley, as Member of the Hon. the Executive Council, .....	40	6	8½				
Total Currency, £	20704	3	11½	Total Currency, £	20704	3	11½

*Inspector General's Office, 1st February, 1835.*

B

**GEO. H. MARKLAND, INSPECTOR GENERAL.**

COPY No. 6.

**UPPER CANADA.**

**STATEMENT of REVENUE arising from Duties imposed on Goods, Wares, and Merchandise Imported into this Province from the United States of America, from the 1st October to the 31st December 1833, inclusive, as reported by the Collectors of Customs.**

PORTS.	COLLECTORS.	WHOLE COLLECTION.			EXPENSE OF COLLECTION			NET REVENUE.			
		£	s	d.	£	s	d.	£	s	d.	
River aux Raisins, .....	John Cameron, .....	32	18	6	16	9	3	16	9	3	
Cornwall, .....	Wm. J. Crysler, .....	8	18	5	0	0	0	8	18	5	
Prescott, .....	Alpheus Jones, .....	83	6	10	0	0	0	83	6	10	
Johnstown, .....	John Webster, .....	22	17	7	11	8	9½	11	8	9½	
Brockville, .....	Richard D. Fraser, .....	292	13	7½	0	0	0	292	13	7½	
Gananoque, .....	Ephraim Webster, .....	1	17	9	0	18	10½	0	18	10½	
Kingston, .....	Thomas Kirkpatrick, .....	677	13	6	0	0	0	677	13	6	
Bath, .....	Colin McKenzie, .....	71	0	9	35	10	4½	35	10	4½	
Hallowell, .....	Andrew Deacon, .....	76	7	11¼	29	4	0¾	47	3	10½	
Newcastle, .....	William M. Bullock, .....	8	0	8	0	0	0	8	0	8	
Belleville, .....	Henry Baldwin, .....	101	15	3½	32	15	8½	68	19	7	
Cobourg, .....	Allan McLean, .....	230	16	3	0	0	0	230	16	3	
Port Hope, .....	Richard Bullock, .....	86	6	9	0	0	0	86	6	9	
Windsor, .....	Henry Boys, .....	62	11	2	31	5	7	31	5	7	
York, .....	George Savage, .....	1845	17	1	25	6	1	1820	11	0	
Burlington, .....	John Chisholm, .....	573	19	7¼	0	0	0	573	19	7¼	
Dalhousie, .....	William H. Merritt, .....	103	18	9	12	16	10½	91	1	10½	
Niagara, .....	Thomas McCormack, .....	224	12	7	0	0	0	224	12	7	
Queenston, .....	Robert Grant, .....	91	0	1	6	8	2	84	11	11	
Chippewa, .....	Robert Kirkpatrick, .....	205	10	1	0	0	0	205	10	1	
Fort Erie, .....	George Hardison, .....	187	14	10½	0	0	0	187	14	10½	
Dover, .....	George J. Ryerse, .....	29	3	6½	14	11	9¼	14	11	9¼	
Turkey Point, .....	James Mitchell, .....	17	13	1	8	16	6½	8	16	6½	
Port Talbot, .....	Mablon Burwell, .....	346	11	7¾	0	0	0	346	11	7¾	
Amherstburgh, .....	Francis Caldwell, .....	46	1	7½	23	0	9¾	23	0	9¾	
Sandwich, .....	William Hands, .....	32	3	0	16	1	6	16	1	6	
Whole collection, .....		£	5461	10	11¾						
Expense of collection, .....		£	264	14	4¾						
Net Revenue, currency, .....		£	5196	16	7						

GEO. H. MARKLAND, INSPECTOR GENERAL.

COPY No. 7.

**UPPER CANADA.**

**ACCOUNT of REVENUE arising from Duties on Licences issued to Shopkeepers, Innkeepers, Distillers, &c. from the 6th October 1833, to the 5th January 1834, inclusive, as reported by the several Inspectors.**

DISTRICT.	INSPECTORS.	No. of steam-boats	No. of Shops.	No. of Innkeepers	Stills, Gal.	Duty on steam-boats		Duty on Shops.		Duty on Innkeepers		Duty on Stills.		Total Currency.	
						£	s d	£	s d	£	s d	£	s d	£	s d
Ottawa, .....	Donald McDonald, .....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bathurst, .....	Anthony Leslie, .....	0	1	0	0	0	0	5	0	0	0	0	0	5	0
Eastern, .....	Philip Vankoughnet, .....	0	0	1	0	0	0	0	0	5	0	0	0	5	0
Johnstown, .....	John Weatherhead, .....	0	1	1	41	0	0	5	0	4	0	5	2	14	2
Midland, .....	James Sampson, .....	0	1	13	0	0	0	5	0	75	0	0	0	80	0
Newcastle, .....	Elias Jones, .....	0	2	23	568½	0	0	10	0	91	0	71	1	172	1
Home, .....	Hon. Alexander McDonell, .....	1	4	3	194½	5	0	20	0	18	0	24	6	67	6
Gore, .....	John Willson, .....	0	1	16	379	0	0	5	0	66	0	47	7	118	7
Niagara, .....	John Claus, .....	0	8	35	230	0	0	40	0	132	10	28	15	201	5
London, .....	James Mitchell, .....	0	3	19	733	0	0	15	0	57	0	91	12	163	12
Western, .....	William Hands, .....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		1	21	111	2146	5	0	105	0	448	10	268	5	826	15
Allowance to Inspectors, .....						0	10	0	10	10	0	44	17	0	82
Net Revenue, .....						4	10	0	94	10	0	403	13	0	744

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, 1st Feb. 1835.

**No. 1.**  
**PUBLIC ACCOUNTS.**

7

COPY No. 8.

**UPPER CANADA.**

**ACCOUNT of REVENUE arising from Duties upon Licences issued to Hawkers and Pedlers, from the 1st October to the 31st December 1833, inclusive, as reported by the Collectors of Customs.**

PORTS.	PERSONS LICENCED.	DESCRIPTION.	DUTY.			TOTAL.		
			£	s.	d.	£	s.	d.
Cornwall,.....	Henry Holmes,.....	..One Horse,..	10	0	0	10	0	0
Kingston,.....	J. Richardson,.....	..On Foot,....	5	0	0	5	0	0
Hallowell,.....	Sylvanus Hewlet,.....	..One Horse,..	10	0	0	30	0	0
"	James Cramer,.....	..One Horse,..	10	0	0			
"	Norman Rowe,.....	..One Horse,..	10	0	0			
Dalhousie,.....	James Hobkirk,.....	..On Foot,....	5	0	0	10	0	0
"	William Cudington,.....	..On Foot,....	5	0	0			
Niagara,.....	.....	..On Foot,....	5	0	0	5	0	0
Chippewa,.....	Dudley Stone,.....	..On Foot,....	5	0	0	5	0	0
	Collector's allowance, 5 per cent.....	.....				6	0	0
						3	5	0
	Net revenue, Currency,.....	.....				61	15	0

*Inspector General's Office, }  
1st February, 1835. }*

COPY No. 9.

**UPPER CANADA.**

**ABSTRACT of WARRANTS issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under the several enactments of the Provincial Legislature, from the 1st January to the 30th June 1834, inclusive.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.		
		£	s.	d.
1st Wil. 4, ch. 14.	Lieutenant Colonel William Rowan, Civil Secretary, being the amount of the salary of the Lieutenant Governor of the Province, for the half year ended 31st December, 1833,.....	1111	2	2½
do. do. do.	The Honourable and Venerable John Strachan, D. D., his salary as Member of the Executive Council for the same period,.....	55	11	1½
do do do	The Honourable G. H. Markland, his salary as do. for do.,.....	55	11	1½
do do do	The Honourable Peter Robinson, his salary as do. from the 1st January to 31st December 1833, inclusive,.....	111	2	2½
do do do	The Honourable Joseph Wells, his salary as Member of the Executive Council, for the half year ended the 31st December, 1833,.....	55	11	1½
do do do	The Honourable John B. Robinson, his salary as Chief Justice for the same period,.....	833	6	8
do do do	The Honourable Levius P. Sherwood, his salary as Judge of the Court of King's Bench, for the same period,.....	500	0	0
do do do	The Honourable James B. Macaulay, his salary as do. for the same period,....	500	0	0
do do do	John Beikie, Esquire, his salary as Clerk of the Executive Council, for the same period,.....	111	2	2½
do do do	Henry John Boulton, Esquire, being a moiety of the salary of the Attorney General from the 30th April to the 30th June 1833, inclusive,.....	23	14	10½
	Carried forward,....£	3257	1	5¼

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE:	CURRENCY.			
	Brought over, .. £	3257	1	5 $\frac{1}{4}$	£ s d
1st Wil. 4, ch. 14.	Robert S. Jameson, Esquire, being a moiety of the salary of the Attorney General, for the same period,.....	23	14	10 $\frac{1}{2}$	.....
..... 14.	Robert S. Jameson, Esquire, his salary as Attorney General, from the 21st June to the 31st December 1833,.....	177	3	11 $\frac{3}{4}$	.....
..... 15.	The Honourable John Henry Dunn, Receiver General, his salary for the half year ending 31st December 1833,.....				3558 0 4
..... 16.	Samuel P. Jarvis, Esquire, Clerk of the Crown in Chancery, his salary for the same period,.....				388 17 9 $\frac{1}{4}$
59 Geo. 3, ch. 13.	The Honourable G. H. Markland, his salary as Inspector General of Public Provincial Accounts, for the same period,....				37 10 0
4 Geo. 4, ch. 6.	Colonel Nathaniel Coffin, his salary as Adjutant General of Militia, for the same period,.....	182	10	0	
.... do ....	Colonel Nathaniel Coffin, Adjutant General of Militia, his allowance for the contingent expenses of his office, for the same period,.....	42	10	0	
..... 27.	Colonel Walter O'Hara, his salary as Assistant Adjutant General of Militia, for the same period,.....				225 0 0
3 Wil. 4, ch. 49.	Robert S. Jameson, Esquire, being the amount of his salary as Attorney General, from the 21st June to the 31st December 1833, inclusive,.....	258	1	9	100 0 0
.... do ....	Lieutenant Colonel William Rowan, his salary as Civil Secretary, for the half year ending 31st December 1833,.....	100	0	0	
.... do ....	Edward McMahon, Esquire, his salary as chief Clerk in the Government Office, for the same period,.....	138	17	9	
.... do ....	Arthur Gifford, Esquire, his salary as Clerk in the Government Office, for the same period,.....	100	0	0	
.... do ....	James McDonell, Esquire, his salary as Clerk in the Government Office, for the same period,.....	85	0	0	
.... do ....	James Nation, Esquire, senior Clerk in the office of the Inspector General, his salary for the same period,.....	125	0	0	
.... do ....	Raymond Baby, Esquire, his salary as junior Clerk in the Inspector General's Office, for the same period,.....	100	0	0	
.... do ....	William Lee, Esquire, his salary as senior Clerk in the Executive Council Office, for the same period,.....	125	0	0	
.... do ....	Mr. James Stanton, his salary as junior Clerk in the Executive Council Office, for the same period,.....	100	0	0	
.... do ....	Bernard Turquand, Esquire, his salary as senior Clerk in the Receiver General's Office, for the same period,.....	125	0	0	
.... do ....	Mr. Walter Rose, his salary as junior Clerk in the Receiver General's Office, for the same period,.....	100	0	0	
.... do ....	James G. Chewett, Esquire, senior Surveyor and Draftsman in the Surveyor General's Department, his salary for the same period,.....	150	0	0	
.... do ....	John Radenhurst, Esquire, his salary as principal Clerk in the Surveyor General's Department, for the same period,.....	150	0	0	
.... do ....	George C. Ridout, Esquire, his salary as second Clerk in the Surveyor General's Office, for the half year ended 31st December 1833,.....	100	0	0	
.... do ....	Mr. William Spragge, his salary as junior Clerk in the Surveyor General's Office, for the same period,.....	75	0	0	
.... do ....	Mr. John Caldwell, his salary as junior Clerk in the Surveyor General's Office, for the same period,.....	75	0	0	
.... do ....	Robert S. Jameson, Esquire, Attorney General, being a moiety of the salary of the said Office, from the 30th April to the 20th June 1833, inclusive,.....	34	11	10 $\frac{1}{2}$	
.... do ....	Henry J. Boulton, Esquire, late Attorney General, a moiety of the salary of the said Office from the 30th April to the 20th June 1833, inclusive, .....	34	11	10 $\frac{1}{2}$	
.... do ....	Christopher A. Hagerman, Esquire, his salary as Solicitor General for the half year ended 31st December 1833,.....	300	0	0	
.... do ....	James Nation, Esquire, being, with the sum of £300 paid him in 1833, the amount of his account of the contingent expenses of the Public Offices for the year 1833, audited in Council 11th January 1834, .....	87	13	6	
	Carried forward, £	6146	17	1	4513 13 7 $\frac{1}{4}$

**No. I.**  
**PUBLIC ACCOUNTS.**

**9**

**ABSTRACT OF WARRANTS, &c.—CONTINUED.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE:	CURRENCY.			
	Carried forward, £	2363	16	7	4512 3 7½
3 Wil. 4, ch. 49.	Lieutenant Colonel William Rowan, Civil Secretary, to enable him to defray the expense of Postage of Public Letters to and from the Government Office, for the quarter ended 31st December, 1833,.....	95	3	5	
.... do. ....	John Beikie, Esquire, Clerk of the Executive Council, being the amount of his account of the ordinary and incidental expenses of his Office, for the half year ended the 31st December 1833,.....	62	10	0	
.... do. ....	Lieutenant Colonel Wm. Rowan, Civil Secretary, being, with the sum of £165 7 5 paid on the 10th October 1833, and the sum of £ 95 3 5 paid on the 13th January 1834, the amount of his account of the ordinary and incidental expenses of the Government Office for the half year ended the 31st December 1833, audited in Council 3d February, 1834, .....	214	1	1	
.... do. ....	The Honourable John H. Dunn, Receiver General, being the amount of his account of the contingent expenses of his Office for the half year ended 31st December 1833, audited in Council 3d February 1834, .....	194	4	7½	
.... do. ....	Robert Stanton, Esquire, Government Printer, being the amount of his account against the Government for the half year ended 31st December 1833, audited in Council 3d February 1834, .....	161	5	10	
.... do. ....	Mr. Thomas Phipps, Usher of the Court of King's Bench, his salary for the same period, .....	20	0	0	
41 Geo. 3, ch. 12.	Archibald McLean, Esquire, his salary as Speaker of the House of Assembly for the same period, .....	100	0	0	3111 1 8½
.... do. ....	Grant Powell, Esquire, his salary as Clerk of the Legislative Council for the same period,.....	100	0	0	
.... do. ....	The Reverend William Macaulay, his salary as Chaplain to the Legislative Council for the same period,.....	25	0	0	
.... do. ....	D'Arcy Boulton, Esquire, his salary as Master in Chancery, attendant on the Legislative Council, for the same period, ...	25	0	0	
.... do. ....	Stephen Jarvis, Esquire, his salary as Gentleman Usher of the Black Rod, from the 17th July to 31st December 1833, ....	23	0	3½	
.... do. ....	Mr. Hugh Cartrae, his salary as Door-keeper to the Legislative Council for the half year ended the 31st December 1833,...	10	0	0	
.... do. ....	James FitzGibbon, Esquire, his salary as Clerk of the House of Assembly for the same period,.....	100	0	0	
.... do. ....	The Reverend Thomas Phillips, D. D. his salary as Chaplain of the House of Assembly for the same period, .....	25	0	0	
.... do. ....	David A. McNab, Esquire, his salary as Serjeant-at-Arms, House of Assembly, for the same period,.....	25	0	0	
.... do. ....	Mr. H. McLennon, his salary as Door-keeper to the House of Assembly from the 15th October to the 31st December 1833, inclusive, .....	4	5	5½	
2 Geo. 4, ch. 20.	Mrs. Elizabeth Law, her Pension from the 1st July to the 31st December 1833, inclusive, .....				437 5 9
..... 24.	Mr. Peter Millar, his Pension for the same period, .....				10 0 0
..... 25.	Mr. John White, his Pension for the half year ended 31st December 1833, .....				10 0 0
..... 28.	Mr. James Carrol, his Pension for the same period, .....				10 0 0
11.... do. ....	Mrs. Charlotte Weir, her pension from the 1st July 1833 to the 30th June 1834, .....				20 0 0
4 Geo. 4, ch. 8.	Francis T. Billings, Esquire, Treasurer of the Home District, being the amount of the appropriation in aid of Common Schools in the said District for 1834, .....	250	0	0	
.... do. ....	Donald McDonald, Esquire, Treasurer of the Ottawa District, being the sum appropriated in aid of Common Schools in said District for 1834,.....	250	0	0	
.... do. ....	The Honourable Zacheus Burnham, Treasurer of the Newcastle District, being the sum appropriated in aid of Common Schools in said District for 1834,.....	250	0	0	
.... do. ....	John Harris, Esquire, Treasurer of the London District, being the sum appropriated in aid of common Schools in said District for 1834,.....	250	0	0	
	Carried forward, £	1000	0	0	8120 11 1

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.					
	Brought forward, £	1000	0	0	8120	11	1
4 Geo. 4, ch. 8.	Thomas Markland, Esquire, treasurer of the Midland District, being the sum appropriated in aid of common Schools in said District for 1834, .....	250	0	0			
.... do ....	Adiel Sherwood, Esquire, treasurer of the Johnstown District, being the sum appropriated in aid of common Schools in said District for the year 1834, .....	250	0	0			
.... do ....	Elijah Secord, Esquire, treasurer of the Gore District, being the sum appropriated in aid of common Schools in said District for the year 1834, .....	250	0	0			
					1750	0	0
3 Wil. 4, ch. 56.	Alexander McLean, Esquire, treasurer of the Eastern District, being the sum appropriated in aid of common Schools in the said District for 1834, .....	500	0	0			
.... do ....	Adiel Sherwood, Esquire, treasurer of the Johnstown District, being the sum appropriated in aid of common Schools in the said District for 1834, .....	500	0	0			
.... do ....	William Clarke, Esquire, treasurer of the Niagara District, being the sum appropriated in aid of common Schools in the said District for 1834, .....	500	0	0			
.... do ....	John Harris, Esquire, treasurer of the London District, being the amount appropriated in aid of common Schools in the said District for 1834, .....	600	0	0			
.... do ....	Thomas Markland, Esquire, treasurer of Midland District, being the sum appropriated in aid of common Schools in the said District for 1834, .....	750	0	0			
					2850	0	0
4 Geo. 4 ch. 27.	Mr. John Stewart, Master of the Bathurst District School, his salary for the half year ended the 31st December, 1833, ...	50	0	0			
59 Geo. 3, ch. 4	Mr. Stephen Randall, Master of the Gore District School, his salary for the same period, .....	50	0	0			
48 ..... 16.	Mr. John Whitlaw, Master of the Niagara District, School, his salary for the same period, .....	50	0	0			
.... do ....	Mr. James Baxter, Master of the Midland District School, his salary for the same period, .....	50	0	0			
.... do ....	The Rev. Hugh Urquhart, Master of the Eastern District School, his salary for the same period, .....	50	0	0			
.... do ....	Mr. Hugh Bushby, Master of the Johnstown District School, his salary for the same period, .....	50	0	0			
.... do ....	Mr. John Tripp, Master of the Newcastle District School, his salary for the same period, .....	50	0	0			
.... do ....	Rev. William Johnston, Master of the Western District School, his salary for the same period, .....	50	0	0			
.... do ....	Mr. Elijah Chadwick, Master of the London District School, his salary for the same period, .....	50	0	0			
.... do ....	Mr. Colin Gregor, Master of the Ottawa District School, his salary from the 7th June to the 31st December, 1833, .....	56	19	8½			
					506	19	8½
Address of the H. } of Assembly. }	Grant Powell, Esquire, Clerk of the Legislative Council, being to enable him to defray the contingent expenses of his Office, during the 4th Session of the 11th Provincial Parliament, ...	1457	15	8½			
.... do ....	Archibald McLean, Esquire, Speaker of the House of Assembly, being on account of the contingent expenses of the 4th Session of the 11th Provincial Parliament, .....	350	0	0			
.... do ....	James FitzGibbon, Esquire, Clerk of the House of Assembly, being to enable him to defray the contingent expenses of his Office for the said Session, .....	4761	4	9½			
.... do ....	Stephen Jarvis, Esquire, Gentleman Usher of the Black Rod, being to enable him to defray the contingent expenses of his Office for said Session, .....	300	11	6			
.... do ....	David McNab, Esquire, Serjeant-at-Arms House of Assembly, being to enable him to defray the expenses of his Office for said Session, .....	787	12	0			
					7457	4	0
.... do ....	Nichol H. Baird, Esquire, Civil Engineer, being on account of surveys made by him, .....				483	13	3
	Carried forward, £				21168	8	0½

**No. 1.**  
**PUBLIC ACCOUNTS.**

**ABSTRACT OF WARRANTS, &c.—CONTINUED.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.
	Brought forward, £	21168 8 0½
Address of the H. } of Assembly. }	James FitzGibbon, Esquire, being the amount of the expense of completing the Parliament Buildings, .....	747 3 3½
11 Geo. 4, ch. 10	Daniel Fisher, Esquire, President of the Bathurst District Agricultural Society, being the sum appropriated in aid of Agricultural Societies in said District for the year 1833, .....	100 0 0
.... do ....	George Adams, Esquire, President of the Niagara District Agricultural Society, being the sum appropriated in aid of Agricultural Societies in the said District for the year 1833,....	100 0 0
		200 0 0
4 Wil. 4, ch. 45	The Honourable George H. Markland, being to remunerate him for services performed as arbitrator on behalf of this Province in the years 1828, 1829, & 1833, .....	600 0 0
..... 51	James Nation, Esquire, being on account of the appropriation for the contingent expenses of the Public Offices for the year 1834, .....	200 0 0
.... do ....	Samuel P. Jarvis, Esquire, Deputy Secretary and Registrar, being the amount of his salary for the years 1832 & 1833, .....	400 0 0
.... do ....	The Honourable John B. Robinson, his salary as Speaker of the Legislative Council, for the years 1832 & 1833, .....	400 0 0
.... do ....	Lieutenant Colonel William Rowan, Civil Secretary, being to enable him to defray the expense of postage of Public Letters, to and from the Government Office, for the quarter ended 31st March, 1834, .....	107 14 4
.... do ....	Robert Stanton, Esquire, Government Printer, being in advance to enable him to proceed with the printing of the Statutes of 1834, .....	300 0 0
.... do ....	Mr. John Ford, being the amount of expenses incurred by him as Constable, in apprehending a fugitive from the United States charged with subornation of perjury, .....	12 0 0
.... do ....	Mr. James W. Ritchie, being to reimburse him the amount of expenses incurred in endeavouring to apprehend a person from the United States suspected of uttering counterfeit coin in this Province, .....	7 10 0
		1427 14 4
3 Wil. 4, ch. 35	The Honourable George H. Markland, Inspector General, being the amount appropriated for the support of Light Houses in this Province for the year 1834, .....	600 0 0
56 Geo. 3, ch. 12	Mrs. Catherine McLeod, her Pension for the year 1833, .....	20 0 0
4 Wil. 4, ch. 35	John Harris, Esquire, Commissioner for constructing Piers at Long Point, being on account of the appropriation for that object, .....	500 0 0
.... do ....	John Harris, Esquire, being the residue of the said appropriation, .....	1500 0 0
		2000 0 0
.... do .... 38	John Macaulay, Commissioner, being the residue of the appropriation for the erection of a Penitentiary at Kingston in this Province, .....	8333 6 8
.... do .... 42	William Morris, Esquire, President of the Tay Navigation Company, being the amount of the loan to the said Company, .....	1000 0 0
3 .. do .... 34	Reuben White, Esquire, Commissioner, being on account of the appropriation for the erection of the River Trent Bridge, .....	500 0 0
59 Geo. 3, ch. 7	Samuel P. Hurd, Esquire, Surveyor General, being for 11 original and 107 old returns to District Treasurers, .....	24 7 6
4 Wil. 4, ch. 44	Charles Duncombe, Esquire, Commissioner, being on account of the appropriation for the erection of a Bridge over the Grand River, .....	500 0 0
.... do ....	Charles Duncombe, Esquire, Commissioner, being on account of do. for do. ....	500 0 0
		1000 0 0
4 Wil. 4, ch. 47 & 48	William Clarke, Esquire, treasurer of the Niagara District, being the amount appropriated for the improvement of Roads and Bridges in said District, for the years 1833 and 1834, .....	3600 0 0
.... do ....	David Smith, Esquire, treasurer of the District of Prince Edward, being the amount appropriated for ditto, in 1834, .....	650 0 0
.... do ....	John Harris, Esquire, treasurer of the London District, being the amount appropriated for ditto, in said District, for 1833-4, .....	4425 0 0
	Carried forward, .....	£ 8675 0 0
		37620 19 10

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.	
	Brought forward, £	8675 0 0	37620 19 10
4 Wil. 4, ch. 47 & 48	William Hands, Esquire, Treasurer of the Western District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4050 0 0	
.... do ....	Elijah Secord, Esquire, Treasurer of the Gore District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4350 0 0	
.... do ....	Zaccheus Burnham, Esquire, Treasurer of the Newcastle District being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4250 0 0	
.... do ....	Thomas Markland, Esquire, Treasurer of the Midland District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4300 0 0	
.... do ....	Donald McDonald, Esquire, Treasurer of the Ottawa District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	2300 0 0	
.... do ....	Francis T. Billings, Esquire, Treasurer of the Home District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4325 0 0	
.... do ....	John McKay, Esquire, Treasurer of the Bathurst District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4250 0 0	
.... do ....	Adiel Sheerwood, Esquire, Treasurer of the Johnston District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4250 0 0	
.... do ....	Alexander McLean, Esquire, Treasurer of the Eastern District, being the amount appropriated for ditto. in said District, for 1833 and 1834,.....	4250 0 0	
7 Geo. 4, ch. 6	The Honourable John Henry Dunn, Receiver General, being to enable him to pay the Militia pensions in advance for the half year commencing 1st July 1834,.....		45000 0 0
Sundry Acts.	The Honourable John Henry Dunn, Receiver General, being the amount of interest on Debentures paid by him, from 1st January to 30th June 1834, inclusive,.....		480 0 0
3 Will. 4, ch. 37	William Chisholm, Esquire, Commissioner of the Burlington Bay Canal, the amount of the appropriation for the maintenance of a Light at the said Canal,.....		5944 12 6
8 Geo. 4, ch. 17	The Honourable John Elmsley, being for the redemption of Government Debenture No. 54, dated 1st August 1827, for £3000, Interest thereon £39 9 0½,.....	3039 9 0½	
.... do ....	The Honourable John Elmsley, being for the redemption of Government Debenture No. 46, dated 16th June 1827, for £500, Interest due thereon £10 8 9,.....	510 8 9	3549 17 9½
	£		92695 10 1½

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, 1st February, 1835.

RECAPITULATION.

AUTHORITY.	SERVICES.	CURRENCY.	AUTHORITY.	SERVICES.	AMOUNT.
		£ s d		Brought forward, £	21932 10 10
1 Wil. 4, ch. 12.	Administration of Justice and support of the Civil Government,.....	3558 0 4	11 Geo 4, ch 10	In aid of Agricultural Societies,.....	200 0 0
do. 15	Receiver General's Salary,.....	388 17 9	4 Wil. 4,	45 Remuneration to the Arbitrator on behalf of this Province,.....	600 0 0
50 Geo. 3, ch. 16.	Inspector General's Salary,.....	909 15 6	do	51 For the support of the Civil Government for 1834,.....	1427 14 4
1 Wil. 4, ch. 13	Clerk of the Crown in Chancery, his salary,.....	37 10 0	3 Wil 4,	25 For the maintenance of Light Houses,.....	600 0 0
4 Geo. 4, ch. 6	Adjutant General of Militia,.....	225 0 0	4 do	35 For the construction of Piers at Long Point,.....	2000 0 0
do 27	Assistant Adjutant General of Militia,.....	100 0 0	do	26 Penitentiary at Kingston,.....	8333 6 8
3 Wil. 4, 49.	For the support of the civil Government for 1833,.....	3111 1 8	do	42 Tay Navigation Loan,.....	1000 0 0
41 Geo. 3, 12.	Officers of the Legislature,.....	437 5 9	3 do	34 River Trent Bridge,.....	500 0 0
2 Geo. 4, 20, &c	Six Pensioners,.....	80 0 0	4 do	44 Grand River Bridge,.....	1000 0 0
4 do. 56.	Common School appropriation,.....	1750 0 8	do	47 & 48 Improvement of Roads and Bridges,.....	45000 0 0
3 Wil. 4, 8.	do. ....	2850 0 0	7 Geo 4	6 Militia Pensions,.....	480 0 0
48 Geo 3, 16 &c	District Schools,.....	506 19 8	Sundry Acts,	Interest on Debentures,.....	3549 12 6
Address H. of A.	Contingencies of the Legislature,.....	7457 4 0	8 Geo 4, ch	17 Redemption of Debentures,.....	100 0 0
do	For certain Surveys,.....	483 13 3	3 Wil 4,	37 For Light at Burlington Bay Canal,.....	24 7 6
do	For the completion of Parliament Buildings,.....	747 3 3	59 Geo 3,	7 Returns to District Treasurers,.....	
	Carried forward,	21935 10 10			£192695 10 1

No. 1.  
PUBLIC ACCOUNTS.

13

COPY No. 10.

UPPER CANADA.

STATEMENT of the Receiver General's RECEIPTS and PAYMENTS of the Provincial Revenue, from the 1st January to the 30th June, 1834, inclusive.

RECEIPTS.	CURRENCY.			PAYMENTS.	CURRENCY.		
	£	s.	d.		£	s.	d.
Amount of the balance in the Receiver General's hands on the 31st December, 1833,.....	10605	15	2½	Amount of Warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, as per Abstract No. 9. ....	92695	10	1½
Amount received from the Receiver General of Lower Canada, as this Province's proportion of Import duties, collected at the Port of Quebec, for the quarters ended 5th July and 10th October, 1833.....	33192	4	5	Amount of the Receiver General's allowance of one-half per cent. on the sum of £33192 4 5 currency, received by him from the Receiver General of Lower Canada, .....	165	19	2½
Amount of the 22d Bank Stock dividend, .....	1000	0	0				
Amount received on account of duties imposed on licences for retailing Spirituous Liquors and for Distilling,.....	4567	19	4½				
Amount received for Bills of Exchange on London, on account of Debentures transmitted there,.....	34694	8	10½				
Amount received on account of duties on Imports from the United States of America,.....	4841	16	11				
Amount received on account of duties on licences issued to Hawkers & Pedler's, .....	425	16	9				
Amount received on account of Tolls collected at Kettle Creek Harbour, ..	891	5	0				
Amount of Tolls collected at the Burlington Canal,.....	60	0	0				
Amount of Tolls collected on the inland waters of the Newcastle District,....	5	0	0				
Amount received on account of Ale and Beer Licences issued.....							
Am't of Interest received on Loans, viz : From the Port Hope H. Co'y. £58 15 0							
From the Cobourg do. - £88 2 0	143	17	6				
Balance in advance by the Rec. Gen.,	2347	5	4				
Total Currency, £	92861	9	4	Total Currency, £	92861	9	4

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, 1st Feb. 1835.

COPY No. 11.

UPPER CANADA.

ABSTRACT of WARRANTS issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under enactments of the Provincial Legislature, from the 1st July to the 31st December 1834, inclusive.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.		
		£	s.	d.
1st Wil. 4, ch. 14.	Lieutenant Colonel William Rowan, Civil Secretary, being the amount of the Lieutenant Governor's salary for the half year ended 30th June, 1834, .....	1111	2	2½
do. do. do.	The Honourable and Venerable John Strachan, D. D., Member of the Executive Council, his salary for the same period, .....	55	11	1½
do do do	The Honourable Peter Robinson, Member of the Executive Council, his salary for the same period, .....	55	11	1½
do do do	The Honourable G. H. Markland, his salary as do. for do.,.....	55	11	1½
do do do	The Honourable Joseph Wells, Member of the Executive Council, his salary for the same period, .....	55	11	1½
	Carried forward,....£	1333	6	7½

D

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.	
	Brought over, .. £	1333	6 7½
1 Wil. 4, ch. 14	The Honourable John B. Robinson, Chief Justice, his salary from 1st January to 30th June 1834, inclusive, .....	833	6 8
.... do. ....	The Honourable Levius P. Sherwood, Judge of the Court of King's Bench, his salary for the same period, .....	500	0 0
.... do. ....	The Honourable James B. Macaulay, Judge of the Court of King's Bench, his salary for the same period, .....	500	0 0
.... do. ....	John Beikie, Esquire, Clerk of the Executive Council, his salary for the same period, .....	111	2 2½
.... do. ....	Robert S. Jameson, Esquire, Attorney General, being a portion of his salary for the same period, .....	166	13 4
			3444 8 10
4 .... do. ....51	Lieutenant Colonel William Rowan, Civil Secretary, being his salary from 1st January to 30th June 1834, .....	104	3 3
.... do. ....	Edward McMahon, Esquire, chief Clerk in the Government Office, his salary for the same period, .....	138	17 9
.... do. ....	Arthur Gifford, Esquire, Clerk in the Government Office, his salary for the same period, .....	100	0 0
.... do. ....	James McDonell, Esquire, his salary as Clerk in the Government Office, for the same period, .....	85	0 0
.... do. ....	William Lee, Esquire, senior Clerk in the Executive Council Office, his salary for the same period, .....	125	0 0
.... do. ....	James Stanton, Esq. junior Clerk in the Executive Council Office, his salary for the same period, .....	100	0 0
.... do. ....	Bernard Turquand, Esquire, senior Clerk in the Receiver General's Office, his salary for the same period, .....	125	0 0
.... do. ....	Walter Rose, Esq. junior Clerk in the Receiver General's Office, his salary for the same period, .....	100	0 0
.... do. ....	James Nation, Esquire, senior Clerk in the Inspector General's Office, his salary for the same period, .....	125	0 0
.... do. ....	Raymond Baby, Esquire, junior Clerk in the Inspector General's Office, his salary for the same period, .....	100	0 0
.... do. ....	John Radenhurst, Esquire, principal Clerk in the Surveyor General's Office, his salary for the same period, .....	150	0 0
.... do. ....	James G. Chewett, Esquire, senior Surveyor and Draftsman in the Surveyor General's Office, his salary for the same period, .....	150	0 0
.... do. ....	George C. Ridout, Esquire, senior Clerk in the Surveyor General's Office, his salary for the half year ended 30th June 1834, inclusive, .....	125	0 0
.... do. ....	Mr. William Spragge, junior Clerk in the Surveyor General's Office, his salary for the same period, .....	85	0 0
.... do. ....	Mr. John M. Caldwell, junior Clerk in the Surveyor General's Office, his salary for the same period, .....	85	0 0
.... do. ....	The Honourable John B. Robinson, Speaker of the Legislative Council, his salary for the same period, .....	100	0 0
.... do. ....	Mr. James Bridgeland, Keeper of the Court of King's Bench, his salary for the same period, .....	10	0 0
.... do. ....	Mr. Thomas Phipps, Usher of the Court of King's Bench, his salary for the same period, .....	10	0 0
.... do. ....	Robert Stanton, Esquire, Government Printer, being a portion of his account against the Government, audited in Council 31st July 1834, for the same period, .....	278	0 0
.... do. ....	The Honourable Duncan Cameron, Secretary and Registrar, being the allowance for the contingencies of his Office from the 1st January 1832 to the 30th June 1834, inclusive, at the rate of £150 per annum, .....	375	0 0
.... do. ....	Lieutenant Colonel William Rowan, Civil Secretary, being to enable him to defray the expense of Postage of Public Letters for the quarter ended 30th September 1834, .....	128	8 8
.... do. ....	Samuel P. Jarvis, Esquire, being in advance to enable him to pay the expense of forwarding Writs for the General Election, .....	60	0 0
.... do. ....	Robert Stanton, Esquire, Government Printer, being on account of the printing of the Statutes of the 4th Session of the 11th Provincial Parliament, .....	256	0 0
	Carried forward, £	2915	9 8
			3444 8 10

**No. I.**  
**PUBLIC ACCOUNTS.**

**15**

**ABSTRACT OF WARRANTS, &c.—CONTINUED.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.			
	Carried forward, £	2915	9	8	3444 8 10
4 Wil. 4, ch. 51.	Lieutenant Colonel William Rowan, Civil Secretary, being, with the sum of £107 14 4, and £108 16 3, paid by Warrants, the amount of his account of the contingent expenses of his Office for the half year ended the 30th June, 1834, audited in Council 31st July 1834, .....	206	12	2	
.... do ....	The Honourable George H. Markland, Inspector General, being the amount of his account of the contingent expenses of his Office for the same period, audited in Council 31st July, 1834, .....	35	5	4	
.... do ....	John Beikie, Esquire, Clerk of the Executive Council, being the amount of his account for the contingent expenses of his Office, for the half year ended the 30th June 1834, audited 31st July 1834,.....	60	16	7	
.... do ....	The Honourable John H. Dunn, Receiver General, being the amount of his account for the ordinary and incidental expenses of his Office for the same period, audited in Council 6th September 1834,.....	110	4	2	
.... do ....	James Nation, Esquire, being, an advance on account of the contingent expenses of the Public Offices for the year 1834, ..	300	0	0	
.... do . . .	Lieutenant Colonel William Rowan, Civil Secretary, being, the amount of postage on public letters, for the quarter ended 30th September 1834,.....	108	16	3	
.... do ....	Christopher A. Hagerman, Esquire, Solicitor General, being the amount of his salary for the half year ended 30th June 1834, ..	300	0	0	
.... do ....	Robert S. Jameson, Esquire, Attorney General, being to make up his salary to £1200 per annum, for the same period, ..	433	6	8	
.... do ....	Samuel P. Jarvis, Esquire, Deputy Secretary and Registrar, being the amount of his salary, for the same period,.....	100	0	0	
					4570 10 10
1 Will. 4, ch. 15	The Honourable John Henry Dunn, Receiver General, being the amount of his salary, for the same period,.....				368 17 9½
59 Geo. 3, ch. 13	The Honourable G. H. Markland, Inspector General, his salary, for the same period,.....				202 15 6½
1 Wil. 4, ch. 16	Samuel P. Jarvis, Esquire, Clerk of the Crown in Chancery, his salary, for the same period,.....				37 10 0
4 Geo. 4, ch. 6	Colonel Nathaniel Coffin, Adjutant General of Militia, his salary, for the same period,.....	182	10	0	
.... do ....	Colonel Nathaniel Coffin, Adjutant General of Militia, his allowance for the contingencies of his office, for the same period, ..	42	10	0	
					225 0 0
4 Geo. 4, ch. 27	Colonel Walter O'Hara, Assistant Adjutant General, his salary for the half year ended 30th June 1834,.....				100 0 0
41 Geo. 3, ch. 12 &c.	The Reverend William Macaulay, Chaplain of the Legislative Council, his salary, for the same period,.....	25	0	0	
.... do ....	Archibald McLean, Esquire, Speaker of the House of Assembly, his salary, for the same period,.....	100	0	0	
.... do ....	Grant Powell, Esquire, Clerk of the Legislative Council, his salary, for the same period,.....	100	0	0	
.... do ....	James FitzGibbon, Esquire, Clerk of the House of Assembly, his salary, for the same period,.....	100	0	0	
.... do ....	The Reverend Thomas Phillips, D. D. Chaplain of the House of Assembly, his salary, for the same period, .....	25	0	0	
.... do ....	D'Arcy Boulton, Esquire, Master in Chancery, his salary, for the same period, .....	25	0	0	
.... do ....	Stephen Jarvis, Esquire, Gentleman Usher of the Black Rod, his salary, for the same period,.....	25	0	0	
.... do ....	David A. McNab, Esquire, Serjeant-at-Arms, House of Assembly, his salary, for the same period,.....	25	0	0	
.... do ....	Mr. Hugh Carfrae, Door-keeper to the Legislative Council, his salary, for the same period,.....	10	0	0	
.... do ....	Mr. H. McLennon, Door-keeper to the House of Assembly, his salary, for the same period,.....	10	0	0	
					445 0 0
2 Geo. 4, ch. 20 &c.	Mrs. Elizabeth Law, her Pension for the same period,.....	10	0	0	
.... do ....	Mr. John White, his Pension, for the same period,.....	10	0	0	
	Carried forward,..... £	20	0	0	9414 2 11½

ABSTRACT OF WARRANTS, &c.—CONTINUED.

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.			
		£	s	d	
	Brought forward, £	20	0	0	9414 2 11½
2 Geo. 4, ch. 20 &c.	Mr. James Carrol, his Pension, for the half year ended 30th June 1834,.....	10	0	0	
.... do ....	Mr. Peter Millar, his Pension, for the same period,.....	10	0	0	
					40 0 0
48 Geo. 3, ch. 16 &c.	Mr. George Baxter, Master of the Midland District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. Elijah Chadwick, Master of the London District School, his salary for the same period,.....	50	0	0	
.... do ....	The Rev. Hugh Urquhart, Master of the Eastern District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. John Whitlaw, Master of the Niagara District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. H. Hunter, Master of the Newcastle District School, his salary for the same period,.....	50	0	0	
.... do ....	Rev. William Johnston, Master of the Western District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. James Cahill, Master of the Gore District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. John Stewart, Master of the Bathurst District School, his salary for the same period,.....	50	0	0	
.... do ....	Mr. Colin Gregor, Master of the Ottawa District School, his salary for the same period,.....	50	0	0	
.... do ....	Mrs. Sarah Bushby, widow of the late Hugh Bushby, Master of the Johnstown District School, being the amount of his salary, from the 1st January to the 28th February 1833, inclusive,.....	16	3	3¼	
					466 3 3¼
4 Wil. 4, ch. 46	Miss Anne E. Stewart, Treasurer of the Female Benevolent Society of Kingston, being the sum appropriated in aid of the funds of said Society,.....				150 0 0
3.... do ....56	The Honourable Zacheus Burnham, Treasurer of the Newcastle District, being the amount of the appropriation in aid of Common Schools in said District for 1834,.....	500	0	0	
.... do ....	Francis T. Billings, Esquire, Treasurer of the Home District, being the sum appropriated in aid of Common Schools in said District for 1834,.....	750	0	0	
.... do ....	William Hands, Esquire, Treasurer of the Western District, being the sum appropriated in aid of Common Schools in said District, for 1834,.....	350	0	0	
.... do ....	John McKay, Esquire, Treasurer of the Bathurst District, being the sum appropriated in aid of Common Schools in said District, for 1834,.....	500	0	0	
					2100 0 0
4 Geo. 4 ch. 8.	William Hands, Esquire, Treasurer of the Western District, being the sum appropriated in aid of Common Schools in the said District for 1834,.....	250	0	0	
.... do ....	John McKay, Esquire, Treasurer of the Bathurst District, being the sum appropriated in aid of Common Schools in the said District for 1834,.....	250	0	0	
.... do ....	The Honourable George H. Markland, being for the purchase of Books for Common and Sunday Schools, for the year 1834,.....	150	0	0	
.... do ....	David Smith, Esquire, Treasurer of the District of Prince Edward, being the sum appropriated in aid of Common Schools in said District for 1834,.....	250	0	0	
					900 0 0
11 Geo. 4, ch. 10	John Robinson, Esquire, President of the Agricultural Society of the Western District, being the sum appropriated in aid of said society for 1834,.....	100	0	0	
.... do ....	Jonas Jones, Esquire, President of the Leeds Agricultural Society, being the sum appropriated in aid of said society for 1834,.....	50	0	0	
.... do ....	Edward Wright, Esquire, President of the Agricultural Society of the County of Grenville, being the amount appropriated in aid of said society for 1834,.....	50	0	0	
	Carried forward, £	200	0	0	13070 6 3

**No. 1:**  
**PUBLIC ACCOUNTS.**

**17**

**ABSTRACT OF WARRANTS, &c.—CONTINUED.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.		
	Brought forward, £	200	0	0
11 Geo. 4, ch. 10	Alexander McLean, Esquire, President of the Agricultural Society of the Eastern District, being the sum appropriated in aid of the said society for the year 1834,.....	100	0	0
				300 0 0
4 Wil. 4, ch. 52	Grant Powell, Esquire, Clerk of the Legislative Council, being on account of certain contingent expenses of the Legislative Council,.....			500 0 0
3 .. do .... 34	Robert C. Wilkins, Esquire, being on account of the appropriation for the erection of a Bridge over the River Trent,....	250	0	0
.... do ....	Robert C. Wilkins, Esquire, being on account of ditto,.....	400	0	0
				650 0 0
4 Wil. 4, ch. 43	Mr. Alpheus St. John, being on account of the appropriation for the erection of a Bridge at Dunnville,.....	500	0	0
.... do ....	William Milne, Esquire, being on account of ditto,.....	750	0	0
				1250 0 0
4 Wil. 4, ch. 35	George C. Salmon, Esquire, being on account of the appropriation for the erection of Piers at Long Point, Lake Erie,....			1000 0 0
1..... 18	William H. Merritt, Esquire, being for the redemption of Government Debentures held by him for that amount,.....			50000 0 0
8 Geo. 4, ch. 17	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures Nos. 36, 37, 38, and 39, for £4000 currency, with interest from 16th June to 10th October 1834,.....	4076	18	7½
4.... do .... 8	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures, Nos. 19 and 20, for £2000 currency, with interest from 22nd June to 10th October 1834,.....	2036	9	10½
7.... do .... 29	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures No. 26, for £1666 13 4, with interest from 8th April to 10th October 1834, No. 29, for £2666 13 4, with interest from 8th May to 10th October 1834; and Nos. 30, 31, and 32, for £12,000, with interest from 8th June to 10th Oct'r. 1834,.....	16699	5	0
8.... do .... 19	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures Nos. 33 and 34, for £1333 6 8, with interest from 8th Sept. to 10th October 1834; and Nos. 96 and 97, for £1666 13 4, with interest from 15th May to 10th October 1834,.....	3049	3	0
.... do .... 17	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures Nos. 40 to 45, and 47 to 53, for £8500, with interest from 16th June to 22nd November 1834; Nos. 55 to 57, for £12,000, with interest from 1st August to 22nd November 1834; and Nos. 78 to 82, for £5000, with interest from 12th September to 22nd November 1834,.....	26007	12	3½
11.... do .... 11	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures Nos. 100 to 105, for £6000, with interest from 11th November to 26th December 1834,.....	6045	7	4½
8.... do .... 17	Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada, being for the redemption of Government Debentures Nos. 83 to 92, for £10,000, with interest from 12th September to 26th December 1834; and Nos. 93 to 95, for £7000, with interest from 26th October to 26th December 1834,....	17245	11	9
				75160 7 11
3 Wil. 4, ch. 18	Jonas Jones, Esquire, being on account of the appropriation for the improvement of the River Saint Lawrence,.....	10000	0	0
.... do ....	Jonas Jones, Esquire, being on account of ditto,.....	10000	0	0
.... do ....	Jonas Jones, Esquire, being on account of the appropriation for the improvement of the River Saint Lawrence,.....	15000	0	0
				35000 0 0
59 Geo. 3, ch. 7	Samuel P. Hurd, Esquire, Surveyor General, being for 223 old and 11 new returns to District Treasurers.....	38	17	6
.... do ....	Samuel P. Hurd, Esquire, Surveyor General, being for 5 original and 40 supplementary Returns of Townships furnished the Treasurer of Ottawa District,.....	10	0	0
				481 7 6
	Carried forward,—£			176979 11 8

**ABSTRACT OF WARRANTS, &c.—CONTINUED.**

ENACTMENTS.	TO WHOM PAID AND FOR WHAT SERVICE.	CURRENCY.
	Amount brought forward, £	176979 11 8
7 Geo. 4, ch. 6	The Honourable John Henry Dunn, Receiver General, being the amount of Militia Pensions paid from the 1st July to 31st December, 1834, .....	410 0 0
Sundry Acts.	The Honourable John Henry Dunn, Receiver General, being the amount of interest on Debentures paid from the 1st July to 31st December 1834....	5893 12 6
2 Wil. 4 ch. 28	John Macaulay, Esq. being the residue of the appropriation for the erection of a Hospital in the Town of Kingston.....	1000 0 0
4 Wil. 4, ch. 44	Charles Duncombe, Esquire, being on account of the appropriation for the erection of a Bridge over the Grand River at Paris, .....	500 0 0
4 Geo. 4, ch. 8	William Clark, Esquire, Treasurer Niagara District, being the sum appropriated in aid of common Schools in said District for 1834, .....	250 0 0
	Total Currency, .....	£ 185033 4 2

GEO. H. MARKLAND, INSPECTOR GENERAL.

*Inspector General's Office, 1st February, 1835.*

**RECAPITULATION.**

AUTHORITY.	SERVICE.	AMOUNT.
		£ s d
1 Wil. 4, ch. 14,....	Administration of Justice, and support of the Civil Government, .....	3444 8 10
4 Wil. 4, ch. 51,....	Appropriation for the expenses of the Civil Government,.....	4570 10 10
1 Wil. 4, ch. 15,....	The Receiver General's Salary, .....	388 17 9½
59 Geo. 3, ch. 13,....	The Inspector General's Salary,.....	202 15 6½
1 Wil. 4, ch. 16,....	Salary of the Clerk of the Crown in Chancery, .....	37 10 0
4 Geo. 4, ch. 6,....	Salary and Allowances of Adjutant-General of Militia,.....	225 0 0
4 Geo. 4, ch. 27,....	Salary of the Assistant Adjutant-General of Militia,.....	100 0 0
41 Geo. 3, ch. 12, &c	Officers of the Legislature,.....	445 0 0
2 Geo. 4, ch. 20, &c	Pensions.....	40 0 0
48 Geo. 3, ch. 16, &c	Salaries of District School-masters, .....	466 3 3½
4 Wil. 4, ch. 46,....	Appropriation in aid of the Female Benevolent Society of Kingston,.....	150 0 0
3 Wil. 4, ch. 56, ....	Appropriation in aid of Common Schools,.....	2100 0 0
4 Geo. 4, ch. 8, ....	..... ditto .....	1150 0 0
11 Geo. 4, ch. 10,...	Appropriation in aid of Agricultural Societies,.....	300 0 0
4 Wil. 4, ch. 52, ....	Contingencies of the Legislative Council, .....	500 0 0
3 Wil. 4, ch. 34,....	On account of appropriation for the River Trent Bridge, .....	650 0 0
4 Wil. 4, ch. 43,....	On account of appropriation for a Bridge at Dunnville, .....	1250 0 0
4 Wil. 4, ch. 35, ....	On account of appropriation for erection of Piers at Long Point,.....	1000 0 0
1 Wil. 4, ch. 18, &c.	Redemption of Debentures, .....	£50,000 0 0
8 Geo. 4, ch. 17,....	..... ditto .....	4076 18 7½
4 Geo. 4, ch. 8, ....	..... ditto .....	2036 9 10¼
7 Geo. 4, ch. 20, ....	..... ditto .....	16699 5 0
8 Geo. 4, ch. 19,....	..... ditto .....	3049 3 0
8 Geo. 4, ch. 17,....	..... ditto .....	26007 12 3½
11 Geo. 4, ch. 11,....	..... ditto .....	6045 7 4¾
8 Geo. 4, ch. 17,....	..... ditto .....	17245 11 9
3 Wil. 4, ch. 18,....	On account of the appropriation for the improvement of river St. Lawrence,	125160 7 11
59 Geo. 3, ch. 7,....	Expense of Returns to District Treasurers,.....	35000 0 0
7 Geo. 4, ch. 6,....	Militia Pensions,.....	48 17 6
Sundry Acts,....	Interest on Debentures,.....	410 0 0
2 Wil. 4, ch. 28,....	Residue of the appropriation for a Hospital at Kingston, .....	5893 12 6
4 Wil. 4, ch. 44,....	On account of the appropriation for a Bridge over the Grand River,.....	1000 0 0
	Total, Currency, ...	£ 185033 4 2

*Inspector General's Office, }  
1st February, 1835.*

**No. I.**  
**PUBLIC ACCOUNTS.**

**13**

COPY No. 14.

**UPPER CANADA.**

**ACCOUNT of REVENUE arising from Duties upon Goods, Wares, and Merchandise Imported into this Province from the United States of America, from the 1st January to the 31st December 1834, as reported by the Collectors of Customs.**

PORTS.	COLLECTORS.	WHOLE COLLECTION.			EXPENSE OF COLLECTION			NET REVENUE.			
		£	s	d.	£	s	d.	£	s	d.	
River aux Raisins, .....	John Cameron, .....	31	3	0½	15	11	6	15	11	6½	
Cornwall, .....	Wm. J. Crysler, .....	49	7	11½	24	13	11¾	24	13	11¾	
Prescott, .....	Alpheus Jones, .....	436	7	10½	100	0	0	336	7	10½	
Brockville, .....	Richard D. Fraser, .....	532	17	3¼	100	0	0	432	17	3¼	
Johnstown, .....	John Webster, .....	21	4	7	10	12	3½	10	12	3½	
Gananoque, .....	Ephraim Webster, .....	20	2	5¾	10	1	2¾	10	1	3	
Kingston, .....	Thomas Kirkpatrick, .....	1747	3	3	100	0	0	1647	3	3	
Bath, .....	Colin McKenzie, .....	194	9	0½	97	4	6½	97	4	6½	
Hallowell, .....	Andrew Deacon, .....	243	9	11	100	0	0	143	9	11	
Newcastle, .....	Bernard McMahan, .....	70	5	1	35	2	6½	35	2	6½	
Belleville, .....	Henry Baldwin, .....	324	14	9	100	0	0	224	14	9	
Cobourg, .....	Allan McLean, .....	563	15	5½	100	0	0	463	15	5½	
Port Hope, .....	W. Kingsmill, .....	211	14	7	100	0	0	111	14	7	
York, .....	George Savage, .....	3037	14	8	100	0	0	2937	14	8	
Burlington, .....	John Chisholm, .....	1208	10	5½	100	0	0	1108	10	5½	
Dalhousie, .....	William H. Merritt, .....	46	16	7	23	8	3½	23	8	3½	
Niagara, .....	Thomas McCormack, .....	566	19	0	100	0	0	466	19	0	
Queenston, .....	Robert Grant, .....	420	7	2¾	100	0	0	320	7	2¾	
Chippewa, .....	Robert Kirkpatrick, .....	828	11	7¼	100	0	0	728	11	7¼	
Fort Erie, .....	George Hardison & James Kirby, ..	808	5	8	100	0	0	708	5	8	
Dover, .....	George Ryerse, .....	161	3	6½	80	11	9¼	80	11	9¼	
Turkey Point, .....	James Mitchell, .....	21	0	6	10	10	3	10	10	3	
Burwell, .....	John Burwell, .....	119	10	1¾	59	15	0¾	59	15	1	
Amherstburgh, .....	Francis Caldwell, .....	117	7	5½	58	9	1½	58	18	4	
Sandwich, .....	William Hands, .....	173	6	5¾	86	9	7	86	16	10¾	
Penetanguishine, .....	Thomas G. Anderson, .....	10	11	8	5	5	10	5	5	10	
Stanley, .....	John Bostwick, .....	468	15	10½	100	0	0	368	15	10½	
Windsor, .....	Henry Boys, .....	96	0	0	48	0	0	48	0	0	
Maitland, .....	Alexander McQueen, .....	40	0	11½	20	0	5¾	20	0	5¾	
Oakville, .....	Wm. Chisholm, .....	114	0	9	57	0	4½	57	0	4½	
Goderich, .....	John Galt, .....	50	15	1	25	7	6½	25	7	6½	
Whole collection, .....		£	12736	12	11¼						
Expense of collection, .....		£	2068	4	4½						
Net Revenue, currency, .....		£	10668	8	6½						

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, }  
1st February, 1835. }

COPY No. 15.

**UPPER CANADA.**

**ACCOUNT of REVENUE arising from Duties upon Licences issued to Hawkers and Pedlers, from the 1st January to the 31st December 1834, inclusive, as reported by the Collectors of Customs.**

PORTS.	PERSONS LICENCED.	DESCRIPTION.	DUTY.			TOTAL.		
			£	s.	d.	£	s.	d.
River aux Raisin, ...	Thomas Bigley, .....	On Foot, ...	5	0	0	15	0	0
do do	Thomas Cline, .....	On Foot, ...	5	0	0			
do do	Joseph McEwen, .....	On Foot, ...	5	0	0			
Carried forward, .....						15	0	0

COPY No. 12.

UPPER CANADA.

STATEMENT of the Receiver General's RECEIPTS and PAYMENTS of the Provincial Revenue, from the 1st July to the 31st December, 1834, inclusive.

RECEIPTS.	CURRENCY.			PAYMENTS.	CURRENCY.		
	£	s.	d.		£	s.	d.
Amount received from the Receiver General of Lower Canada, as this Province's proportion of Import duties, collected at the Port of Quebec, for the quarters ended 5th January, 5th April, and up to the 1st May, 1834,...	31588	16	6	By balance in advance by the Receiver General on the 30th June 1834, as per statement No. 10,.....	2347	5	4
Amount of the 23d Bank Stock dividend.	1000	0	0	By Am't of Warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, as per Abstract No. 11. ....	185033	4	2
Amount received on account of licences issued to Shop-keepers, Inn-keepers, Distillers, &c. ....	2343	14	3	Amount of the Receiver General's allowance of one-half per cent. on the sum of £31692 16 6 currency, received by him from the Receiver General of Lower Canada, .....	157	18	10½
Amount received for Bills of Exchange on London, on account of Government Debentures transmitted there,.....	173771	16	1½	Balance in the hands of the Receiver General, 31st December, 1834,.....	28771	12	0½
Amount received on account of duties on impts fm. the United States of America.	5883	4	2½				
Amount received on account of duties on licences issued to Hawkers & Pedler's.	457	0	0				
Amount received on ac't. of duties on licences issued to Auctioneers and on Sales at Auction, .....	495	11	10½				
Am't. rec'd. on ac't. of beer licenses issued	2	0	0				
Amount on ac't. of Tolls collected at the Burlington Bay Canal,.....	200	0	0				
Amount received on account of Tolls collected at Kettle Creek Harbour,...	158	5	0				
Amount received on account of York Road Tolls, .....	177	0	0				
Am't received on account of the Interest upon Oakville Harbour Loan, .....	75	0	0				
Am't. received on ac't. of the Cobourg de Rec'd from the Hon. D. Cameron, on ac't. of Weights and Measures for the Ottawa and Eastern Districts,.....	83	2	6				
	69	10	0				
Total Currency, £	216310	0	4½	Total Currency, £	216310	0	4½

Inspector General's Office, 1st Feb. 1835.

GEO. H. MARKLAND, INSPECTOR GENERAL.

COPY No. 13.

UPPER CANADA.

ACCOUNT of REVENUE arising from Duties on Licences issued to Shopkeepers, Innkeepers, Distillers, &c. from the 5th January 1834, to the 5th January 1835, as reported by the several Inspectors.

DISTRICT.	INSPECTORS.	No. of steam-boats	No. of Shops.	No. of Innkeepers	No. of Bil. liard tables.	Stills. Gal.	Duty on steam-boats			Duty on bil. liard tables.	Duty on Shops.			Duty on Innkeepers			Duty on Stills.			Total Currency.		
							£	s.	d.		£	s.	d.	£	s.	d.	£	s.	d.		£	s.
Ottawa,.....	Donald McDonald,....	0	8	14	0	120	0	0	0	0	40	0	0	64	0	0	15	0	0	119	0	0
Bathurst,.....	Anthony Leslie, .....	1	40	89	0	352	5	0	0	0	200	0	0	267	0	0	44	0	0	516	0	0
Eastern, .....	Philip Vankoughnet, .....	1	38	83	0	0	5	0	0	0	190	0	0	249	0	0	0	0	0	444	0	0
Johnstown,.....	John Weatherhead,.....	4	41	57	0	228	20	0	0	0	205	0	0	336	10	0	28	10	0	640	0	0
Midland,.....	James Sampson,.....	5	53	126	0	847½	25	0	0	0	265	0	0	820	0	0	105	19	4½	1215	19	4½
Prince Edw'd	Adam Hubbs, .....	0	7	6	0	150	0	0	0	0	35	0	0	35	0	0	18	15	0	88	15	0
Newcastle, .....	Elias Jones,.....	0	43	82	0	1463	0	0	0	0	215	0	0	341	0	0	182	17	6	745	17	6
Home,.....	Hon. Alex. McDonell	1	74	188	1	967	5	0	0	40	370	0	0	1202	10	0	129	17	6	1738	7	6
Gore,.....	John Willson,.....	1	34	119	0	824	5	0	0	0	170	0	0	551	10	0	103	0	0	829	10	0
Niagara,.....	John Claus,.....	2	41	116	0	425	10	0	0	0	205	0	0	484	10	0	53	2	6	752	12	6
London,.....	James Mitchell,.....	0	29	74	0	1088½	0	0	0	0	145	0	0	233	0	0	136	1	3	514	1	3
Western,.....	William Hands, .....	1	23	53	0	0	5	0	0	0	115	0	0	159	0	0	0	0	0	279	0	0
		16	431	1007	1	6465½	80	0	0	40	2155	0	0	4800	0	0	808	3	1½	7883	3	1½
	Allowance to Inspec.																			688	17	7½
	Net Revenue, .....																			7194	5	6

GEO. H. MARKLAND, INSPECTOR GENERAL.

ACCOUNT OF REVENUE, &c.—CONTINUED.

PORTS.	PERSONS LICENSED.	DESCRIPTION.	DUTY.			TOTAL.		
			£	s	d.	£	s	d.
Brockville, .....	William Henderson, .....	.. On Foot, ...	5	0	0	20	0	0
.... do ....	A. C. & P. B. Taber & Co. ....	.... do ....	5	0	0			
.... do ....	John S. Leonard, .....	..One Horse,..	10	0	0			
Gananoque, .....	Alexander McDonald, .....	.. On Foot, ...	5	0	0	5	0	0
Kingston, .....	Patrick Merriman, .....	..One Horse,..	10	0	0			
.... do ....	D. Johnson, .....	.. On Foot, ...	5	0	0	50	0	0
.... do ....	John Gillis, .....	.... do ....	5	0	0			
.... do ....	Aeneas Burns, .....	..One Horse,..	10	0	0			
.... do ....	A. W. Benham, .....	.... do ....	10	0	0			
.... do ....	James Mooney, .....	.. On Foot, ...	5	0	0			
.... do ....	Michael Brennan, .....	.... do ....	5	0	0			
Bath, .....	Michael Donoghue, .....	.... do ....	5	0	0			
.... do ....	John Campbell, .....	.... do ....	5	0	0	55	0	0
.... do ....	John H. Knewton, .....	..One Horse,..	10	0	0			
.... do ....	Thomas Armstrong, .....	.. On Foot, ...	5	0	0			
.... do ....	Leicester Phelps, .....	..One Horse,..	10	0	0			
.... do ....	Guy Merwin, .....	.... do ....	10	0	0			
.... do ....	Homer Spencer, .....	.... do ....	10	0	0			
Hallowell, .....	John Lynch, .....	.. On Foot, ...	5	0	0	10	0	0
Belleville, .....	John McCloney, .....	.... do ....	5	0	0			
.... do ....	Patten S. Bridge, .....	.... do ....	5	0	0	115	0	0
Burlington, .....	C. W. Hughes, .....	.... do ....	5	0	0			
.... do ....	Reuben Nelles, .....	..One Horse,..	10	0	0			
.... do ....	Horace Burr, .....	.... do ....	10	0	0			
.... do ....	Coplin Stinson, .....	.... do ....	10	0	0			
.... do ....	James Ferguson, .....	.... do ....	10	0	0			
.... do ....	William Spencer, .....	.. On Foot, ...	5	0	0			
.... do ....	James Campbell, .....	.... do ....	5	0	0			
.... do ....	James Gault, .....	..One Horse,..	10	0	0			
.... do ....	Charles Warner, .....	.... do ....	10	0	0			
.... do ....	Denis Beach, .....	.... do ....	10	0	0			
.... do ....	John Harvey, .....	.. On Foot, ...	5	0	0			
.... do ....	Joshua Fitzgerald, .....	..One Horse,..	10	0	0			
.... do ....	J. P. Kellog, .....	.... do ....	10	0	0			
.... do ....	J. Stinson, .....	.. On Foot, ...	5	0	0			
Niagara, .....	Duncan McLaren, .....	.... do ....	5	0	0	25	0	0
.... do ....	Matthias Hurde, .....	.... do ....	5	0	0			
.... do ....	David Sharrer, .....	.... do ....	5	0	0			
.... do ....	Michael Bradley, .....	.... do ....	5	0	0			
.... do ....	Dudley W. Stone, .....	.... do ....	5	0	0			
Chippewa, .....	R. M. Tufflemen, .....	.... do ....	5	0	0	25	0	0
.... do ....	John Rice, .....	.... do ....	5	0	0			
.... do ....	Benjamin Osgood, .....	.... do ....	5	0	0			
.... do ....	James Hobkerk, .....	..One Horse,..	10	0	0			
Port Stanley, .....	John Sutton, .....	.... do ....	10	0	0	20	0	0
.... do ....	Alonzo Cotton, .....	.... do ....	10	0	0			
York, .....	Valentine Dynes, .....	..On Foot, ...	5	0	0	50	0	0
.... do ....	Ralph Dynes, .....	..One Horse,..	10	0	0			
.... do ....	Thomas Dunlap, .....	..On Foot, ...	5	0	0			
.... do ....	William Scott, .....	.... do ....	5	0	0			
.... do ....	Paul Whiting, .....	..One Horse,..	10	0	0			
.... do ....	Hugh A. McQueen, .....	.... do ....	10	0	0			
.... do ....	John Graham, .....	..On Foot, ...	5	0	0			
	Allowance to Collectors, 5 per cent., .....					395	0	0
	Net Revenue, currency, .....					19	15	0
						375	5	0

COPY No. 16.

## UPPER CANADA.

ACCOUNT of REVENUE arising from Duties upon Licences to Auctioneers, and on Sales at Auction, from the 1st January to the 31st December 1834, inclusive, as reported by the Collectors of Customs.

PORTS.	PERSONS LICENSED.	DUTY.			TOTAL.					
		£	s	d	£	s	d			
Brockville,.....	Alexander Cameron,.....	5	0	0	25	0	0			
.... do ....	Steel Smyth,.....	5	0	0						
.... do ....	Arthur McLean,.....	5	0	0						
.... do ....	Daniel Fisher,.....	5	0	0						
.... do ....	James Henry,.....	5	0	0						
Kingston,.....	Hugh Scanlan,.....	5	0	0	35	0	0			
.... do ....	James Sinton,.....	5	0	0						
.... do ....	G. H. Haines,.....	5	0	0						
.... do ....	William Shaw,.....	5	0	0						
.... do ....	Robert Jackson,.....	5	0	0						
.... do ....	William Daire,.....	5	0	0						
.... do ....	Michael Brennan,.....	5	0	0						
Bath,.....	William L. Wood,.....	5	0	0	5	0	0			
Hallowell,.....	Alexander V. Allen,.....	5	0	0						
Belleville,.....	David Baker Sole,.....	5	0	0	5	0	0			
Cobourg,.....	R. D. Chatterton,.....	5	0	0						
.... do ....	Jacob Jacobs,.....	5	0	0	10	0	0			
Port Hope,.....	Erasmus Fowke,.....	5	0	0						
.... do ....	Thomas T. Orton,.....	5	0	0						
.... do ....	Edward Wilson,.....	5	0	0	15	0	0			
York,.....	P. Burke,.....	5	0	0						
.... do ....	A. M. Greig & Co.,.....	5	0	0						
.... do ....	Henry M. Mosley,.....	5	0	0						
.... do ....	Robert Hamilton,.....	5	0	0						
.... do ....	A. McDonald,.....	5	0	0						
.... do ....	William Mosley,.....	5	0	0						
.... do ....	J. W. Crosby,.....	5	0	0						
.... do ....	William Crew,.....	5	0	0						
.... do ....	Joseph Hewitt,.....	5	0	0						
.... do ....	William Wakefield,.....	5	0	0						
Burlington,.....	William Cattermole,.....	5	0	0	20	0	0			
.... do ....	John Thoraer,.....	5	0	0						
.... do ....	William Smith,.....	5	0	0						
.... do ....	Emanuel Playter,.....	5	0	0						
Niagara,.....	John Talbot,.....	5	0	0	20	0	0			
.... do ....	John R. Shute,.....	5	0	0						
.... do ....	Ralph M. Clement,.....	5	0	0						
.... do ....	Edward Cochrane,.....	5	0	0						
DUTY ON SALES AT AUCTION.					190			0		
Brockville,.....		21	16	3	391	17	1½			
Kingston,.....		143	19	4						
Bath,.....		3	16	0						
Hallowell,.....		0	11	4¾						
Belleville,.....		0	9	6½						
Cobourg,.....		3	1	4½						
York,.....		193	10	0½						
Niagara,.....		21	13	2						
Collector's allowance, 5 per cent.,.....								581	17	1½
Net Revenue,.....								29	1	10½
					552	15	3			

Inspector General's Office, 1st February, 1834.

GEO. H. MARKLAND, INSPECTOR GENERAL.

COPY No. 17.

UPPER CANADA.

STATEMENT of MONIES outstanding in the hands of Collectors and Inspectors, on account of Provincial Duties on the 1st of January 1835.

COLLECTORS.			CURRENCY.	COLLECTORS.			CURRENCY.
			£ s. d.				£ s. d.
				Brought forward,....£			8445 3 8
John Cameron,.....			56 3 3	Thomas G. Anderson,.....			90 9 0
Estate of the late John Cameron,.....			26 12 4	John Bostwick, .....			289 18 8
John Crysler, late Collector,.....			30 10 0	John Burwell, .....			34 17 6
William M. Bullock, do.....			337 7 3	Alexander McQueen,.....			40 0 11
Dugald Campbell, do.....			592 8 8	William Chisholm,.....			57 0 4
Marcus F. Whitehead, do.....			78 8 0	Estate of the late A. McMillan,.....			34 4 5
Richard Bullock, do.....			259 1 9	Walter H. Denaut, late Deputy Collector,..			53 7 10
George Hardison, do.....			552 14 5	Estate of the late John Wilson, exclusive of			
Mahlon Burwell, do.....			500 3 4	his collections in the years 1828, 1829,			
William J. Crysler,.....			4 14 0	and 1830, of which no returns have been			
Alpheus Jones,.....			125 1 7	made, .....			158 16 9
Richard D. Fraser,.....			471 11 10	Estate of the late John Symington,.....			43 17 5
John Webster,.....			10 13 3	INSPECTORS.			
Ephraim Webster,.....			1 7 0	Alexander McDonell,.....£	175 5 0		
Thomas Kirkpatrick, .....			946 4 7	John Claus,.....	608 3 0		
Colin McKenzie,.....			45 12 2	James Mitchell, .....	637 12 1		
Andrew Deacon,.....			451 17 6	William Hands, .....	124 8 8		
Bernard McMahan, .....			35 5 9	Elias Jones, .....	127 14 0		
Estate of the late Robert Smith,.....			6 11 5	John Willson,.....	150 17 9		
Allan McLean, .....			180 11 2	Donald McDonald,.....	24 6 0		
W. Kingsmill, .....			150 13 7	Adam Hubbs,.....	16 17 6		
George Savage,.....			613 13 4	Alexander McDonell, late In-			
John Chisholm,.....£ 892 5 11				pector Ottawa District,....	141 6 0		
Do. as Collector of tolls,..	865 16 8			Estate of the late J. Swayze,.	250 2 4		
			1758 2 7	Estate of the late O. Everts,..	88 2 5		
William H. Merritt, .....			17 10 3	Estate of the late J. Cumming,.	545 10 0		
Thomas McCormack,.....			300 9 7	Total Currency,....£			12138 1 3
Robert Grant, .....			187 8 4	Henry Baldwin, Collector,.....			145 11 10
Robert Kirkpatrick,.....			261 8 11	£			12283 13 1
James Kerby,.....			257 12 7				
George J. Ryerse,.....			86 18 4				
James Mitchell,.....			61 15 9				
Francis Caldwell, .....			36 11 2				
Carried forward,....£	8445 3 8						

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, 1st February, 1835.

COPY No. 18.

UPPER CANADA.

STATEMENT of MONIES paid to the Receiver General by Collectors and Inspectors, since the 1st January 1835, in liquidation of balances then outstanding or on account of Duties subsequently collected.

			£	Brought forward,....£			£ s. d.
Francis Caldwell, Collector,.....			35 0 0	John Burwell, do.....			4225 7 10
Henry Baldwin, do.....			149 9 5	Robert Grant, do.....			26 1 5
Richard D. Fraser, do.....			418 6 1	Colin McKenzie, do.....			179 18 5
John Chisholm, do.....			1219 15 0	Allan H. McLean, do.....			33 5 0
William J. Crysler, do.....			52 10 0	John Bostwick, do.....			219 9 4
Robert Kirkpatrick, do.....			276 0 0	Walter B. Sheehan do.....			284 10 0
Alexander McQueen, do.....			20 1 0	William Hands, Inspector,.....			1 5 0
James Kerby, do.....			226 2 2	Philip Vankoughnet, do.....			64 17 8
Ephraim Webster, do.....			2 0 0	Anthony Leslie, do.....			83 6 7
Thomas Kirkpatrick, do.....			900 0 0	James Sampson, do.....			184 10 0
Thomas McCormick, do.....			290 19 6	Elias Jones, do.....			112 10 0
Bernard McMahan, do.....			12 10 0	Hon. Alex. McDonell, do.....			125 6 0
Alpheus Jones, do.....			122 11 4	John Willson, do.....			1103 13 9
Mahlon Burwell, do.....			500 3 4	James Mitchell, do.....			153 0 0
Carried forward,....£	4225 7 10			Adam Hubbs, do.....			150 0 0
				Total Currency,....£			6968 18 6

GEO. H. MARKLAND, INSPECTOR GENERAL.

Inspector General's Office, 1st February, 1835.

COPY No. 19.

UPPER CANADA.

ESTIMATE of the CIVIL EXPENDITURE for the Year 1835, and so much of the same as remains unprovided for by the Legislature for the Years 1832, 1833, and 1834, exclusive of the appropriation by Statute 1st William 4th, ch. 14.

	£	s	d	£	s	d		£	s	d
Travelling expenses of the Judges of Assize and Crown Officers,.....	500	0	0				Brought forward,£	208	0	0
Ditto for 1832, 1833, & 1834,	1500	0	0				Four Clerks,.....	840	0	0
				2000	0	0	Contingencies,.....	700	0	0
Salaries of the Sheriffs of the Home and Midland Districts	222	0	0				<i>Executive Council Office.</i>			1748
Ditto for 1832, 1833, & 1834,	666	0	0				Two Clerks,.....	500	0	0
				898	0	0	Contingencies,.....	125	0	0
Attendance of the Sheriff of Home District in the Court of King's Bench,.....	30	0	0				<i>Receiver General's Office.</i>			625
Ditto for 1832, 1833, & 1834,	90	0	0				Two Clerks,.....	500	0	0
				120	0	0	Contingencies,.....	50	0	0
Clerks of Assize,.....	150	0	0				<i>Secretary &amp; Registrar's Office</i>			550
Ditto for 1832, 1833, & 1834,	450	0	0				Deputy's salary,.....	200	0	0
				600	0	0	Contingencies,.....	100	0	0
Salary of the Clk of the Crown, and for the contingencies of his Office,.....	125	0	0				<i>Inspector General's Office.</i>			300
Ditto for 1832, 1833, & 1834,	375	0	0				Two Clerks,.....	500	0	0
				500	0	0	Contingencies,.....	50	0	0
Salary of the Speaker of the Legislative Council,.....				4108	0	0	<i>Surveyor General's Office.</i>			550
<i>Government Office.</i>				200	0	0	Five Clerks,.....			1140
Secretary's salary,.....	208	0	0				Government Printer,.....			600
Carried forward,	208	0	0	4308	0	0	Printing the Statutes,.....	1000	0	0
							Arrears of ditto for 1834,..	850	0	0
							Repairs of the Gov't. House,.....			1850
							Contingent expenses of the Public Offices:			200
							For the West Wing,.....	400	0	0
							For the East Wing,.....	400	0	0
							Casual & extraordinary exp's.			800
							Total, currency,.....			600
										13271

Inspector General's Office, 1st February, 1835.

GEO. H. MARKLAND, INSPECTOR GENERAL.

COPY No. 20.

UPPER CANADA.

GENERAL ESTIMATE of the EXPENDITURE and RESOURCES of the Province for the year 1835

EXPENDITURE.	CURRENCY.	RESOURCES.	CURRENCY.				
	£ s d		£ s d				
To complete the service of 1834,.....	10000	0	0	Balance in the Receiver General's hands, on 31st Dec. 1834, as per statement No. 12,	28771	0	0
Interest on the Public Debt,.....	19838	0	0	Balance of Proceeds of Debentures transmitted to England, undrawn for with premium thereon at 6 per cent.,.....	26607	0	0
Permanent Salaries, 1st Wm. 4, ch. 14,....	7223	0	0	Amount of this Province's proportion of duties on importations by sea at the Port of Quebec,.....	55000	0	0
Civil List Estimate for 1835,.....	13271	0	0	Amount of duties on Licences for retailing spirituous Liquors, Distilling, &c. ....	7000	0	0
Contingencies of Legislature,.....	7500	0	0	Amount of duties on Importations from the United States of America,.....	10000	0	0
Common Schools,.....	3150	0	0	Amount of Licences to Hawkers & Pedlers,.....	500	0	0
District Schools,.....	1200	0	0	Amount of Licences to Auctioneers and on Sales at Auction,.....	500	0	0
Militia Pensions,.....	900	0	0	Amount of Bank Stock Dividends,.....	2000	0	0
Officers of the Legislature,.....	890	0	0	Amount of Tolls at the Burlington Bay Canal	1200	0	0
Maintenance of Light Houses,.....	600	0	0	Amount of ditto at Kettle Creek Harbour,	350	0	0
Agricultural Societies,.....	800	0	0	Am't. further issue of Debentures on Eng'd.	80890	0	0
Adjutant-General of Militia and Assistant,..	650	0	0				
Inspector General's Salary,.....	406	0	0				
Receiver General's Salary,.....	778	0	0				
Six Pensioners,.....	120	0	0				
Clerk of the Crown in Chancery,.....	75	0	0				
Improvement of the River St. Lawrence,...	125000	0	0				
Redemption of Debentures called in by the Receiver General,.....	20417	0	0				
Currency, £	212818	0	0				

Inspector General's Office, 1st February, 1835.

GEO. H. MARKLAND, INSPECTOR GENERAL.

**NO. 1.**  
**Public Accounts.**

25

UPPER CANADA.

APPENDIX.

APPENDIX.

NAMES OF PERSONS licensed, as Shopkeepers to retail Spirituous Liquors, from the 6th October, 1833, to the 5th January, 1834, as reported by the Inspectors.

Shopkeepers  
licensed.

No. 1 David Smith.	MIDLAND DISTRICT.
1 William George.	JOHNSTOWN DISTRICT.
1 John Still,	NEWCASTLE DISTRICT.   2 John Hall
	EASTERN DISTRICT. <i>None.</i>
1 Gibson & Colville, 2 George Moore,	HOME DISTRICT.   3 William Laughton,   4 William Laughton.
1 C. J. B. Horton.	BATHURST DISTRICT.
	OTTAWA DISTRICT. <i>None.</i>
1 James Durand.	GORE DISTRICT.
1 William Duff, 2 John B. House, 3 Joseph Archer, 4 J. Buchanan & Co.	NIAGARA DISTRICT.   5 J. Buchanan & Co.   6 Lewis Clement,   7 James Cummings,   8 Alexander Douglass.
1 Duncan McPherson, 2 George S. Fraser,	LONDON DISTRICT.   3 Anson Paul.
	WESTERN DISTRICT. <i>None.</i>

NAMES OF PERSONS licensed as Innkeepers to retail Spirituous Liquors, from the 6th October, 1833, to the 5th January, 1834, as reported by the Inspectors.

Innkeepers,  
Midland Dist.

MIDLAND DISTRICT.

1 John Bowen ..... 5 0 0		8 John B. Pickard ..... 5 0 0
2 John McKoy ..... 10 0 0		9 Archibald Hitchcock ..... 5 0 0
3 Jonas Vanalstine ..... 5 0 0		10 Edward Grenier ..... 5 0 0
4 Joshua B. Lockwood ..... 5 0 0		11 David Leahy ..... 5 0 0
5 Daniel Fraser ..... 5 0 0		12 Stephen Rose ..... 5 0 0
6 Leonard Vanalstine ..... 5 0 0		13 Ely Morton ..... 5 0 0
7 Archibald Chambers ..... 10 0 0		Total ..... £ 75 0 0

NEWCASTLE DISTRICT.

1 David Armstrong ..... 3 0 0		13 John Deyell ..... 3 0 0	
2 Robert Chambers ..... 5 0 0		14 Robert Richardson ..... 5 0 0	Innkeepers, Newcastle Dt
3 Henry Stickles ..... 6 0 0		15 John Arkland ..... 4 0 0	
4 Henry Fitzpatrick ..... 6 0 0		16 Francis Beaty ..... 3 0 0	
5 Thomas Dickson ..... 3 0 0		17 Samuel Brown ..... 3 0 0	
6 Francis McCabe ..... 3 0 0		18 John Vancamp ..... 5 0 0	
7 Lyman Smith ..... 3 0 0		19 James Willson ..... 3 0 0	
8 John Musson ..... 5 0 0		20 H. McFadden ..... 5 0 0	
9 John Gabiter ..... 3 0 0		21 Patrick Sullivan ..... 3 0 0	
10 William Battle ..... 6 0 0		22 George Burns ..... 3 0 0	
11 Edward Pepper ..... 5 0 0		23 Robert Graham ..... 3 0 0	
12 Daniel Hide ..... 3 0 0		Total, Currency ..... £ 91 0 0	

**NO. 1.**  
**Public Accounts.**

APPENDIX.

APPENDIX.

JOHNSTOWN DISTRICT.

1 Samuel Denby..... 4 0 0

EASTERN DISTRICT.

1 Donald McDonell..... 5 0 0

HOME DISTRICT.

1 Stanous Daniels..... 7 10 0

2 William Young..... 7 10 0

3 Matthew Lymburner..... 3 0 0

Total, C'y..... £18 0 0

BATHURST DISTRICT.

1 James McDonell..... 3 0 0

2 Thomas Rogerson..... 3 0 0

Total, C'y..... £ 6 0 0

OTTAWA DISTRICT.

*None.*

GORE DISTRICT.

Innkeepers,  
Gore District.

1 Aaron Cornell..... 3 10 0  
2 William Bunn..... 3 0 0  
3 John Linderman..... 4 0 0  
4 James Prine..... 3 0 0  
5 William D. Dutton..... 6 10 0  
6 Isaac Marlatt..... 5 0 0  
7 George Carey..... 5 0 0  
8 John Sherwood..... 8 0 0  
9 Robert Shepherd..... 3 0 0

10 Mary Petrie..... 3 0 0  
11 William Bliss..... 5 0 0  
12 David Pearson..... 4 0 0  
13 Andrew Eddie..... 3 10 0  
14 James Stewart..... 3 10 0  
15 Francis Whitehead..... 3 0 0  
16 — Oliver..... 3 0 0

Total, C'y..... £ 66 0 0

NIAGARA DISTRICT.

Innkeepers,  
Niagara Dist.

1 William Hepburne..... 3 10 0  
2 William Looney..... 3 10 0  
3 Sarah Phillpots..... 3 10 0  
4 C. Wadsworth..... 3 10 0  
5 Richard Wood..... 3 10 0  
6 Anthony Upper..... 3 10 0  
7 Obadiah Hopkins..... 3 10 0  
8 Robert Brown..... 3 10 0  
9 Hudson Kellog..... 3 10 0  
10 J. T. Stewart..... 3 10 0  
11 Henry Sloan..... 3 10 0  
12 T. Brundage..... 3 10 0  
13 William Moffatt..... 4 10 0  
14 Peter Cain..... 4 10 0  
15 Robert Reid..... 3 10 0  
16 Abraham Brown..... 3 10 0  
17 William Fletcher..... 3 10 0  
18 Andrew Heron..... 4 10 0

19 Louis Donally..... 4 0 0  
20 William Dittrick..... 4 10 0  
21 Thomas Dorrity..... 3 10 0  
22 Seth Keith..... 3 10 0  
23 S. E. Secord..... 3 10 0  
24 Mrs. F. Fish..... 3 0 0  
25 John Misner..... 3 10 0  
26 L. Dyer..... 5 0 0  
27 James Fido..... 3 0 0  
28 James McDade..... 3 10 0  
29 John Smith..... 4 10 0  
30 Henry Hoover..... 4 0 0  
31 R. H. Lee..... 4 0 0  
32 F. Sandersson..... 3 10 0  
33 Adam Hawley..... 4 10 0  
34 John Talbot..... 4 10 0  
35 John Davies..... 4 10 0

Total, C'y..... £ 182 10 0

Innkeepers,  
London Dist.

LONDON DISTRICT.

1 Benjamin Brown..... 3 0 0  
2 John Reynolds..... 3 0 0  
3 Truman Waters..... 3 0 0  
4 Bartholomew Swart..... 3 0 0  
5 Joseph B. Flanagan..... 3 0 0  
6 David F. Dunkin..... 3 0 0  
7 Finlay Malcolm..... 3 0 0  
8 Thomas Lampport..... 3 0 0  
9 Reuben Martin..... 3 0 0  
10 Thomas Gilbert..... 3 0 0

11 Charles Rivers..... 3 0 0  
12 Joshua Pntnam..... 3 0 0  
13 Thomas Putnam..... 3 0 0  
14 John Weir..... 3 0 0  
15 Elisha Taylor..... 3 0 0  
16 Benjamin Coltman..... 3 0 0  
17 Philip Wilson..... 3 0 0  
18 Elisabeth Sovereign..... 3 0 0  
19 James Reynolds..... 3 0 0

Total, C'y..... £ 57 0 0

WESTERN DISTRICT.

*None.*

NAMES OF PERSONS licensed as Distillers, from the 6th October, 1833, to the 5th January, 1834, inclusive, as reported by the Inspectors.

JOHNSTOWN DISTRICT.

1 Patrick Mooney, 41 galls. at 2s. 6d..... £ 5 2 6

**NO. 1.**  
**Public Accounts.**

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APPENDIX.

NEWCASTLE DISTRICT.

APPENDIX.

1	James Clark .....	120	galls.	
2	Jeremiah Chase .....	60	do.	
3	Zacheus Burnham .....	130	do.	
4	John Still .....	140	do.	
5	Samuel Dixon .....	118½	do.	
		568½		at 2s. 6d...£71 1 3

Distillers,  
Newcastle Dt

HOME DISTRICT.

1	William Crookshank .....	194½	do.	24 6 3
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GORE DISTRICT.

Gore District.

1	James Durand .....	100	galls.	
2	Hon. James Crooks .....	100	do.	
3	Job Lodor .....	124	do.	
4	Jedediah Jackson .....	55	do.	
		379	do.	47 7 6

NIAGARA DISTRICT.

Niagara Dist.

1	Robert Kirkpatrick .....	80	galls.	
2	Cyrus W. Udle .....	50	do.	
3	Henry Mills .....	100	do.	
		230	do.	28 15 0

LONDON DISTRICT.

London Dist.

1	John Kirkpatrick .....	100	galls.	
2	Duncan Campbell .....	120	do.	
3	Thomas J. Mulkins .....	60	do.	
4	Cross & Fisher .....	153	do.	
5	Henry Anderson .....	100	do.	
6	William Willson .....	134	do.	
7	Walter Nixon .....	30	do.	
8	Owen Higgins .....	34	do.	
		733	do.	91 12 6
Total Gallons .....		2146		£268 5 0

NAMES OF STEAM-BOATS on board of which persons have been licensed to retail Spirituous Liquors, from the 5th October, 1833, to the 5th January, 1834, as reported by the Inspectors.

Steam-boat Constitution..... £ 5 0 0

Inspector General's Office.

U P P E R C A N A D A .



NAMES OF PERSONS licensed as Shopkeepers to retail Spirituous Liquors, from the 5th January, 1834, to the 5th January, 1835, as reported by the Inspectors.

OTTAWA DISTRICT.

Shopkeepers,  
Ottawa Dist.

1 Hamlet B. Mears,	4 Daniel O'Connor,	7 George & Robert Lang,
2 Hamilton & Low,	5 John W. Marston,	8 Peter Flemming.
3 John W. Grant,	6 William Teasdale,	

BATHURST DISTRICT.

1 Daniel Fisher,	15 William Morris & Co.	29 Thomas Read,
2 William Stewart,	16 Roderick Matheson & Co	30 Andrew Dixon,
3 Bearialis & Aumond,	17 Alexander Frazer,	31 W. & J. Thompson,
4 Wells & McCrae,	18 Edward Malloch & Co.	32 James Inglis,
5 Louis Grison,	19 W. & H. Thompson.	33 Alexander McDonell,
6 Simon Fraser,	20 Glass & Hall,	34 James Wylie,
7 Daniel O'Connor,	21 S. G. Coleman,	35 C. H. Bell,
8 Matthew Connell,	22 A. McMillan, (Fitzroy.)	36 Anthony Phillips,
9 John Martin	23 John Richey,	37 Henry Glass,
10 George Paterson,	24 John B. Ramsay,	38 Thomas Burgess,
11 McKinnon & Boyd,	25 John Grunnell,	39 Rogers & Thompson,
12 W. & J. Bell,	26 Robert Bell,	40 Gerard F. Nagle.
13 Henry Graham,	27 J. Goodman & Co.	
14 Porter Grunnell & Co.	28 John Drysdale & Co.	

APPENDIX.

NAMES OF SHOPKEEPERS—Continued.

APPENDIX.

Shopkeepers  
licensed.

Eastern Dist.

Johnstown Dt

Newcastle Dt.

Home Dist.

## EASTERN DISTRICT.

1 Philip Vankoughnett,	14 Angus McPherson,	27 William McIntosh,
2 John McGillis,	15 John	28 Alexander McDonnell,
3 Guy C. Wood,	16 William Kyle,	29 Samuel Dix & Co.
4 William Cline,	17 Michael Pillar,	30 Angus McDonell,
5 Daniel Waggoner,	18 William Masson,	31 James Loney,
6 William McConnell,	19 James Grant,	32 L. S. Caroque,
7 Peter McSwaney,	20 Angus McDonnell,	33 Martin Carman,
8 Alexander McDonnell,	21 Angus Cattanach,	34 Walter Colquhoun,
9 John McDonnell,	22 Neil McIntosh,	35 Rosette & Mason,
10 Simon Frazer & Co.	23 William McIntosh,	36 Donald B. McCaskell,
11 James McDonell,	24 Duncan McDonell,	37 Howard & Thompson,
12 George Robertson,	25 William Mattice,	38 James Sandison.
13 Donald McNichol,	26 John McDougall,	

## JOHNSTOWN DISTRICT.

1 Crane & Co.	15 Lothrop & Arnold,	29 Benjamin Tett,
2 James Dunn,	16 Charles Jones,	30 John Macdonell,
3 Duncan McQueen,	17 Samuel Reynolds,	31 J. Bland & Co.
4 Solomon Henderson,	18 Lothrop & Arnold,	32 W. H. & T. Evatt,
5 Samuel Horton,	19 Anne McClanagan,	33 A. & W. Morris & Co.
6 Alexander Waugh,	20 Asa H. Griffin,	34 S. J. Burke,
7 Averill & Hooker,	21 Edward Harrison,	35 Daniel F. Button,
8 Averill & Hooker,	23 Bowman & Henderson,	36 Charles Kyle,
9 J. M. Shriver.	23 Ezekiel Phillips,	37 Kenyon & Thomas,
10 Geo. C. Mittleberger,	24 James Shaw,	38 William Burke,
11 William McQueen,	25 Ephraim Dunham,	39 Samuel P. Thomas.
12 William Kay,	26 James W. Parmentier,	40 Lilius Denny,
13 Jessup & Co.,	27 Charles Jones,	41 William P. Louks.
14 H. & S. Jones,	28 Joshua Bates,	

## NEWCASTLE DISTRICT.

1 Howard & Thompson,	16 James Watson,	31 Macdonell & Co.,
2 Kenneth Mackenzie,	17 John Knowlson,	32 Thomas Allen,
3 John Steel,	18 Archibald Fraser & Co.,	33 Robert Waddle,
4 George Ham,	19 Donald Campbell,	34 Frederick Ferguson,
5 Walter M. Boswell,	20 James F. Smith & Co.,	35 Daniel Griffith,
6 William Burnham,	21 Thomas Murphy,	36 Thomas Crawford,
7 Mark Burnham,	22 Richard Waters,	37 Adam Reid,
8 David Smart,	23 John Allen & Co.,	38 Thomas Chambers,
9 Charles Bowman & Co.,	24 George G. Boswell,	39 John Brown,
10 John V. Boswell,	25 M. D. Curran,	40 Thomas Foster,
11 Benjamin Throop,	26 Robert Nichols,	41 William Hartwell,
12 James Wilson,	27 Thomas A. Corbett,	42 John Wilson,
13 Levis Moffatt,	28 John R. Benson,	43 William Robison.
14 Charles Buck,	29 Michael Curran,	
15 Conger & Scott,	30 John Crawford,	

## HOME DISTRICT.

1 John Abbott,	20 William Carter,	39 Murray, Newbigging & Co
2 Joseph Lee,	21 Robert Stevens,	40 Charles Scadding,
3 John Sproul,	22 Richard Crispen,	41 Wm. Sloan & Co.,
4 Johnston & Co.,	23 J. M. Sanford,	42 Thos. Atkinson & Co.
5 Joseph Cawthra,	24 James F. Smith,	43 Richard Tedford,
6 John Cawthra,	25 William C. Ross,	44 William Mills,
7 Charles Fothergill,	26 Andrew Mitchell,	45 William Mather,
8 Michael Kane,	27 Thomas Robson,	46 John Carey,
9 Robert Bowman,	28 Francis Agent,	47 George Snider,
10 Robert McKay,	29 James Tayler,	48 Lewis R. Aldjo,
11 Alexander Legge,	30 Horace Keating,	49 Edmund Harrison,
12 John Armstrong,	31 Richard Mackell,	50 Thomas Phipps,
13 Thomas Clarkson,	32 Archibald Barker,	51 Jonas Crafts,
14 Daniel Knowles,	33 Thorn & Parsons,	52 Richard Ritchie,
15 John Robinson,	34 Thorn & Parsons,	53 George Stegman,
16 John Welch & Co.,	35 Silas Burnham,	54 George Stegman,
17 William Ware,	36 Benjamin Boyer,	55 Patrick McGuire,
18 George Moore,	37 Wynne & Blake,	56 Daniel Simmons,
19 Edward Hargrave,	38 Peter Milne, jun.,	57 Robert Darling,

- 58 George Berry,
- 59 Anne Andrews,
- 60 Arthur McMahan,
- 61 Robina Garside,
- 62 W. H. Patterson,
- 63 Hiram G. Burnon,

- 64 Robert Mansfield,
- 65 William Cook,
- 66 Henry Evans,
- 67 Patrick Mitchell,
- 68 John Jennings,
- 69 Francis Logan,

- 70 L. M. Caldwell & Co.
- 71 William Colville,
- 72 James Westland,
- 73 Roe & Laughton,
- 74 Roe & Laughton,

APPENDIX.

Shopkeepers,  
Home District.

GORE DISTRICT.

- 1 John McFarlane,
- 2 Smith & Chisholm,
- 3 Brown & Yerk,
- 4 C. & J. Ritchie,
- 5 Daniel Snider,
- 6 George Lamphrey,
- 7 John Finlay,
- 8 John Secord,
- 9 James Chip,
- 10 John Miller,
- 11 Jedediah Jackson,
- 12 Colin C. Ferrie,

- 13 Colin C. Ferrie,
- 14 Colin C. Ferrie,
- 15 Colin C. Ferrie,
- 16 Manuel Overfield.
- 17 William Richardson,
- 18 Russel Prentice,
- 19 David Gilkerson,
- 20 James Such,
- 21 Job Loder,
- 22 John Hainscott,
- 23 Alexander Proudfoot,
- 24 George Clarke,

- 25 Young, Weir & Co.
- 26 John A. Wilkes,
- 27 Daniel Campbell,
- 28 Hurd & Taggart,
- 29 Thomas Sandilands,
- 30 William Shertreed,
- 31 James Henny,
- 32 James McFarlane,
- 33 Shade & Andrews,
- 34 A. & J. P. Gage,

Gore District.

MIDLAND DISTRICT.

- 1 William C. Lambers,
- 2 Jane McLeod,
- 3 Alexander Fee,
- 4 William P. Cooke,
- 5 Peter O'Reilly,
- 6 Hugh Macginnis,
- 7 James Williamson,
- 8 Helen Mair,
- 9 Carpenter & Rockwell,
- 10 Griffith Howell,
- 11 John Benson,
- 12 Joseph Carberry,
- 13 Adam Hubbs,
- 14 John Turnbull,
- 15 McNabb & Ball,
- 16 Hugh Carnahan,
- 17 Michael Nulty,
- 18 Allan McPherson,

- 19 James McGregor,
- 20 Samuel Stoughton,
- 21 Arthur Foster,
- 22 William Holditch,
- 23 James Johnson,
- 24 Thomas Minnis,
- 25 Walter McCuniff,
- 26 James Fraser,
- 27 Henry Lasher,
- 28 Benjamin Seymour,
- 29 Frederick Thomas,
- 30 William Portt,
- 31 Mark Crawford,
- 32 Orton Handron,
- 33 Thomas Anderson,
- 34 John H. Bluker,
- 35 Andrew McMurray,
- 36 Joseph Bruce,

- 37 Robert Flanagan,
- 38 Matthew Rourke,
- 39 Archibald Macfaul,
- 40 Benjamin F. Davy,
- 41 Augustus Thibodo,
- 42 Augustus Thibodo,
- 43 Hannah Short,
- 44 John McCimmon,
- 45 William McCoy,
- 46 John McTaggart,
- 47 James Russell,
- 48 James Macaulay,
- 49 George Armstrong,
- 50 Blond, McVicar & Co.,
- 51 Charles Fraser,
- 52 Patrick Egan,
- 53 John Mowatt.

Midland District.

PRINCE EDWARD DISTRICT.

- 1 James & John Miller,
- 2 Henry Smith,
- 3 Stephen W. Randall,

- 4 John Thukell,
- 5 Edroy Palmer,
- 6 Thomas McMahan,

- 7 John Foster,

Prince Edward Dis.

NIAGARA DISTRICT.

- 1 David Thorburn,
- 2 H. Mittleberger,
- 3 Buss & Kelly,
- 4 Charles Bain,
- 5 Charles Farnington,
- 6 William C. Chase,
- 7 Richard Woodruff,
- 8 William Woodruff,
- 9 George Rykert,
- 10 William Hepburne,
- 11 James Wilson,
- 12 William C. Chase,
- 13 J. & R. Clark,
- 14 R. M. & J. Cryslor,

- 15 James Rogers,
- 16 John McLean, Esq.,
- 17 R. Kirkpatrick,
- 18 Gilbert McMicking,
- 19 Smith & Buchanan,
- 20 Joseph Falconbridge,
- 21 David Thompson,
- 22 Andrew Thompson,
- 23 James Fitzgerald,
- 24 Jerome Clark & Co.,
- 25 Goldie & Higgins,
- 26 James Stuart,
- 27 J. S. Buchanan & Co.,
- 28 William Stuart,

- 29 B. Chadwick,
- 30 Cornelius Driscoll,
- 31 Moses Brady,
- 32 Nelson Forsyth,
- 33 H. G. O. House,
- 34 James Cummings,
- 35 Cook & Lacy,
- 36 John L. Alma,
- 37 Peter Drummond,
- 38 Lewis Clement,
- 39 Alexander Douglass,
- 40 Nivin & Gardner,
- 41 George McKenzie.

Niagara District.

LONDON DISTRICT.

- 1 James Farley,
- 2 Lawrason & Co.,
- 3 Alvaro Ladd & Co.,
- 4 F. G. Warren & Co.,
- 5 A. Mackinnon & Co.,
- 6 Charles Merrigold,

- 7 George S. Fraser,
- 8 John Miley,
- 9 James Blackwood & Co.,
- 10 Welcome Yale,
- 11 Edward Ermatinger,
- 12 Dennis O'Brien,

- 13 Andrew Smith,
- 14 James McQuin,
- 15 George McKenzie,
- 16 Ritchie & Co.,
- 17 Bryer Thompson,
- 18 Cicero M. Ives,

London District.

Public Accounts.

APPENDIX. Shopkeepers, London District.	19 Henry P. Barrymore,	23 G. W. Bremeyer,	27 Murdoch McKenzie,
	20 Wm. F. & J. R. Gooding,	24 Duncan McPherson,	28 E. S. Lyman & Co.,
	21 William Finlay,	25 R. & J. Crysler,	29 Robert Hunter.
	22 Colin McNeilledge,	26 Edward C. Taylor,	

Western District.

WESTERN DISTRICT.

1 S. & G. Johnson,	9 William McGee,	17 H. & J. VanAllan,
2 John Sloan,	10 John G. Watson,	18 George Jacob,
3 William Ambridge,	11 George Durand,	19 Michael Smith,
4 Lewis G. Gordon,	12 Fisher & St. Clair,	20 Alexander Duff,
5 Robert Riddle,	13 Verhooff & Jasperson,	21 Francis Schumann,
6 James W. Little,	14 Henry Jasperson,	22 Vernal Sumner,
7 James Dougal,	15 Charles Fortier,	23 James Reid & Co.
8 Peter Tayler,	16 Daniel Pastorius,	

Recapitulation.

RECAPITULATION.

Ottawa District .....	8
Bathurst do.....	40
Eastern do.....	38
Johnstown do.....	41
Midland do.....	53
Prince Edward do.....	7
Newcastle do.....	43
Home do.....	74
Gore do.....	34
Niagara do.....	41
London do.....	29
Western do.....	23
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UPPER CANADA.

NAMES OF PERSONS licensed, as Shopkeepers to retail Spirituous Liquors, from the 5th January, 1834, to the 5th January, 1835, as reported by the Inspectors.

OTTAWA DISTRICT.

Innkeepers,  
Ottawa District.

1 John O'Brien.....	£ 7 0 0	8 Donald McDonald .....	£ 3 0 0
2 C. McArthur.....	4 0 0	9 Thomas F. Lee .....	4 0 0
3 Donald McLeod .....	4 0 0	10 Charles Hersey.....	4 0 0
4 William Moody.....	4 0 0	11 John Dandy.....	4 0 0
5 Thomas H. Johnson .....	7 0 0	12 William Kirby.....	4 0 0
6 Joseph Kellog .....	7 0 0	13 Charles Reinhart.....	4 0 0
7 Elisabeth Danah .....	4 0 0	14 Oran Kellog .....	4 0 0
		Total, C'y.....	£ 64 0 0

BATHURST DISTRICT

Bathurst District.

1 George Nowlan.....	3 0 0	19 James Gilmore .....	3 0 0
2 William Matheson.....	3 0 0	20 Anne Burrows .....	3 0 0
3 William McFarlane .....	3 0 0	21 William Moore .....	3 0 0
4 William Cross .....	3 0 0	22 James McLean .....	3 0 0
5 Joseph Legary .....	3 0 0	23 John Cowan .....	3 0 0
6 William Murphy.....	3 0 0	24 Hugh Bell .....	3 0 0
7 John Grant .....	3 0 0	25 Watson Little .....	3 0 0
8 Maria Hill.....	3 0 0	26 Alexander Brownlie .....	3 0 0
9 John Chitty .....	3 0 0	27 James Duros.....	3 0 0
10 Michael McBean.....	3 0 0	28 Thomas Murray .....	3 0 0
11 Simon Hogan .....	3 0 0	29 Margaret Simpson .....	3 0 0
12 Donald McArthur.....	3 0 0	30 Alexander Maxwell .....	3 0 0
13 William Vaughan .....	3 0 0	31 Peter Kerr.....	3 0 0
14 Michael Rimmington .....	3 0 0	32 James McMurty .....	3 0 0
15 Pierre L. Esperance .....	3 0 0	33 William Bell .....	3 0 0
16 John McNabb .....	3 0 0	34 Robert Barrie .....	3 0 0
17 Michael Rody.....	3 0 0	35 Josiah Bradley .....	3 0 0
18 Ewen Cameron.....	3 0 0	36 James Armstrong .....	3 0 0

37	John Preston.....	3	0	0	64	John Toshack.....	3	0	0
38	William Fraser.....	3	0	0	65	John Macgraves.....	3	0	0
39	Francis Homier.....	3	0	0	66	William Graham.....	3	0	0
40	Narcisse Paul.....	3	0	0	67	John Legerwood.....	3	0	0
41	Angus McGilvery.....	3	0	0	68	John McEwen.....	3	0	0
42	William Macadam.....	3	0	0	69	Nancy Nolan.....	3	0	0
43	Thomas Landon.....	3	0	0	70	William Brown.....	3	0	0
44	John Little.....	3	0	0	71	William Wordie.....	3	0	0
45	Allen Wilson.....	3	0	0	72	Thomas Scott.....	3	0	0
46	James McMaster.....	3	0	0	73	Christopher Graham.....	3	0	0
47	Robert Makemsome.....	3	0	0	74	Thomas Rogerson.....	3	0	0
48	Robert Grant.....	3	0	0	75	John Lee.....	3	0	0
49	John Doran.....	3	0	0	76	Joseph Sharp.....	3	0	0
50	John Macarthy.....	3	0	0	77	Archibald Macnie.....	3	0	0
51	John Robinson.....	3	0	0	78	Thomas Borrie.....	3	0	0
52	Edward Allen.....	3	0	0	79	Daniel Johnston.....	3	0	0
53	Joseph Gallipo.....	3	0	0	80	Louis Rainville.....	3	0	0
54	J. B. Homier.....	3	0	0	81	James Macdonell.....	3	0	0
55	Richard Macarthy.....	3	0	0	82	Louis Cloutier.....	3	0	0
56	Ewen Cameron.....	3	0	0	83	Joseph Bourgeois.....	3	0	0
57	Archibald McGillis.....	3	0	0	84	Nicholas Sparks.....	3	0	0
58	Louis Pinard.....	3	0	0	85	Richard O'Connor.....	3	0	0
59	James Donaldson.....	3	0	0	86	Joseph Pigiert.....	3	0	0
60	James Jackson.....	3	0	0	87	Finlay Macnaughton.....	3	0	0
61	William Lock.....	3	0	0	88	Thomas Burgess.....	3	0	0
62	George Stanley.....	3	0	0	89	Thomas O'Niel (Horton.).....	3	0	0
63	Anthony Lalond.....	3	0	0					

APPENDIX.

Inkeepers,  
Bathurst District.

Total, Currency.....£ 267 0 0

EASTERN DISTRICT.

1	William Wood.....	3	0	0	43	Calvin Hill.....	3	0	0
2	Simon Baker.....	3	0	0	44	Adam Cockburn.....	3	0	0
3	Eve Baker.....	3	0	0	45	Charles Drummond.....	3	0	0
4	Maria Pierce.....	3	0	0	46	Sylvester Town.....	3	0	0
5	William Cook.....	3	0	0	47	John Baker.....	3	0	0
6	Ann Mann.....	3	0	0	48	John M. Willard.....	3	0	0
7	Peter Bowen.....	3	0	0	49	Edward Roche.....	3	0	0
8	Nicholas Earnon.....	3	0	0	50	William Snider.....	3	0	0
9	Nicholas Ault.....	3	0	0	51	John Brown.....	3	0	0
10	Joseph Southworth.....	3	0	0	52	Harmonus Cryderman.....	3	0	0
11	Thomas Moss.....	3	0	0	53	Levi Shaver.....	3	0	0
12	William Servos.....	3	0	0	54	Thomas H. Maxwell.....	3	0	0
13	John Wright.....	3	0	0	55	John Lane.....	3	0	0
14	Benjamin James.....	3	0	0	56	Archibald Stewart.....	3	0	0
15	Adam Reddick.....	3	0	0	57	Anthony W. Charlebois.....	3	0	0
16	Christy McRae.....	3	0	0	58	John J. Baker.....	3	0	0
17	Charles Weatley.....	3	0	0	59	Ellen Macdonell.....	3	0	0
18	Farquhar McLennon.....	3	0	0	60	David Summers.....	3	0	0
19	Donald Ross.....	3	0	0	61	Hugh McMillan.....	3	0	0
20	Ronald McDonell.....	3	0	0	62	John A. Weart.....	3	0	0
21	Theodore Whitney.....	3	0	0	63	Dougall McMillan.....	3	0	0
22	John Macdonell.....	3	0	0	64	James Rea.....	3	0	0
23	Jacob Hanes.....	3	0	0	65	Donald McDonell.....	3	0	0
24	William Emery.....	3	0	0	66	Samuel A. Gregory.....	3	0	0
25	James G. Grant.....	3	0	0	67	Alexander McDonell.....	3	0	0
26	Alexander McLeod.....	3	0	0	68	Barnabas Hollister.....	3	0	0
27	Duncan McLeod.....	3	0	0	69	John Byrnes.....	3	0	0
28	Andrew Snider.....	3	0	0	70	Benjamin Waggoner.....	3	0	0
29	Sewell Cutler.....	3	0	0	71	Angus McDonell.....	3	0	0
30	Chesley Morgan.....	3	0	0	72	Leonard Stoneburner.....	3	0	0
31	Duncan McMillan.....	3	0	0	73	Donald Chisholm.....	3	0	0
32	Philip Munro.....	3	0	0	74	William Anderson.....	3	0	0
33	Robert Blackwood.....	3	0	0	75	James McKinna.....	3	0	0
34	Daniel Campbell.....	3	0	0	76	John Macintosh.....	3	0	0
35	John G. Swartfegger.....	3	0	0	77	Adam Snider.....	3	0	0
36	Donald McDonell.....	3	0	0	78	Elijah Burpee.....	3	0	0
37	Horace Spencer.....	3	0	0	79	David Bruce.....	3	0	0
38	Catharine McDonell.....	3	0	0	80	Donald McTavish.....	3	0	0
39	William Hollister.....	3	0	0	81	Maximilian Bergnon.....	3	0	0
40	Archibald McBean.....	3	0	0	82	John Cameron.....	3	0	0
41	Thomas Marshall.....	3	0	0	83	Daniel Campbell.....	3	0	0
42	John Chesley.....	3	0	0					

Eastern District.

Total.....£ 249 0 0



85 Henry Sager .....	5 0 0	106 John Strachan .....	5 0 0
86 Robert McIntyre .....	10 0 0	107 William Matherson .....	10 0 0
87 Thomas Eyres .....	7 10 0	108 Gustavus Merriam .....	10 0 0
88 Robert Edgar .....	5 0 0	109 Robert Kidd .....	10 0 0
89 George N. Charters .....	5 0 0	110 John Fralick .....	5 0 0
90 Henry Franklin .....	5 0 0	111 Mary Keenan .....	10 0 0
91 William Harmon .....	5 0 0	112 John W. Perry .....	5 0 0
92 Hugh Cooley .....	5 0 0	113 John Switzer .....	5 0 0
93 Richard Ellerbeck .....	5 0 0	114 Rachael Watson .....	5 0 0
94 Milo Haight .....	5 0 0	115 Archibald Chambers .....	10 0 0
95 William Chesnut .....	5 0 0	116 Thomas Collins .....	5 0 0
96 William Carrol .....	10 0 0	117 William Ellerbeck .....	5 0 0
97 John Mackay .....	10 0 0	118 Larry Lewis .....	5 0 0
98 James Meagher .....	10 0 0	119 Cornelius Milligan .....	5 0 0
99 Thomas Horne .....	5 0 0	120 Joshua B. Lockwood .....	5 0 0
100 Jean Belangé .....	10 0 0	121 Helen Regan .....	5 0 0
101 Jeremiah Peltier .....	5 0 0	122 Julius C. Converse .....	5 0 0
102 Stephen Griffith .....	5 0 0	123 William Edgar .....	5 0 0
103 Samuel Brown .....	5 0 0	124 Jonas Vanalstine .....	5 0 0
104 James McDonald .....	10 0 0	125 Segro Carmino .....	10 0 0
105 Jacob VanCleck .....	7 10 0	126 Fanny Adzette .....	5 0 0
		Total, C'y .....	£ 820 0 0

APPENDIX.  
Innkeepers,  
Midland District.

PRINCE EDWARD DISTRICT.

1 Ananias Smith .....	5 0 0	4 Timothy McGuire .....	5 0 0
2 Thomas Bentley .....	5 0 0	5 Peter Post .....	7 10 0
3 Richard Davenport .....	5 0 0	6 Joseph Redmond .....	7 10 0
		Total, Currency .....	£ 85 0 0

Prince Edward Dis.

NEWCASTLE DISTRICT.

1 Thaddeus P. Ketchum .....	6 0 0	42 Barnabas Bletcher .....	5 0 0
2 William Black .....	3 0 0	43 Daniel Bachelor .....	5 0 0
3 Alexander Gilchrist .....	3 0 0	44 Hiram Ash .....	4 0 0
4 Samuel Ramsay .....	4 0 0	45 Darius D. Williams .....	5 0 0
5 Henry Stuart .....	3 0 0	46 William Gregg .....	6 0 0
6 Stephen Muriaul .....	3 0 0	47 David Armstrong .....	3 0 0
7 Daniel T. Frederick .....	5 0 0	48 Hugh McFadden .....	5 0 0
8 Cyrus Wearer .....	6 0 0	49 Asa B. Downier .....	5 0 0
9 Ambrose Mail .....	4 0 0	50 Peter How .....	3 0 0
10 Simeon Kellog .....	5 0 0	51 Joel Draper .....	4 0 0
11 Matthew Lawson .....	4 0 0	52 John McFaul .....	6 0 0
12 Gustavus Dundas .....	3 0 0	53 William Labey .....	3 0 0
13 Jeremiah Wood .....	4 0 0	54 Edward Morton .....	3 0 0
14 Thomas D. Sanford .....	5 0 0	55 Thomas Johnston .....	3 0 0
15 William Lowden .....	6 0 0	56 John Hodgson .....	3 0 0
16 Austin B. Carpenter .....	6 0 0	57 Jacob Ford .....	4 0 0
17 Thomas Watson .....	3 0 0	58 Samuel Edick .....	4 0 0
18 George W. Harris .....	4 0 0	59 John Gabiter .....	3 0 0
19 Eldridge R. Irish .....	3 0 0	60 William Rosboro .....	6 0 0
20 Peter Orcott .....	6 0 0	61 John Doyell .....	3 0 0
21 Thomas M. Taylor .....	5 0 0	62 James Cadner .....	6 0 0
22 Francis Best .....	3 0 0	63 William S. Marsh .....	4 0 0
23 Eliza Shaw .....	4 0 0	64 James Wilson .....	3 0 0
24 Sarah Kenneday .....	3 0 0	65 Stephen Crandell .....	4 0 0
25 Francis Ireland .....	4 0 0	66 Robert Chambers .....	5 0 0
26 Joseph Graham .....	3 0 0	67 Henry Elliott .....	3 0 0
27 Gilbert Barnes .....	4 0 0	68 Robert Crawford .....	3 0 0
28 Thomas Salisbury .....	6 0 0	69 John Lucas .....	3 0 0
29 Thomas Dixon .....	3 0 0	70 Gilbert Ford .....	6 0 0
30 Robert Hilton .....	4 0 0	71 Francis McCabe .....	3 0 0
31 Jacob Vanalstine .....	5 0 0	72 Glover Bennet .....	6 0 0
32 Edward Pepper .....	5 0 0	73 Andrew McPherson .....	3 0 0
33 John Ackland .....	4 0 0	74 John Van Camp .....	6 0 0
34 John Cleghorn .....	5 0 0	75 William Pattle .....	6 0 0
35 Lewis Stiles .....	6 0 0	76 Robert Milburne .....	3 0 0
36 Wilson S. Conger .....	6 0 0	77 Alexander McElhuen .....	6 0 0
37 Edward Hall .....	3 0 0	78 Mark Neevson .....	3 0 0
38 W. A. Hamilton .....	4 0 0	79 Henry Fitzpatrick .....	6 0 0
39 Reuben Gilbert .....	3 0 0	80 Francis Beatie .....	3 0 0
40 Elisabeth Hutchison .....	3 0 0	81 John Hart .....	3 0 0
41 John Musson .....	5 0 0	82 William Lee .....	6 0 0
		Total .....	£ 348 0 0

Newcastle District.

**NO. 1.**  
**Public Accounts.**

## APPENDIX.

Innkeepers,  
Home District.

		HOME DISTRICT.						
1	Hugh Marlow	3	0	0	80 Robert Wallace	3	0	0
2	George Wells	6	0	0	81 David Hart	6	0	0
3	John Edmondstone	4	0	0	82 Thomas Burns	10	0	0
4	John Lepard	4	0	0	83 John Bettridge	10	0	0
5	John McNulty	3	0	0	84 William Campbell	10	0	0
6	Francis Phelps	7	10	0	85 John M. Waugh	10	0	0
7	Jacob Gill	3	0	0	86 Elisabeth Triggs	10	0	0
8	Joseph Milburne	7	10	0	87 William Wallis	10	0	0
9	John Bingham	3	0	0	88 John Kitson	10	0	0
10	John Mair	7	10	0	89 Samuel Dunscoth	4	0	0
11	James Douglass	3	0	0	90 Stephen Secord	10	0	0
12	William Franks	5	0	0	91 Michael Whitmore	7	10	0
13	Ira Anderson	7	10	0	92 Robert Hodgson	5	0	0
14	Richard Wetherell	7	10	0	93 Moses Polley	7	10	0
15	Nathaniel Gomber	7	10	0	94 Charles Hadley	7	10	0
16	George Stevenson	10	0	0	65 Dudley Root	3	0	0
17	Dougal McDougal	3	0	0	96 John Wilmot	7	10	0
18	James Ramage	5	0	0	97 William P. Phipps	3	0	0
19	Robert Nichol	3	0	0	98 James Evans	4	0	0
20	Aaron Munshaw	7	10	0	99 John Reid	6	0	0
21	Martin McKinnon	6	0	0	100 John Rockridge	7	10	0
22	Samuel Herrington	7	10	0	101 Thrist Meldrum	3	0	0
23	Joel Terry	5	0	0	102 George Dunnington	10	0	0
24	James Kernaghan	7	10	0	103 James Trotter	10	0	0
25	Richard Norris	5	0	0	104 Richard Drury	3	0	0
26	William Garbutt	6	0	0	105 Hugh Morrison	10	0	0
27	John Anderson	7	10	0	106 Jane Hunter	4	0	0
28	Michael Keating	10	0	0	107 John Karr	10	0	0
29	Zaccheus Hemphill	7	10	0	108 Joseph Bloor	10	0	0
30	Joseph Abraham	7	10	0	109 Robert Armstrong	5	0	0
31	A. M. Farewell	7	10	0	110 Joseph Farr	7	10	0
32	Francis Taylor	5	0	0	111 Jacob Cook	7	10	0
33	Joesph Hewitt	6	0	0	112 David Botsford	10	0	0
34	Mary Cooper	10	0	0	113 Thomas Shephard	7	10	0
35	John Farr	7	10	0	114 John Creasor	3	0	0
36	Robert Horsley	10	0	0	115 Samuel Hackett	5	0	0
37	Sidney Hamilton	10	0	0	116 James Hamilton	7	10	0
38	Francis O'Hearn	7	10	0	117 Thomas Smith	7	10	0
39	George Hunter	4	0	0	118 John Powers	7	10	0
40	John Embleton	7	10	0	119 Robert Turner	7	10	0
41	John Grantham	10	0	0	120 John Francis	7	10	0
42	John Morley	7	10	0	121 Robert Millikin	5	0	0
43	William Cook	6	0	0	122 Benjamin Knott	5	0	0
44	James McLean	5	0	0	123 Patrick Kane	7	10	0
45	Edward Wright	10	0	0	124 William MacPherson	5	0	0
46	Stephen Jeffrey	5	0	0	125 William E. Smith	10	0	0
47	Thomas Moore	10	0	0	126 George B. R. Kendrick	7	10	0
48	Robert Mackoy	3	0	0	127 Michael Stanley	6	0	0
49	Thomas Matthews	10	0	0	128 Hugh Trevor	5	0	0
50	Thomson Smith	7	10	0	129 James Foley	5	0	0
51	William Phair	10	0	0	130 John Southern	3	0	0
52	John W. Crosby	6	0	0	131 Asa Post	7	10	0
53	John Craig	3	0	0	132 Leander Judson	6	0	0
54	John Baker	10	0	0	133 William Hickman	6	0	0
55	Robert Renardson	10	0	0	134 Matthew Lymburner	6	0	0
56	George Black	10	0	0	135 Parker Mills	7	10	0
57	William Kendrick	7	10	0	136 Samuel Todd	3	0	0
58	Richard Cook	5	0	0	137 John Montgomery	7	10	0
59	John Palmer	7	10	0	138 Joseph Bettes	10	0	0
60	George W. Pray	3	0	0	139 Thomas Anderson	6	0	0
61	John D. Finch	7	10	0	140 Archibald Hamilton	6	0	0
62	Burnet Conklin	7	10	0	141 William Ogden	5	0	0
63	Thomas Elliott	10	0	0	142 Robert Finch	3	0	0
64	George G. Kent	7	10	0	143 Jonathan Gates	7	10	0
65	Richard Hodges	3	0	0	144 Edward Cornell	7	10	0
66	John Bland	4	0	0	145 Richard Carney	3	0	0
67	John Bruce	3	0	0	146 Elijah Tarbox	3	0	0
68	John C. Hyde	7	10	0	147 William Crow	7	10	0
69	John Baker	10	0	0	148 Albert Finch	5	0	0
70	William Franks	5	0	0	149 Stanous Daniels	7	10	0
71	Susannah Mather	5	0	0	150 James Langdon	10	0	0
72	Jonathan Gates	7	10	0	151 John H. Hutchinson	6	0	0
73	A. M. Farewell	7	10	0	152 Thomas Wright	6	0	0
74	Elizabeth Post	7	10	0	153 William Scott	7	10	0
75	William Scott	7	10	0	154 John Colquhon	5	0	0
76	John Braithwait	4	0	0	155 Edward Turley	7	10	0
77	Joseph Price	7	10	0	156 James Thompson	6	0	0
78	Joseph Bettes	10	0	0	157 Samuel Taylor	5	0	0
79	John Mar	3	0	0	158 John Flemming	5	0	0

159	Mones Lawrence.....	7	10	0	174	Thomas Gray.....	3	0	0
160	Thomas Hobson.....	5	0	0	175	William Mitchell.....	7	10	0
161	John Connor.....	5	0	0	176	James Hatton.....	4	0	0
162	Henry H. Clark.....	7	10	0	177	William Young.....	7	10	0
163	William Mann.....	3	0	0	178	John McDonald.....	3	0	0
164	Francis Dawson.....	7	10	0	179	John Bell.....	3	0	0
165	William Johnson, sen.....	7	10	0	180	Alexander Erskine.....	3	0	0
166	Richard Northcote.....	5	0	0	181	Robert Alexander.....	3	0	0
167	Patrick Docharty.....	5	0	0	182	William Bellas.....	3	0	0
168	Finnan Macdonald.....	3	0	0	183	Susannah Matthews.....	7	10	0
169	Malcolm L. Durham.....	4	0	0	184	Michael Keating.....	3	0	0
170	Robert Scott.....	4	0	0	185	Woodbury Cond.....	5	0	0
171	Michael O'Connor.....	4	0	0	186	Thomas Montgomery.....	3	0	0
172	Richard Bugler.....	3	0	0	187	David Botsford.....	10	0	0
173	John Arksey.....	7	10	0	188	James Bell.....	10	0	0

Total, C'y..... £1202 10 0

APPENDIX.

Inkeepers,  
Home District.

GORE DISTRICT.

1	William Hobson.....	3	0	0	58	Andrew Miller.....	3	0	0
2	Rachel Dunham.....	3	0	0	59	William Smith.....	8	0	0
3	Barnet Griggs.....	4	0	0	60	Peter Timpson.....	4	0	0
4	Lewis Assalin.....	3	10	0	61	Andrew Simpson.....	4	0	0
5	William Butts.....	6	0	0	62	Hiram G. Barlow.....	3	0	0
6	James Mullen.....	3	0	0	63	Andrew Groff.....	3	10	0
7	Henry Carpenter.....	6	0	0	64	Jesse Swarts.....	3	0	0
8	Daniel Lutze.....	3	10	0	65	Samuel Dakin.....	6	0	0
9	Samuel Macallister.....	5	0	0	66	George Davis.....	6	0	0
10	Martin Dooley.....	3	0	0	67	Ebenezer Place.....	5	0	0
11	Adam Brown.....	3	0	0	68	Robert Dibbs.....	6	0	0
12	Ephraim Post.....	6	0	0	69	David Newton.....	4	0	0
13	Alexander Blythe.....	3	0	0	70	George Cary.....	8	0	0
14	Frederick Gaule.....	3	10	0	71	Peter Bomberger.....	6	0	0
15	Henry Erb.....	3	10	0	72	Plumer Burley.....	8	0	0
16	Robert Bennet.....	6	0	0	73	William Clement.....	3	0	0
17	Jacob Book.....	6	0	0	74	David Farlie.....	8	0	0
18	Philip Buck.....	6	0	0	75	Daniel Tukesbury.....	5	0	0
19	Peter Hopkins.....	6	0	0	76	William Green.....	8	0	0
20	Charles Paine.....	4	0	0	77	Francis McIlroy.....	3	0	0
21	John Triller.....	4	0	0	78	Robert Edgar.....	6	0	0
22	Charles McTague.....	4	0	0	79	William J. Gilbert.....	8	0	0
23	Thomas Wise.....	3	0	0	80	Margaret Terribery.....	3	0	0
24	Zebulon Andrews.....	6	0	0	81	William D. Dutton.....	6	10	0
25	John Tyson.....	3	0	0	82	Richard Ritchie.....	6	0	0
26	John Pier.....	6	0	0	83	Jonathan Pettit.....	5	0	0
27	Edward Eviritt.....	3	0	0	84	Jesse Churchill.....	3	0	0
28	John Cotter.....	6	0	0	85	John Galbraith.....	6	0	0
29	John Benjamin.....	6	0	0	86	Martin Whitmore.....	3	10	0
30	Roger Crysler.....	4	0	0	87	Ananias Smith.....	5	0	0
31	Charles Odle.....	4	0	0	88	Arthur Oliver.....	3	0	0
32	Henry Odle.....	4	0	0	89	William New.....	4	0	0
33	William Vanderlip.....	4	0	0	90	James H. Markle.....	3	0	0
34	William Ervin.....	4	0	0	91	Joseph Spinks.....	3	0	0
35	Charles Harrison.....	3	10	0	92	James Shirtrud.....	3	0	0
36	David Terribery.....	4	0	0	93	John Slocum.....	3	0	0
37	John Bradley.....	8	0	0	94	Samuel Chandler.....	3	0	0
38	William Garvin.....	8	0	0	95	John Johnson.....	3	0	0
39	Henry Macnelly.....	3	10	0	96	Richard Terry.....	5	10	0
40	John Macgill.....	8	0	0	97	Richard Sterling.....	3	0	0
41	John Vanorman.....	3	0	0	98	William McEwen.....	3	10	0
42	Jacob Thoman.....	3	10	0	99	James Flinn.....	3	0	0
43	Cornelius Chatfield.....	8	0	0	100	Patrick Flanagan.....	4	0	0
44	Thomas Phillips.....	3	0	0	101	Andrew A. Benjamin.....	3	0	0
45	John Kenneday.....	8	0	0	102	William T. Hubson.....	3	0	0
46	Thomas Gillespie.....	8	0	0	103	William Harris.....	4	0	0
47	William Bunns.....	8	0	0	104	William Bliss.....	5	0	0
48	Jacob Stucker.....	3	0	0	105	Aaron Cornwell.....	3	10	0
49	William Anglemyers.....	3	10	0	106	William Jones.....	5	0	0
50	Amos B. Cooley.....	6	0	0	107	Isaac Malatt.....	5	0	0
51	David Hagar.....	6	0	0	108	Michael Homer.....	4	0	0
52	James Dunn.....	6	0	0	109	George Rousseau.....	6	0	0
53	Daniel Russel.....	3	0	0	110	Robert Miller.....	3	0	0
54	Martin Martin.....	3	0	0	111	Sandford B. King.....	3	0	0
55	James Colman.....	6	0	0	112	Anthony Morgan.....	4	0	0
56	Malcolm McArthur.....	8	0	0	113	Stephen Sharp.....	3	10	0
57	William Cattermole.....	8	0	0	114	Thomas S. Powell.....	4	0	0

Gore District.



15	James Reynolds	3	0	0	45	William Lowell	3	5	0
16	John G. Wells	3	0	0	46	John Scott	3	0	0
17	Stephen H. Elliot	3	0	0	47	George Flandirs	3	0	0
18	Benjamin Bartlett	3	0	0	48	Esbon Gregory	4	0	0
19	John Finner	3	0	0	49	Andrew Bezo	3	5	0
20	Alexander Ward	3	0	0	50	Bartholomew Swart	3	0	0
21	Richard W. Branan	3	0	0	51	Paul Dustin	3	0	0
22	Richard Evans	3	0	0	52	Francis Beaupré	3	10	0
23	John Phelan	3	0	0	53	Caleb Cook	3	0	0
24	Calvin Martin	3	5	0	54	Joshua Putnam	3	0	0
25	Horace Cross	3	0	0	55	Henry Copeland	3	0	0
26	Elisha Taylor	3	0	0	56	Jacob McQueen	3	0	0
27	William Choat	3	0	0	57	Thomas Putnam	3	0	0
28	John Sovereign	3	0	0	58	Benjamin Coltman	3	0	0
29	Joseph L. Odell	3	0	0	59	Thomas Lundy	3	0	0
30	Lewis Charles	3	0	0	60	Homicle Bellanger	3	0	0
31	William Doyall	3	0	0	61	Benjamin Brown	3	0	0
32	Charles Peats	3	0	0	62	Charles Reeves	3	0	0
33	Alexander Jenkins	3	0	0	63	Enoch Woolley	3	0	0
34	Truman Waters	3	0	0	64	James McFaddin	4	0	0
35	Levi Fowler	3	0	0	65	John Cotter	4	0	0
36	Frederick Sovereign	3	0	0	66	Lewis Wynans	3	0	0
37	John Gilbert	3	0	0	67	Thomas Lamport	3	5	0
38	George Miller	4	0	0	68	Hiram J. Brown	3	0	0
39	Stephen A. Secord	3	0	0	69	Henry Rollins	3	0	0
40	Joshua Woodhull	3	0	0	70	Henry Acres	3	0	0
41	William Reed	4	0	0	71	Valentine Fisher	4	0	0
42	Arthur Murphy	3	5	0	72	John Rolow	4	0	0
43	William Kitchen	3	0	0	73	Finlay Malcolm	3	0	0
44	Abraham Wilson	3	10	0	74	John Whitfield	3	0	0

APPENDIX.

Innkeepers,  
London District.

Total, Currency.....£ 233 0 0

WESTERN DISTRICT.

1	David S. Baldwin	3	0	0	26	John Williams	3	0	0
2	Andrew Kemp	3	0	0	29	Oliver Dumaree	3	0	0
3	Samuel Rider	3	0	0	30	Thomas Sharp	3	0	0
4	Samuel Dowler	3	0	0	31	Veronique Charon	3	0	0
5	Benjamin Chapin	3	0	0	32	John McLean	3	0	0
6	William Fulford	3	0	0	33	Charles Hairsign	3	0	0
7	John Crow	3	0	0	34	William Hall	3	0	0
8	Michael Fox	3	0	0	35	John Allan	3	0	0
9	Joaclum Reneau	3	0	0	36	Lignit Ladebouche	3	0	0
10	John B. Denant	3	0	0	37	James Robinson	3	0	0
11	Jacques Senesac	3	0	0	38	John Mears	3	0	0
12	Dominique Langlois	3	0	0	39	Joseph House	3	0	0
13	Joseph Monfreton	3	0	0	40	Francis Allan	3	0	0
14	Simon Giniac	3	0	0	41	William Kanouse	3	0	0
15	Richard Goodbody	3	0	0	42	Francis Benneteau	3	0	0
16	John Johnson	3	0	0	43	Ann Drake	3	0	0
17	Robert Linnan	3	0	0	44	Edmund Baby	3	0	0
18	Honor Hawkins	3	0	0	45	Angus McDonell	3	0	0
19	John Traster	3	0	0	46	Claude Cartier	3	0	0
20	Crysostom Rochleau	3	0	0	47	John Klagye	3	0	0
21	William F. Roam	3	0	0	48	Lewis Galland	3	0	0
22	William Desmond	3	0	0	49	Janet Beneteau	3	0	0
23	Jean B. Petre	3	0	0	50	Jacob Shaffer	3	0	0
24	Henry Wright	3	0	0	51	Lewis Davenport	3	0	0
25	Jean B. Pilette	3	0	0	52	Leon Goss	3	0	0
26	Francois Frudell	3	0	0	53	Robert Mason	3	0	0
27	William Brooker	3	0	0					

Western District.

Total C'y..... £159 0 0

## APPENDIX.

## RECAPITULATION.

Recapitulation.			£	s.	d.
Ottawa District	14	.....	64	0	0
Bathurst do.	89	.....	267	0	0
Eastern do.	83	.....	249	0	0
Johnstown do.	57	.....	386	10	0
Midland do.	126	.....	820	0	0
Prince Edward do.	6	.....	35	0	0
Newcastle do.	82	.....	948	0	0
Home do.	188	.....	1202	10	0
Gore do.	119	.....	551	10	0
Niagara do.	116	.....	484	10	0
London do.	74	.....	233	0	0
Western do.	53	.....	159	0	0
	1007		4800	0	0

NAMEs OF PERSONs licensed as Distillers, from the 5th January, 1834, to the 5th January, 1835, as reported by the Inspectors.

Distillers, Ottawa District.	<b>OTTAWA DISTRICT.</b>				
	1 Hamlet B. Mears	- - - -	120 galls. at 2s. 6d.	- - -	15 0 0
Bathurst District.	<b>BATHURST DISTRICT.</b>				
	1 George Brown	- - - -	50		
	2 George Lyon	- - - -	100		
	3 Charles B. Thompson	- - - -	65		
	4 A. & J. Donaldson	- - - -	105		
	5 Peter McArthur	- - - -	32		
			352 galls. at 2s. 6d.	- - -	44 0 0
Johnstown District.	<b>JOHNSTOWN DISTRICT.</b>				
	1 James Morrow	- - - -	80		
	2 James Donald	- - - -	90		
	3 Pickersgill & Co.	- - - -	58		
			228 galls. at 2s. 6d.	- - -	28 10 0
Prince Edward D <sup>t</sup> .	<b>PRINCE EDWARD DISTRICT.</b>				
	1 Michael Nulty	- - - -	100		
	2 Hugh McPhillips	- - - -	50		
			150 galls. at 2s. 6d.	- - -	18 15 0
Midland District.	<b>MIDLAND DISTRICT.</b>				
	1 Joseph Solmes	- - - -	25½		
	2 Thomas Molson	- - - -	247¼		
	3 Alexander McHenry	- - - -	25		
	4 John F. Flindall	- - - -	54½		
	5 William Garratt	- - - -	254½		
	6 Allan McPherson	- - - -	241		
			847¾ galls. at 2s. 6d.	- - -	105 19 ¼

NEWCASTLE DISTRICT.

APPENDIX.

Distillers,  
Newcastle District.

1	John C. Boswell	-	-	-	-	80
2	John Bavis	-	-	-	-	177½
3	John Simpson	-	-	-	-	142½
4	Eliakim Burnham	-	-	-	-	75½
5	Sally Crawford	-	-	-	-	134½
6	Jeremiah Chase	-	-	-	-	60
7	Edward Duffey	-	-	-	-	118½
8	James Deyell	-	-	-	-	45
9	William Waddle	-	-	-	-	139½
10	William Hill	-	-	-	-	140
11	James Clark	-	-	-	-	120
12	Zaccheus Burnham	-	-	-	-	130
13	Andrew Murdock	-	-	-	-	100

1463 galls. at 2s. 6d. - - - 182 17 6

HOME DISTRICT.

Home District.

1	James Paul	-	-	-	-	25
2	Adam Franks	-	-	-	-	32½
3	James Robson	-	-	-	-	60
4	James Gray	-	-	-	-	50
5	Cornell Farewell	-	-	-	-	62½
6	Thomas Cooper	-	-	-	-	60
7	William Stroner	-	-	-	-	28
8	William Armstrong	-	-	-	-	72½
9	John Scott	-	-	-	-	70
10	James Hogg	-	-	-	-	40
11	William Arthurs	-	-	-	-	50
12	Thomas Barrell	-	-	-	-	60
13	Roe & Laughton	-	-	-	-	162
14	William Crookshank	-	-	-	-	194½

967 galls. at 2s. 6d. - - - 120 17 6

GORE DISTRICT.

Gore District.

1	Samuel Chandler	-	-	-	-	50
2	John Tyson	-	-	-	-	60
3	John Mullen	-	-	-	-	40
4	Jabez Holmes	-	-	-	-	30
5	John A. Wilkes	-	-	-	-	59½
6	John Thatcher	-	-	-	-	32
7	John Mullen	-	-	-	-	45
8	Shade & Co.	-	-	-	-	95
9	Andrew T. Kerby	-	-	-	-	100
10	Andrew Groff	-	-	-	-	50
11	James Crooks	-	-	-	-	100
12	Job Lodor	-	-	-	-	124
13	William Kerby	-	-	-	-	38½

824 galls. at 2s. 6d. - - - 108 0 0

NIAGARA DISTRICT.

Niagara District.

1	Elisha Hayward	-	-	-	-	100
2	Thomas Oswald	-	-	-	-	40
3	Norris Udle	-	-	-	-	50
4	Robert Kirkpatrick	-	-	-	-	80
5	Henry Nellis	-	-	-	-	85
6	Eber Rice	-	-	-	-	30
7	Alexander Hall	-	-	-	-	40

425 galls. at 2s. 6d. - - - 53 2 6

**NO. 1.**  
**Public Accounts.**

**APPENDIX.**

**Distillers,  
London District.**

**LONDON DISTRICT.**

1	Charles Hitchcock	-	-	-	62½
2	Welcome Yale	-	-	-	50
3	Richard Talbot	-	-	-	20
4	Robert Green	-	-	-	50
5	Cross & Fisher	-	-	-	100
6	Duncan Campbell	-	-	-	120
7	John Kirkpatrick	-	-	-	100
8	William Willson	-	-	-	134
9	Dennis O'Brien	-	-	-	96
10	E. Marygold	-	-	-	60
11	Henry Anderson	-	-	-	100
12	Walter Nixon	-	-	-	36
13	Thomas J. Mulkins	-	-	-	60
14	Anson Paul	-	-	-	50
15	John Waddel	-	-	-	50

1088½ galls. at 2s. 6d. - - - 136 1 3

Total Gallons..... 6465¼      Total, C'y..... £ 808 3 1½

**RECAPITULATION.**

		£	s.	d.
Recapitulation.	Ottawa District .....	120	15	0 0
	Bathurst do.....	352	44	0 0
	Johnstown do.....	228	28	10 0
	Prince Edward do.....	150	18	15 0
	Midland do.....	847¾	105	19 4½
	Newcastle do.....	1463	182	17 6
	Home do.....	967	120	17 6
	Gore do.....	824	103	0 0
	Niagara do.....	425	53	2 6
	London do.....	1088½	136	1 3
		6465¼	808	3 1½

**Steam-boats. NAMES OF STEAM-BOATS licensed from the 5th January, 1834, to the 5th January, 1835.**

<p>1 Great Britain, 2 Queenston, 3 Sir James Kempt, 4 Saint George, 5 William the Fourth, 6 Brockville, 7 Neptune, 8 Canada,</p>	<p>9 Constitution, 10 Enterprise, 11 Adelaide, for 1833, 12 United Kingdom, do. 13 Great Britain, do. 14 William the Fourth, do. 15 Iroquois, 16 Thames, for 1834.</p>
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**BILLIARD TABLE.**

1 Christopher R. Denham, Toronto:

*Inspector General's Office,  
1st February, 1835.*

**NO. 2.**  
**Detailed Accounts.**

1

**UPPER CANADA.**

APPENDIX.

*Debtor Government to William Rowan, Esquire, Civil Secretary, for the ordinary and incidental expenses of the Government Office, for the half year from the 1st July to the 31st December 1833.*

No. of voucher	To whom paid and for what service.	Canada Cur'y. Dollars at 5s.
1	To Mr. Walter McKenzie, his half year's salary as extra Clerk in the Government Office from the 1st July to the 31st December 1833.....	£ s. d. 83 6 8
2	To Isaac Pilkington, his half year's allowance as Messenger and Keeper to said Office for the said period.....	35 0 0
3	To William Cloughly, his half year's allowance as Assistant Messenger to said Office for the said period.....	25 0 0
4	To the Post Master at York, for postage of Letters to and from the said Office, passing through the York post-office during said period.....	260 10 10
5	To Thomas Wm. Moore, Agent for British Packets at New York, for postage of Letters and Packets to and from the Government Office, passing through the United States, from and to England, during the said period.....	18 12 6
6	To Isaac Columbus, blacksmith, for cleaning stoves, and doing other work at the said office.....	5 12 3
7	To John Ritchey, carpenter, for work and materials.....	1 11 0
8	To George Cooper, for 26 cords fuel wood for the use of said office.....	16 5 0
9	To Robert Stanton, for printing blank forms of Warrants and sundry other blank forms, &c. for the said office.....	22 10 0
10	To Edward McMahan, for disbursements by him on account of the said office.	11 2 10
		£474 11 11
CREDIT. Received £260 10 10 being the amount of postage.		

I, William Rowan, do solemnly swear that the foregoing Account amounting to the sum of four hundred and seventy-four pounds, eleven shillings and eleven pence, Canada currency, is just and true to the best of my knowledge and belief:

WILLIAM ROWAN.

Sworn before me at York, Upper Canada, }  
this 30th day of January, 1834 }

L. P. SHERWOOD, J.

Examined,

GEORGE MARKLAND,  
*Inspector General.*

Audited in Council, 2d February, 1834.

JOHN STRACHAN, P. C.

**Upper Canada.**

*Debtor Government to William Rowan, Esquire, Civil Secretary, for the ordinary and contingent expenses of the Government Office for the half year from the 1st January to the 30th June 1834.*

No. of voucher	To whom paid and for what service.	Canada Cur'y. Dollars at 5s.
1	To Mr. Walter McKenzie, his half years allowance as an extra Clerk in the said office.....	£ s. d. 83 6 8
2	To Isaac Pilkington, his half year's allowance as Messenger and Keeper of the said office.....	35 0 0
3	To William Cloughly, his half year's allowance as Assistant Messenger to the said office.....	25 0 0
4	To the Post Master at Toronto, for postage on Letters to and from the said office.....	216 10 7
5	To Thomas Wm. Moore, agent for British Packets at New York, for postage on Letters to and from the said office, passing thro' the United States.....	10 0 0
6	To John Ritchey, carpenter, for repairs at said office, &c.....	4 3 0
7	To Robert Stanton, for printing, stationery, &c.....	47 8 9
8	To Edward McMahan, to repay him for sundry small disbursements on account of said office.....	1 13 9
		£428 2 9

I, William Rowan, do solemnly swear, that the foregoing Account, amounting to the sum of four

**NO. 2.**  
**Detailed Accounts.**

**APPENDIX.** hundred and twenty-three pounds two shillings and nine pence, Canada currency, is just and true to the best of my knowledge and belief.

Wm. ROWAN.

Sworn before me at Toronto, Upper Canada, }  
this 26th day of July, 1834. }

Jno. B. ROBINSON, C. J.

Examined,

GEORGE H. MARKLAND,  
*Inspector General.*

Audited in Council, 31st July 1834.

JOHN STRACHAN, P. C.

**Upper Canada.**

*Debtor Government to William Rowan, Esquire, for the ordinary and incidental expenses of the Government Office for the half year, from the 1st July to the 31st December, 1834.*

No. of voucher	To whom paid and for what service.	Canada Cur'y. Dollars at 5s.
1	To Mr. Walter McKenzie, being his half year's salary as an extra Clerk in the said office from the 1st July to the 31st December, 1834.....	£   s.   d. 83   6   8
2	To Hannah Pilkington, Administratrix of the late Isaac Pilkington, being the amount of salary due to him at the time of his decease, as Office Keeper and Messenger to the said office, from the 1st July to the 31st August, 1834, inclusive .....	11   17   9
3	To William Cloughly, being the allowance of salary to him as Assistant Messenger to the said office from the 1st July to the 31st August 1834, inclusive, at £50 per annum.....	8   9   10
4	To William Cloughly, being the allowance to him as Messenger and Keeper of the said office, from the 1st of September to the 31st December 1834, inclusive, at £70 per annum.....	23   2   3
5	To Robert Algoe, being the allowance of salary due to him as Assistant Messenger to the said office from the 8th November to the 31st December 1834, inclusive at £50 per annum.....	7   7   11
6	To the Post Office at Toronto, for postage.....	310   1   7
7	To John Ritchey, carpenter, for work and materials, &c. for said office.....	4   14   3
8	To Thomas Wm. Moore, agent for British Packets at New York, for United States postage on Letters to the said office, passing through New York, for the half year from 1st July to 31st December, 1834.....	10   0   0
9	To Robert Stanton, for Printing for the said office, for the above mentioned period .....	10   9   2
10	To ditto for Printing forms of Returns required from all Public Offices, &c. to be inserted in the Blue Book.....	19   0   0
11	To ditto for Printing Election Writs, Instruction to Returning Officers, &c. &c.....	8   5   0
12	To Edward McMahan, for sundry small disbursements by him on account of the said office.....	6   9   3
Received under the Lieutenant Governor's Warrants on the Receiver General, the sum of £310 1 7 to defray the expense of Postage.		L503   3   8

I, William Rowan, do solemnly swear, that the foregoing Account amounting to the sum of five hundred and three pounds three shillings and eight pence, Canada Currency, is just and true to the best of my knowledge and belief.

Wm. ROWAN.

Sworn before me at Toronto, in Upper Canada, }  
this 18th day of February, 1835. }

LEVIUS P. SHERWOOD, J.

Examined,

GEORGE H. MARKLAND,  
*Inspector General*

Audited in Council, 28th February, 1835.

JOHN STRACHAN, P. C.

**NO. 2.**  
**Detailed Accounts.**

THE GOVERNMENT,

*To JOHN BEIKIE, Esquire, Clerk Executive Council, for the usual Allowances and Contingencies in the Council Office, from the 1st July to the 31st December, 1833, inclusive.*

APPENDIX.

No. of voucher	Allowances and Contingencies.	Province C'y. Dollars 5s.
1	Hugh Carfrae, his half-year's salary as Doorkeeper to Executive Council .....	£ s. d. 16 13 4
2	Robert Stanton, for Stationary .....	18 17 11
3	J. S. Howard, for Postage of Public Letters .....	18 15 5
4	John Radenhurst, for a set of Bouchette's Plans and Books .....	8 3 4
Province Currency..... £		62 10 0

John Beikie, Esquire, Clerk Executive Council, maketh oath and saith, that the above Account amounting to the sum of sixty-two pounds and ten shillings, Province Currency, is just and true to the best of his knowledge and belief.

JOHN BEIKIE.

*Sworn before me, at York, Upper Canada, }  
this fifteenth day of January, 1834.*

JOHN B. ROBINSON,  
C. J.

*Audited in Council,  
18th January, 1834,  
PETER ROBINSON,  
P. C.*

*Examined,  
GEORGE H. MARKLAND,  
Inspector General.*

THE GOVERNMENT,

*To JOHN BEIKIE, Esquire, Clerk Executive Council, for the usual Allowances and Contingencies in the Council Office, from the 1st January to the 30th June, 1834, inclusive.*

No. of voucher	Allowances and Contingencies.	Province C'y. Dollars 5s.
1	Hugh Carfrae, his half-year's salary as Doorkeeper to the Executive Council ..	£ s. d. 16 13 4
2	Robert Stanton, for Stationary .....	23 16 2
3	J. S. Howard, for Postage of Public Letters .....	20 7 1
Province Currency..... £		60 16 7

John Beikie, Esquire, Clerk Executive Council, maketh oath and saith, that the above account, amounting to sixty pounds, sixteen shillings and seven pence, Province currency, is just and true to the best of his knowledge and belief.

JOHN BEIKIE.

*Sworn before me, at Toronto, Upper Canada, }  
this tenth day of July, 1834.*

JOHN B. ROBINSON,  
C. J.

*Examined,  
GEORGE H. MARKLAND,  
Inspector General.*

*Audited in Council,  
JOHN STRACHAN, P. C.*

## Detailed Accounts.

APPENDIX.

THE GOVERNMENT,

To JOHN BEIKIE, Esquire, Clerk Executive Council, for the usual Allowances and Contingencies in the Council Office, from the 1st July to the 31st December, 1834, inclusive.

No. of voucher	Allowances and Contingencies.	Province C'y. Dollars 5s.
1	Hugh Carfrae, his half-year's salary as Doorkeeper to the Executive Council ..	£ s. d. 16 13 4
2	Robert Stanton, for Stationary, &c.....	26 1 0
3	J. S. Howard, for Postage of Public Letters.....	21 12 8
	Province Currency..... £	64 7 0

John Beikie, Esquire, Clerk Executive Council, maketh oath and saith, that the above account, amounting to the sum of sixty-four pounds and seven shillings, province currency is just and true to the best of his knowledge and belief.

JOHN BEIKIE.

Sworn before me, at Toronto, Upper Canada, }  
this twelfth day of January, 1835. }

J. B. MACABLAY,  
J. K. B.

Examined,  
GEORGE H. MARKLAND,  
Inspector General.

Audited in Council, 5th February, 1835,  
JOHN STRACHAN,  
P. C.



## Upper Canada.

Ordinary and Incidental Expenses of the Receiver General's Office, from 1st January to 31st December, 1833, inclusive.

No. of voucher	Payment.	Sterling. Dollars 4s. 6d.
1	To allowance for Office Rent for the above period .....	£ s. d. 36 0 0
2	Do for Fire-wood (26 cords, at 11s. 3d.) .....	14 12 6
3	Do for Stationary .....	22 10 0
	" Cash paid to the Editors and Proprietors of the undermen- tioned Newspapers for advertising tenders for sundry loans, &c. viz.	Currency.
4	" The York Courier .....	£ s. d. 4 1 7
5	" " Canadian Freeman .....	2 10 2
6	" " Colonial Advocate .....	2 8 6
7	" " Christian Guardian .....	2 18 4
8	" " Niagara Gleaner .....	2 13 1½
9	" " Farmers' Journal.....	2 6 8
10	" " London Sun .....	2 10 0
11	" " St. Thomas Journal .....	1 0 0
12	" " Hallowell Free Press .....	2 0 0
13	" " St. Thomas Liberal.....	1 5 0
14	" " Cobourg Star .....	2 5 0
15	" " Port Hope Telegraph .....	2 4 4
16	" " Western Mercury .....	1 11 3
17	" " Hamilton Free Press.....	1 17 6
18	" " " Garland.....	1 11 3
19	" " Cobourg Reformer .....	2 7 3
20	" " Kingston Chronicle .....	4 5 1
21	" " British Constitution .....	4 0 0
22	" " Antidote.....	4 4 0
23	" " Grenville Gazette .....	1 15 6
24	" " York Patriot .....	5 1 0
25	" " " Correspondent .....	2 8 0
		£ 57 3 6½
		51 9 2½

Detailed Accounts,

		£	s.	d.	
	Brought forward .....	124	11	8½	APPENDIX.
26	To Robert Stanton, Esq., Government Printer, for advertising in the Gazette sundry loans, and Printing Debentures, &c. ....	17	10	3	
27	“ Cash paid J. S. Howard, Esq., Postmaster, for Postage of Public Letters to and from the Office during the half year ended the 30th June, 1833. ....	18	8	6¾	
28	“ John Thompson, for a box to contain the Public Accounts for the year 1832, for transmission to the Board of Audit .....	4	6		
29	“ J. S. Howard, Esq., Postmaster, for postage of Public Letters to and from the Office during the half year ending 31st December, 1833. ....	14	1	1¾	
Total.....£		174	16	1¾	

Amounting to one hundred and seventy four pounds, sixteen shillings, and one penny three farthings, sterling; dollars at 4s. 6d. each.

*Errors excepted,*  
**JOHN H. DUNN,**  
*R. G.*

John Henry Dunn, Esquire, Receiver General of Upper Canada, maketh oath that the account in this sheet contained, is just and true to the best of his knowledge and belief.

**JOHN H. DUNN.**

Sworn before me, at York, Upper Canada, }  
 this twenty-fifth day of January, 1834. }

**JOHN B. ROBINSON,**  
*C. J.*

*Examined,*  
**GEORGE H. MARKLAND,**  
*Inspector General.*

*Audited in Council, 27th March, 1834,*  
**JOHN STRACHAN, P. C.**

**Upper Canada.**

*Ordinary and Incidental expenses of the Receiver General's Office, from 1st January to 30th June 1834, inclusive.*

No. of voucher.	PAYMENTS.	Sterling, Dol'rs at 4s 6d		
		£	s.	d.
1	To allowance for Office Rent for the above period.....	18	0	0
2	“ do for Fire Wood 13 cords at 11s 3d per cord.....	7	6	3
3	“ do for Stationery.....	11	5	0
	“ cash paid the Editors and Proprietors of the undermentioned Newspapers for advertising sundry loans, exchange on London, &c. viz:			
		CURRENCY.		
5	The New York Albion .....	2	5	0
5	Brockville Recorder .....	2	6	8
6	Canadian Wesleyan.....	1	14	7
7	Toronto Courier .....	2	1	9
8	Canadian Freeman .....	1	6	8
9	Kingston Spectator .....	2	2	6
		£11	17	2
10	To cash paid Robert Stanton Esquire, Government Printer, for advertising in the Gazette tenders for Exchange Debentures called in, printing debentures &c.....	31	8	3½
11	To cash paid J. S. Howard, Esquire, Post Master for postage on Letters on the public service to and from the office during the above period.....	20	1	9
12	To cash paid Henry Wilmott for two boxes to contain the Public Accounts for the year 1833 and Government Debentures for transmission to England....	9	0	
		£99	3	9

Amounting to ninety-nine pounds three shillings and nine pence sterling, dollars 4s 6d each, errors excepted.

**JOHN H. DUNN,**  
*Receiver General.*

John Henry Dunn, Esquire, Receiver General of Upper Canada, maketh oath that the Account in this sheet contained is just and true to the best of his knowledge and belief.

**JOHN H. DUNN.**

Sworn before me at Toronto, Upper Canada, }  
 this thirtieth day of September, 1834. }

**JOHN B. ROBINSON, C. J.**

*Examined,*  
**GEO. H. MARKLAND,**  
*Inspector General.*

*Audited in Council 6th November 1834.*  
**JOHN STRACHAN, P. C.**

**NO. 2.**  
**Detailed Accounts.**

APPENDIX.

**Upper Canada.**

THE GOVERNMENT OF UPPER CANADA,

To George H. Markland, Esquire,  
Inspector General of Public Provincial Accounts.

No. of voucher	To whom paid and for what service.	Canada Cur'y. Dollars at 5s.
2	To cash paid James S. Howard, Esquire, Post Master, for postage of public Letters to and from the Inspector General's Office, from the 1st July, 1833 to the 30th June 1834, inclusive .....	£ s. d. 35 5 4

George H. Markland, Esquire, Inspector General, maketh oath and saith that the above Account amounting to the sum of thirty-five pounds five shillings and four pence, Currency, is just and true to the best of his knowledge and belief.

GEORGE H. MARKLAND,

*Inspector General*

Sworn before me at Toronto, in Upper Canada, }  
this 17th day of July 1835. }

J. B. MACAULAY,  
J. K. B.

Audited in Council, 31st July 1835.

JOHN STRACHAN,  
P. C.



**Upper Canada.**

THE GOVERNMENT,

In account with George H. Markland, Inspector General for the ex-  
penses of his Office from the 1st July to the 31st December 1834.

No. of voucher	To whom paid and for what service.	Province C' Dollars 5s.
1	To James S. Howard, Esquire, Post Master at Toronto, for Postage of public Letters to and from the Inspector General's Office, from 1st July to 31st December 1834 .....	35 13 8½
2	To Robert Stanton, Esquire, his account for Stationery for the above period .....	4 17 6
		£40 11 2½

George H. Markland, Esquire, Inspector General, maketh oath and saith, that the above account, amounting to the sum of forty pounds and eleven shillings and two pence half penny currency, is just and true to the best of his knowledge and belief.

GEORGE H. MARKLAND,

*Inspector General.*

Sworn before me, at Toronto, Upper Canada, }  
this 26th day of January, 1835. }

JNO. B. ROBINSON,  
C. J.

*Examined,*

GEORGE H. MARKLAND,  
*Inspector General.*

Audited in Council, 5th February, 1835,

JOHN STRACHAN,  
P. C.

**NO. 2.**  
**Detailed Accounts.**

7

**UPPER CANADA.**

APPENDIX.

THE GOVERNMENT,

*To DUNCAN CAMERON, Secretary of the Province, for fees on divers Public Instruments and for sundry Disbursements, from the 1st day of July, to the 31st December, 1833.*

		£	s.	d.
July	1	Engrossing commission appointing Coroners for the District of London, 2½ folios at 1s. ....		
			2	6
		Affixing the Great Seal to do.....		
		1	3	4
"	3	Engrossing Dedimus Potestatem for the Home District .....		
			2	6
		Fee on the Privy Seal .....		
			13	4
"	11	Engrossing Proclamation Proroguing Parliament to 13th August, and Printers Copy .....		
			6	0
		Affixing Great Seal to do.....		
		1	3	4
"	13	Engrossing Commission to Commissioners of Customs, Home District .....		
			9	0
		Affixing the Great Seal to do.....		
		1	3	4
"	22	Engrossing Commission Peace for the District of Johnstown, 13 fol. ....		
			13	0
		Affixing the Great Seal to do.....		
		1	3	4
"	24	Engrossing Commission Peace, District of London .....		
			13	0
		Affixing the Great Seal to do.....		
		1	3	4
Aug.	3	Engrossing Proclamation Proroguing Parliament to 20th September, and Printer's Copy .....		
			6	0
		Affixing the Great Seal to do.....		
		1	3	4
Sept.	14	Engrossing Proclamation Proroguing Parliament to 28th October, and Printer's Copy .....		
			6	0
		Affixing the Great Seal to do.....		
		1	3	4
Oct.	10	Engrossing Dedimus Potestatem, District of Niagara .....		
			2	6
		Fee upon the Privy Seal .....		
			13	4
"	14	Engrossing Proclamation Convening Parliament on 19th November, and Printer's Copy.....		
			6	0
		Affixing the Great Seal to do.....		
		1	3	4
Nov.	11	Engrossing Commission Peace, Western District .....		
			13	0
		Affixing the Great Seal to do.....		
		1	3	4
"	12	Engrossing Commission Peace, District of Bathurst .....		
			13	0
		Affixing the Great Seal to do.....		
		1	3	4
"	13	Engrossing Dedimus Potestatem, District of Niagara, to administer oaths of office .....		
			2	6
		Fee upon the Privy Seal.....		
			13	4
"	18	Engrossing Dedimus Potestatem to James Fitzgibbon, S. P. Jarvis, and John Beikie, Esquires .....		
			2	6
		Fee upon the Privy Seal.....		
			13	4
			19	4
			2	10
Dec.	31	Paid amount of Postage .....		
			2	10
"	"	" Charles Stinson, for 6 cords Wood, January, 1833 .....		
			3	0
"	"	" Michael Sullivan, 4 do at 12s. 6d. ....		
			2	10
"	"	" — Maxwell, for a stand for the Great Seal screw .....		
			1	14
			28	19
			0	0

Duncan Cameron, Secretary of the Province of Upper Canada, maketh oath and saith, that the above account, amounting to twenty-eight pounds, nineteen shillings, Province currency, is just and true to the best of his knowledge and belief.

DUNCAN CAMERON.

Sworn before me at Yerk, Upper Canada, }  
this 15th day of January, 1834 }

J. B. MACAULAY,  
J. K. B.

*Examined,*

GEORGE H. MARKLAND,  
*Inspector General.*

*Audited in Council,*  
*3rd February, 1834,*

JOHN STRACHAN, P. C.

Detailed Accounts.

APPENDIX. THE GOVERNMENT,

To DUNCAN CAMERON, Registrar of the Province, for Fees for divers Public Instruments, from the 1st day of July to the 31st December, 1833.

		£	s.	d.
July 1	Registering Commission to Coroners for District of London .....	2	6	
" 3	" Dedimus Potestatem, Home District .....	2	6	
" 11	" Proclamation Proroguing Parliament to 13th August .....	3	0	
" 13	" Commission of Customs for the Home District .....	9	0	
" 22	" " of the Peace, District of Johnstown .....	13	0	
" 24	" " " District of London .....	13	0	
Aug. 3	" Proclamation Proroguing Parliament to 20th September .....	3	0	
Sept. 14	" " " to 28th October .....	3	0	
Oct. 10	" Dedimus Potestatem, District of Niagara .....	2	6	
" 14	" Proclamation convening Parliament, 19th November .....	3	0	
Nov. 11	" Commission Peace, Western District .....	13	0	
" 12	" " District of Bathurst .....	13	0	
" 13	" Dedimus Potestatem, District of Niagara .....	2	6	
" 18	" " Home District .....	2	6	
	" Surrender of Patent to Sarah Teal, 200 acres in Melancthon, Is. search 2s. 6d., certificate 5s. ....	8	6	
	" " " James Hughson, 200, Dorchester .....	8	6	
	" " " James Smith, 200, Melancthon .....	8	6	
	" " " Daniel Field, 200, Niagara .....	8	6	
	" " " Archibald McBean, 100, Albion .....	8	6	
	" " " Joseph Campbell, 60, Bathurst .....	8	6	
	" " " Susannah Latta & others, 100, Ernest-town .....	8	6	
	" " " George J. Goodhue, 100, Westminster .....	8	6	
	" " " William Brook, 200, Huntley .....	8	6	
	" " " Archibald McBean, 100, Albion .....	8	6	
	" " " George Brooke, 100, Eramosa .....	8	6	
	" " " James Campbell, 200, Beckwith .....	8	6	
	" " " Jane Collins, 200, Smith .....	8	6	
		9	16	0

Duncan Cameron, Secretary of the Province of U. Canada, maketh oath and saith, that the foregoing account amounting to nine pounds sixteen shillings, Province Currency, is just and true to the best of his knowledge and belief.

D. CAMERON.

Sworn before me, at York, Upper Canada, }  
this fifteenth day of January, 1834.

J. B. MACAULAY, J. K. B.

Examined,

GEORGE H. MARKLAND,

Inspector General.

Audited in Council, 3rd February, 1834.

THE GOVERNMENT,

To the Registrar of the Province, for Fees on Divers Public Instruments, from the 1st day of January to the 30th day of June, 1834.

		£	s.	d.
Feb. 6	Registering Proclamation declaring the county of Prince Edward a separate district .....	4	3	
" 14	" " declaring Port Stanley a port of entry .....	3	3	
Mar. 15	" " ordering election in the City of Toronto .....	6	9	
" "	" Commission of the Peace, District of Prince Edward .....	14	6	
" 17	" " " District of Ottawa .....	14	6	
" 18	" Dedimus Potestatem, District of Prince Edward .....	2	6	
Feb. 14	" Commission of Assize and Nisi Prius, Home District .....	3	6	
" "	" " Oyer and Terminer, Home District .....	11	0	
April 5	" Patent of Pardon to James Hill .....	6	6	
" 9	" Proclamation Proroguing Parliament to 24th May .....	3	0	
" 18	" Commission to the Sheriff of the Midland District, establishing a fair at Napanee .....	8	9	
Carried forward .....		3	18	6

**NO. 2.**  
**Detailed Accounts.**

9

		£	s.	d.		
		3	18	6	APPENDIX.	
Apl. 18	Registering Commission to the Sheriff of the Johnstown District, establishing a fair at Merrickville.....			8		
May 16	“ Proclamation Proroguing Parliament to 30th June .....			3		
“ 26	“ “ establishing tolls on the Rideau Canal.....			4		
“ 30	“ “ declaring Port Burwell a port of entry.....			3		
June 11	“ “ declaring Port Colborne a port of entry.....			3		
“ 26	“ “ Proroguing Parliament to 7th August .....			3		
“ 28	“ 11 Commissions of Oyer and Terminer at 11s.....	6	1	0		
“ “	“ 11 “ Assize and Nisi Prius at 3s. 6d.....	1	18	6		
Province Currency .....		£	13	4		0

Duncan Cameron, Registrar of the Province, maketh oath and saith, that the above Account amounting to thirteen pounds four shillings, Province currency, is just and true to the best of his knowledge and belief.

D. CAMERON.

Sworn before me at Toronto, }  
this 11th day of July 1834. }

J. B. MACAULAY, J. K. B.

Examined,  
GEORGE H. MARKLAND,  
*Inspector General.*

Audited in Council, 31st July 1834.  
JOHN STRACHAN, P. C.



THE GOVERNMENT,                      To James Nation, DR.  
For the contingent expenses of the Public Offices from  
the 1st January to the 31st December 1833.

1				
2	George Denison, acc't for fire wood .....	60	3	7½
	Isaac Collumbus, for work and materials .....	11	4	4½
3	William Maxwell for do.....	13	14	6
4	John Harper for do.....	1	17	6
5	Edward Wright, for fire wood.....	12	6	10½
6	Watkins & Co. for sundries .....	1	1	6
7	James Steel for gravel.....		5	0
8	R. H. Thornhill, for fire wood.....	77	0	0
9	David Stegman, for sundries .....		11	9
10	John Kitson, for work and materials .....	7	18	10
11	Daniel Sullivan for ditto .....		15	0
12	Allowance to Assistant Messenger.....	16	14	8
13	Amount paid for sawing wood and sundry small expences.....	20	5	2½
14	Amount paid for sweeping chimnies.....	3	10	0
15	Ridout, Brothers & Co. for Fender .....	1	3	9
16	James Dunn, mason, his account .....		7	6
	Allowance of 5 per cent to Accountant.....	11	9	0
17	Salary of Mrs. M. Powell, house keeper.....	50	0	0
18	Do of Mrs. M. MacCloskey, Assistant do.....	22	4	5
	Do of John MacClosky as Messenger.....	25	0	0
	Do of William Walker as do .....	50	0	0
		£387	13	6

James Nation, this Accountant, maketh oath and saith, that the above account, amounting to three hundred and eighty-seven pounds thirteen shillings and six pence, is just and true to the best of his knowledge and belief.

JAMES NATION,

Sworn before me, at York, Upper Canada, }  
this 11th day of January, 1834. }

A. B. HAWKE, J. P.  
*Home District.*

Examined,  
GEORGE H. MARKLAND,  
*Inspector General.*

Audited in Council, 11th January 1834.  
PETER ROBINSON, P. C.

**NO. 2.**  
**Detailed Accounts.**

APPENDIX.

**Upper Canada.**

THE GOVERNMENT,

TO JAMES NATION, DR.

*For the amount of the contingent expenses of the Public Offices, from 1st January to 31st December, 1834.*

		Currency.
		£ s. d.
1	For Carpenters' work and materials .....	69 0 2½
2	" Smiths' " " .....	5 9 9
3	" Fire Wood .....	200 16 3
4	" Sawing Fire Wood .....	28 16 2
5	" Labour .....	3 0 0
6	" Digging and stoning well .....	12 10 0
7	" Cleaning Chimneys .....	4 5 7½
8	" Stove for Inspector General's Office .....	4 6 0
9	" Allowance to Assistant Messenger .....	25 0 0
10	" Housekeeper's contingencies .....	36 12 7½
		389 16 7½
	Allowance of 5 per cent to Accountant .....	19 9 9½
		409 6 5
11	Housekeeper's salary .....	50 0 0
12	Salaries of two Messengers .....	75 0 0
Total Currency .....		534 6 5

James Nation, Esquire, this Accountant, maketh oath and saith, that the above account, amounting to five hundred and thirty four pounds, six shillings and five pence, is just and true to the best of his knowledge and belief.

JAMES NATION.

Sworn before me, at Toronto, this }  
29th day of January, 1835. }

J. G. CHEWETT, J. P. H. D.

Examined,

GEORGE H. MARKLAND,  
*Inspector General.*

*Audited in Council, 5th February, 1835,*  
JOHN STRACHAN, P. C.

**Upper Canada.**

THE GOVERNMENT,

TO GEORGE H. MARKLAND, Esq. DR.

*For the undermentioned disbursements for the support of Lighthouses, from the 1st January to the 31st December, 1834, inclusive.*

		Currency.
		£ s. d.
Voucher.	To paid John G. Parker, his account .....	419 18 7
No. 1.	" John Sweetman, his account and salary for the above period .....	82 10 10
	" Owen Richards, his salary for the same period .....	62 10 0
	" James Donnan, his salary for do. ....	53 9 6
Total Currency .....		618 8 11

*Inspector General's Office.*

GOVERNMENT OF UPPER CANADA,

TO ROBERT STANTON, DR.

		£ s. d.
1833	To 300 sheets Innkeepers' Licenses .....	3 6 0
July 4	" Appointment R. Aberdeen, &c. .... 55 1 ..	18 4
" 11	" Proclamation Proroguing Parliament .....	2 0 0
" 18	" Appointment T. W. Robinson, &c. .... 49 1 ..	16 4
" "	" " Boards of Health .....	8 8
" 25	" " S. Jarvis, &c. .... 23 1 ..	7 8
" "	" Proclamation Proroguing Parliament .....	2 5 0
Aug. 8	" Appointment E. C. Campbell, &c. .... 5 1 ..	2 0
" "		
Carried forward .....		10 4 0



**NO. 2.**  
**Detailed Accounts.**

## APPENDIX.

			£	s.	d.
		Brought forward .....	11	11	11
1834	Mar. 6	To extra Gazette, Speech closing Session.....	2	4	8
	" 13	" Appointment J. Boulton .....		3	0
	" 13	" " D. Lithgow, &c.....		7	8
	" 19	" Gazette, Petty Trespass Bill.....	11	9	0
	" 20	" " Justices' Fees Bill.....	2	0	0
	" 19	" " Auction Duty Bill.....		18	0
	" 20	" " Debtors Detention Bill.....	1	11	0
	" 19	" " Mesne Process Bill .....	3	2	0
	" 20	" " Gaol Limits Bill.....	4	2	0
	" 19	" 200 Proclamations Toronto Election.....	2	6	8
	" 20	" Gazette, Township Officers' Bill.....	3	2	0
	" 20	" " Judges' Independence Bill.....	1	17	0
	" 20	" " Voters' Qualification Bill.....	2	5	6
	" 20	" " Law Qualification Bill.....	1	7	6
	" 20	" " Mortgage Release Bill.....	1	10	6
	" 20	" " King's Bench Bill.....		13	6
	" 20	" " Liquor License Bill.....		14	0
	" 20	" " Replevin Bill.....	5	17	0
	" 20	" " Bail Vacation Bill.....	2	10	0
	" 20	" " Quaker's Relief Bill.....	3	7	0
	" 20	" " Spirituous Liquors Bill.....	2	3	0
	" 20	" " Proclamation Toronto Election.....	1	10	8
	" 20	" " Public Debt Bill.....	6	0	6
	" 20	" " Still License Bill.....		18	0
	" 20	" " Newcastle County Bill.....		15	6
	" 20	" Appointment R. Bullock, &c.....		5	4
	" 20	" " G. B. Lyons, &c.....		4	4
	April 3	" Gazette, Line Fence Bill.....	14	7	6
	" 10	" 100 sheets Auctioneers' Licences.....	2	3	4
	" 17	" Gazette, Real Estate Bill.....	31	10	6
	" 24	" Appointment W. Kingsmill.....		2	4
	" 24	" Proclamation Proroguing Parliament.....	2	5	9
	May 1	" Appointment J. Blackwell, &c.....		8	0
	" 15	" " J. Bostwick.....		2	4
	" 22	" " B. McMahon, &c.....		4	8
	" 29	" " J. H. Powell, &c.....		10	8
	June 5	" Proclamation Proroguing Parliament.....	2	6	6
	" 5	" Appointment A. Grant.....		6	1
	" 5	" " T. Street.....		2	8
	" 10	" Proclamation Napanee Fair.....	3	19	4
	" 10	" " Merrickville Fair.....	3	18	9
	" 12	" 100 Sheets Auctioneers' Licenses.....	1	16	8
	" 12	" 200 copies pamphlet Rules King's Bench.....	3	15	0
	" 19	" Appointment W. Macaulay, &c.....	1	2	0
	" 19	" Proclamation Port Burwell.....	1	11	0
	" 26	" Appointment W. B. Sheehan, &c.....		7	4
	" 26	" Proclamation Port Colborne.....	1	5	0
	" 30	" Notice Assize.....		10	10
	" 30	" Appointment P. S. Wharrie, &c.....		4	8
	" 30	" Proclamation Proroguing Parliament.....	1	0	8
	" 30	" Gazette, 11 Clerks Peace and Sheriffs.....	8	5	0
	" 30	" " 12 Public Offices.....	4	10	0
	" 30	" " 5 Councillors.....	1	17	6
	" 30	" " 11 Judges District Courts.....	4	2	6
	" 30	" " 80 Collectors, Inspectors, Chairmen Quarter Sessions, Registrars, and Treasurers.....		30	0
	" 30	" " 110 Divisions Court Requests.....		41	5
	" 30	" Six months Office Rent.....		20	0
	" 30	" " Type Allowance.....		25	0
Total Currency.....£			283	14	9

Amounting to two hundred and eighty three pounds, fourteen shillings and nine pence, currency.  
Toronto, 30th June, 1834.

ROBERT STANTON.

Robert Stanton, Government Printer, maketh oath and saith, that the foregoing account, amounting to two hundred and eighty three pounds, fourteen shillings and nine pence, currency, is just and true to the best of his knowledge and belief.

ROBERT STANTON.

Sworn before me, at Toronto, this }  
18th day of July, 1834. }  
J. B. MACAULAY, J. K. B.

Examined,  
GEORGE H. MARKLAND,  
Inspector General.

Audited in Council, 31st July, 1834,  
JOHN STRACHAN, P. C.

GOVERNMENT OF UPPER CANADA,

TO ROBERT STANTON, DR.

APPENDIX.

1834		£	s.	d.
July 24	To Printing 3,500 copies Statutes of the last session of Parliament			
	“ 304 pages at 36s. 6d., and 34 additional hundreds, each 38 sheets, at 11s. 3d. ....	1281	11	0
	“ Stitching 35 hundred at 22s. 6d. ....	39	7	6
	Total .....	£ 1320	18	6

Amounting to the sum of one thousand three hundred and twenty pounds, eighteen shillings and six pence, currency  
Toronto, 24th July, 1834.

ROBERT STANTON.

Robert Stanton, Government Printer, maketh oath and saith, that the foregoing account, amounting to the sum of one thousand three hundred and twenty pounds, eighteen shillings and six pence, currency, is just and true to the best of his knowledge and belief.

ROBERT STANTON.

Sworn to before me, at Toronto, this }  
29th day of July, 1834. }  
A. B. HAWKE, J. P.  
Home District.

Examined,  
GEORGE H. MARKLAND,  
Inspector General.

Audited in Council, 31st July, 1834,  
JOHN STRACHAN, P. C.



THE GOVERNMENT,  
To the Secretary of the Province, for Fees on divers Public Instruments, from the 1st day of January to the 30th day of June, 1834.

1834		£	s.	d.
Feb. 6	Engrossing Proclamation declaring the County of Prince Edward a separate District . . . . . fol. 4½		4	3
	Affixing the Great Seal to do. . . . .	1	3	4
“ 14	Engrossing Proclamation declaring Port Stanley a port of entry . . . fol. 3½		3	3
	Affixing the Great Seal to do. . . . .	1	3	4
Mar. 15	Engrossing Proclamation ordering elections in the City of Toronto . fol. 6¾		6	9
	Affixing the Great Seal to do. . . . .	1	3	4
“ “	Engrossing Commission of the Peace for the District of Prince Edward . . .		14	6
	Affixing the Great Seal to do. . . . .	1	3	4
	2 Presses of Parchment for do. . . . .		5	0
“ 17	Engrossing Commission of the Peace for the District of Ottawa . . . . .		14	6
	Affixing the Great Seal to do. . . . .	1	3	4
	2 Presses of Parchment for do. . . . .		5	0
“ 18	Engrossing Dedimus Potestatem for the District of Prince Edward . . . . .		2	6
	Fee on the Privy Seal . . . . .		13	4
Feb. 14	Engrossing Commission of Assize and Nisi Prius for the Home Dist. fol. 3½		3	0
	Affixing the Great Seal to do. . . . .	1	3	4
	Engrossing Commission of Oyer and Terminer for do. . . . .		11	0
	Affixing the Great Seal to do. . . . .	1	3	4
	4 Presses of Parchment for do. . . . .		10	0
Apl. 5	Engrossing Patent of Pardon to James Hill . . . . .		6	6
	Affixing Great Seal to do. . . . .	1	3	4
“ 9	Engrossing Proclamation proroguing Parliament to 24th May, and copy to the Printer . . . . .		6	0
	Affixing Great Seal to do. . . . .	1	3	4
“ 18	Engrossing Commission to Sheriff of the Midland District, establishing a Fair at Napanee . . . . . fol. 8¾		8	9
	Affixing the Great Seal to do. . . . .	1	3	4
	Engrossing Commission to the Sheriff of the Johnstown District, establishing a Fair at Merrickville . . . . . fol. 8¾		8	9
	Affixing the Great Seal to do. . . . .	1	3	4
May 16	Engrossing Proclamation proroguing Parliament to 30th June, and copy to Printer . . . . .		6	0
	Affixing the Great Seal to do. . . . .	1	3	4
“ 26	Engrossing Proclamation establishing Tolls on the Rideau Canal . . . fol. 4¾		4	9
	Affixing the Great Seal to do. . . . .	1	3	4
	Engrossing Proclamation appointing Port Burwell a port of entry . . . fol. 3½		3	3
	Affixing the Great Seal to do. . . . .	1	3	4
	Carried over . . . . .	£ 23	4	3

**NO. 2.**  
**Detailed Accounts.**

APPENDIX.			£	s.	d.
	1834	Brought forward .....	23	4	3
June	11	Engrossing Proclamation appointing Port Colborne a port of entry, fol. 34		3	3
		Affixing the Great Seal to do. ....	1	3	4
"	26	Engrossing Proclamation proroguing Parliament to 7th August, and copy to Printer .....		6	0
		Affixing the Great Seal to do. ....	1	3	4
"	28	Engrossing Commissions of Oyer and Terminer for 11 districts, at 11s. ....	6	1	0
		" " Assize and Nisi Prius, at 3s. 6d. ....	1	18	6
		Affixing the Great Seal to 22 commissions, at 23s. 4d. ....	25	13	4
		44 Presses of Parchment for do., at 2s. 6d. ....	5	10	0
		Certificates to 53 Bills receiving the Royal Assent, at 5s. ....	13	5	0
		" 8 " reserved for the signification of His Majesty's pleasure thereon, at 5s. ....	2	0	0
		Furnishing the Government Printer with a copy of the 53 bills which received the Royal Assent .....	60	4	0
		Furnishing the Lieutenant Governor with a copy of the 61 bills. fol. 1320	66	0	0
		Office certificates to each bill, at 5s. ....	15	5	0
		Schedule of do. ....		10	0
		Affixing the Great Seal to do. ....	1	3	4
		418 Presses of Parchment for do., at 2s. 6d. ....	52	5	0
		Province Currency..... £	275	15	4

Duncan Cameron, Secretary of the Province, maketh oath and saith, that the above account, amounting to two hundred and seventy five pounds, fifteen shillings and four pence, Province Currency, is just and true to the best of his knowledge and belief.

D. CAMERON.

Sworn before me, at Toronto, Upper Canada, }  
this 11th day of July, 1834. }

J. B. MACAULAY, J. K. B.

Examined,  
GEORGE H. MARKLAND,  
Inspector General.

Audited in Council, 31st July, 1834.

JOHN STRACHAN, P. C.

*To the Hon the Commons House of Assembly.*

No. III.

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**REPORT**

Of the Select Committee Appointed to Examine and Report on the Expediency  
OF ESTABLISHING A  
**PROVINCIAL BANK**

Within this Province

House of Assembly, Committee Room, 13 February, 1885.

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**COMMITTEE**

Messrs. William Morris  
Charles Duncombe  
William Robinson  
Allan N. McNab  
AND  
William H. Merritt

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Your Committee submitted the draft of a Bill as their first report to afford ample time to discuss its principles and details, after which the following questions were proposed, and those gentlemen summoned who were supposed to be the most likely to object to the measure, and the most capable of assigning reasons for that objection.

The following questions were proposed.—*See Appendix A.*

The answers and opinions of

Thomas G. Ridout, Esq., Cashier of the Bank of Upper Canada,  
Captain George Truscott, R. N., Private Banker of the firm of Truscott, Green, and Co. Toronto,  
J. S. Harper, Esq. Cashier Midland District Bank,  
John Cleveland Green, Esq. Banker, firm of Truscott, Green, and Co., Stamford,  
Benjamin Thorne, Esq. Merchant, Thornhill,  
Joseph Cawthra, Esq. Toronto,  
John S. Baldwin, Esq. Director of the Bank of Upper Canada,  
Charles Bowman, Merchant, Montreal.  
William Lyon Mackenzie, Esq. M. P. Toronto,  
Thomas Dalton, Esq. Proprietor and Editor of the Patriot Newspaper, Toronto, and  
Charles Shirreff, Esq. of the Ottawa District,

are appended hereto, (see Appendix B.)

The concurrent testimony of these individuals go to establish two important points, viz: that there is not, nor can there, by any Legislative enactment, be a sufficient amount of metallic currency introduced to supply the circulating medium which the increasing business of this Province requires; & that a much greater Banking Capital, is required to supply that medium, than we now possess.

These opinions are supported by various reasons to which your attention is directed.

It appears that Banking Capital in the United States is, in proportion to their population, as four to one greater than with us. It has been for many years in the State of New-York, in a ratio of fifteen or twenty to one, which enables their agriculturists, tradesmen, and mechanics, although subject to double taxes—higher prices for land; with a soil and climate by no means superior, with the additional expense of transportation, to successfully compete with, if not undersell or supplant, the inhabitants of this Province in our own markets.

The only question on which a difference of opinion exists, is the method by which this increased circulation can be accomplished with the greatest security and advantage to the public.

In examining the evidence on this subject, due allowance should be made for the habits and engagements of the different individuals, our minds being naturally directed in the same channel with our favorite pursuits.

Some recommend increasing the Capital of the Upper Canada and Midland District Banks, placing some necessary check on the emission of Bank paper by individuals—& withholding Charters from any other Banks throughout the Province.

Others, to leave Banking unrestricted by any Legislative enactment whatever; while others recommend the establishment of a Provincial Bank.

It appears from the short time Banks have been established, altho' with limited Capitals, their beneficial influence in promoting the prosperity of the country is generally acknowledged; at the same time, Banking may be considered in its infancy in this Province, and the present period is remarkably propitious for adopting any system which may be conceived most advantageous for promoting the public interest.

With respect to UNRESTRICTED PRIVATE BANKING, it is a question to which your Committee have given their most anxious consideration, and admit that should Banking remain on its present footing without some salutary check, it must be attended with imminent risk to the public. Whatever command of Capital, or however respectable the present Banking-houses recently established in this Province, other Houses may be established by persons of questionable means and character. In a short time, from the extremescarcity of money, their paper must be forced into circulation; and in case of any casualty, either by fraud or misfortune, the public must sustain the loss of whatever over issues may have been made, without an opportunity of ascertaining either the amount of their Capital, or the amount of the paper they may, from time to time have circulated. Notwithstanding this evil must necessarily attend the system, there are precedents of long standing to warrant a different view of this subject.

In the investigation before a Committee of the House of Commons in England in 1826,—“*To enquire into the circulation of promissory notes under five pounds,*”—it appears that Banking in Scotland did not thrive while the circulation was confined to one Institution.—After the establishment of other Banks the system worked well; at that period 133 Banks and Branches were in operation—three chartered Banks the two former with Capitals of £1,000,000 the latter £500,000, besides private Banks.

It appears from the evidence adduced, that all enjoy equal confidence, and from the experience of a long series of years it is proved, that if a statement of the Bank is submitted once a year, the Capital paid in, and a limit to the circulation on that amount, it affords a sufficient security to the public. That if a Bank issues more money than their customers can absorb in their business, it returns immediately to the Bank from whence it came: this salutary check appears to be created by the competition in the number of Banks which induces them to pay interest on deposits.

In the State of New-York a different system has been adopted: Private Banking is prohibited by law. Banks are chartered in every part of the Country where required. It is true that formerly the most iniquitous and fraudulent system existed in the chartering of Banks; no check was imposed; The Directors were allowed to hypothecate Stock for which they had never paid, and a legalized system of swindling the public was permitted: From this circumstance may be attributed the undue prejudice which still exists against the system of Banking in that State. By a law passed some years since, provision is made for all Banks to pay in their Capital, limit their issues, and submit a statement of their affairs to the Legislature; since when there has not been a single failure to the knowledge of your Committee. Before the United States Bank was chartered, their exchange was in a deranged state; that institution produced a most salutary effect, not only by regulating the exchange, but by restraining the over issues of those small Banks; and the system has since been found to work well.

Banking having proved eminently beneficial in Scotland and the State of New York under entire different systems, your Committee are averse to recommending any restriction whatever, although they feel sensible from the continued emission of notes by private Bankers, from our local position the public must incur much greater risk here than in Scotland—at the same time, from the great scarcity of money and the acknowledged want of Capital, they feel it would be injudicious to hazard any measure which might operate to prevent its introduction.

The same reasons preponderate in favor of chartered companies in different parts of the Province, by which capital may be more generally diffused.

The propriety of establishing a Provincial Bank, and of permitting the two other Banks to merge into it, and to obtain a quantity of land from Government on which to constitute a Capital, has been suggested. This method affords a still greater saving to the public, but cannot be acted upon without extending the time to a remote period. It has been also recommended to limit the issue of any note under one Pound: This measure has been adopted in Europe and the greater part of America.

The recommendation to establish the legal value of Gold and Silver coins also requires attention, but as it does not come under the immediate jurisdiction of your Committee, they decline offering any opinion on the subject.

The principal objection which appears to be urged against the establishment of a Provincial Bank is the alleged fear of its becoming a *political Engine*. On this subject the public mind is remarkably sensitive; and is liable, without due examination to be greatly misled.

Your Committee have endeavoured to establish as equitable a division in the management as the nature of the Institution will admit. It is proposed—

His Excellency the Lieutenant Governor, to appoint	-	1
The Legislative Council	- - - - -	3
House of Assembly	- - - - -	6
Private Stockholders	- - - - -	5
		15
Making in all	- -	15

By this arrangement the Directors appointed by the private Stockholders form a body sufficiently numerous to counteract any undue political influence if attempted to be exercised, either by the Executive or Popular Branch.

The idea of establishing a national Bank is by no means new. Among other cogent reasons assigned in support of the measure by J. R. McCulloch Esqr. in his “*Remarks on the institution of a National Bank as compared with the Bank of England,*” are the following—

No. III.

“ It is not necessary to enter at any length into an examination of the objections that may be raised to the establishment of a National Bank on the ground of its placing a power in the hands of Government which it might be tempted to abuse. It is clear that no abuse would be perpetrated unless by authority of Parliament; but if the Legislature should be at any time disposed to sanction a suspension of bullion payments and a depreciation of the currency, there is obviously no possibility of preventing it, however paper may be issued. The same power that enacts that the Commissioners shall be appointed in a certain way, and that they shall follow a certain line of conduct in conducting the affairs of the Bank, may enact that they shall be appointed in a different way, and that they shall follow another line. At bottom therefore, the only real security for the prudent and proper management of the affairs of a National Bank, must be found in the discretion and good sense of Government and the Legislatures. If these guarantees are inadequate, it is to no purpose to trust to others.

“ The question with respect to its establishment is really one of profit and conveniency, it would save the country, after expences of management are deducted, near £500,000 per year. Again, there can be no good reason why Government should gratuitously concede to any private Company privileges calculated to enable them to realize such large gains. Under any circumstances such a proceeding would evince what might be justly deemed a want of due attention to the interest of the public; and in the present financial situation of the Country, it would be very apt to be looked upon as an unjustifiable and wanton degree of profusion.”

Will not these reasons apply with peculiar force to our present situation ?

While we admit the principle that power must be placed in the hands of those who must necessarily guide or direct such Institutions, all experience goes to prove it must be placed with far greater safety in the hands of our Legislature, combined with the watchful superintendence individual stockholders will necessarily exercise, to guard their private interests.

The short period the Bank of the United States has been in operation also favors the above position.

\$7,000,000 of the stock of that Institution was held by the public.  
28,000,000 by Individuals.

\$35,000,000 Capital.

The Government, by only retaining a small proportion of the Stock, vested the power of managing the Bank in the hands of individuals. Is it likely, had they retained the greatest proportion of the stock, together with the control under their Legislature, the same popular feeling could have been excited against the Institution? Again in the first charter of the Bank of Upper Canada the Legislature held one fourth of the Stock, individuals three fourths; had this been reversed, with an abundant capital, and the Legislature participated in the appointment of Directors, would not the public feel a far greater interest in its success ?

The second objection is that it may become a dangerous monopoly.

The most ordinary mind will comprehend the force of this reasoning. The creation of an abundant capital which this measure provides, is calculated to defeat or destroy any monopoly which now does, or may hereafter exist—it interferes with no established institution; with none that may hereafter be established, nor with private banking—and if it should be the means of preventing the profitable extension of the business of those Institutions, it only proves the superiority of the system.

The means of acquiring the capital is by a simple fiscal arrangement. The Bank issues stock under the guarantee of the Province, payable in a given number of years, at 5 per cent, half yearly in London; arranged as follows :

Amount of Loan	300,000
Premium on sale of Debentures in London 8 per Ct.	} 24,000
Premium on exchange 7 per Ct.	
Public Deposites	25,000
Which constitutes that part of the capital to be represented—	
by the Public	£375,000
Stock held by individuals	125,000
Making in all for the main Bank which is to be established in the City of Toronto	£500,000

After this Bank shall have been one year in operation, in order to diffuse Capital more generally and equitably throughout the Province, branches are to be established in any district as soon as their increasing business may require it. The capital to be created by issuing stock on the credit of the Bank at 6 per cent per annum payable at any given time.

11 Districts at £75000 each	£825,000
Private Stock - - -	275,000
Making for District Banks -	1,100,000
Main Bank at home - -	500,000

will ultimately extend the capital to £1,600,000

This Stock bearing interest at 6 per cent, forms a medium of exchange here, similar to the exchequer bills in London, in which capitalists may readily invest their means, secure an interest at all times, and realize the principle when required. They will thus pass from hand to hand, keep the interest within the province, and bring into immediate action and use every Pound of dormant capital, besides having a tendency to draw capitalists to a country where they may have an opportunity to invest their money with certainty, safety, and profit.

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After all, the main consideration is the question of profit. This can only be proved by reference to other institutions. The stock of the bank of England in August 1834 is quoted 122 per cent premium.

The Bank of the United States rose to 27 per cent premium, after paying their government \$1,500,000, for the charter, and have since offered \$3,000,000, for its extension.

The stock of the Bank of Upper Canada, exceeds sixteen per cent premium, it makes a regular dividend of four per cent half yearly—and although the stock of the commercial Bank, does not command so high a premium, its dividends are equal.

These facts are sufficient to establish a positive profit by banking under ordinary management, and few will question its being a legitimate source of revenue. They have reason to believe this Bank will operate as a most salutary check on all chartered, as well as private banks—by regulating or restraining any undue issue of paper money; it will also, by lessening the profits of Banking, prevent so many from entering into the business.

It will offer to the Public an abundant capital—a safe currency in which every man will feel an equal interest from a knowledge that he is an equal participater in the profits; place under the control of our Legislature a revenue equal to that derived from all other sources; pay off the Provincial debt in a few years—and thereafter leave a fund which may be appropriated to education or any other purpose for all future time.

The above reasons in favor of the Bill already presented they most respectfully submit for the consideration of your Honorable House.

W. HAMILTON MERRITT.  
*Chairman.*

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## APPENDIX A.

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### QUESTIONS proposed by the Committee appointed by the House of Assembly to enquire into the expediency of establishing a Provincial Bank within this Province.

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1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

3rd.—Do you believe that measure can be best accomplished:

—By increasing the Capital of the Bank of Upper Canada?

—By increasing the Capital of the Midland District Bank?

—By Chartering new Banks in different parts of the Province?

—By leaving the subject of Banking on its present footing?

—By establishing a Provincial Bank, and on what conditions or plan? or

—What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public?

4th.—Do you think it would afford any greater protection to the public, if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by individuals?

5th.—It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the Seat of Government, upon the following principles:—the public to hold  $\frac{3}{4}$  of the Stock, instead of  $\frac{1}{4}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director	to be appointed by the Lieutenant Governor,
3	“	“ by the Legislative Council,
6	“	“ by the House of Assembly,
5	“	“ by the Individual Stockholders,
15	“	in all,

To raise the proportion of Capital required by the public, it is proposed to issue Stock bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments—

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000, in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock, bearing interest at 6 per cent. on the credit of the bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

Will you state your objections to this scheme?

Whether in the manner proposed to raise the Capital on behalf of the public?

The appointment of Directors for its management?

The distribution of its branches, amount of Capital required, or any of the details relating to it?

6th.—Do you know the principles on which the Bank of the United States was Chartered?

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

8th.—Do you understand the Scotch system of Banking ?

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits ?

10th.—What premium does the Bank of Upper Canada command in the market at this time ?

11th.—What premium does the Stock of the Midland District Bank command ?

12th.—What is the cause of the difference ?

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England ?

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money ?

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank ?

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montreal and Great Britain ?

17th.—What dividend was paid for the last six months ?

18th.—From what period did the reserved profits in your last Return commence to accumulate ?



*Answers to the questions put by the Honorable the Committee of the House of Assembly on Banking and the Currency.—By T. G. RIDOUT, Esq.*

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by any Legislative Enactment sufficient for the circulating medium thereof ?

The Metallic Currency now in actual circulation within this Province is of small amount, but it might be beneficially increased, by Legislative Enactments raising its legal value to the par of other countries, and by preventing the circulation of small notes—it is not necessary that the whole circulating medium should be in specie, as many inconveniences would arise therefrom, and I think that the internal or external commerce of the country could not be carried on in a prosperous manner, with the aid of specie alone—the quantity of money required varies with the seasons, and prospect of Foreign trade—and the supply best suits the demand, by substituting Bank Notes, which may be expanded or curtailed to suit the course of trade, I do not therefore think that the metallic currency now within this Province, or what might be brought in by Legislative enactments, would be sufficient for the circulating medium thereof.

2nd —Do you conceive it necessary to supply a circulating medium by means of a paper Currency ?

In a commercial and flourishing country like this is, and so much engaged in Foreign Trade, both by exports and imports, I think that Bank paper is a necessary aid to the circulating medium, and that a proportion of the precious metals ought to be encouraged along with it—I would not recommend an entire paper currency by any means, as it nearly is at present, when every coin from a dollar upwards, is represented by paper, and some Banks make a practice of forcing out small notes, knowing well, that in the absence of silver, the people are compelled to keep these notes within their communities for their ordinary transactions, until they are either worn out or lost.

3rd.—Do you believe that measure can be best accomplished :

—By increasing the Capital of the Bank of Upper Canada ?

—By increasing the Capital of the Midland District Bank ?

—By Chartering new Banks in different parts of the Province ?

—By leaving the subject of Banking on its present footing ?

—By establishing a Provincial Bank, and on what conditions or plan ? or

—What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public ?

I do not think this measure can be best accomplished by increasing the number of Banks, neither am I for a monopoly in favor of one—the people will be better served, and trade will be better regulated by the establishment of two Banks with large capitals, than by a number of small Banks, suppose one in every District, these latter would generally be poor and needy, always afraid and in hostile attitude towards each other—their own fears would prevent them from giving liberal credits, and the same motive would make them harsh and griping to the people when in their power, besides being kept in a continual state of alarm, their profits would be small, and their principal accommodations would be confined within the circle of their chief stockholders and directors

I think it would give general satisfaction throughout this Province, if the Legislature would increase the Capitals of the two Chartered Banks, to a sufficient amount to meet the fair demands of the country, for in my opinion, every Farmer, person in trade, or in reputable circumstances, who can give unexceptionable personal security, have a right to receive from Public Banks, reasonable accommodations in proportion to their means, without being considered to ask favors, and it would much promote the prosperity of the country, and the ease and convenience of

the inhabitants, if these Banks would establish regular offices in every District of the Province for discount and deposits—I do not mean an office from each Bank in every District, but let the two Banks mutually agree on that subject and divide the Province between them; this would not prevent people from applying to either or both if they pleased—by so doing the Banks would not clash with each other, and they could afford to serve the public better, but if they would not agree to do so, let each establish offices where it pleases, and then there could be no complaint of monopoly.

I should propose that the Bank of Upper Canada should have its Capital increased to £500,000, and that of the Commercial Bank to £250,000, the former has a claim to the greatest amount of Stock, as it is located at the capital, where the great monied transactions of the Province centre, where the greatest trade is carried on, and where the chief part of the Foreign Capital which is yearly introduced, is first deposited, besides it is the oldest Institution, and is in part owned by Government—there might be many other reasons given why it should be first in rank, if any rank there is, and that without any disparagement to the Commercial Bank.

I do not think that the chartering of new banks in different parts of the province is necessary, but that it would be detrimental; for the offices of a great monied Institution can give longer and more extensive accommodations, from the facilities they enjoy of drawing upon the Foreign funds of the parent Bank, or upon the Bank itself—a small bank would always be harrassed on this point.

I have not sufficiently thought on the subject of establishing a Provincial Bank, but will endeavour to make some remarks at the end of this paper.

It would not be advisable to leave the subject of Banking on its present footing, as many regulations are required for the public benefit.

In the first place no Bank should be allowed to issue notes of a less denomination than Four-dollars, and a penalty should be inflicted on any person who attempts to pass or circulate the notes of a Foreign Bank less than four dollars, for if this protection is not granted the country would be overrun with small notes, of the Lower Canada or American Banks, and specie would disappear. The State of New York, and many other of the states have adopted this system.

4th—Do you think it would afford any greater protection to the public—if the names of all the Partners, who may issue Notes or Paper Money—were required to be registered in some Office within the Province, or would it in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by Individuals?

I do not understand upon what principle private Banks are to be encouraged or acknowledged as legal institutions in this country, they certainly are not needed for the introduction of Capital, for the stock of the chartered banks can be so increased from time to time, as fully to meet the demand, either for investment or loan—besides it is very doubtful and uncertain by having Private Banks, whether you introduce any capital at all, or whether it is not a money making scheme to encourage adventurers from England, and perhaps from the United States, to flock into the province and set up private Banks, with or without real capital, as they build their success upon the known credulity of the people to take any thing in the shape of a Bank note, and if they can once establish a circulation of small notes which always return slowly, they can easily collect the large notes of good Banks, and thereby create a fund to serve in lieu of capital. This, with the bills they discount, which they may before hand agree must be repaid in the notes of other Banks, would enable them to carry on business to an immense extent, and in the end become actually rich and wealthy.

There is another way in which the public are imposed upon, and will no doubt be continually imposed upon by these Private Banks, viz. instead of issuing their notes as the notes of the partners composing the Firm, they give their Bank some good sounding and popular Title; whereas their notes as private individuals, would no more pass current throughout the Province than the notes of many of those persons to whom they lend money, and who in real estate may probably own more property than the whole capital of any one of these Private Banks.

I think it would afford greater protection to the public (although in a very small degree) if the names of all the partners who may issue notes or paper money, were required to be registered in some office within the Province. I do not suppose that any honest man would refuse to give the names of his Partners, nor would it in my opinion have a tendency in any way to prevent the introduction of capital, it would perhaps check the operation of Banking by individuals who have little or no capital, and who would be unwilling to trust to their own names only for the circulation of their notes; as it is very much the custom in this country to add the word "Company" to a Firm, although there are no more partners in existence than those already named. This addition, unless founded on fact, is prevented by law, in the State of New York.

6th.—Do you know the principles on which the Bank of the United States was Chartered?

I know very little about the United States Bank. It was established I believe in the year 1817 with a Capital of \$35 million of dollars, for the purpose of regulating the currency throughout that country, to receive the Public Revenue in deposit, and to pay it out in all parts of the Union without expense to Government, also to manage the sale and transfer of the public debt, and payment of interest thereon without charge, and to make discounts and transact the same kind of business as the state Banks. It is also allowed to have an office in every State, or more than one; in New York State it has 3 offices.

It pays specie at all its offices, for the notes issued at the Parent Bank for use of such office.

The Government holds about 4 millions of the Stock.

7th—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that institution?

I do not know the precise cause of the dissatisfaction which appears to exist against this Bank. I understand

that it arises from Political motives and the unfriendly feeling of State Banks, whose operations it no doubt sometimes checks, and keeps them within due bounds.

8th.—Do you understand the Scotch system of Banking?

I do not understand the Scotch system of Banking unless in a very slight degree, from what I do know of it, I do not think it would suit this country, as lands given in security for loans could not be so readily sold and converted into money as in Scotland, in case of default

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

When money is deposited in a Bank, it is done to serve the temporary convenience of the depositor, in order that it may be in safe keeping, and ready for use at any moment; so that Banks that have real Capital cannot afford to offer such an interest for money as could induce depositors to leave it with them for any term of Months, and the uncertainty when it would be drawn out would prevent any use being made of it advantageously, for a Bank must always hold a disposable sum idle in proportion to its deposits, in order to meet sudden demands on that account, and it would not be profitable to pay interest for this money and at the same time keep the vault properly supplied with specie.

If people did not deposit their funds in a Bank, they would keep them at home, in the former case the benefit is mutual, in the latter there is risk, and in either case the parties would put their money to better use as soon as it was convenient for them, without consulting the convenience of the Bank.

10.—What premium does the Bank of Upper Canada command in the market at this time?

The Bank of Upper Canada Stock at this time is at sixteen per cent premium.

11th.—What premium does the Stock of the Midland District Bank command?

I do not know what premium the Stock of the Midland District Bank commands in the market: I understand it is at eight per cent.

12th.—What is the cause of the difference?

I do not know.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

I do not know what premium the Provincial 5 per cent Debentures bear in England.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

The different Agents established by the Bank of Upper Canada are paid at fixed salaries by the Bank, and are not allowed to take or exact any fees or per centage whatever from individuals borrowing money.

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank?

All monies paid in at the agencies by persons who keep accounts with the Bank or for use of persons who do so are remitted if required to the Mother Bank, free of charge. But if drafts are required, then a charge of  $\frac{1}{4}$  or  $\frac{1}{2}$  per cent is made according to the sum; the same rule applies to the Bank here, and I may add that all public monies are remitted to every part of the Province, by Bill or otherwise at par. The negotiation of Foreign exchanges is the same at the Bank and its agencies.

16th.—What is the usual profit made on buying and selling exchange between this and New-York, Montreal and Great Britain?

The usual profit made on buying and selling exchange between this and New-York, varies with the season, and means of transporting silver, in the winter it averages one per cent premium, and when the Navigation is open from one half to three quarters per cent. profit, this also varies according to the kind of specie then paying out, for if exchange at New York is about 8 per cent premium on London and we are paying out British silver at the legal existing rates, a loss of one per cent on our bills would not keep it in the vault, its intrinsic value being then full three per cent over its legal value, besides the expence of transport.

The usual profit arising to the Bank for its Bills on Montreal, is a quarter of one per cent, altho' in the summer from the facilities of making remittances it is often down to par.

For Bills on London the Bank endeavours to make a profit of one and a half per cent, altho' from the constant fluctuation it does not average so much for the year's business.

17th.—What dividend was paid for the last six months?

The dividend paid by the Bank of Upper Canada for the last six months, ending 31st December, 1834, was four per Cent upon the Capital Stock.

18th.—From what period did the reserved profits in your last return commence to accumulate?

The reserved profits stated in the last return, have been accumulating since the 1st January, 1833

I beg leave to add a few remarks respecting our Gold and Silver coinage, now in circulation, a very material change having taken place within the last year, respecting their value—which does not accord with the rates at which they are legal tenders in this Province, and if some corresponding alterations are not made in our Laws, it will be impossible to maintain any thing like a metallic currency, in the room of small notes.

By a late law of the United States, the Gold Sovereign was fixed at \$4 - 84Cts or \$4 - 85Cts. according to its weight; equal to about

£1 - 4s. - 2½

By our laws, it is by weight as British Gold, only worth . . . . . 1 - 2 - 8.

Making a difference of . . . . . £ " - 1 - 6½.

consequently it never remains in this country a moment after it leaves the pocket of the Emigrant, and is never offered as a circulating medium. This increased value is 8½ per Cent. advance on the one pound Sterling, its nominal value.

The American Government have also made Mexican, Peruvian, and Popyan dollars pass as legal tenders, at 100 Cents each. They are not legal tenders with us. The consequence has been, that the Bank of Upper Canada was obliged to pay last October, a very heavy premium for American half dollars, both at Philadelphia and New York, as the Banks there knowing that the former coins would not answer our purpose, refused half dollars without a premium. Altho' the Spanish Mexican dollar is finer silver than the American, and in the European markets, it's worth more.

In order to prevent the exportation to Europe of their silver coinage, the United States government have always fixed the value legal of their half dollars &c. between five and six per Cent. above its intrinsic value, compared with the coins of England or France, so that unless exchange on London rises to nine per Cent. premium, no profitable exportation of the silver currency can take place with any advantage. The difference between its intrinsic and legal rate, probably 3 per Cent. does not more than cover the expense of shipment, insurance, loss of time, and other charges. The Gold is protected by a higher rate, and cannot bear exportation unless exchange rises to 11½ or 11¾ per Cent. premium

In the course of the last season, when exchange on England ruled between 3 per Cent. discount, and 4 per Cent. premium. The Bank of Upper Canada imported from London £75,000, sterling, in British Silver. And at the special requisition of the Bank, the whole of this money was coined at the mint by order of the government, as the Bank of England could not supply the amount at that time, the silver coinage being very scarce. This was done at some inconvenience, as the mint was then coining for the West Indies, the Gibraltar and Mediterranean services, and for the Home circulation. Yet the government taking into consideration the interest of this Province, sent down an order to the master of the mint, to comply with the requisition for Upper Canada, and it was completed as soon as possible. All this avails little, as under our present laws, and the demand for silver in the United States, and the course of exchange on London, the whole of this money will leave the Province as soon as the navigation opens, unless it is made a legal tender at its real value, instead of being left as it is now, 3 and 4½ per Cent. under par.

The Bank imported £60,000 Sterling, in half Crowns,\* and £15,000, in shillings and six-pences, the former are at 3½ per Cent. and the latter at 5 per Cent. above their par value, with the dollar at 4s. 6d. sterling, whereas the dollar is only worth 4s. 4d., and is often less, consequently as soon as exchange at N. Y. rises to 6½ per cent, our half crowns will be drawn from us, and exported, and when it rises to 7½ or 8 per Cent. the shillings and six-pences will follow, as they will bear export long before the American half dollar, besides being more valuable for their weight and fineness. How the great difference between 3½, & 5½ per cent originated, I cannot tell, unless it was for the purpose of making the sterling shilling even money, at 1s. 2d. Currency, and the 6d. sterling even money at 7d. Currency, the crown is fixed at 5s. 9d. C'y and the half crown at 2s. 10½d. All these rates are below their intrinsic value in America, as the par of exchange is acknowledged to be eight per Cent. At this rate, British Silver coins ought to be as follows:—

The Crown	5s.	at eight per cent.	6s.
The Half-Crown	2 6d.	do	3
The Sterling	1	do	1 2½ and a fraction.
And the	6d.	do	7d and a fraction.

But for the sake of making even change for a dollar, the shilling sterling might well pass as 1s. 3d. currency, and the 6d. at 7½ currency. This would be but little more in proportion than the rise on gold in the United States 1st of August last, and it is not likely that any great quantity of shillings and sixpences will be ever imported as they are always scarce and difficult to be had at the Royal Mint.

I beg to conclude by stating, that if such a law passes and that all Bank Notes under four dollars are prohibited we shall have in this Province, a wholesome circulation of British Coins, for all ordinary purposes, and that Bank Notes will be as they ought to be, an auxiliary to trade and a convenient mode for carrying on large monied transactions.

It is to be hoped also, that the Legislature will take into consideration, the expediency of raising the Gold Sovereign to its par value in the United States, about £1 4 2½ if over weight, and £1 2 full weight—and if it is intended that it should have a fair circulation, it ought to be £1 4 3 currency, it would then remain in the country, and would help to maintain the exchange between this and New York, at about one per cent. premium, and would prevent a drain of our specie.

In reply to Question, No. 6, respecting the establishment of a Provincial Bank, of which it is proposed, that the Government should hold three-fourths of the capital. It appears to me, that the plan is a good one, provided there were no other Banks, & would be very profitable, under such a Bank the people would receive immense accommodation, & it would bring forth the resources of the country & accelerate its improvement beyond example

The whole strength and object of the Bank would tend to this point, instead of being frittered away in idle and useless opposition to each other, as a number of small Banks must necessarily be engaged in for self-preservation, without advancing the public prosperity more than they are forced to do.

It is supposed that should this Bank be established, that the Stockholders of the Bank of Upper Canada and of the Commercial Bank of the Midland District, would feel the necessity of surrendering their charters in order to become incorporated in such an institution, and it would soon prove itself to be the best Bank Stock in North America.

The annual Election of Directors as proposed would render the institution extremely popular, as there never could exist any undue bias of political feeling in its transactions.

As it would take some time to bring a Bank of this description into operation, it might perhaps be as well in the mean while, to increase the Capital of the two Chartered Banks as hereinbefore mentioned, with a proviso in their respective Charters, that as soon as the Government is prepared to add its Capital, whether one-half or three-fourths, these Banks shall merge into one great Provincial Institution.

In creating the Government Stock, it might be done on debentures redeemable in a certain number of years, bearing six per cent. in this country, or 5 per cent. in England, and secured on the general revenue of the Province—for if the Province derives the advantage arising from profits, so ought it to bear the responsibility of its own Capital, for if these Debentures are issued on the faith and credit of the Bank, and the Bank should fail, Government would lose nothing altho it had perhaps for years reaped all the advantages, and the loss, whatever it might be, would fall upon the private Stockholders or the owners of the Debentures.

It does not appear to me that in an undertaking of this kind, there is any necessity to pledge the Public Revenue, when money to the amount of £500,000, or a million could be raised in London by mortgaging a portion of the Crown Lands in this Province, if Government would consent—in that case a good foundation would be laid for the Capital of the Bank, and these lands now unproductive or nearly so, would, by this measure, be converted into an active Capital for the Public benefit. This mortgage need not prevent the sale of the land, as the usual sales might still proceed, and the net amount be paid in to a fund for the annual redemption of a portion of these Debentures, so that probably at the end of a term of 20 years, one half or less of the land mortgaged would pay off the whole debt and leave the Government Stock unincumbered. The University and School-lands might, by this plan, be brought into immediate operation and use, and those Corporations would of course hold their proportion of the Public Stock.

The distribution proposed for the Capital of this Bank amongst the different Districts, cannot be fixed by any rule, it is quite ideal, and must depend upon the business to be done, sometimes more, and sometimes less—the Parent Bank being the guide to the whole, and the one that must provide for the general resources.

It is quite useless for me to enter into further details, as many interests must be consulted before a Bank of this kind can be established.

Toronto, 3d February, }  
1835. }

THOMAS G. RIDOUT.



*Answers to the questions put by the Honorable the Committee of the House of Assembly on Banking and the Currency.—By CAPT. GEORGE TRUSCOTT R. N.*

1st—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by any Legislative Enactment sufficient for the circulating medium thereof?

Abundant, as it is used during the Winter months, at other seasons it may be otherwise: consequent on receiving supplies from the States of almost every article of consumption, either directly or indirectly which has to be paid for in Cash. This must occasion a constant drain until the Ports are closed—any amount imported for some years, in the present state of the Country (Commerce maintaining the present channel) would be fruitless. By a Legislative enactment for raising the price of British specie, will alone keep Silver in this Country, and I may also observe with due submission, it would act as a protecting duty direct and indirect on our neighbours, more than any Law of Taxation that could be passed, and if passed put in force, from the extent and proximity of the coast. It appears from the returns of the Bank of Upper Canada, that there is no lack of the precious metals in this country, but from the young state of the Province, nominally called poverty I presume a large percentage, weekly, of their paper is returned upon them.

2nd Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

The reply is most difficult and delicate, more particularly from the young state of the Country, a large circulation can only be kept up in a rich country, where parties are not obliged instantly to pay out what they receive, consequently returning it immediately upon the Banks, which obliges the Banker to be very careful and watchful to meet the demands.—As a proof of the circulating medium being sufficient for many miles round I beg to refer to the weekly Bank returns.—It is true temporary accommodation might be granted to more applicants but the risk is great to extend it beyond prudence, as general distress and panic must, as was the case in England in the years 1825 and 1826. I have ever been friendly to a paper currency on the ground that specie is a loss to the public, beyond that for the convenience of exchange, inasmuch as a certain interest is derivable from it, if applied as any other commodity in Trade.

- 3rd.—Do you believe that measure can be best accomplished :
- By increasing the Capital of the Bank of Upper Canada ?
  - By increasing the Capital of the Midland District Bank ?
  - By Chartering new Banks in different parts of the Province ?
  - By leaving the subject of Banking on its present footing ?
  - By establishing a Provincial Bank, and on what conditions or plan ? or
  - What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public ?

I am supported in my views both from Home and the United States, that all charters are dangerous from becoming too frequently political engines of immense power, they answer the purposes of those who chance to be appointed Directors (particularly if in Trade) but only to the public partially, consequently an increase of Capital would tend only to an increase of power and monopoly, without producing the contemplated advantages to the Country. Britain, after all her trials has found it the wisest plan *not to interfere*, and I should add that the numerous applications for Charters for Provincial Banks have all been rejected during the late Session. As regards the Bank of England the debt of the Country requires a public body to manage the affairs, but it is understood, that that body should and does render every possible assistance, not only to all the Banking interest, but to the public in general without mean jealousy.

As respects a Provincial Chartered Bank, I consider it still a greater Mammoth, destructive of the liberties of the people, and such an engine as to be capable of being turned to the very worst purposes, aye! in not more than three years to return the House of Assembly. I have heard a rumour of making the Notes a legal Tender, such would put thousands a year in the pockets of the opulent, as the notes would be at a large discount within six months.

The Province might be easily supplied, and beneficially so, by Banks being established by private individuals who are as rich as in England, in comparison with the country, where the whole of the Proprietor's property is in all cases liable.

4th.—Do you think it would afford any greater protection to the public, if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by individuals ?

I think it would afford protection to the Public.

5th.—It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the Seat of Government, upon the following principles:—the public to hold  $\frac{1}{4}$  of the Stock, instead of  $\frac{1}{2}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director	to be appointed by the Lieutenant Governor,
3	“	“ by the Legislative Council,
6	“	“ by the House of Assembly,
5	“	“ by the Individual Stockholders,
15	“	in all,

To raise the proportion of Capital required by the public, it is proposed to issue Stock bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000, in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock, bearing interest at 6 per cent. on the credit of the bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

Answered by No. 3.

6th.—Do you know the principles on which the Bank of the United States was Chartered ?

I do not.

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution ?

From the same causes arising as given in No. 3.

8th.—Do you understand the Scotch system of Banking ?

Not thoroughly.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits ?

It has always been found in Great Britain to be the best mode not to interfere.

10th.—What premium does the Bank of Upper Canada command in the market at this time ?

About 15 per cent., Premium.

11th.—What premium does the Stock of the Midland District Bank command?

I have heard 9 and 10, Premium.

What is the cause of the difference?

One being established longer than the other, consequently first expences being heavy on them.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

My last account gives it 8½ per cent., Premium.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

We have no Agents—Brokers transact our business.

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montrea and Great Britain?

New York one half per cent.,—Montreal none, but rather a loss—Great Britain ¼ per cent., if exchange steady

17th.—What dividend was paid for the last six months?

18th.—From what period did the reserved profits in your last Return commence to accumulate?

17 & 18—Refer to the Chartered Banks.

You recommend an enactment to establish a value on British Silver, what legal value would you place on coin.

I would make a sterling Shilling *Fifteen-pence* and other British Silver coin in proportion.

Would it not establish a value much higher than in the United States and Lower Canada?

It would.

(Signed)

GEORGE TRUSCOTT

Toronto, February 2, 1835.

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*Answers to the Questions put by the Honorable the Committee of the House of Assembly on Banking  
By F. A. HARPER, Esq., Cashier of the Bank of the Midland District.*

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

There can be no doubt that a Metallic Currency would be preferable to a Paper currency, if it was possible to procure such a quantity of gold and silver as would meet the wants of this Colony; but experience has shown, that in a Commercial, and Agricultural country like Upper Canada, it is impossible to procure a circulating metallic currency in sufficient quantities, to meet a moiety of the demand. It might be a curious matter for investigation, to ascertain in moderate accuracy the actual quantity of gold and silver in the Province at this time, and I feel convinced, that the amount would be remarkably small, and totally inadequate to the wants of the Province. I do not conceive that the importation of any quantity of British or Foreign coin would cure the want of it for I do not conceive that any benefit can accrue to the Province, by giving it fictitious value (one above its actual worth) and without this whenever the rate of exchange was high, it would be exported. For instance, a British half crown is current at 2s. 10½d. which is only 3½ per cent, when therefore exchange is 8, it is the cheapest remittance, as insurance can be effected so as to make it available at 6½ or 7 at furthest.

A Provincial coinage is much wanted, and it has been argued with much plausibility, that if it was a little under the standard (that is the usual fineness) it would prevent the money from being exported. I object to this, as I fear it would have a tendency to depreciate the value and currency of our Bank paper beyond the limits of the Province, and consequently have an injurious tendency in our intercourse with other nations. This is a question deserving the serious attention of our Provincial Legislature.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

I would reply at once, that it is absolutely necessary that a sound paper currency should exist, as paper is found the most convenient. It should however never be forgotten that paper possesses no intrinsic worth, it is a mere representative of money, and is received as such, solely because the holder knows it is convertible at his will into cash, or that it passes in the market as readily as the coin it specifies. Its value is diminished by excessive issue, and a limitation of the issues to the actual demands of trade, will alone maintain its value. The amount therefore of Bank Notes which can be kept in circulation, is regulated solely by the demand of trade, and whenever they issue more than is requisite, it will immediately be returned to their counter to be exchanged for specie.

3rd.—Do you believe that measure can be best accomplished:

- By increasing the Capital of the Bank of Upper Canada?
- By increasing the Capital of the Midland District Bank?
- By Chartering new Banks in different parts of the Province?
- By leaving the subject of Banking on its present footing?
- By establishing a Provincial Bank, and on what conditions or plan? or
- What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public?

I am of opinion that a sound paper currency would be best accomplished by increasing the Capital Stock of the two Banks now chartered and placing them on equal terms, it may perhaps appear invidious in me, as belonging to one of the Chartered Banks to appear averse to the establishment of others, but I have no hesitation in asserting that the Public would be better accommodated if the number is restricted, for instance, when the Bank of Upper Canada was the only one, the Public were allowed to renew paper by paying twenty per cent., and if a person borrowed £100 he had 15 months to pay it—after the Commercial Bank was in operation it was reduced to 9 months, and if other Banks are established it will be imperative in the Banks to refuse any but business paper that will be returned in full at maturity, and the majority of persons now seeking accommodation will be thrown out. There can be no doubt but the accommodation formerly granted by the Bank of Upper Canada was of great benefit to the people of every description and encouraged the Agriculturist and Mechanic to increase their means of production; for the time granted enabled them to find a market, but that no longer will be the case, when instead of 15 or 9 months, payment must be made in three. Now if the Capital of the present Banks should be so increased as to enable them to establish Offices of Discount and Deposite in the several Townships of the Province where trade shall demand, every accommodation would be afforded and the issues of paper prevented being excessive by a mutual circumspection but which I conceive could not be procured by chartering a number of other Banks.

4th.—Do you think it would afford any greater protection to the public, if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by individuals?

I do not see what benefit would accrue by registering the names of partners engaged in private Banks, but I think some means should be adopted by the Legislature to prevent the Province from being inundated by the paper of private establishments, so as to prevent that distress which must be experienced in case of failure. It is true that the notes of private Banks are merely taken (as are the notes of Chartered ones) on the credit of the partners, but many persons are so needy that they will receive any thing in the shape of money, and no person who has contemplated the distress which followed in England in 1825, by the failure of a great many private Banks, can see their future establishment in this Province without a desire to render them subject to such restrictions as will protect the public and at the same time inflict no injustice on the individuals composing the firm, or preventing the introduction of Capital.

5th.—It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the Seat of Government, upon the following principles:—the public to hold  $\frac{1}{2}$  of the Stock, instead of  $\frac{1}{3}$  as in the original Charter of the Bank of Upper Canada, managed by

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|----|----------|---|
| 1  | Director | to be appointed by the Lieutenant Governor, |
| 3  | “        | “ by the Legislative Council,               |
| 6  | “        | “ by the House of Assembly,                 |
| 5  | “        | “ by the Individual Stockholders,           |
| 15 | “        | in all,                                     |

To raise the proportion of Capital required by the public, it is proposed to issue Stock bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{3}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock bearing interest at 6 per cent. on the credit of the bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

To the plan of a Provincial Bank there are many objections the principal of which are, 1st.—It would be a monopoly to which the Public would never submit, for with the Capital proposed, no other Bank could successfully compete. In the election of Directors the three estates of the Government being equal, should have equal representatives. Viz

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|---|----------------------------|
| 4 | By the Lieutenant Governor |
| 4 | By the Legislative Council |
| 4 | By the House of Assembly.  |
| 4 | By the Stockholders.       |

I do not think that capital will be found to the extent proposed to be invested, at 5 per cent interest.

6th.—Do you know the principles on which the Bank of the United States was Chartered?

I am not acquainted with the principal on which the Bank of the United States was chartered. I only understand that it loans money at 6 per cent, and is authorized to establish Branches in every State in the Union, which is not the case with any other Bank.

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

The Bank of the United States has done a great deal of good in equalizing Exchanges over the Union, but it has an undue influence in regulating Foreign Exchange—when they choose to enter the market they can by their extensive transactions lower or raise the rate of premium as it may suit their views, this with other charges against the management of the Institution has prejudiced the public against them and they now consider it a monster which they would be glad to get rid of.

8th.—Do you understand the Scotch system of Banking?

I am sufficiently acquainted with the Scotch system of Banking to give it as my decided opinion, that it is not calculated for the present state of this Province. In Scotland a cash account is opened with two or more securities as the extent of the credit may require—those sureties are men of Real Estate or otherwise considered wealthy and who do not require accommodation from the Banks and whose real estate in case of need can be realized at once—can such sureties be found here? if the system were to be adopted the Banks would soon have their funds locked up in lands. For instance, we suppose a gentleman possessed of property worth £5000 borrows from the Bank £2000 which they pay in their notes and which is expended in improving the property by building Mills &c. Now this money is paid to different individuals who wish to convert it into specie, and are necessarily put to the inconvenience and expence of procuring it from other sources than the property of the borrower.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

It would be the ruin of Banks to make them give interest on deposits by law, they cannot afford it as a great part of their Capital is laying dead in the vaults—whereas in Great Britain, it is generally employed in purchase of Public Stock bearing interest, which can be realized at any moment the Bank may require it. The Commercial Bank gives a small rate of interest on deposits lodged for 6 or 12 months, but this they have done to enable them to give more accommodation to the Public until their Capital is increased—when that is granted they will be paid off.

10th.—What premium does the Bank of Upper Canada command in the market at this time?

I believe the rate of premium on the Stock of the Bank of Upper Canada, to be 15 per cent.

11th.—What premium does the Stock of the Midland District Bank command?

10 per cent.

12th.—What is the cause of the difference?

The cause of this difference is easily accounted for, the Bank of Upper Canada is an old established Institution which has been paying for some years dividends of 8 per cent. per annum, besides bonuses—this is to be attributed to the large sums deposited in that establishment without interest, and which of course must add considerably to their profits—on the other hand, the Commercial Bank is a young Institution just entering into life, with but small deposits in comparison with the other—still there is not a Bank in the two Provinces, the value of whose Stock rose so rapidly in the same time it has been established.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

I am not aware that any Debentures or Stock issued by the Province at 5 per cent. has been sold in England—further than the loan negotiated by the Receiver-General thro' Messrs. Thomas Willson and Co., London.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

The Agents are all paid by this Bank.

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank?

The Agents of the Commercial Bank are directed to charge  $\frac{1}{4}$  per cent. for drafts on the Mother Bank, or the office at Toronto, as the Bank sells none but its own Exchange, the rates are the same at the Bank and its Agencies.

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montreal and Great Britain?

There is no profit whatever in exchange between this and the Lower Province, as the charge made on Cashing drafts, does not pay the expence of Agents. The premium between this and New York, is liable to fluctuation according to the rate of Exchange on London or the demand—it ranges from Par to 2 per cent Premium. With respect to the profit made on Exchange transactions with Great Britain, it sometimes proves a good speculation and sometimes a bad, the fluctuation for some months past in the rate of premium has been so great that it has baffled the most experienced in those matters.

17th.—What dividend was paid for the last six months?

The dividend paid on the first of December last, was 4 per cent. on the Stock.

16th.—From what period did the reserved profits in your last return commence to accumulate?

The reserved profits commenced accumulating on the 1st December, 1833.

(Signed)

F. A. HARPER, Cashier COMMERCIAL BANK, M. D.

ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of Establishing a Provincial Bank within this Province" by J. C. Green Esq.

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

The Metallic Currency now in the Province is not sufficient of itself as a circulating medium, to carry on the business of the country—it may be adequate as an integral part of the circulation, but I am of opinion that in the course of another year, the amount will be much reduced unless some enactment pass the Legislature to raise the standard of Gold and Silver, and place it at least upon a par with that of the United States

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

Any Country which should abandon a paper Currency, and confine itself to the precious metals, would most certainly retrograde in the scale of improvement. The diminished amount of such a circulation would instantly produce a depression in the money price of all commodities,—Mercantile credit would be impaired—the spirit of improvement would be paralyzed, and the industrious laborer would transfer his energies to other lands, instead of languishing without productive employment in this.

Excessive issues of paper are doubtless to be deprecated, but almost every where they carry with them their own corrective, and always prove more injurious to the individual than the public. In a poor country dependent upon Agriculture, where the value of money is high, over issues cannot be profitably maintained; no man can afford to keep money unemployed—it passes from hand to hand rapidly—from the farmer to the tradesman and laborer—from the tradesman to the Merchant, and from the Merchant to the Bank, either to liquidate prior advances or to pay for Foreign Commodities. In no Society can paper be considered in excess, where it is at all times convertible into Coin and maintains itself at par in its relations with Foreign States. At this time the balance of our exchanges is in favor of the Province, and has been so upwards of a year.

3rd.—Do you believe that measure can be best accomplished:

—By increasing the Capital of the Bank of Upper Canada?

—By increasing the Capital of the Midland District Bank?

—By Chartering new Banks in different parts of the Province?

—By leaving the subject of Banking on its present footing?

—By establishing a Provincial Bank, and on what conditions or plan? or

—What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public?

Competition is frequently injurious to the pecuniary interests of individuals and Institutions, but it never fails to introduce improvements and work beneficially for the public. I am not aware of any sufficient reasons for reversing this axiom in the case of Banking; and I would not, therefore recommend any additional Capital to Banks already Chartered, or the instituting of others, with exclusive privileges and limited liabilities

Where there are many Banks, the public are as competent to judge by which their own profit, convenience & security will be best consulted, as they are considered to be, where there are many Stores, from which they may select their Goods, or to which they may dispose of their produce.

Restrictions were formerly imposed on Banking in England for the benefit of the Bank of England, but a more enlightened policy and a deeper sense of national justice has removed the fetters; and it is now competent for any number of persons to associate themselves as Banking Corporations, and to sue and be sued in the name of their Cashier. All such parties, however, are held liable for the engagements of the Bank to the full extent of their property; and not, so far as the public is concerned, in proportion to the shares actually possessed by them. In this respect, Joint Stock Banks stand precisely upon the same footing as Private Banks, through the medium of which nine tenths of the business in England is still conducted.

4th.—Do you think it would afford any greater protection to the public—if the names of all the Partners, who may issue Notes or Paper Money—were required to be registered in some Office within the Province, or would it in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by Individuals?

I think this proposition perfectly reasonable, and that it would have no prejudicial effect whatever.

5th.—It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be

established at the Seat of Government, upon the following principles:—the public to hold  $\frac{1}{4}$  of the Stock, instead of  $\frac{1}{2}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director to be appointed by the Lieutenant Governor,
3	“ “ by the Legislative Council,
6	“ “ by the House of Assembly,
5	“ “ by the Individual Stockholders,
15	“ in all.

To raise the proportion of Capital required by the public, it is proposed to issue Stock, bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments. After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock, bearing interest at 6 per cent. on the credit of the Bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

A Provincial Bank with a large Capital conducted without reference to partial or political interests, might be rendered highly advantageous to the community, although not very profitable to the State—but there can be no security against its great powers being abused, and all experience is opposed to such a trust being confided in any hands. In fact it would be creating a fourth Estate in the Country capable of moulding and controlling the law of the land.

6th.—Do you know the principles on which the Bank of the United States was Chartered?

I am not aware of there being any feature in the constitution of the Bank of the United States essentially different from similar institutions. It is perhaps most distinguished by its large Capital as compared with other Banks, and by its having been the sole depository of the General Revenue, comprising, as it were under one roof, the English Treasury and the Bank of England. So great a command of money conferred upon the United States Bank extraordinary power and influence through every part of the Union, and these it employed, as it might have been expected to effect a renewal of the Charter on terms more unfavourable to the interests of the public than might have been obtained in other quarters. Hence the resistance on the part of the people, bribery and intimidation on the part of the Directors, and finally universal dissatisfaction.

8th.—Do you understand the Scotch system of Banking?

The Scotch system of Banking is remarkable for its extreme economy, and its adaptation to the wants not merely of the Commercial and Manufacturing classes, but of the Agricultural also. The circulating medium is confined within the narrowest limits of which the business of the Country is susceptible. There is no excess lying unproductive in the Coffers of the rich, the till of the tradesman, or the chest of the farmer.

It is returned upon the Banks with a rapidity unknown elsewhere, in consequence of a moderate interest being allowed on deposits however temporary or insignificant in amount, thus the charge of any Bank for advances is diminished by these daily returns, and the party is enabled to compete in trade or agriculture upon more favorable terms than if no such system prevailed. It is just as much the interest of nations to produce cheaply as it is of Individuals.

The system of “Cash Credits” is I believe peculiar to Scotland, & to the landholder it is particularly beneficial, because he is enabled to obtain advances, as he actually requires them, not by the expensive process of a mortgage, but upon a personal bond with two sureties. These credits are not granted indiscriminately, and for all purposes, but chiefly to parties whose pecuniary business bears a large proportion to the accommodation required.

It is stated upon competent authority that the deposits in the joint Stock Banks of Scotland, including the two chartered Banks, amount to upwards of Twenty Millions Sterling; and it is supposed that about one fourth of this sum is loaned out to the public on Cash credits. The Interest paid in the one case, and charged in the other, varies between one and two per cent.

This mode of transacting business, which has arisen out of competition is so generally approved of & possesses so much stability, that a run upon a Bank is unknown, and Gold is never seen in circulation. The exchanges between the various Banks are made twice a week at Edinburgh, and the balances settled by bills on London. It is understood that the entire issues of a Scotch Bank are returned in about two months.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

Such a clause would be contrary to the spirit of our free institutions; and would be unavailing. Leave Banking open to fair honorable competition, and provided temporary deposits can be made productive in the present situation of the Province, which is my opinion, Interest will speedily be paid to the Depositors, or they will withdraw their accounts from the Banks opposed to such a measure.

10.—What premium does the Bank of Upper Canada command in the market at this time?

I believe a premium of about 16 per cent.

11th.—What premium does the Stock of the Midland District Bank command?

Probably about 10 per cent.

12th.—What is the cause of the difference?

The longer standing of the Bank and its connection with the Government.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

I am informed at about 5 per cent premium ex-dividend.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

We have no Agents nor Branches, and are only in communication with a few Discount Brokers

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank?

Not applicable.

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montreal and Great Britain?

On New York, about a half per cent, on Montreal no nett profit, and on Great Britain, an average of three quarters per cent.

17th.—What dividend was paid for the last six months?

Applicable to the Chartered Banks.

18th.—From what period did the reserved profits in your last Return commence to accumulate?

Applicable to the Chartered Banks.

*Stamford, 5th February, 1835*

JOHN CLEVELAND GREEN.



#### ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of Establishing a Provincial Bank within this Province" by Benjamin Thorne Esq

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

Unless I knew the amount which by Legislative Enactment was to be brought into the Province it is impossible to say whether with the existing Stock there would be sufficient for the various and necessary exchanges of property. The quantity of money which can circulate in any country must be determined by the aggregate amount of its wealth arising from land and labor and all the various sources of productive industry, and the amount required must be always varying according to the aggregate value of the different objects for which it is exchanged. This being purely an agricultural country it must be obvious that the bulk of our wealth consists in the productions of the soil, and the export value of the surplus we have to dispose of must in a great measure regulate the quantity of money that can circulate, whether that be specie or paper.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

Paper being a much cheaper medium of exchange than Gold or Silver it must certainly be to the advantage of every community to adopt it, provided the issuers of it be controlled by judicious and wholesome regulations. It has generally been supposed that its convertibility into specie on demand at the will of the owner was of itself a sufficient check to prevent improvident issues.—Experience, however, proves that something more is wanting to give solidity to a system which if rightly applied cannot but add to the common stock of a country.

Mr. Charles Grant in debating upon this subject says "the great problem with respect to Currency is to discover that check whereby the evil we wish to avoid may be arrested before it takes place. The principle should be preventive rather than corrective.—His honorable friend (Mr. Smith) seemed to think that the convertibility of paper into Gold would operate as a sufficient check to arrest its progress; and in this opinion he was certainly supported by high authority amongst whom were some of the wisest men that composed the Bullion Committee.—They all agreed upon the necessity of the convertibility of paper into Gold in order to establish a sound Currency. The science of Currency (for it deserved the name of science) was every day acquiring additional light, in fact it was now in a state of experiment. It appeared to him that those who supported the Bullion Report were led to rely too exclusively on this check not merely to correct the evil when it does take place, but to operate as a preventive by which to guard against the extension of it beyond a certain point. There was no doubt of the check but it may be so tardy in its progress as to produce the evil itself; because it is a check that operates not by necessity but by the discretion and judgement of those by whom the paper is issued.

It was clear then from what had occurred that the check provided by the convertibility of Notes into gold operated so tardily as to be inadequate to avert the evil, and it ought to be the leading principle in every sound currency to provide the means of arresting the evil before it arrives at its height.

Conceiving as I do that in this Province we require a considerable addition to our circulating medium, so that an individual may at all times & with facility be enabled to exchange the whole surplus of the products of his industry, and to purchase with the proceeds any of the products of the industry of others which he may want. The great desideratum then in paper currency is to guard against an excessive circulation on the one hand and on the other to have such a supply as is compatible with the wealth and progress of society. That we do not possess it at present if we compare our situation with that of other Countries and more particularly that of a neighboring one, whose habits, views and pursuits approximate nearer to our own than any other, I am fully persuaded, and I will illustrate this subject by observing that according to Mr. Gallatin's estimate the amount of currency for Europe & America may be estimated at two thousand three hundred millions Dollars, three fourths of which is composed of the precious metals, or five hundred and seventy five millions of paper, of which two hundred and seventy five millions circulate in England, Scotland, and America, which in proportion to the population is about nine dollars in paper and eight dollars and three quarters in specie or four pounds eight shillings and nine pence Currency a head in England and Scotland, and five dollars 29 cents paper and two dollars 67 cents specie or near two pounds a head in America, and at the rate of less than five dollars in Russia, which is supposed to have a Currency composed mostly of paper of one hundred and thirty two millions dollars for thirty five millions of people, say from Archangel to Odessa, to the confines of Asia.

France, nine-tenths of which is composed of the precious metals, from two thousand to two thousand five hundred millions francs, equal to seventy-two to eighty francs, or from thirteen and a-half to fifteen dollars a head.

The Currency of England and Scotland is supposed to be composed of thirty-two millions pounds of paper, twenty-two of gold and eight of silver. For the quantity of Banking Capital to produce the above results in England and Scotland, there is no data, no return being made by private Bankers of the Capital employed by them, which constitutes one of the great objections to private Bankers. In the United States in 1829, the Banking Capital of all the different States including the United States Bank, was 145,434,361 dollars, or equal to about 12 dollars a head,—of more recent date 1833, and 1834, the Banking Capital is 200,323,791, and notes in circulation 771,433,732. with specie and funds, 17,081,704—allowing the population to have increased one million since 1829, there would be about sixteen dollars a head, and between six and seven dollars of paper circulation, a head which I consider to be excessive, and accounts for the very great derangement we have witnessed in the Currency of that country considering the amount of Capital, and circulation in 1829, to be more sound and healthy than the latter date, I assume that as my data in estimating the probable amount of Banking Capital that may be created in this country, looking forward to a progressive improvement of the circumstances of the people, and a more general development of the resources of the Province.

I assume that the population of this Province is three hundred and fifty or sixty thousand people. We have now Banking Capital for only three hundred thousand pounds, or not twenty shillings a head. Allowing that we were put upon the same footing as in the United States 1829, with respect to these facilities, we ought to have a Capital of one million and eighty thousand pounds. I have therefore drawn up a plan for a more general distribution of Capital throughout this Province, which I beg herewith to submit for your consideration.

My opinion is, that the best system of Banking is that which is carried on by Joint Stock Companies, and my opinion as to making Stockholders personally responsible beyond the amount of capital subscribed remains unchanged, and is only confirmed by all I read on the subject. All the good effects which were supposed would flow from the alteration of the Law in England in 1826, with respect to Banking, have been in great measure paralysed by this unnecessary clog. I cannot look upon it in any other way than as a scheme on the part of the friends and Directors of the Bank of England, not to surrender into the hands of other Capitalists any share in the circulation of the Country.

Mr. Joscelyn an eminent writer on Currency, on this subject says, in allusion to this personal responsibility, "the consequence of this has been that the Banks which have been formed have been constructed on wrong principles.—They are a great improvement upon private Banks, but the credit of banks ought always to be founded on paid up capital; whereas they in general have been formed with very small capitals, depending for their credit upon the personal responsibility of their shareholders; and these are the worst description of joint

stock Banks---when we were constructing a new system, it might as well have been done on the best principle at once."

Had the plan I suggested last year to the Committee on Banking, of increasing the capital stock of the Bank of Upper Canada been adopted, the loan authorised to be borrowed in London might have been taken by that Institution; by which a considerable saving to the country might have been effected; and it is fair to presume, that a considerable portion of the interest arising therefrom would have been expended in the Province. The advantages accruing to the Province from such expenditure, would be very considerable, though not so great as estimated by some. It is only that portion of it which is expended in the wages of servants and mechanics, the productions of the soil and the profits of the Merchant on the goods imported from foreign countries, that is added to our annual income---these however are very important items, and absorb the greater part of individual income.

Borrowing money for very long periods, I do not look upon as advantageous to the borrower, as the numerical amount of all capital must continue to diminish, unless very considerable additions are made to the stock of the precious metals (always the superstructure on which paper can be raised) by the discovery of new and productive mines. According to Mr. Jacob's report, the stock has diminished upwards of sixty millions in a little better than 20 years, whilst the wealth and population of the world have been gradually progressing.

If, in this country, we go on year after year increasing our public debt, without at the same time extending to the people generally throughout the Province those facilities which will promote the growth of individual wealth and industry, it must be evident to every one who reflects upon the subject, that such debt will ultimately press heavily upon them,---whereas if by their instrumentality, the resources of the country be proportionately developed, luxury, intelligence and comfort will be the issue.

I look upon the present period as a most favourable one to promote increase of capital in this country---much of the capital invested in the U. States Bank belongs to foreigners, and when paid off will be employed some where--and as it belongs mostly to English capitalists, it is possible that by judicious policy, on our parts some portion of it may be attracted to this Province.

In conclusion then I would observe that Banks are the important instruments in bringing the borrowers and lenders together---the medium by which the savings of the one and the gradual expenditure of the other are respectively brought together. In new countries they give proper direction to capital by divesting the timid of their scruples and encouraging the enterprising and industrious, in loaning to them what would otherwise be frequently dormant and inactive.

BENJ. THORNE.

Thornhill, February, 3rd, 1835.

I propose that the Bank of Upper Canada be allowed to establish Agencies in such parts of the Province as the Directors may select, not exceeding more than one in a District. All public monies received by the respective officers of government, to be deposited with the Bank of Upper Canada, which would lessen the responsibilities of any public functionary in the receipt of large sums.

No Bank to be allowed to loan more than one and a half the amount of its Capital including the advance to Government. nor issue more than the amount of its Capital, in notes, nor to issue any note below 4 dollars---by which a much larger circulation of specie would be kept up in the Province, for what is called consumptive circulation would in a great measure be made up of this kind of money.

No Bank to go into operation until fifty per cent of the Capital stock be paid in; a proportionate amount may be received in Government Securities, the Debentures belonging to the respective Banks to be deposited with the Receiver General or some proper Officer appointed by the Government; half yearly statements of the affairs of the Bank to be returned to him under oath and the same to be published in the Gazette. Any Bank refusing to pay its notes or deposits in them if demanded to be liable to pay interest on the same at the rate of twenty per cent per annum.

Upon mature reflection I do not think that loans on Government securities should be included in the amount which Banks may be allowed to lend. This restriction should only apply to notes discounted.

I see by a Table of foreign Gold Coins that the true value of the sovereign weighing 113-18-11-2-24 Grains fine compared with the American eagle of 232 grains fine is 487 7-100 or about £1 4 4 Halifax Currency. This is also the true par of exchange between the United States and London and is equal to a premium of 9 7-10 per cent as near as can be calculated on the nominal par of \$4 44 or 109 7-10 per 100.

The Exchange between New-York, and this is  $1\frac{1}{2}$  but may, I think, be called 1 in any calculation to be made in fixing a Standard for this Currency.

BENJ. THORNE.

February, 5th, 1835.

The House of Assembly to appoint five and the Executive four and the public twelve Directors for the Provincial Bank, or Bank of Upper Canada---the spirit of the present act, with respect to their election or appointment being preserved.

It may be necessary to make some change with respect to the value of Gold, so as to make it a legal tender at or about the value which is now attached to it upon this Continent ; repealing at the same time such acts as may apply to any regulation of the value thereof.

A Colonial silver coinage would be highly desirable, and some plan should be adopted to introduce it The value to be set on silver is a question requiring much consideration, and the necessary information may be obtained from persons well acquainted with exchange,

BANK OF UPPER CANADA—THE PROVINCIAL BANK.

Half the Stock to be held by Government, the other half by the Public for which would be required £225,000—£25,000 being already held by Government, 75,000 would be open to the Public of the new Capital

Midland District	200,000 0 0
Eastern do	37,500 0 0
Johnstown do	37,500 0 0
Perth	37,500 0 0
Newcastle District	37,500 0 0
Niagara do	50,000 0 0
Gore do	50,000 0 0
London do	50,000 0 0
Western do	37,500 0 0
Goderich	37,500 0 0

1,075,000 0 0

Deduct present Stock held by Banks of U.C. & M.D. 300,000 0 0  
New Stock of all the Banks 775,000 0 0

Now I propose, to make all the New Stock subject to 4 per cent. tax payable annually out of the profits of the Bank, which would be no more nor so much as is paid upon all other species of property by Assessment.

This will amount to 1,926 0 0

Supposed Dividend to Government from Stock or Provincial Bank or Upper Canada 20,000 0 0

2 26 0 0

To be invested in Government Debentures one third of New

Stock	100,000 0 0
do.	33,333 6 8
do.	12,500 0 0
do.	16,666 13 4
do.	16,666 13 4
do.	12,500 0 0
do.	12,500 0 0

258,333 6 8

Amount to be loaned to Govt. to be expended on internal improvements

Charge on which would be 15,500 0 0

Profit to the Government 6,426 0 0

21,926 0 0

ANSWERS

To "The questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of establishing a Provincial Bank within this Province" by Joseph Cawthra Esq. Merchant, Toronto.

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium ?

No.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency.  
Yes.

3rd.—Do you believe that measure can be best accomplished :

—By increasing the Capital of the Bank of Upper Canada ?

—By increasing the Capital of the Midland District Bank ?

—By Chartering new Banks in different parts of the Province ?

—By leaving the subject of Banking on its present footing ?

—By establishing a Provincial Bank, and on what conditions or plan ? or

—What other method would you propose to establish a paper Currency, with the greatest advantage and safety

By increasing the Capital of the Upper Canada and Midland District Banks.

4th.—Do you think it would afford any greater protection to the public, if the names of all the partners, who may issue Notes, or paper money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency in any way to prevent the introduction of Capital, or check the operation of Banking by individuals?

Will not give an opinion on this subject.

5th.—It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the Seat of Government, upon the following principles:—the public to hold  $\frac{3}{4}$  of the Stock, instead of  $\frac{1}{4}$  as in the original Charter of the Bank of Upper Canada, managed by

- |    |          |   |
|----|----------|---|
| 1  | Director | to be appointed by the Lieutenant Governor, |
| 3  | “        | “ by the Legislative Council,               |
| 6  | “        | “ by the House of Assembly,                 |
| 5  | “        | “ by the Individual Stockholders,           |
| 15 | “        | in all,                                     |

To raise the proportion of Capital required by the public, it is proposed to issue Stock bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock bearing interest at 6 per cent. on the credit of the bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

I think it will be a political engine to destroy the liberties of the people.

I think it will be fatal to the Institutions now established, so much so, that if established I would sell out my Stock in both Banks in which I hold considerable amount. I have been against all Banks, but when I found they would be established I determined on taking a large amount of Stock and feel myself deeply interested in their success.

JOSEPH CAWTHRA



#### ANSWERS.

To “ *The questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of establishing a Provincial Bank within this Province*” by John S. Baldwin Esq.

1st. Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

I consider that a metallic currency may be very much aided by Legislative interference and that the thing requires it.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency.

3rd.—Do you believe that measure can be best accomplished:

- By increasing the Capital of the Bank of Upper Canada?
- By increasing the Capital of the Midland District Bank?
- By Chartering new Banks in different parts of the Province?
- By leaving the subject of Banking on its present footing?
- By establishing a Provincial Bank, and on what conditions or plan? or
- What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public?

I do not consider it by any means necessary to adopt measures to establish a paper currency to a greater extent than we already have; as it is in my opinion fully established, that the Province will not sustain a greater portion making all due allowance for the gradual increasing wealth of the country and when required by enabling the present chartered Banks to meet it, is in my opinion the most prudent measure to adopt. as I certainly disapprove of establishing Banks in the outer Districts, thinking there is not sufficient wealth to sustain them.

4th.—Do you think it would afford any greater protection to the public, if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency, in any way to prevent the introduction of Capital, or check the operation of Banking by individuals?

I see no possible use in registering the names of persons engaged in Banking with us, our two Banks are chartered on such equitable grounds, the Stockholder has paid up every shilling he has subscribed, thereby giving the Public very fair security in case of any defalcation and in consequence I consider it extremely unjust towards those Banks that any person or persons in the Province should be allowed to force a paper currency into circulation, without the public knowing or any means of knowing whether there is one shilling deposited in any Bank or country liable to their acts or deeds here, nor perhaps one foot of real estate in question, to give them the appearance of responsibility, so that every one holding notes of such a description runs a risk as there appears to be no security for the ultimate payment.

5th.—It has been proposed by this Committee, to Charter a Provincial Bank with a Capital of £500,000, to be established at the seat of Government upon the following principles:—the public to hold  $\frac{3}{4}$  of the Stock, instead

of 4 as in the original Charter of the Bank of Upper Canada, managed by

1	Director to be appointed	by the Lieutenant Governor,
2	“	“ by the Legislative Council,
3	“	“ by the House of Assembly,
4	“	“ by the Individual Stockholders,

15 “ in all,

To raise the proportion of Capital required by the public it is proposed to issue Stock bearing an interest at 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock bearing interest at 6 per cent. on the credit of the Bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

From the reasons already stated I disapprove of a Provincial Bank entirely; fully convinced that we have all in that way, that we want, it is actual Capital is wanted in this Country now, not an imaginary one more than we have, and I feel convinced, that increasing the facility of borrowing money on Banking principles or by means of a loan Office, and the propensity to indulge in it will end in a large portion of the real estate of the Country being sold and purchased by speculators to the prejudice of the present owners.

Do you know the principles upon which the Bank of the United States was chartered?

I really know nothing of the principles upon which the United States Bank was chartered.

7th—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

I have been led to believe that the dissatisfaction felt towards the U. S. Bank by the Executive authority, and a large portion of the people is grounded on the circumstance of Stock to a certain extent being held by Foreigners particularly in England and the political influence it has in all parts of the union from its extensive means.

8th.—Do you understand the Scotch system of Banking.

I am not sufficiently acquainted with the Scotch system of Banking, to give a satisfactory opinion.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

I see no necessity to oblige a Bank to pay interest on deposits the accommodation is mutual, and the depositor expects his Money will be ready for him any time at a moments warning, If it should be for the benefit of a Bank to pay interest on deposits they will do so, and the Public will know it sufficiently soon to demand it, but it does not require Legislative interference.

10th.—What premium does the Bank of Upper Canada command in the market at this time?

The Stock of the Bank of Upper Canada I believe is worth from 16 to 16 $\frac{1}{2}$  per Cent premium.

11th.—What premium does the Stock of the Midland District Bank command?

The Stock of the Midland District Bank or its value I am not so well acquainted with, but have been told is worth 8 per cent premium.

12th.—What is the cause of the difference?

This difference may arise from various causes, the Bank of Upper Canada is the oldest institution it has always done well, paid a good dividend and occasionally a Bonus, it perhaps has the largest surplus fund just now, the Provincial Government being concerned in it, it has offices or Agents in most parts of the Country capable of sustaining them, and generally conducted with a degree of prudence that would do Credit to any Institution.

13th —Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

I know nothing of what the Provincial 5 per cent Debentures sell for in England.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

Not being in the Direction of the Bank of Upper Canada now, I cannot say how its Agents are paid, but when I had the honour of a seat at its Board, I never heard of any agent or agents being compensated any other way than by a fixed salary established by the Board of Directors at the head Bank

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank?

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montreal and Great Britain?

17th.—What dividend was paid for the last six months?

18th.—From what period did the reserved profits in your last Return commence to accumulate?

None of these come within my observations now, unless the last dividend the Bank paid which was four per cent.

#### GENERAL REMARKS.

I certainly consider it an injustice to the chartered Banks as well as a risk to the public to allow any person or persons to be forcing paper in the shape of Bank notes into circulation without security being given for its redemption and that such person or persons ought to be obliged to state to the proper authorities of the Province what sum or sums they have properly deposited and liable to their acts and deeds within the same and to restrict them in going beyond a proper amount of issues compared to it.

I am well convinced that Banking in a New Country is attended with many advantages when properly conducted, but if not so managed and allowed to go beyond what its means would justify or the wants of a country to a certain extent, it will become one of the greatest evils; and when there is a propensity in the country to borrow money for various purposes, more particularly speculative motives, I am under the impression the general results would not be beneficial.

A proof that the country will not bear a greater portion of paper circulation than it sustains at present is, that on an over proportion being issued it will with a great proportion of the whole at once find its way into the hands of the trading or Mercantile part of the community by whom it is instantly returned or transmitted to Montreal or Quebec, by which means it is put out of circulation, and Gold or Silver or Bills on England demanded for it, this has frequently been to such an extent that the Banks have stopped discounting for short periods.

(Signed)

City of Toronto, February 6th, 1835.

JOHN S. BALDWIN.



#### ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of Establishing a Provincial Bank within this Province" by Charles Bowman, Esq, Montreal.

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

I do not—if we were to import any quantity of specie, it must go back so long as the balance of Trade is against this Country.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

I do.

3rd.—Do you believe that measure can be best accomplished,

—By increasing the Capital of the Bank of Upper Canada?

—By increasing the Capital of the Midland District Bank?

—By Chartering new Banks in different parts of the Province?

—By leaving the subject of Banking on its present footing?

—By establishing a Provincial Bank, and on what conditions or plan? or

—What other method would you propose to establish a paper Currency, with the greatest advantage and safety to the public?

Not by increasing the Capital of one Bank to the prejudice of another.

I do not approve of chartering a number of local Banks.

I think Banks should not be left as they are, that is for private Bankers to issue notes at pleasure, without being under some Legislative control.

A Provincial Bank with a large capital can afford greater security to the public, than by having that capital divided in a number of Banks, and can also afford the public greater accommodation with less risque.

4th.—Do you think it would afford any greater protection to the public—if the names of all the Partners, who may issue Notes or Paper Money—were required to be registered in some Office within the Province, or would

it, in your opinion, have a tendency in any way to prevent the introduction of capital, or check the operation of Banking by Individuals?

I think the names should be registered in some place where the public may have access to know the names of Individuals. I do not approve of private Banks being established in this Province in consequence of the risque always attending an over issue of notes by individuals.

5th It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the seat of Government, upon the following principles:—the public to hold  $\frac{1}{4}$  of the Stock, instead of  $\frac{1}{2}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director to be appointed	by the Lieutenant Governor,
2	“	“ by the Legislative Council,
3	“	“ by the House of Assembly,
4	“	“ by the Individual Stockholders,

15 “ in all.

To raise the proportion of Capital required by the public, it is proposed to issue Stock, bearing an interest of 5 per cent., under the guarantee of the Province—in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock, bearing interest at 6 per cent. on the credit of the Bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

Not having given the details sufficient consideration, I am not prepared to give an answer to this question.

6th.—Do you know the principles on which the Bank of the United States was Chartered?

I do.

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

Because the power or direction is vested in Individuals who oppose the present Government.

8th.—Do you understand the Scotch system of Banking?

do.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

I do not—It may be advantageous to a few near the Capital, but I do not think it could be extended to advantage throughout the Province.

10th.—What premium does the Bank of Upper Canada command in the market at this time?

About 15 per cent.

11th.—What premium does the Stock of the Midland District Bank command?

About 5 per cent.

12th.—What is the cause of the difference?

By having the command of more capital and having made previous arrangements, on better terms than the Midland District Bank is enabled to do at present.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

I do not.

It has been recommended to affix a value on British Coin, say the shilling sterling at 15*d.* Halifax currency, What effect would it produce? Ans—It would produce no effect whatever; the exchange will always regulate the value of specie which can never be fairly established by any Legislative enactment—for instance a Banker in London would send, say, £100,000 in shillings for which he would get in return exchange on London at the current rate—the shillings would remain unproductive in the Coffers of the Bank till exchange should so vary, that they would prove a profitable remittance.

C. B.

Janry, 29th, 1835

## ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of establishing a Provincial Bank within this Province," by Wm. Lyon McKenzie Esq

1st.—Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

Considering the great natural resources of this Province, and the enterprise and industry of its inhabitants I can see no reason to doubt its ability, under good government, to procure a supply of gold and silver, sufficient for the wants of the population.

2nd—Do you conceive it necessary to supply a circulating medium by means of a paper Currency?

I think it would have been good for the colony if the paper currency had always been restricted to notes of \$20 and upwards.

3rd—Do you believe that measure can be best accomplished,

—By increasing the Capital of the Bank of Upper Canada?

—By increasing the Capital of the Midland District Bank?

—By Chartering new Banks in different parts of the Province?

—By leaving the subject of Banking on its present footing?

—By establishing a Provincial Bank, and on what conditions or plan? or

—What other method would you propose to establish a paper Currency with the greatest advantage and safety to the public?

I would be in favor of passing a law laying such restrictions on private banking as might be absolutely necessary for the safety of the community—a law of which all capitalists might avail themselves to establish private banks wherever and whenever they thought fit.

4th—Do you think it would afford any greater protection to the public—if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it, in your opinion, have a tendency in any way to prevent the introduction of capital, or check the operation of Banking by Individuals?

I think the regulation proposed for the registration of partners in Banking institutions would be of service to the community without preventing the investment of capital.

5th It has been proposed by this Committee to Charter a Provincial Bank with a Capital of £500,000, to be established at the seat of Government, upon the following principles:—the public to hold  $\frac{1}{4}$  of the Stock, instead of  $\frac{1}{2}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director to be appointed by the Lieutenant Governor,
3	“ “ “ by the Legislative Council,
6	“ “ “ by the House of Assembly,
5	“ “ “ by the Individual Stockholders,

15 “ in all.

To raise the proportion of Capital required by the public, it is proposed to issue Stock, bearing an interest of 5 per cent., under the guarantee of the Province, in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock, bearing interest at 6 per cent. on the credit of the Bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

Such a Bank would prove a greater scourge to the community than even that partnership institution from which the United States have made provision for emancipating themselves at the expiration of its charter. Such a Provincial Bank as is proposed in the question, would, in all human probability, completely destroy the independence of the House of Assembly; and, being united with the other monopolies which oppress the people, become a grievance of the first magnitude.

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

I have a copy of the act, with the several amendments since made in congress. The principle appears to be the same, nearly, as that on which the York, Upper Canada Bank was founded; and there has been a strong resemblance in the working of the two institutions.

8th— Do you understand the Scotch system of Banking?

I have studied it a good deal, and am of opinion that if our banks paid interest on deposits as is the Scottish one.

tom, and if Banking were left to free competition as it is in Scotland, and the number of partners left to the discretion of the parties, an improvement would be effected thereby—although I decidedly disapprove of the Scottish issues of one pound notes. Bad government and dear bought experience have weaned the French from permitting small bills to circulate, and it appears that they find no difficulty in keeping a supply of the precious metals.

9th.—In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

Let there be a fair competition in Banking, under the restrictions of a general and well considered statute, or statutes, & interest will be paid on deposits without compulsion.

10th.—What premium does the Bank of Upper Canada command in the market at this time?

I believe the premium within the last six months has ranged from 11 to 15 per cent, and even higher, perhaps, in some cases.

11th.—What premium does the Stock of the Midland District Bank command?

I do not know, but have understood that the value of the Stock is gradually rising.

12th.—What is the cause of the difference?

The Bank of Upper Canada has been long established; is partly upheld by the almost exclusive control of the government deposits; its managers and stockholders are more intimately connected with the government; and the institution transacts a great share of the business of the country. A belief of its solvency and stability, and the advantages it will continue to command from its connexion with the government and its officers, induces purchases to give a high price for its shares—but very little is known of its transactions. I tried last parliament to obtain important information, which even the Bank Solicitor in the House could not deny to be proper, and which the late President of the Board of Trade approved of as fit subjects of enquiry, but found the government and bank influence in the House sufficient for my expulsion and re-expulsion whenever I broached the subject.

13th.—Do you know what premium the Debentures or Stock issued by this Province, at 5 per cent. interest, bear in England?

No.

14th.—Are the different Agents established by Your Bank paid by the Company or by the individuals borrowing money?

This question is not intended for me.

15th.—What per centage is charged by the different agencies in remitting money to this principal or Mother Bank, or what more do they charge for negotiating exchange than at the principal Bank?

This question is not intended for me.

16th.—What is the usual profit made on buying and selling exchange between this and New-York,—Montreal and Great Britain?

The Banks or Mr Cawthra could give the best practical answer to this question.

17th.—What dividend was paid for the last six months?

18th.—From what period did the reserved profits in your last Return commence to accumulate?

17 & 18 Are intended for the Banks themselves.



## ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to enquire into the expediency of Establishing a Provincial Bank within this Province" by Thomas Dalton, Esq.

1st. Do you conceive the Metallic Currency, now within this Province, or what may be brought in by Legislative Enactment sufficient for the circulating medium thereof?

The Metallic Currency now within this Province, is not sufficient for the circulating medium thereof, and yearly must become less and less adequate as Population, Agriculture, Commerce and Trade increase, by Commerce I mean the business of exporting and importing to and from Foreign Countries, and by Trade, in land traf

fic, I am not aware that Legislative enactments in any country whatever, had ever the power to bring into and to retain within it, the precious metals, unless they were such as were calculated to secure to that country advantageous Commerce, in the track of which the precious metals will follow as a natural consequence.

2nd.—Do you conceive it necessary to supply a circulating medium by means of a paper Currency

I do conceive it absolutely necessary to supply a circulating medium by means of a paper currency, for the simple reason that the existing fund of the precious metals as respects the whole civilized world, is totally inadequate to effect the exchanges of the products of labor, now augmented to an unprecedented extent by the increase of population and Commerce, and the general spread of knowledge and refinement, which have a natural tendency to increase the wants and, consequently, the consumption of the products of labor which are not now, as in the dark ages and rude state of Society, confined to the mere necessities of life, but extend to comforts, conveniences, elegancies and luxuries, the production of which affords gratification to the wealthy and to the industrious Agriculturists, Artizans, Mechanics, and Laborers, a decent and comfortable maintenance, and opens to the more skilful and enterprising, the road to wealth and honors. Even were the precious metals now existing in the shape of Coin adequate to the purposes of exchange, it would be prudent to use a paper currency, in order to preserve them from waste, which is known to be in proportion to the activity of their circulation, and has been estimated to be, upon the average 10 per cent. every thirty-six years, which, in the course of two centuries, will reduce any given amount of Coin of the precious metals to about one-half, how much more then is a paper currency necessary when it is known that exchanges are made annually at the clearing House in London, to above twelve times the amount of all the precious metals in the shape of coin supposed to exist in all Europe and America, the two most Commercial nations in the World.—England and the United States have felt the imperative necessity and enjoyed the unspeakable advantages of a paper currency, to which both are indebted for their unparalleled measure of prosperity. The experience of these two great Nations should be deemed ample testimony of the value of a paper currency, and the practical benefits they have respectively derived from its prodigious powers of improvement, should be sufficient inducement to a young and vigorous Province to follow their example under modifications suited to its circumstances, and to the superior knowledge now abroad on the subject of Banking.

3rd.—Do you believe that measure can be the best accomplished :

- By increasing the Capital of the Bank of Upper Canada ?
- By increasing the Capital of the Midland District Bank ?
- By Chartering new Banks in different parts of the Province ?
- By leaving the subject of Banking on its present footing ?
- By establishing a Provincial Bank, and on what conditions or plan ? or
- What other method would you propose to establish a paper Currency with the greatest advantage and safety to the public ?

I believe that a sound and efficient paper currency can be best, if not alone, made under the present circumstances of the Province, by the establishment of a National or Provincial Bank, for the transactions of which the guarantee of the Province shall be solemnly pledged. I should strongly deprecate the augmenting the Capitals of the present Banks, or the Chartering of any new ones to multiply Banks with limited Capitals upon the principle of allowing them to issue three times the amount subscribed and exonerating the Stockholders from claims of creditors, in case of defalcations arising either from unforeseen & uncontrollable circumstances, or from imbecility, misgovernment, speculation or fraud. The Charters of our Canadian Banks have been made upon the model of the Banks in the United States, against which throughout the whole Union there has been justly raised an almost universal outcry; the principle on which they have been instituted, having been found to be utterly defective, rotten and corrupt; inasmuch as it has opened a door to frauds of the most extensively pernicious character, numerous Banks having failed tens of thousands of dollars in debt, with no assets to be found, the property of the Bankers, being intangible by law. Thus have whole villages been desolated, and hardly earned property been magically transferred from its honest unsuspecting owners, to the possession of chartered monopolists, empowered by law to issue a paper currency, the representative of absolutely nothing. It is the nature of, and consequently inseparable from Banks of limited means, to contract and expend their issues according to circumstances, sometimes discounting freely and then suddenly refusing all discounts, which is an insufferable grievance in any community; rendering the tenure of property a mere lottery subjecting the most solvent Merchants, Tradesmen and Mechanics to sudden ruin, and changing the value of Lands, Houses and every species of property, so unexpectedly and so extensively, that no man on lying down at night, can tell what estate he can count upon when he rises in the morning. This state of things is inseparable from the present American Banking system, a system which if allowed to grow to maturity here, will ultimately deluge the Province with misfortune, poverty and crime, making "the rich richer, and the poor poorer," as it has actually done in the United States, and has consequently raised general disgust among the mass of the people against paper currency altogether, without any discrimination as to quality, the mass of population never being able to distinguish between systems of Banking. That this Province has not suffered, but on the contrary thriven with its present Banks, is not attributable to the goodness of the system on which they are founded, but to a liberality and integrity of management, which it would be unwise to rely on, and absurd even to expect from a greatly multiplied number of institutions exempted by law from any obligation to pay their debts.

4th.—Do you think it would afford any greater protection to the public, if the names of all the Partners, who may issue Notes or Paper Money, were required to be registered in some Office within the Province, or would it in your opinion, have a tendency, in any way, to prevent the introduction of Capital, or check the operation of Banking by individuals ?

I do not exactly comprehend the meaning intended to be conveyed by this question.

5th.—It has been proposed by this Committee, to Charter a Provincial Bank with a Capital of £500,000, to be established at the seat of Government upon the following principles:—the public to hold  $\frac{1}{4}$  of the Stock, instead of  $\frac{1}{2}$  as in the original Charter of the Bank of Upper Canada, managed by

1	Director to be appointed by the Lieutenant Governor,
3	“ “ by the Legislative Council,
6	“ “ by the House of Assembly,
5	“ “ by the Individual Stockholders,
<hr/>	
15	“ in all,

To raise the proportion of Capital required by the public it is proposed to issue Stock bearing an interest of 5 per cent., under the guarantee of the Province, in case the Bank should fail to make payments.

After this Bank shall have been one year in operation—Branches shall be established with a Capital of £100,000 in every District throughout the Province, where the increased business may require it, on the Inhabitants subscribing  $\frac{1}{4}$  of the Stock—the proportion on behalf of the Province to be raised by issuing Debentures or Stock bearing interest at 6 per cent. on the credit of the Bank only.

Whatever profits may arise to be appropriated exclusively in payment of the Provincial debt.

I should not recommend the appointment of any Director by the Lieutenant Governor, more than two by Legislative Council, nor more than four by the House of Assembly, leaving nine to be chosen by the Private Stockholders; all to be chosen from the private holders of Stock to the amount of at least ten shares, & no Officer of the Government being eligible to serve, although a proprietor of ten or more shares. The Governor should choose the President from three persons presented to him as the choice of the majority of the Directors, but the Executive should have no power to nominate, Cashier, Bookkeeper, Teller, Clerk, or servant of any description, nor should any one holding a public office be qualified to serve in the Bank in any capacity whatever. The President and directors on entering into office should be required to subscribe to the following Oath:—

I, A B of————do solemnly swear so to conduct myself in all things pertaining to my Office of Director, or Governor (as the case may be) of the Bank of Upper Canada, as shall promote to the best of my ability, knowledge and belief, the interests, honor and safety of the institution now, by the high favor and good opinion of my fellow citizens in part confided to my trust; showing neither partiality to my friends, nor hostility to my enemies, imagined or real, Religious, Political, or otherwise, but in all things endeavoring to avoid just cause for reproach; and this I swear upon the holy Evangelists, without equivocation or mental reservation. So help me God

Sworn before me or us, (as the case may be,) &c. &c.

Signed.

All servants of the Bank to be chosen by the Directors

No Member of the Legislative Council nor member of Assembly, having assisted in the choice of the Directors, apportioned to those bodies, to be allowed any vote in the Election, of that portion of the Directors to be chosen by the private Stockholders.

With respect to voting by proxy, I would allow such voting; but would restrain any individual or any family from producing at any election of Directors more than three proxies, in order to prevent an accumulation of influence in few hands, which has been justly a subject of great complaint, sometimes one or two persons being able to control the whole Direction.

With these guards, I am not aware how the most fastidious can fear, that the Institution would become a political engine in the hands of the Government, of which indeed it behoves every people to beware of creating.

6th.—Do you know the principles on which the Bank of the United States was Chartered?

7th.—Do you know the cause of the dissatisfaction which appears to exist by a part of the public in the United States against that Institution?

The Bank of the United States is upon the fraudulent system of the other Banks in the Union as regards the Stockholders being exonerated from paying their debts. The dissatisfaction with the Institution first arose from the circumstance that a very large portion of the Stock was held by Foreigners, and especially Englishmen, it having been pretended that they could thereby influence if not control the politics of the Union. This is asserted and denied according to the bias of men's minds.

8th.—Do you understand the Scotch system of Banking.

Yes I understand the Scotch system of Banking. It is the only honest and durable system in the world. It is the system of doing unto others as you would have others do unto you. All the Stockholders are liable in their private estates for the debts of the Bank. They open Cash accounts and give as well as exact Interest, which is the only known check to an over issue of paper money. They receive deposits on Interest of sums as low as a pound which prevents the necessity of safety Banks, and the frauds too often perpetrated by them to the misery of the industrious poor. They thus accumulate in masses all the savings of labour which they lend out on security to

those who want to borrow, and thus keep the whole capital of the Country in a constant state of activity: Unless the projected Provincial Bank adopt this system, I think to establish it would be a needless undertaking, but if it proceed on the Scotch System it must be a blessing to the Country of incalculable magnitude.

In case a general system of Banking was adopted, do you consider it advisable to introduce a clause compelling the Bank to pay interest on deposits?

I know not if it would be advisable to coerce the Bank by law to take deposits on Interest, the true interest of the Bank would dictate such a course, and it would be equally the interest of the Country, for there would be no other means of keeping the whole Capital active, and the usefulness of the Bank would be greatly impaired by any other proceeding.

The rest of the questions it is more in the province of others to answer who are better acquainted with the subjects.

(Signed)

T. DALTON

ANSWERS

To "The Questions proposed by the Committee appointed by the House of Assembly to inquire into the expediency of Establishing a Provincial Bank within this Province," by C. Shireff Esq.

I beg leave to submit the following remarks as answers to some of the questions proposed by the Committee appointed by the House of Assembly, to enquire into the expediency of establishing a Provincial Bank within this Province.

While Paper Currency continues in good credit, there can be little more Metallic Currency wanted than what may be reasonably considered a sufficient stock in the Coffers of the Banks to guard against sudden or temporary demands for Coin, and to divide into fractions the Bank Notes of smallest nominal value in the course of their circulation. Whether that quantity be really in the country or not cannot be very easily ascertained—but as there seems to be no difficulty in procuring specie when wanted, it may be concluded that there is sufficient to support the credit of the Paper Currency.

A circulating Metallic medium has the advantage over Paper Currency, of carrying with it its own value, or nearly so, its credit, therefore, cannot be affected. But it is expensive and inconvenient, and it is difficult to procure it in sufficient quantities, where trade is extensive, for these reasons—Paper Currency has been generally resorted to in modern times as a substitute.

Banking establishments were, at first, merely places of safety for lodging coin or bullion, and to save trouble a kind of Paper Currency came into practice, called transfers, by which many transactions took place, without receiving or actually paying over the money. This was the plan of the Old Bank of Amsterdam and others. They were called Banks of deposit.—But the system for issuing promissory notes directly from the Banks is now more generally adopted, being a more extended mode of accommodation.

Banks formed by private Individuals, are but of comparatively recent date. Formerly all the Banks in Europe were public Institutions, firmly established on the credit of the country.

The Bank of Venice was under the guarantee of the Republic. Those of Genoa, Amsterdam, &c. were secured on the Revenues of their respective Cities. The Bank of England was the first establishment of this kind which was formed without a pledge from the State—but it soon became intimately connected with the Government, and may now be considered a branch of it. The Bank of Scotland was in operation nearly fifty years before the Royal Bank was established, and at the end of another half century, the British Linen Co. began to issue notes and do business as a Banking Company, in virtue of a clause in its charter granted originally for the purpose of encouraging the manufacture of Linen, as its name imports.

These Banks with their Branches supplied Scotland with Paper Currency for many years, and notwithstanding the estimation in which the Scotch system of Banking is held, I am persuaded that if no other Bank had been allowed to issue Notes, the country would have flourished equally well, and a great deal of mischief might have been avoided.

Indeed, Government so far discouraged it, by uniformly refusing applications for Charters, and by placing the English private Banking Companies under several restrictions.

Ayrshire feels, to this day, the fatal consequences of its Bank issues, & many in other parts of Scotland have been ruined by the unlimited facilities afforded by the numerous private Banks, when trade appeared to be in a prosperous state.

It has been brought forward as an argument in favor of Chartered Banks, that those in Scotland are more respectable and more substantial than the Banks in which the liability was not restricted. But this does not arise from the nature of their formation, but from possessing for a long period a monopoly of the currency.

The experience of ages is in favor of Banking for general accommodation being established on the solid basis of Government security. On no other system can the public rest with the same complete and uniform confidence. The very regulations considered necessary in granting a Charter to a private Bank, for its restriction and periodical investigation, indicate a want of inherent stability.

If one Provincial Bank were erected to the exclusion of others, it would, of course, do away competition.—Some may think this a disadvantage, for the saying is proverbial, “competition in trade is public benefit.” But it is not so in Banking. One respectable Bank, with sufficient funds, will do business more freely, more certainly, and to better purpose, both for itself and the community, than when more are established. Rivalship in any other Branch produces exertion, but in Banking, it has the contrary effect of cramping the operations. A singular, I may say, ludicrous instance of this occurred very lately in this Province. Soon after the Rideau Canal was commenced I remarked to one of the Directors of the Bank of Upper Canada, that By-town would be a good station for an Agency. His reply was, “it is too near Montreal.” The same kind of reasoning I presume, regulated the conduct of the Bankers in the Lower Province, and neither the one nor the other ventured to approach such a dangerous point of collision.

Thus while Paper Currency was flowing in great abundance at both ends of the country, its centre was utterly destitute of it, and the contractors on the Canal, who received all their payments from the Commissariat in Silver, were compelled to carry about, like the Lacedemonians of old, their clumsy circulating medium, in carts & wheelbarrows.

Mutual fear and jealousy cramped all the Banking operations in the country, put a certain portion of it to inconvenience, and prevented advantage from being taken of an opportunity for the best and most profitable circulation that can well be conceived,—where paper could have been converted into silver coinage, and the notes scattered over a wide field in payment of laborers wages.

Banking establishments of any description which issue notes, can never be considered as merely private concerns. The moment they go into operation, they assume a public character. By the circulation of their notes they bring every individual into contact with them. They become interwoven with the community, and every member of it is more or less affected by their proceedings, and interested in their fate. When Government therefore sanctions the establishment of a Bank, and grants a Charter for the safety of its Stockholders, some measures should also be adopted for the safety of the public, with whom the Bank, in its operations, must be inevitably blended. Hitherto nothing but external applications have been used for that purpose, such as restricting their circulation, and retaining a power of examining into their state, from time to time,—no means have been applied internally to strengthen the weakness of their constitution, and had I not now some hopes that Chartered Banks will not be multiplied in this Province, I would enter on the debatable field of double liability, and undertake to defend it, as the most effectual mode of giving them that credit with the public, which can only be obtained otherwise, by the accumulation of Stock, in the course of years, but which they will never obtain, if the number be increased in the country for in order to keep on a par with each other and that their prosperity may appear openly to the world, they increase their dividends, and give a bonus occasionally, while very little addition is made to their internal stability the profits being dissipated in this manner, instead of being allowed to accumulate as a sinking fund to form a fixed and steady Capital. Nor are the Directors to blame, for where there are rivalship and competition, it is the only means left them to keep up the price of the Stock, and to preserve the good opinion of the public.

I cannot help expressing an earnest wish that those connected with the two Banks established in this Province, would see it for their interest as much as it would be for the interest of the country to form a junction, that as one extensive Provincial Bank, they might go into free operation, acquiring in time, as other Banks of the same description, no doubt, have done (when guarded from rivalship) a strength and stability which cannot be attained while mutually curbing and opposing each other.

Distant as the Montreal Bank is from the Bank in Toronto, I have given an instance to shew they are still near enough to check and annoy each other, and the time is not far gone by when, if an unfortunate note strayed across the line between the sister Provinces, it immediately lost its original value, and was at a discount even when presented at the Banks, thus mutually stabbing before the eyes of the Public, the whole system in both the Provinces. I once spoke to one of the Bank Agents in the Lower Province on that subject, and to convince me of the propriety of confining the circulation of each Bank to its own Province, he entered upon a process of reasoning which, I confess was far above my capacity to follow. The conclusion seemed to be that considering there was a hostile spirit between the Banks manifested by the mutual exaction of discount on the notes, and other symptoms, it was prudent to prevent their circulation from mixing or coming in contact. The notes might quarrel when they met. The march of liberality or of common sense has, I presume, put an end to this practice, for I have not heard of it lately.

The multiplicity of chartered banks in the United States has been held up for imitation, but if their effect were closely examined, it may not be found to have produced a very desirable state of things. At any rate it is as yet only a country of experiment, we are not to look in that direction for lessons of experience.

Holland has been, for a long period, the mercantile school of Northern Europe. She lost her national bank in the convulsions occasioned by the French Revolution. Another has since been formed in Amsterdam, but circumstances having prevented it from being placed on the footing of the former a charter was granted to it on the usual terms, accompanied, however, with a monopoly of the currency, for fifty years, in order that nothing might be in the way to prevent the Bank from acquiring that stability necessary for public safety, which the charter, in itself, could not confer upon it.

I have already said that the Bank of Scotland stood alone for nearly fifty years, and it is well known that the Bank of England is the only one in that part of Great Britain which has been established by an Act of Parliament if the Westminster Bank, which has been formed lately, has not obtained a Charter.

Having, then, such examples before us, why should we turn our eyes to a wavering unsettled State, whose short span of existence has not yet given it sufficient time to establish a single precedent worthy of reference? Why not follow the policy of our own mother country and of every trading country in Europe?—A policy founded upon the experience of many centuries.

Toronto, February, 1835.

CHAS. SHIREFF.

Since closing this paper, I have been assured that the discount on the notes only took place in Lower Canada.

I have not said, nor do I mean to infer that those in the direction of the Banks in this country have managed them improperly; but if this system be continued, and banks be multiplied upon it, the most prudent conduct will not prevent occurrences much more hurtful than those I have related. If some decided restrictive measure be not adopted, there will be perpetual applications for charters from every quarter of the country, and as one is granted, it will be used as an argument for another.

Suppose the best possible state of things under this system, that the Banks were all conducted with the greatest regularity and prudence, still the inevitable interference and competition which must take place would keep the whole in a state of depression. None of them would attain that solidity and respectability, upon which the public could at all times repose with implicit confidence.

C. SHIREFF

CASUAL AND TERRITORIAL REVENUE ACCOUNTS.

SCHEDULE of AUTHORITIES for the PAYMENTS stated in the annexed Account of the Receipts and Expenditure of the Casual and Territorial Revenue and Canada Company Instalments. Year 1833.

No.	FUND.	AUTHORITIES.
1	D.	Lords Commissioners of the Treasury, . . . . . 31st August, 1827.
2	..	..... do ..... do ....
3	..	..... do ..... do ....
4	..	..... do ..... do ....
5	..	..... do ..... do ....
6	..	..... do ..... do ....
7	..	..... do ..... do ....
8	..	..... do ..... do ....
9	..	..... do ..... do ....
10	..	Earl Bathurst, . . . . . 12th June, 1826.
11	..	Secretary of State's Despatch, . . . . . 11th June, 1830.
12	..	Lords of the Treasury, . . . . . 31st August, 1827.
13	..	Canada Company's Charter, . . . . .
14	..	Lord Goderich's Despatch, . . . . . 5th April, 1832.
1	K	His Majesty's Warrant, . . . . . 39th Sept'r. 1812.
2	..	Viscount Goderich's Despatch, . . . . . 2d April, 1832.
3	..	Lords of the Treasury, . . . . . 31st August, 1827.
4	..	Earl Bathurst, . . . . . 17th July, 1834
5	..	..... do ..... 12th April, 1817
6	..	Viscount Goderich, . . . . . 23d May, 1831.
7	..	Lieutenant Governor and Council, . . . . . 8th January, 1823.
8	..	Sir George Murray, . . . . . 25th April, 1829.
9	..	Lord Goderich, . . . . . 30th June, 1825.
10	..	Lord Bathurst, . . . . . 9th April, 1827.
11	..	Lords of the Treasury, . . . . . 16th Jan'y. 1818.
12	..	Earl Bathurst, . . . . . 12th April, 1817.
13	..	..... do ..... do ....
14	..	..... do ..... do ....
15	..	Lord Goderich, . . . . . 20th Dec'r. 1830.
16	..	Lieutenant Governor and Council, . . . . .
17	..	..... do ..... do ....
18	..	..... do ..... do ....
19	..	Sir George Murray, . . . . . 25th Jan'y. 1830.
20	..	Colonial Department, . . . . .
21	..	Lieutenant Governor and Council, . . . . .
22	..	Lord Goderich, . . . . . 7th February, 1831.
23	..	Lieutenant Governor Sir P. Maitland, and continued,
24	..	Imperial Statute, 6th Geo. 4, ch. 14, . . . . .
25	..	Lord Goderich's Despatch, . . . . . 22d Nov'r. 1832.
26	..	..... do ..... do ....
27	..	..... do ..... do ....
28	..	..... do ..... do ....
29	..	Viscount Goderich's Despatch, . . . . . 22d Nov'r. 1832.
30	..	Lieutenant Governor and Council, . . . . . 5th May, 1831.
31	..	His Majesty's Secretary of State for the Colonies, . . . . .

Receiver General's Office, 15th January, 1835.

GENERAL RETURN of the RECEIPTS and EXPENDITURE of the Casual and Territorial Revenue, including the Canada Company's Instalments, denominated Funds, Letters D., Ca. Co., and K., or King's Rights, from the 1st January to the 31st December, 1833, inclusive.

	RECEIPTS.	STERLING.		
		£	s	d
From the Canada Company, being the remaining moiety of the instalment due to His Majesty's Government for the year ending 1st July 1833, . . . . .	£9000	0	0	
From ditto, being the 1st moiety of the instalment due for the year commencing 1st July 1833, . . . . .	9500	0	0	18500 0 0
	Carried over, £	18500	0	0

## RECEIPTS AND EXPENDITURE OF

RECEIPTS.—CONTINUED.		STERLING.
	Brought forward, £	18500 0 0
Transfer from the Clergy Fund E., to repay so much withdrawn from the Canada Company Fund, being the amount of appropriation in aid of the support of Ministers of the Church of England in this Province, .....		3500 0 0
From the Honourable Duncan Cameron, Secretary and Registrar, being for the like sum paid him as salary for the year 1832, refunded by order of the Lieutenant Governor, .....		300 0 0
Full and half Fees on Leases and Grants of Land from the Land Granting Officer's Agents, .....		1365 10 5½
Crown's proportion of seizures, .....		775 2 7½
Rents of Mills and Ferries, .....		121 13 4½
Fines in Criminal Cases and under Provincial Statutes, .....		62 11 0
From the Honourable Colonel Talbot on account of Sales of Crown Lands, .....		20 10 3¾
From Robert Stanton Esquire, in part re-payment of a certain sum advanced him on his appointment to the Office of Government Printer, .....		90 0 0
Survey and Patent Fees received at the Office of the Receiver General, .....		1102 7 5
From the Honourable Peter Robinson, Commissioner of Crown Lands and Surveyor General of Woods &c. viz:		
On account of Rents of Crown Reserves, .....	£ 224 0 8¼	
Sale of Crown Lands, .....	2000 0 0	
Sales of Crown Timber, .....	2500 0 0	
	Currency, ... £5724 0 8¼	
		5151 12 7¼
Transfer from the Provincial Fund pursuant to Provincial Statute, 3 Wil. 4, ch. 54 & 57, to repay so much advanced from the Fund for Cholera expenses in 1832, .....		1215 0 0
Received during the year 1833, .....		32204 7 10
Balance remaining in the two Funds, D. and K., on the 31st December 1832, .....		24026 1 2¾
		56230 9 0¼
		
PAYMENTS FROM FUND D. DURING THE YEAR 1833.		
	£ s d	
1.—Salary to the Surveyor General for the 12 months ending 30th June, 1833, .....	300 0 0	
2.—Ditto to the Roman Catholic Bishop for like period, .....	500 0 0	
3.—Ditto to the Secretary of the Province for the 6 months ending 31st December 1833, since refunded, .....	150 0 0	
4.—Commutation in lieu of Fees to the Officers of the Land Granting Department for 12 months ending 30th June, 1833, .....	2296 11 7¾	
5.—Compensation to the Agent of do. for collecting their fees, same period, .....	200 0 0	
6.—Allowance to Ministers of the Church of Scotland for the like period, .....	1084 13 11¾	
7.—Allowance to the Roman Catholic Clergy for the same period, .....	1000 0 0	
8.—Pension to the Honourable D. W. Smith, late Surveyor General of the Province, for the same period, .....	200 0 0	
9.—Ditto to the Family of the late Major-General Shaw, same period, .....	100 0 0	
10.—Consideration to Colonel Talbot, for services and expences in forming Settlements in the Province, for the like period, .....	400 0 0	
11.—Pension to William Chewett, Esquire, late Surveyor General's Department, for the same period, .....	360 0 0	
12.—Agency for Receipt and Payment of Monies arising from the Sale of Crown Lands to the Canada Company, for the same period, .....	200 0 0	
13.—Paid the Honourable William Allan, Commissioner of the Canada Company, in compliance with an agreement between His Majesty's Government and said Company, relating to compensation for service, .....	508 0 9¼	
14.—Paid the Honourable George H. Markland, as Secretary to the Clergy Corporation, the amount of the appropriation in aid of the support of the Ministers of the Church of England in this Province, .....	3500 0 0	
		10871 6 5
		
PAYMENTS FROM FUND K. DURING THE YEAR 1833.		
	£ s d	
1.—His Excellency the Lieutenant Governor's allowance, in lieu of Fees, for the 12 months ending 31st December 1833, .....	1000 0 0	
2.—Additional Salary to His Excellency Sir John Colborne for the 6 months ending 30th June, 1833, .....	250 0 0	
3.—Salary to the Receiver General for the 12 months ending 30th June 1833, .....	200 0 0	
		1450 0 0
	Carried forward, £	1450 0 0

PAYMENTS FROM FUND K.—CONTINUED.

STERLING.

	Brought forward, £	1450 0 0
4.—Salary to the Honourable and Venerable Dr. John Strachan, President of the General Board of Education, for 6 months ending the 31st December 1832, .....		135 0 0
5.—Salary to the Reverend William Bell, Presbyterian Minister, Perth Settlement, for 12 months ending 30th June 1833, .....		100 0 0
6.—Salary to the Master of the Peterborough School, same period, .....		67 10 0
7.—Pay and allowances to Mr. Joseph Spragge, Master of the Central School, for the like period, .....		230 0 0
8.—Pension to the Honourable Sir William Campbell, Knight, late Chief Justice, &c. for the same period, .....		1200 0 0
9.—Pension to the Honourable William D. Powell, late Chief Justice, &c., ditto period, .....		1000 0 0
10.—Pension to D'Arcy Boulton, Esquire, on his retirement from the Court of King's Bench, ditto period, .....		500 0 0
11.—Pension to the Honourable John McGill, late Receiver General, ditto period, .....		450 0 0
12.—Pension to Captain John McDonell, late Incorporated Militia, from 1st July 1832, to 11th April 1833, the period of his decease, .....		80 7 5½
13.—Pension to Captain William Jarvie, late Incorporated Militia, for the 12 months ending 30th June 1833, .....		103 16 11
14.—Pension to Lieutenant Daniel McDougall, late of ditto, for the like period, .....		72 13 10
15.—Paid the Honourable Joseph Wells, Treasurer of the Upper Canada College and Royal Grammar School, the appropriation in aid of said College for the year ending 30th June, 1833, .....		500 0 0
16.—Paid the Government Printer's account, .....		53 4 1½
17.—Paid the Clerk of the Executive Council's account, for Fees on Petitions of privileged persons, same period, .....		174 19 8
18.—Paid the Secretary of the Province's account for Stationery for Militia Patents, from 1st January to 31st December 1832, inclusive, .....		19 19 7½
19.—Paid allowance of House Rent to the Lord Bishop of Quebec for the 12 months ending 30th June, 1833, .....		180 0 0
20.—Paid expenses of special Messengers, at different periods, to and from New York with Government Despatches, .....		100 16 0
21.—Paid Samuel P. Hurd, Esquire, Surveyor General, for sundry special Surveys, &c. authorised by the Executive Council, .....		2841 17 8½
22.—Paid the Honourable Peter Robinson, Commissioner of Crown Lands, on account of the Emigration expenditure, viz :		
For 1832, .....	£8071 4 0	
For 1833, .....	2345 9 5	
		10416 13 5
23.—Paid Insurance of the Government House for the year commencing 15th January 1833, .....		23 12 6
24.—Paid Lieutenant Colonel Rowan, Civil Secretary, the amount of the proportion of the proceeds of seizures from 4th November 1828 to 27th April 1832, inclusive, to be transferred to the Lieutenant Governor's account per Imperial Statute 6th Geo. 4, ch. 14, .....		605 9 8½
25.—Paid Messrs. Haslop and Marsden, for the Missionary purposes of the Wesleyan Methodist Society, authorised by His Majesty's Government to be expended in building Wesleyan Methodist Chapels in this Province, .....		900 0 0
26.—Paid John Willson, Esquire, in behalf of the Canadian Wesleyan Methodist Conference, being the sum authorised by His Majesty's Government to be applied in erecting Churches and Chapels for the said Methodists, .....		600 0 0
27.—Paid the Reverend John Machar, Moderator of the Presbyterian Synod of Canada, the sum authorised by His Majesty's Government to be expended in building Presbyterian Churches in this Province, .....		900 0 0
28.—Paid a proportion of the appropriation by His Majesty's Government towards the erection of Roman Catholic Churches and Chapels in this Province, to sundry Trustees appointed for the purposes of expending the same, .....		741 0 0
29.—Paid six months' allowance from 1st January to 30th June 1833, inclusive, to 11 Ministers of the United Presbyterian Synod of Upper Canada, authorised by a Despatch from His Majesty's Secretary of State for the Colonies, at £31 16 4¼ each, .....		349 19 10½
30.—Paid the Reverend George Archbold, being the amount of a Patent and Survey Fee paid by him on a Grant of Land, being a Glebe Lot in Cornwall, in pursuance of an Order in Council, of 5th May 1831, but which order it appears since cannot be carried into effect, .....		6 9 0
31.—Paid Pension to Oneida Joseph, a Chief of the Six Nation Indians, for the six months ending 30th June 1833, inclusive, .....		7 10 0
Total Payments from Fund K. during the year 1833, £		23810 19 10½

RECAPITULATION.

Total Receipts into Funds D. and K. during the year 1833, .....	£	s	d
Payments from Fund D. during 1833, .....	£10871	6	5½
Payments from Fund K. during 1833, .....	23810	19	10½
		34682	6 3½
Balance remaining in Funds D. and K. on the 31st December 1833. £		21548	2 9

## RECEIPTS AND EXPENDITURE OF

SCHEDULE of AUTHORITIES for the PAYMENTS stated in the annexed account of the Receipts and Expenditure of the Casual and Territorial Revenue and Canada Company Instalments for the year 1834.

No.	FUND.	AUTHORITIES.
1	D.	Lords Commissioners of the Treasury, ..... 31st August, 1827.
2	..	..... do ..... do ....
3	..	..... do ..... do ....
4	..	Earl Bathurst, ..... 12th June, 1826.
5	..	Lords of the Treasury, ..... 31st August, 1827.
6	..	..... do ..... do ....
7	..	..... do ..... do ....
8	..	..... do ..... do ....
9	..	..... do ..... do ....
10	..	Secretary of State's Despatch, ..... 11th June, 1830.
11	..	Lords of the Treasury, ..... 31st August, 1827.
12	..	..... do ..... do ....
13	..	..... do ..... do ....
14	..	Mr. Secretary Stanley's Despatch, ..... 27th Jan'y. 1834.
1	K	His Majesty's Warrant, ..... 29th Sept'r. 1812.
2	..	Viscount Goderich's Despatch, ..... 2d April, 1832.
3	..	His Majesty's Warrant, ..... 17th July, 1827.
4	..	..... do ..... do ....
5	..	Lords of the Treasury, ..... 31st August, 1827.
6	..	Provincial Statute, 4 Wil. 4, ch. 51, and Mr. Secretary Rice's Despatch, ..... 20th June, 1834.
7	..	Mr. Secretary Rice's Despatch, ..... 5th Sept'r. 1834.
8	..	Earl Bathurst, ..... 12th April, 1817.
9	..	Mr. Secretary Rice's Despatch, ..... 30th Sept'r. 1834.
10	..	Secretary Sir George Murray's Despatch, ..... 11th June, 1830.
11	..	Lieutenant Governor and Council, ..... 8th January, 1829.
12	..	Lord Goderich, ..... 30th June, 1825.
13	..	Sir George Murray, ..... 25th April, 1829.
14	..	Lord Bathurst, ..... 9th April, 1827.
15	..	Lords of the Treasury, ..... 16th Jan'y. 1818.
16	..	Earl Bathurst, ..... 12th April, 1817.
17	..	..... do ..... do ....
18	..	His Majesty's Secretary of State for the Colonies,...
19	..	Mr. Secretary Stanley, ..... 22d Dec'r. 1833.
20	..	His Majesty's Secretary of State for the Colonies,...
21	..	Sir George Murray, ..... 25th Jan'y. 1830.
22	..	Lord Goderich, ..... 20th Dec'r. 1830.
23	..	Lieutenant Governor Sir P. Maitland, and continued,
24	..	His Excellency the Lieutenant Governor and Council,
25	..	Lord Goderich, ..... 7th Feb'y. 1831.
26	..	..... do ..... do ....
27	..	Lieutenant Governor and Council, .....
28	..	..... do ..... do ....
29	..	..... do ..... do ....
30	..	..... do ..... do ....
31	..	..... do ..... do ....
32	..	Imperial Statute, 3d Geo. 4, ch. 119, .....
33	..	Lieutenant Governor and Council, .....
34	..	..... do ..... do ....
35	..	..... do ..... do ....
36	..	Mr. Secretary Stanley's Despatch, ..... 27th Jan'y. 1834.
37	..	..... do ..... do ....
38	..	..... do ..... do ....
39	..	Mr. Secretary Rice, ..... 5th August, 1834.

Receiver General's Office, }  
15th January, 1835. }

GENERAL RETURN of RECEIPTS and EXPENDITURE of the Casual and Territorial Revenue, including the Canada Company's Instalments, denominated Funds, D., Ca. Co., and K., King's Rights, from the 1st January to the 31st December, 1834, inclusive.

RECEIPTS.

	STERLING.		
	£	s	d
From the Canada Company, being the remaining moiety of the Instalment due to His Majesty's Government for the year ending 1st July 1834,.....	9500	0	0
From ditto, being the first moiety of the Instalment due for the year commencing 1st July 1834, ...	10000	0	0
From the Honourable Peter Robinson, Commissioner of Crown Lands and Surveyor General of Woods, viz :			
Rents of Crown Reserves,.....	£ 175	7	10½
Proceeds of Sales of Crown Lands,.....	3780	0	0
Proceeds of Sales of Crown Timber,.....	1800	0	0
	5755	7	10½
Fees on the Seal to Commissions from the Secretary of the Province, .....	103	16	0
Crown's proportion of Seizures from Collectors of Ports,.....	1016	17	1½
Full and half fees on Leases and Grants of Land from the Crown, from the Land Granting Officer's Agent, .....	1085	1	0¾
Survey and Patent Fees collected at the Receiver General's Office, .....	1827	4	11½
Rents of Mills and Ferries, .....	254	15	1½
Fines under Imperial and Provincial Statutes, .....	144	10	1½
From the Honourable George H. Markland, on account of his purchase of the old Council House and grounds, .....	138	12	0
From Robert Stanton, Esquire, on account of a Loan made him by the Government on taking the Office of Government Printer,.....	90	0	0
From William Berczy, on account of his purchase of a certain Water Lot at Amherstburgh, .....	22	10	0
	29938	14	3¼
Receipts during the year 1834, in Funds D. and K.,.....£	21548	2	9½
Balance in D. and K. on the 31st December 1833,.....£			
Total,.....£	51486	17	0½

PAYMENTS from 1st January to 31st December, 1834, inclusive.

FROM FUND D.

	STERLING.		
1.—Salary to the Roman Catholic Bishop for the year ending 30th June 1834, .....	500	0	0
2.—Salary to the Surveyor General for the like period,.....	300	0	0
3.—Salary to the Secretary of the Province for 2 years and 6 months, from 1st January 1832 to 30th June 1834, inclusive,.....	750	0	0
4.—Consideration to Colonel Talbot, for services and expenses in forming settlements in this Province for the year ending 30th June 1834, .....	400	0	0
5.—Allowance to Ministers of the Presbyterian Synod of Upper Canada, in connexion with the established Church of Scotland, for 18 months, from 1st July 1833, to 31st December 1834, .....	1897	12	8½
6.—Allowance to the Roman Catholic Priesthood for 12 months, ending 30th June 1834, .....	1000	0	0
7.—Commutation in lieu of fees to the Officers of the Land Granting Department for 6 months, ending the 31st December 1833,.....	1266	5	0
8.—Commutation to the Provincial Secretary and Registrar for 6 months, ending the 30th June 1834,.....	318	5	8
9.—Compensation to the Agent of the Land Granting Officer's Department, Samuel Ridout, Esq. for the year ending 30th June 1834,.....	200	0	0
10.—Pension to William Chewett, Esquire, late Surveyor General's Department, for the like period, .....	360	0	0
11.—Pension to Sir David William Smith, Bart. ditto period, .....	200	0	0
12.—Pension to the Family of the late Major-General Shaw, .....	100	0	0
13.—Agency for the Receipt and Payment of the Monies arising from the sale of the Crown Lands to the Canada Company, for the year ending 30th June 1834, .....	200	0	0
14.—Part of the appropriation for the year 1834, made by His Majesty's Government, towards building places of Worship in this Province, paid to the Roman Catholic Churches at Kingston, Camden, and Niagara, .....	234	18	0
Total Payments from Fund D. during the year 1834, £	7727	1	4½

## 6 RECEIPTS &amp; EXPENDITURE OF CASUAL &amp; TERRITORIAL REVENUE.

PAYMENTS from 1st January to 31st December 1834, inclusive,

FROM FUND K.

		STERLING.		
		£	s	d
1.	—His Excellency the Lieutenant Governor's allowance in lieu of Fees for the year 1834, . . . . .	1000	0	0
2.	—Salary in addition to His Excellency Sir John Colborne, for the 12 months ending the 30th June 1834, . . . . .	500	0	0
3.	—Salary to the Honourable Peter Robinson as Surveyor General of Woods, for 2 years, ending 30th June 1834, . . . . .	1000	0	0
4.	—Salary to ditto as Commissioner of Crown Lands, ditto period, . . . . .	1000	0	0
5.	—Salary to the Receiver General for the year ending 30th June 1834, . . . . .	200	0	0
6.	—Ditto to make up the salary of the Honourable J. B. Robinson, together with the amount provided by Provincial Statute 4 Wm. 4, ch. 51, to the sum of £360 per annum, as Speaker of the Legislative Council, from 1st January 1832 to 30th June 1834, . . . . .	450	0	0
7.	—Ditto to make up the salary of the Surveyor General for the 6 months ending 30th June 1834, at £600 per annum, . . . . .	150	0	0
8.	—Ditto to the Reverend William Bell, Presbyterian Minister at the Rideau Military Settlement, for the year ending 30th June, 1834, . . . . .	100	0	0
9.	—Ditto to the Inspector General, for the 6 months ending ditto, for duties performed by him in connexion with the accounts of the Crown Revenue of this Province, . . . . .	75	0	0
10.	—Ditto to the Master of Peterboro' School, for the 12 months ending 30th June 1834, . . . . .	67	10	0
11.	—Pay and allowances to the Master of the Central School for the like period, . . . . .	230	0	0
12.	—Pension to the Honourable William Dummer Powell, late Chief Justice and Speaker of the Legislative Council, from 1st July 1833, to 6th September 1834, the period of his decease, . . . . .	1182	3	1
13.	—Ditto to Sir William Campbell, Knight, late ditto, from 1st July 1833, to the period of his decease, . . . . .	659	3	6½
14.	—Ditto to D'Arcy Boulton, Esquire, from the 1st July to the period of his decease, . . . . .	445	17	9½
15.	—Ditto to the Honourable John McGill, for the year ending 30th June 1834, . . . . .	450	0	0
16.	—Ditto to Captain William Jarvie, late Incorporated Militia, for the year ending 30th June 1834, . . . . .	103	16	11
17.	—Ditto to Lieutenant Colonel McDougall, late ditto, same period, . . . . .	72	13	10
18.	—Ditto to Oneida Joseph, an Indian Chief, for the 6 months ending 31st December, 1833, . . . . .	7	10	0
19.	—Ditto to the Right Reverend and Honourable Alexander McDonell, Roman Catholic Bishop of Regiopolis, conferred on him for special services, at the rate of £100 per annum, from the 1st October 1832, to 30th June 1834, inclusive, . . . . .	175	0	0
20.	—Allowance to Ministers of the United Presbyterian Synod of Upper Canada, 18 months, from 1st July 1833, to 31st December 1834, inclusive, . . . . .	1081	16	0½
21.	—House Rent to the Lord Bishop of Quebec for the year ending 30th June 1834, . . . . .	180	0	0
22.	—Appropriation to Upper Canada College and Royal Grammar School, . . . . .	750	0	0
23.	—Insurance of the Government House for the year commencing 15th January 1834, . . . . .	23	12	6
24.	—Paid to the Honourable Peter Robinson, commissioner of Crown Lands, for opening and constructing Roads, . . . . .	1674	13	3½
25.	—Paid to ditto, being a balance due to him on account of the emigration expenditure of 1831 and 1832, . . . . .	1140	1	6
26.	—Paid to ditto on account of the emigration expenditure of the year 1834, . . . . .	2456	10	11
27.	—Paid to the Surveyor General's Department for special surveys and contingencies for the year ending 30th June 1834, . . . . .	1862	3	2
28.	—Paid the Clerk of the Executive Council's account against Government for Fees on Warrants and Petitions of U. E. Loyalists, Military claimants, and other privileged persons, for the like period, . . . . .	193	1	0½
29.	—Paid the Government Printer's account, ditto period, . . . . .	34	19	5½
30.	—Paid the Provincial Secretary's account for the year ending 30th June 1834, . . . . .	13	10	0
31.	—Paid John Chrysl'er, Esquire, Collector of Customs, being the amount of his claim against Government for costs incurred in a seizure made by him and subsequently restored, . . . . .	30	11	1½
32.	—Paid to Ward Chipman, Esquire, being a moiety of the remuneration for his services as third arbitrator under the provisions of the Imperial Statute 3d Geo. 4, ch. 119, . . . . .	350	0	0
33.	—Paid to William Henderson, being the patent and survey fees paid by his father on a lot of Land re-located in the name of another person, . . . . .	8	4	1
34.	—Paid Mr. N. H. Baird, Civil Engineer, to remunerate him for certain expenses incurred in the inspection of locks and slides for passing timber, . . . . .	48	2	6½
35.	—Paid Charles E. Sheward, Esquire, Surgeon, to remunerate him for his professional attendance at the Cholera Hospital at Toronto, . . . . .	46	1	11½
36.	—Paid John Willson, Esquire, in behalf of the Canadian Wesleyan Methodists, being a proportion of the sum appropriated by His Majesty's Government to aid in the erection of places of Worship in this Province, . . . . .	350	0	0
37.	—Paid the Rev. Joseph Stinson, Representative of the Wesleyan Methodist Society, London, and General Superintendent of Wesleyan Missions in Upper Canada, being the sum authorised by His Majesty's Government for the like purpose, . . . . .	550	0	0
38.	—Paid sundry Roman Catholic Churches, being a proportion of the sum authorised by His Majesty's Government to be expended on Roman Catholic Churches in this Province, . . . . .	226	0	0
39.	—Paid sundry Missionaries of the Church of England in this Province, Pensions to three retired Missionaries and two Widows, to make up 85 per cent. on their former allowance paid by the Society for the propagation of the Gospel, . . . . .	2301	5	0
Payments from this Fund during the year 1834, . . . . .		21189	7	9½

**No. 5.**  
**RENTS OF CLERGY RESERVES.**

**1.**

**RECAPITULATION.**

	<b>STERLING.</b>	<b>£</b>	<b>s</b>	<b>d</b>
Total Receipts into Funds D. and K. during the year 1834, including the balance on hand on the 31st December 1833,.....	51486	17	0	½
Payments from Fund D. during the year 1834, .....	£ 7727	1	4	½
Payments from Fund K. during the year 1834, .....	21189	7	9	½
	28916	9	2	
Balance remaining in the two Funds, D. and K., on the 31st December 1834. £	22570	7	10	½

Receiver General's Office, Toronto, 15th January, 1835.

**No. 5.**

**UPPER CANADA.**

*STATEMENT of the SUMS received on account of RENTS of CLERGY RESERVES and Payments made by Stephen Heward, Esquire, the Honourable G. H. Markland, and Thomas Baines, Esquire, the respective Receivers to the Corporation, for superintending the Clergy Reserves from the year 1820 to that of 1834, both inclusive.*

	<i>Dr.</i>	<b>£</b>	<b>s</b>	<b>d</b>	<b>1820</b>	<i>Cr.</i>	<b>£</b>	<b>s</b>	<b>d</b>	
1820	To cash received during the year by Stephen Heward, Esq. on account of Rent from the Lessees of the Clergy Reserves in the respective Districts of the Province,.....	34	18	7	Nov. 7.	By paid the Rev. R. Leeming, William Sampson, and Wm. Macaulay, for their attendance at the Board and travelling expenses, each 93s. 4d. ....	14	0	0	
1821	To ..... ditto .....	331	17	8	Dec. 4.	By paid the Hon. John McGill, late Receiver General, his account for 63 blank Schedules for making up the accounts of the Clergy Reserves under the Regulations prior to the 4th April 1811, .....	6	6	0	
1822	To ..... ditto .....	261	5	1		By paid William Allan, Esquire, Postmaster at York, the am't. of Postage from 25th March to this date,.....	3	9	7	
1823	To ..... ditto .....	251	8	1		By cash credited the Rev. Mr. Harris, for so much paid by him for a package containing the Schedules of the Clergy Reserves in the Johnstown District, .....	0	8	0	
1824	To ..... ditto .....	174	0	2		By paid R. C. Horne, Esquire, for Advertisements in the Upper Canada Gazette, to the Sheriffs, directing them to inform the Lessees, that steps will be taken to enforce payment of Rent, and to give notice, that all Clergy Reserves applied for, for which no leases have issued, would be considered vacant unless taken up without delay, .....	3	2	3	
1825	To ..... ditto .....	432	7	10		By paid William Allan, Esquire, for stationery, .....	5	1	6	
1829	To cash received during the year by the Hon. Geo. H. Markland on account of ditto, .....	209	6	8		By paid George Dawson for a Book for the entries of the Records of the Corporation, and three common Books for Minutes,.....	1	15	0	
1830	To ..... ditto .....	726	1	6		1821				
1831	To ..... ditto .....	725	12	8		April 9.	By paid Samuel Ridout, Esquire, for advertisements respecting the Clergy Reserves, ....	1	16	10
1832	To ..... ditto .....	1168	12	2		By paid the Rev. Mr. Addison for Postage, .....	0	1	10	
1833	To ..... ditto .....	1877	0	0		By paid Andrew Heron for advertisements, .....	0	10	0	
1833	To cash received during the latter part of the year by Thomas Baines, Esquire, on account of ditto, .....	1483	19	1		By paid the Rev. Mr. Sampson for attendance at the Board,.....	9	6	8	
1834	To ditto from the 1st January to this date, by ditto, .....	2476	11	6		By paid William Allan, Esquire, Postmaster at York, for Postage, .....	10	2	6	
June 31.	To do. from the 1st July to do. by ditto,.....	881	4	4		By paid the Secretary of the Province Fees on a Commission to enquire respecting rent on a certain Reserve on the Ottawa, in the Johnstown District, leased to Robt. Randal, .....	7	11	4	
	Total Receipts, £	11034	5	6		Amount of Cr. carried over, £	64	7	9	

**THOMAS BAINES,**  
**SECRETARY.**

Clergy Corporation Office, }  
Toronto, 13th January, 1835. }

\* The Patent Fees received for Leases are not included in this statement.

PAYMENTS FROM CLERGY RESERVES.

		£	s	d
1821		Amount of Cr. brought forward,		
Nov. 6	By paid the Rev. R. Leeming for attendance at the Board and travelling expenses,.....	4	13	4
....	By paid the Rev. W. Sampson for do. do. do. in August and on this day,....	9	6	8
....	By paid Messrs. P. & W. Robinson for Quills,.....	0	3	9
....	By paid Mr. Lesslie for stationary and do.....	5	15	0
Dec. 31	By amount of the Secretary and Receivers salary to this day,.....	100	0	0
....	By amount paid to the Receiver General of the Province,.....	182	9	9½
1822				
Feb. 6	By paid the Rev. Messrs. W. Sampson and R. Leeming for their attendance at the board,.	9	6	8
.... 8	By paid John Hunter, for 10 days attendance as messenger to the board,.....	2	10	0
....	By paid the Sheriff of the Niagara District and advertising letter of 4th April, 1820,....	2	3	9
Aug. 1	By paid the Rev. Mr. Macaulay and Dr. Addison, for their attendance at the board 4 days,	9	6	8
.... 12	By paid John Hunter, for one day's attendance on the board as messenger,.....	0	5	0
Dec. 31	By paid for a seal for the Corporation,.....	2	10	0
....	By paid postage of letters paid by the Rev. Mr. Harris,.....	1	19	6
....	By paid Mr. Lesslie for stationary,.....	8	16	0
....	By paid William Allan Esquire, for postage,.....	13	12	6½
....	By amount of the Secretary and Receivers salary to this date,.....	100	0	0
....	By amount paid to the Receiver General of the Province,.....	110	15	0
1823				
Feb. 6	By paid the Rev. R. Leeming for his attendance at the board 4 days,.....	4	13	4
April 23	By paid the Rev. Messrs. Leeming and Macaulay for their attendance at the board 4 days,	9	6	8
....	By paid John Lesslie for parchment for petitions to the three branches of the Imperial Parliament,.....	2	10	0
....	By paid for postage of blank Bonds, &c. to Mr. Harris,.....	0	6	9
Sept. 25	By paid the Rev. Messrs. R. Leeming and W. Macaulay for their attendance at the board four days,.....	9	6	8
Oct. 6	By paid postmaster at York, for postage,.....	1	1	11
....	By paid postage on a package from Kingston to New York, containing the petitions, as per receipt of the postmaster,.....	6	13	6
....	By paid H. J. Boulton, Esq. Solicitor General, for an opinion concerning the Clergy Reserves,.....	2	0	0
Nov. 6	By postage on letters to the Clergy and Sheriffs of the several Districts,.....	2	2	8
Dec. 3	By paid P. McPhail for binding 2 books,.....	0	10	0
.... 31	By paid Mr. G. Smith, for engrossing the 3 petitions to the Imperial Parliament on parchment at 20s. each,.....	3	0	0
....	By paid do. do. 3 charts with do. at 10s. each,.....	1	10	0
....	By paid postage from the 1st January to this day, upon letters from the Clergy & Sheriffs.	2	10	7
....	By paid for printing 200 blank bonds,.....	1	2	6
....	By paid Lesslie & Sons for stationary,.....	3	18	6
....	By paid John Hunter for 3 days attendance on the board as messenger,.....	0	15	0
....	By amount of the Secretary and Receiver's salary to this day,.....	100	0	0
.... 31	By amount paid the Receiver General of the Province,.....	100	0	0
1824				
Feb. 5	By paid the Rev. Mr. Bethune for his attendance at the board,.....	4	13	4
Aug. 5	By paid the Rev. Mr. Stoughton for his attendance at the board,.....	4	13	4
....	By paid the Rev. W. Macaulay for do.....do. 12 days,.....	14	0	0
....	By paid Joseph Martin for 2 days attendance on the board as messenger,.....	0	10	0
....	By amount paid the Receiver General of the Province,.....	150	3	6
1825				
Feb. 5	By paid the Rev. Mr. Leeming for his attendance at the board 12 days,.....	14	0	0
....	By paid the Rev. Messrs. Campbell, Bethune, Thompson, and Greir, for their attendance at the Board 4 days each,.....	18	13	4
Dec. 31	By paid J. Macaulay, Esq. postmaster at Kingston, for postage to New York,.....	1	8	6
....	By paid postage at York,.....	7	19	0½
....	By amount of Secretary and Receiver's salary to the 31st December, 1824,.....	100	0	0
....	By amount paid the Receiver General of the Province,.....	290	6	11½
1829				
April	By paid the Rev. Messrs. Bethune and Macaulay for 4 days attendance on the board,....	9	6	8
Dec. 31	By amount paid to the Receiver General of the Province,.....	200	0	0
1820				
Feb.	By paid the Rev. Messrs. Macaulay, Bethune and Campbell each, for 4 days attendance on the board,.....	14	0	0
July 1	By paid the Rev. Messrs. Macaulay, Bethune, and Leeming each, for do...do.....	14	0	0
....	By paid Lesslie's account for stationary,.....	8	3	9
....	By paid Harper's do. for do.....	3	10	0
....	By paid Robert Stanton for printing,.....	12	5	0
....	By amount of Patent Fees returned which had been paid to the late Mr. Heward,.....	6	12	6
....	By paid Harper and Ritchie's account for carpenter's work,.....	3	10	3
.... 15	By paid the Rev. Messrs. Bethune, Macaulay, and Leeming, for their attendance 4 days each at the board,.....	14	0	0
Dec. 31	By amount paid to the Receiver General of the Province,....	650	0	0
		Amount of Cr. carried over, £		
		2421	5	8½

PAYMENTS FROM CLERGY RESERVES—CONTINUED.

		£	s.	d.
1831	Amount of Cr. brought forward,	2421	5	8½
Feb. 10	By paid the Rev. Messrs. Miller, McGrath, Bethune, and Campbell, for their attendance on the board for 4 days each,.....	18	13	4
Aug.	By paid the Rev. Mr. Creen for his do. do.....	4	13	4
....	By paid the Rev. Mr. McGrath for his do. do. 2 days,.....	2	6	0
Dec. 31	By amount paid to the Receiver General of the Province,.....	700	0	0
1832				
Feb.	By cash paid the Rev. Messrs. Miller, Bethune, McGrath and Coghlan, for their attendance at the board for 4 days each,.....	18	13	4
Sept.	By paid the Rev. Messrs. Bethune, Campbell, Mayerhoffer, Miller, Clark, Givins, Grier, and Patton, for their attendance on the board, 4 days each,.....	37	6	8
Dec. 31	By paid amount of Wallis's account for Cabinet work,.....	1	0	0
....	By paid amount of postage,.....	6	4	2
....	By paid amount of R. Stanton's account for Printing, .....	12	5	0
....	By ditto of postage,.....	1	9	4
....	By ditto of R. Stanton's account for Stationery, .....	20	9	6
....	By ditto of Lesslie's do. for do. ....	11	4	2
....	By amount of the Secretary and Receiver's salary from 1829 to this date, .....	560	0	0
....	By ditto paid to the Receiver General of the Province, .....	500	0	0
1833				
June, ...	By amount paid the Receiver General of this Province, .....	1877	0	0
30	By paid R. Stanton for Stationery, .....	14	5	7
....	By paid amount for postage, .....	0	14	11½
July 10	By amount paid to the Receiver General of the Province, .....	105	0	0
29	By ..... do ..... do ..... do .....	60	0	0
August 23	By ..... do ..... do ..... do .....	50	5	0
Sept. 3	By paid Robert Ford for Carpenter work, .....	3	15	0
27	By amount paid to the Receiver General of the Province,.....	80	0	0
Nov'r. 23	By paid E. B. Gilbert for Carpenter's work,.....	4	10	0
Dec'r. 2	By paid the Rev. Mr. Mayerhoffer, by order in Council of 12th August 1831, to aid in building a Church in the Township of Vaughan, .....	50	0	0
31	By paid T. D. Harrington for assistance in the Office of the Corporation,.....	30	0	0
....	By paid R. Stanton for Stationery,.....	14	7	0
....	By paid Postage to this day,.....	11	1	7
....	By amount of Receiver's salary to this day, .....	150	0	0
1834				
January 2	By amount paid to the Receiver General of the Province, being the amount of Rent received up to the 31st December 1833, .....	910	0	0
1834				
Jan'y. 22	By amount paid the Receiver General of the Province,.....	500	0	0
Feb'y. 3	By ..... do ..... do ..... do .....	303	1	3
March 3	By ..... do ..... do ..... do .....	406	8	7½
April 3	By ..... do ..... do ..... do .....	446	9	4½
May 3	By ..... do ..... do ..... do .....	303	12	7
June 3	By ..... do ..... do ..... do .....	254	17	7
July 3	By ..... do ..... do ..... do .....	262	2	1
August 7	By ..... do ..... do ..... do .....	269	18	1½
Sept. 5	By ..... do ..... do ..... do .....	63	4	0
Oct. 10	By ..... do ..... do ..... do .....	120	8	10
Nov. 6	By ..... do ..... do ..... do .....	154	10	10½
Dec. 4	By ..... do ..... do ..... do .....	100	18	2
1835				
January 8	By ..... do being the amount of Rent received up to the 31st December 1834, .....	172	4	4
Total Expenditure, £		11034	5	6½

ACCOUNT of RECEIPT and EXPENDITURE of all Monies which have come into the Receiver General's hands, arising from the Sale or Leasing of the Clergy Reserves in this Province, up to the 31st December 1833, inclusive.

RECEIPTS.	CURRENCY.
	£ s d
In 1820. From the late acting Receiver General, being the balance which remained in his hands on the 30th June 1820, .....	2214 5 11
Carried over, £	2214 5 11

**No. 5.**  
**RENTS OF CLERGY RESERVES.**

RECEIPTS.—CONTINUED.		CURRENCY.	
		2214	5 11
In 1821.	{ From Stephen Heward, Esquire, Secretary and Receiver to the Corporation, for superintending and managing the Clergy Reserves within this Province, .....	182	9 9½
	{ From John Sellick, back rent due for occupation of Lot 29 in 10th Concession of Oxford, previous to his obtaining an order for a Lease, ..	1	10 0
			183 19 9½
In 1822.	{ From Levi Beatty, back rent due for occupation of a Clergy Reserve in Cramahe, previous to his obtaining an order for a lease, .....	3	3 0
	{ From Stephen Heward, Esq. Secretary, &c. to the Clergy Corporation, ..	110	15 0
			113 18 0
In 1823.	{ From Stephen Heward, Esq. Secretary, &c. to the Clergy Corporation, ..	100	0 0
	{ From Isaac Doolittle, back rent due on occupation of a Clergy Reserve in Haldimand, previous to his obtaining a lease of same, .....	4	2 6
	{ From Simon Palmateer, for back rent of a Clergy Reserve in Ameliasburgh, under the same circumstance, .....	2	12 6
			106 15 0
In 1824.	{ From Hiram Harrison, for back rent due on occupation of a Clergy Reserve in E. Gwillimbury, under the like circumstances, .....	1	6 3
	{ From Stephen Heward, Esq. Secretary, &c. to the Clergy corporation, ..	150	3 6
			151 9 9
In 1825.	{ From Stephen Heward, Esquire, Secretary, &c. to the Clergy corporation, ..		290 6 11½
In 1826, 1827, and 1828	{ Nothing received, .....		0 0 0
In 1829.	{ From the Honourable Peter Robinson, Commissioner of Crown Lands, on account of Rents of Clergy Reserves, .....	163	5 6
	{ From the Honourable George H. Markland, Secretary and Receiver to the Corporation, for managing the Clergy Reserves, .....	200	0 0
			363 5 6
In 1830.—	From ditto for ditto, .....		650 0 0
In 1831.	{ From the sureties of the late Stephen Heward, Esquire, on account of a defalcation in his account as Secretary to the Clergy Corporation, ..	400	0 0
	{ From the Honourable George H. Markland, Secretary, &c. to the Clergy Corporation, .....	700	0 0
			1100 0 0
In 1832.	{ From ..... ditto .....	500	0 0
	{ From the Honourable Peter Robinson, Commissioner, &c. on account of proceeds of Sales of Clergy Reserves, .....	797	15 3
			1297 15 3
In 1833.	{ From the Hon. Peter Robinson, on account of interest on Sales of Clergy Reserves, .....	708	7 9
	{ From the Hon. G. H. Markland, on account of Rents of Clergy Reserves ..	1877	0 0
	{ From Mr. Thomas Baines, Secretary to the Clergy corporation, .....	295	5 0
	{ Proceeds of a Bill of Exchange on Mr. Sargent of the Treasury, London, for £400 sterling, on account of dividends due on the investment of proceeds of Sales of Clergy Reserves, .....	480	19 7
	{ Ditto of a Bill of Exchange on ditto, .....	480	0 0
			3841 12 4
	Total received, £	10913	8 6
			
PAYMENTS.			
In 1820.—	Nothing paid, .....		£ 0 0 0
In 1821.			
No. 1.—	Paid the Rev. John Stoughton, Minister; C. McKenzie and S. Hawley, Esquires, Churchwardens of St. John's Church, Bath, to aid in the building of a Parsonage House in the Township of Ernestown, .....		150 0 0
In 1822.			
No. 2.—	Paid the Rev. Ralph Leeming, Rector; Samuel Tisdale and George Rousseau, Wardens of the Parish of Ancaster, to aid in the erection of a Parsonage House in said Parish, .....		200 0 0
	Payments carried over, £		350 0 0

## PAYMENTS FROM CLERGY RESERVES.

PAYMENTS.—CONTINUED.	CURRENCY.	
Brought forward, £		350 0 0
In 1823.—Nothing paid.....		
In 1824.		
No. 3.—Paid the Rev. William Macaulay, Rector, Robert Henry and Walter Boswell, Esquires, Churchwardens of Hamilton, Newcastle District, to aid in the erection of a Parsonage House in said Township, .....	300 0 0	
No. 4.—Paid the Honourable and Reverend Dr. John Strachan, to reimburse him for travelling expenses on his late Journey to England, on matters connected with the property of the Clergy in this Province,.....	350 0 0	
		650 0 0
1825.		
No. 5.—Paid the Hon. and Rev. Dr. John Strachan, being in addition to his stipend as Minister at York, for 12 months ending 30th June 1825,.....	250 0 0	
No. 6.—Paid the Rev. Ralph Leeming, Minister, William Shaver and George Rousseau, Wardens of the Parish of Ancaster, being in further aid for repairs and insurance of the Parsonage House, .....	100 0 0	
		350 0 0
1826.		
No. 5.—Paid the Hon. and Rev. John Strachan, in addition to his stipend as Minister of York, for the year ending 30th June 1826,.....	250 0 0	
No. 7.—Paid Jonas Jones, Esq. one of the Churchwardens at Brockville, being to reimburse him so much expended in repairing the Parsonage House belonging to said Church,.....	125 0 0	
No. 8.—Paid the Rev. John Bethune, late Minister of Brockville, to reimburse him so much expended in aid of the subscription at that place for a Parsonage House,.....	175 0 0	
No. 9.—Paid the Hon. and Rev. Dr. John Strachan, Rector of York, in aid of defraying the expense of erecting a Parsonage House in York,.....	300 0 0	
No. 10.—Paid the Venerable George Mountain, Archdeacon of Quebec, to reimburse him his expenses incurred in his late journey to England, on matters connected with the Clergy of this Province, .....	222 4 5½	
		1072 4 5½
1827.		
No. 5.—Paid the Hon. and Ven. Dr. John Strachan, in addition to his stipend as Minister at York, for the year ending the 30th June 1827,.....	250 0 0	
No. 11.—Paid Adam Gordon, Esq. chief Clerk in the Colonial Office, London, being to reimburse him a sum paid for Patent constituting two Archdeacons, York and Kingston, in Upper Canada,.....	147 1 0	
		397 1 0
1828.		
No. 5.—Paid the Honourable and Reverend Dr. John Strachan, in addition to his stipend as Minister of York, for 12 months ending 30th June 1828, ....	250 0 0	
No. 12.—Paid the Honourable and Venerable John Strachan, D. D. Archdeacon of York, being the moiety of his expenses incurred in a journey to and from England, and eighteen months detention there at the instance of the Secretary of State, whilst engaged in soliciting from His Majesty's Government the Charter of King's College, and attending to the affairs of the established Church,.....	678 6 8	
		928 6 8
1829.		
No. 5.—Paid the Honourable and Venerable John Strachan, D. D. Rector of York, being in addition to his stipend as Minister of York, for the 12 months ending the 30th June 1829, .....		250 0 0
1830.		
No. 5.—Paid the Honourable and Venerable John Strachan, D. D. Rector of York, being in addition to his stipend as Minister of York, for the 12 months ending the 30th June 1830,.....	250 0 0	
No. 13.—Paid the Rev. G. O. Stuart, being his half year's salary as one of the established Clergymen of this Province, from 1st January to 30th June 1830, inclusive,.....	55 11 1½	
		305 11 1½
Carried over, £		4303 3 2½

PAYMENTS FROM CLERGY RESERVES.

PAYMENTS.—CONTINUED.		CURRENCY.	
Bro't. forward, £		.....	4303 3 2½
1831.			
No. 5.—Paid the Hon. and Ven. John Strachan, D. D. in addition to his stipend as Minister of York, for the 6 months from 1st July to 31st December, 1830,.....	£125 0 0		
Ditto from 1st January to 30th June 1831, .....	50 0 0	175 0 0	
No. 13.—Paid the Rev. G. O. Stuart, his half year's salary as one of the established Clergy, from 1st July to 31st December 1830, inclusive,.....		55 11 1½	
			230 11 1½
1832.			
No. 5.—Paid the Hon. and Ven. John Strachan, D. D. Rector of York, in addition to his stipend as Minister of York, to the 31st December 1831, being in full satisfaction of all further claim, .....		50 0 0	
No. 14.—Paid the Hon. and Venerable John Strachan, Archdeacon of York, his half year's salary from 1st January to 30th June 1832,.....		166 13 4	
No. 14.—Paid the Rev. George O. Stuart, Archdeacon of Kingston, his half year's salary from the 1st January to 31st June 1832, inclusive,.....		166 13 4	
No. 13.—Paid do. do. his half year's salary as one of the established Clergy of this Province, from 1st January to 30th June 1832, inclusive, .....		55 11 1½	
			438 17 9½
1833.			
No. 14.—Paid the Hon. and Ven. John Strachan, D. D. Archdeacon of York, his salary for the 12 months ending the 30th June 1833, .....		333 6 8	
No. 14.—Paid the Rev. Geo. O. Stuart, Archdeacon of Kingston, his salary for the 12 months ending 30th June 1833, .....		333 6 8	
No. 13.—Paid do. do. as one of the established Clergy of this Province for the like period, .....		111 2 2½	
No. 15.—Appropriation in aid of the support of the Ministers of the Established Church of England in this Province, for the 12 months ending 30th June 1833, .....		7769 8 10½	
No. 15.—Paid Roswell Mount, Esquire, on account of erecting a house and preparing a glebe for the occupation of the Incumbent of the township of Adelaide, .....		50 0 0	
No. 15.—Paid the Rev. Saltern Givens, to aid in erecting a Parsonage House in the Mohawk Indian Tract, in the Bay of Quinte, .....		100 0 0	
			8697 4 5
		Total paid, £	13669 16 6
		Total received, £	10313 8 6
Balance due to the Receiver General on the 31st December, 1833,.....	Provincial Currency. £		3356 8 0

Receiver General's Office, York, 20th January, 1834.

JOHN H. DUNN, R. G.

UPPER CANADA.\*

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st April to 31st December 1828, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1828.		1828.	
To Peter McPhail, for mounting Maps, .....	£ s d 0 15 0	By amount due the Commissioner of Crown Lands, 31st December 1828,.....	£ s d 996 6 10
To Thomas Wallis, for Office furniture, .....	1 5 0		
To George C. Ridout, as Clerk,.....	38 12 7		
To David Gibson, for surveying,.....	92 11 8		
To John Smith, as Clerk, .....	66 13 4		
To George Gurnett, for Printing,.....	1 9 4		
To Samuel S. Wilmot, for Inspecting,.....	157 10 0		
To John Carey, for Printing, .....	4 16 6		
To Robert Stanton, ditto,.....	5 13 7		
To J. S. Howard, for Postage,.....	8 7 9		
To George C. Ridout, as Clerk, .....	75 0 0		
To F. Kain, for Map Cases, .....	0 16 3		
To Duncan McDonell, for Inspecting,.....	133 0 0		
To Thomas Wallis, for Office furniture, .....	3 2 6		
To R. H. Thornhill, as Clerk,.....	16 13 4		
To allowance for Office Rent,.....	15 0 0		
To my salary for the above period as Commissioner for the Sale of Clergy Reserves, at the rate of £500 Halifax Cy. per ann. as authorised by an order of the Licut. Governor in Council, agreeably to instructions, .....	475 0 0		
Total, £	996 6 10	Total, £	996 6 10

The Commissioner of Crown Land's Office was opened 1st April 1828, and although applications were daily received, and many thousand acres inspected and valued, and answers given to the applicants, stating the price and terms of payment, still no absolute sales were made, or monies received, until the 1st January 1829.

PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st January to 30th June 1829, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1829.	£ s d	1829	£ s d
To amount due the Commissioner for Crown Lands 31st Dec. 1828, . . . . .	996 6 10	By cash received in payment for Clergy Reserves sold up to the 30th June 1829, inclusive, . . . . .	1745 14 6
" Duncan McDonell for Inspecting, . . .	80 0 0		
" R. H. Thornhill as Clerk, . . . . .	62 10 0		
" Samuel S. Wilmot for Inspecting, . . .	102 7 6		
" J. S. Howard for Postage, . . . . .	6 4 7		
" Robert Stanton for Printing, . . . . .	7 10 0		
" Peter McPhail for Bookbinding, . . . . .	0 10 0		
" George Gurnett for Printing, . . . . .	1 8 6		
" Edward Lesslie & Sons for stationery, . . . . .	12 19 3		
" Allowance for Office Rent, . . . . .	10 0 0		
" My salary for the above period as Commissioner for the Sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions, . . . . .	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date, . .	215 17 10		
Total, £	1745 14 6	Total, £	1745 14 6

PETER ROBINSON.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st July to 31st December 1829, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1829.	£ s d	1829.	£ s d
To Duncan McDonell for Inspecting, . . . . .	132 2 6	By balance in the hands of the Commissioner for Crown Lands the 30th June 1829, . . . . .	215 17 10
" R. H. Thornhill as Clerk, . . . . .	62 10 0	By cash received in payment for Clergy Reserves sold up to the 31st December 1829, inclusive, . . . . .	720 6 9
" Samuel S. Wilmot for Inspecting, . . .	161 0 0		
" J. S. Howard for Postage, . . . . .	6 2 2		
" Edward Lesslie & Sons, for stationery . . . . .	7 15 0		
" Allowance for Office rent, . . . . .	10 0 0		
" My salary for the above period as Commissioner for the sale of Clergy Reserves, as authorised by an order of the Lieutenant Governor in Council, agreeably to instructions, . . . . .	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date, . . .	306 14 11		
Total, £	936 4 7	Total, £	936 4 7

Sold in the year 1829, 18,014 acres, at the average price of 14s. 8½d. cy. per acre; amounting to £13,229; and there has been received the sum of £2,464 14s. Principal, and £1 7s. 3d. Interest. PETER ROBINSON,

## RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

## UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st January to 30th June 1830, inclusive.

PAYMENTS.	CURRENCY.			RECEIPTS.	CURRENCY.		
	£	s	d		£	s	d
1830.				1830.			
To Samuel S. Wilmot for Inspecting, . . . .	25	7	6	By balance in the hands of the Commissioner for Crown Lands 31st December 1829, . . . . .			306 14 11
“ R. H. Thornhill as Clerk, . . . . .	62	10	0	By cash received in payment for Clergy Reserves sold up to the 30th June 1830, inclusive, . . . . .			4174 9 9½
“ J. S. Howard for Postage, . . . . .	9	14	9				
“ Lesslie & Sons for Stationery, . . . . .	10	10	6				
“ Robert Stanton for Printing, . . . . .	8	13	4				
“ Cumming & Tomkins for ditto, . . . . .	3	7	6				
“ George Gurnett for ditto, . . . . .	3	0	0				
“ James McGee for Office chest, . . . . .	1	2	6				
“ Allowance for Office rent, . . . . .	10	0	0				
“ My salary for the above period as Commissioner for the Sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions, . . . . .	250	0	0				
“ Balance in the hands of the Commissioner for Crown Lands this date, . .	4096	18	7½				
Total, £	4481	4	8½	Total, £	4481	4	8½

PETER ROBINSON.

## UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves made by the Commissioner for Crown Lands, from 1st July to 31st December 1830, inclusive.

PAYMENTS.	CURRENCY.			RECEIPTS.	CURRENCY.		
	£	s	d		£	s	d
1830.				1830.			
To Duncan McDonell for Inspecting, . . . .	19	5	0	By balance in the hands of the Commissioner for Crown Lands the 30th June 1830, . . . . .			4096 18 7½
“ Samuel S. Wilmot for ditto, . . . . .	84	0	0	By cash received in payment for Clergy Reserves sold up to the 31st December 1830, inclusive, . . . . .			2041 12 1½
“ R. H. Thornhill as Clerk, . . . . .	62	10	0				
“ John Carey for Printing, . . . . .	7	0	0				
“ Edward Lesslie & Sons for Stationery	4	8	10½				
“ J. S. Howard for Postage, . . . . .	8	3	2½				
“ Allowance for Office rent, . . . . .	10	0	0				
“ My salary for the above period as Commissioner for the sale of Clergy reserves, as authorised by an Order of the Lt. Gov. in Council agreeably to instructions, . . . . .	250	0	0				
“ Balance in the hands of the Commissioner for Crown Lands this date, . .	5693	3	8				
Total, £	6138	10	9	Total, £	6138	10	9

Sold in the year 1830, 34,705½ acres, at the average price of 13s.6d. cy. per acre, amounting to £23,452 4s.; and there has been received the sum of £6153 5s 9½d principal, and £62 16s 1½d interest. PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st January to 30th June 1831, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1831.	£ s d	1831.	£ s d
To James Henderson as an extra Clerk,	24 0 0	By balance in the hands of the Commissioner for Crown Lands the 31st	
“ R. H. Thornhill as Clerk, . . . . .	75 0 0	December 1830, . . . . .	5693 3 8
“ Edward Lesslie & Sons for Stationery	2 5 3	By cash received in payment for Clergy	
“ Robert Stanton for Printing, . . . . .	23 12 0	Reserves sold up to 30th June, 1831,	5669 7 10
“ J. S. Howard for Postage, . . . . .	7 19 6	By cash received for interest due on the	
“ Paid into the hands of Assist. Com. Gen		instalments of Clergy Reserves up to	
Foote, in charge of the Military chest		the 30th June 1831, . . . . .	135 12 4
at this Post, as directed by Lord Gode-	8000 0 0		
rich's Despatch of the 2d April, 1831,			
“ Paid the Cashier of the Bank of Up.			
Canada 1 per cent. premium for pay-			
ing the above sum of £8000 c'y. in			
Dollars and half dollars to Assist.			
Com. Gen. Foote, in charge of the			
Military chest at this Post, . . . . .	80 0 0		
“ My salary for the above period as Com-			
missioner for the sale of Clergy reserves,			
as authorised by an order of the Lieut.			
Gov. in Council, agreeably to instr's.	250 0 0		
“ Balance in the hands of the Commis-			
sioner for Crown Lands this date, . . .	3035 7 1		
Total £	11498 3 10	Total £	11498 3 10

PETER ROBINSON.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st July to 31st December 1831, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1831.	£ s d	1831.	£ s d
To David Gibson for Surveying, . . . . .	210 12 0	By balance in the hands of the Commis-	
“ Samuel S. Wilnot for Inspecting, . . . .	133 17 6	sioner for Crown Lands 30th June	
“ Edward Wright for Cartage, . . . . .	0 7 6	1831, . . . . .	3035 7 1
“ John Carey for Printing, . . . . .	4 0 0	By cash received in payment for Clergy	
“ Robert Stanton for ditto, . . . . .	0 15 2	Reserves sold up to the 31st Decem-	
“ George Gurnett for ditto, . . . . .	1 7 0	ber 1831, . . . . .	2340 15 1
“ Samuel Heron for ditto, . . . . .	0 9 4	By cash received for interest due on the	
“ Thomas Dalton for ditto, . . . . .	1 0 0	instalments of Clergy Reserves up to	
“ J. S. Howard for Postage, . . . . .	8 7 9	the 31st December 1831, . . . . .	124 2 5½
“ R. H. Thornhill as Clerk, . . . . .	75 0 0		
“ M. B. Henderson as ditto, . . . . .	50 0 0		
“ R. H. Thornhill, allowance for atten'g			
public sale of Clergy Reserves in Pus-			
linch, & his exp. in going & returning,	9 0 0		
“ Pd. into the hands of Assist. Com. Gen.			
Foote, in charge of the Military chest			
at this Post, as directed by Lord Gode-			
rich's despatch of the 2d April 1831	3000 0 0		
“ My salary for the above period as Com-			
missioner for the sale of Clergy Re-			
serves, as authorised by an Order of			
the Lieutenant Governor in Council,			
agreeably to instructions, . . . . .	250 0 0		
“ Balance in the hands of the Commis-			
sioner for Crown Lands this date,	1755 8 4½		
Total £	5500 4 7½	Total £	5500 4 7½

Sold in the year 1831, 28,563½ acres, at the average price of 12s 1 3.4d currency per acre, amounting to £17,362 12s 1½d; and there has been received the sum of £8,010 2s 1½d principal, and £259 14s 9½ interest.

PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

UPPER CANADA.

STATEMENT of Receipts and Payments of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from the 1st January to 30th June 1832, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1832	£ s d	1832	£ s d
To Lewis Burwell for Inspecting, .....	15 5 9	By balance in the hands of the Commissioner for Crown Lands the 31st December 1831, .....	1755 8 4½
" H. Leavenworth for Printing, .....	0 15 0	By cash received in payment for Clergy reserves sold up to the 30th June 1832, .....	6144 13 10½
" W. L. McKenzie for do. ....	4 10 8	By cash received for interest due on the Instalments of Clergy Reserves up to the 30th June 1832, .....	317 9 4
" John Carey for do. ....	1 18 8		
" Francis Collins for do. ....	3 12 0		
" R. D. Chatterton for do. ....	2 19 0		
" James Johnson for do. ....	0 17 6		
" Arthur McLean for do. ....	1 2 8		
" Samuel Heron for do. ....	0 17 6		
" F. H. Cumming for do. ....	1 4 0		
" James Macfarlane for do. ....	1 15 9		
" Robert Stanton for Stationery, .....	13 1 4½		
" J. S. Howard for Postage, .....	14 19 4		
" E. Cressall for Cartage, .....	0 2 6		
" R. H. Thornhill as Clerk, .....	75 0 0		
" M. B. Henderson, ditto, .....	75 0 0		
" David Gibson for Surveying, .....	7 8 6		
" James McGee for Office Furniture, ..	16 5 0		
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's Despatch of the 2d April 1831, ..	2000 0 0		
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's despatch of the 2d April 1831 ..	2000 0 0		
" My salary for the above period as Commissioner for the sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions, .....	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date, ..	3730 16 4½		
Total, £	8217 11 7	Total, £	8217 11 7

PETER ROBINSON.

UPPER CANADA.

STATEMENT of Receipts and Payments of all Monies arising from the Sale of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st July to 31st December 1832, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1832.	£ s d	1832.	£ s d
To Duncan McDonell, for Inspecting, ....	49 0 0	By balance in the hands of the Commissioner for Crown Lands, the 30th June 1832, .....	3730 16 4½
" Samuel S. Wilmot, for do. ....	26 5 0		
" Samuel S. Wilmot, for do. ....	27 2 6		
" George Gurnett, for printing, .....	7 8 6		
" John Carey, for do. ....	0 15 0		
" J. Flanagan, for do. ....	1 12 6		
" H. C. Thomson, for do. ....	1 0 8		
" J. S. Howard, for postage, .....	10 15 7½		
" R. H. Thornhill, as clerk, .....	75 0 0		
" M. B. Henderson, as do. ....	75 0 0		
Carried over, .. £	273 19 9½	Carried over, £	3730 16 4½

*Receipts and Payments for the Year 1832, continued.*

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
Brought forward, £	273 19 9½	Brought forward, £	3730 16 4½
To Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's despatch of the 2d April 1831	4000 0 0	By cash received in payment for Clergy Reserves sold up to the 31st December 1832, inclusive, .....	4094 15 9
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832, .....	641 7 5	By cash received for interest due on the instalments of Clergy Reserves up to the 31st December 1832, inclusive,	156 7 10
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832, .....	51 11 6½		
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832, .....	104 16 3½		
" My salary for the above period as Commissioner for the sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions, .....	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date,	2660 4 11		
Total £	7981 19 11½	Total £	7981 19 11½

Sold in the year 1832, 48,484½ acres, at the average price of 13s.3¼d. cy. per acre, amounting to £32,287 19s. and there has been received the sum of £10,239 9s 7½d principal, and £473 17s. 2d. interest. PETER ROBINSON.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st January to 30th June 1833, inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
1833.	£ s d	1833.	£ s. d.
To W. L. MacKenzie for Printing,.....	3 7 10	By balance in the hands of the Commissioner for Crown Lands the 31st December 1832, .....	2660 4 11
" James King for Advertising,.....	0 17 4	By cash received in payment for Clergy Reserves sold up to 30th June, 1833, inclusive, .....	7460 15 3
" J. S. Howard for Postage, .....	21 2 5¾	By cash received for interest due on the instalments of Clergy Reserves up to the 30th June 1833, inclusive,.....	492 5 3
" R. H. Thornhill as Clerk, .....	75 0 0		
" M. B. Henderson as ditto,.....	75 0 0		
" Robert Stanton for Printing,.....	18 19 11		
" Stephen Miles for Advertising,.....	1 10 0		
" Thomas Dalton for Printing,.....	0 15 0		
" John Clarke for Advertising, .....	4 3 9		
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832,.....	266 5 6		
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's Despatch of the 2d April, 1831,	4000 0 0		
" My salary for the above period as Commissioner for the sale of Clergy reserves, as authorised by an order of the Lieut. Gov. in Council, agreeably to instr's.	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date,...	5896 3 7½		
Total £	10613 5 5	Total £	10613 5 5

PETER ROBINSON.

12 RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Clergy Reserves made by the Commissioner for Crown Lands. from 1st July to 31st December 1833, inclusive.

PAYMENTS.		CURRENCY.	RECEIPTS.		CURRENCY.
1833.		£ s d	1833.		£ s d
To William Tully for Advertising, . . . . .		2 10 4	By balance in the hands of the Commissioner for Crown Lands 30th June 1833, . . . . .	5896	3 7½
" Ogle R. Gowan ditto, . . . . .		0 6 8	By cash received in payment for Clergy Reserves sold up to the 31st December 1833, . . . . .	6620	1 5½
" William B. Gowan ditto, . . . . .		0 13 4	By cash received for interest due on the instalments of Clergy Reserves up to the 31st December 1833, . . . . .	361	19 0½
" J. Radcliffe ditto, . . . . .		6 0 6			
" James King ditto, . . . . .		6 0 0			
" R. D. Chatterton ditto, . . . . .		0 5 4			
" William Smith ditto, . . . . .		4 16 10½			
" James Johnson ditto, . . . . .		3 18 9			
" George Gurnett ditto and Printing, . . . . .		10 14 2			
" William Buel & Co. ditto, . . . . .		6 4 6			
" Francis Collins ditto, . . . . .		6 9 0			
" Samuel Heron ditto, . . . . .		3 8 9			
" Ogle R. Gowan ditto, . . . . .		6 14 4			
" Egerton Ryerson ditto, . . . . .		10 0 1			
" Thomas Dalton for Printing, . . . . .		0 10 0			
" James West, as agent, . . . . .		28 12 9			
" James West for inspecting, . . . . .		6 0 0			
" Peter Carroll ditto, . . . . .		43 10 0			
" H. Black ditto, . . . . .		0 15 0			
" Samuel S. Wilmot, ditto . . . . .		83 10 0			
" Duncan McDonell, ditto . . . . .		14 9 0			
" William Cattermole as Auctioneer, . . . . .		9 0 0			
" Robt. Stanton for Stationery & Print'g . . . . .		12 9 9			
" J. S. Howard for Postage, . . . . .		19 15 4½			
" R. H. Thornhill, for salary advanced to £200 c'y. per ann. as authorised by an Order in Council of the 17th March, 1834, to place him on an equal footing with the Clerks in the other Offices, . . . . .		100 0 0			
" R. H. Thornhill, additional allowance for the first half year of 1833, as authorised by the above order, . . . . .		25 0 0			
" M. B. Henderson, salary advanced to £200 c'y. pr.ann. as authorised by an Order in Council of the 17th March 1834, to place him on an equal footing with the Clerks in the other Offices, . . . . .		100 0 0			
" M. B. Henderson, additional allowance for the first half year of 1833, as authorised by the above Order, . . . . .		25 0 0			
" M. B. Henderson, allowance for attending public sales of Clergy Reserves at Hamilton, . . . . .		11 0 0			
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's Despatch of the 2d April 1831, . . . . .		2000 0 0			
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's despatch of the 2d April 1831 . . . . .		3500 0 0			
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832, . . . . .		225 19 9			
" Paid into the hands of the Rec. Gen. of the Province, pursuant to the Lieut Gov's. instructions of 14 July, 1832, . . . . .		216 2 6			
" My salary for the above period as Commissioner for the sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions, . . . . .		250 0 0			
" James Henderson as an extra Clerk, . . . . .		37 10 0			
" Balance in the hands of the Commissioner for Crown Lands this date, . . . . .		6101 6 4½			
<b>Total, £</b>		<b>12878 4 1½</b>		<b>Total, £</b>	<b>12878 4 1½</b>

Sold in the year 1833, 62,282 1-4 acres, at the average price of 14s. 4 1-2d currency per acre, amounting to £44,747 10 9; and there has been received the sum of £14,980 15 8 1-2d principal, and £854 4 3 1-2d interest. PETER ROBINSON.

UPPER CANADA.

STATEMENT of Receipts and Payments of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from the 1st January to 30th June 1834, inclusive.

PAYMENTS.		CURRENCY.	RECEIPTS.		CURRENCY.
1834		£ s d	1834		£ s d
To A. K. MacKenzie for Advertising,...		4 7 6	By balance in the hands of the Commissioner for Crown Lands the 31st December 1833, .....		6101 6 4½
" John Cowan ditto, .....		8 17 11	By cash received in payment for Clergy Reserves sold up to the 30th June 1834, inclusive, .....		8053 3 3
" G. W. Busted ditto, .....		4 10 4	By cash received for interest due on the instalments of Clergy Reserves up to the 30th June 1834, .....		637 14 0½
" Francis Collins ditto, .....		11 2 10			
" Joseph Talbot ditto, .....		15 6 6			
" W. L. MacKenzie ditto, .....		7 1 10½			
" Watkins & Harris for a cash box,...		0 16 3			
" James Myers for Office furniture, ...		10 15 0			
" Samuel S. Wilmot for Inspecting,...		82 15 0			
" R. H. Thornhill, allowance for attending sale of Clergy Reserves at Hamilton, .....		4 0 0			
" J. S. Howard for Postage, .....		21 1 10½			
" R. H. Thornhill as Clerk, .....		100 0 0			
" James Henderson ditto, .....		100 0 0			
" Paid into the hands of Assist. Com. Gen. Foote, in charge of the Military chest at this Post, as directed by Lord Goderich's despatch of the 2d April 1831, .....		6000 0 0			
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of 14th July 1832, .....		145 16 6½			
" Paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of 14th July 1832, .....		378 18 2½			
" My salary for the above period as Commissioner for the sale of Clergy Reserves, as authorised by an order of the Lieutenant Governor in Council, agreeably to instructions, .....		250 0 0			
" Balance in the hands of the Commissioner for Crown Lands this date,...		7646 13 10			
Total, £		14792 3 8	Total, £		14792 3 8

Sold this half year, 28,082 acres, at the average price of 13s10d. cy. pr acre; am'ting to the sum of £19,424 14 10; and there has been received £8,053 3 3½ Principal, and £637 14 0½ Interest. PETER ROBINSON.

UPPER CANADA.

STATEMENT of Receipts and Payments of all Monies arising from the Sales of Clergy Reserves, made by the Commissioner for Crown Lands, from 1st July to 31st December 1834, inclusive.

PAYMENTS.		CURRENCY.	RECEIPTS.		CURRENCY.
1834.		£ s d	1834.		£ s d
To paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832, .....		258 15 10	By balance in the hands of the Commissioner for Crown Lands, as per account current C. the 30th June 1834,		7646 13 10½
Carried over, £		258 15 10	Carried over, £		7646 13 10½

RECEIPTS AND PAYMENTS FROM CLERGY RESERVES.

*Receipts and Payments for the half year ending in 1834,—CONTINUED.*

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
	£ s d		£ s d
1834.		1832.	
Brought forward,	258 15 10	Brought forward,	7646 13 10½
To paid into the hands of the Receiver General of the Province, pursuant to the Lieutenant Governor's instructions of the 14th July 1832,.....	279 0 9	By cash received in payment for Clergy Reserves sold up to the 31st December 1834, inclusive,.....	6414 6 2
" Paid into the hands of Deputy Commissary General Coffin, in charge of the Military chest at this Post, as directed by Lord Goderich's despatch of the 2nd April 1831,.....	4000 0 0	By cash received for interest due on the instalments of Clergy Reserves up to the 31st December 1834, inclusive,	545 4 7
" Thomas Dalton for Printing, .....	1 10 0		
" W. B. Gowan for Advertising,.....	19 11 3		
" J. Radcliffe ditto, .....	9 12 9		
" Thomas Dalton ditto, .....	31 19 10		
" A. K. McKenzie ditto, .....	2 15 0		
" James Macfarlane & Co. ditto, .....	10 1 2		
" Edward J. Barker ditto,.....	19 7 2		
" J. Radcliffe ditto,.....	1 10 8		
" William J. O'Grady ditto,.....	24 17 1		
" R. D. Chatterton ditto,.....	22 19 10		
" Egerton Ryerson ditto,.....	10 9 5		
" George P. Bull ditto,.....	14 7 10		
" E. Thomson ditto,.....	15 17 9		
" James Macfarlane & Co. ditto, .....	8 1 6		
" Daniel McLeod ditto, .....	9 19 3		
" John Hogan ditto,.....	2 15 0		
" John Busted ditto, .....	31 2 2		
" H. Leavenworth ditto,.....	12 17 8		
" Samuel Heron ditto,.....	25 16 3		
" H. M. Mosley as Auctioneer,.....	6 6 0		
" Thomas Dalton for Advertising,.....	22 14 9½		
" J. S. Howard for Postage, .....	21 11 6½		
" George W. Busted for Advertising,	19 6 5½		
" J. Wilson ditto, .....	8 0 11		
" H. Leavenworth ditto, .....	0 15 0		
" John Vincent ditto, .....	21 19 0		
" R. D. Chatterton ditto, .....	2 5 11		
" Joseph Talbot ditto,.....	13 15 2½		
" Wyman & Carter ditto, .....	14 18 2		
" Edward John Barker, ditto .....	13 19 0½		
" Wm. Buell & Co. ditto, .....	15 9 1		
" Samuel S. Wilmot for Inspecting,....	163 18 6		
" Joseph Haverty as an extra Clerk,....	37 10 0		
" Richard Thornhill as Clerk, .....	100 0 0		
" John B. Henderson ditto,.....	126 6 10		
" James Henderson ditto, .....	100 0 0		
" Jacob Langs as Auctioneer,.....	1 0 0		
" Jacob Langs ditto, .....	1 0 0		
" Robert Stanton for Stationery,.....	17 1 7		
" Robert Stanton for Advertising .....	12 8 11		
" John E. Henderson, attending sale at Simcoe, .....	10 0 0		
" James Henderson ditto,.....	10 0 0		
" My salary for the above period as Commissioner for the Sale of Clergy Reserves, as authorised by an Order of the Lieutenant Governor in Council, agreeably to instructions,.....	250 0 0		
" Balance in the hands of the Commissioner for Crown Lands this date, ..	8802 9 6		
Total, £	14606 4 7½	Total, £	14606 4 7½

Sold in the year 1834, 59,526 acres, at the average price of 13s 10½d currency per acre ; and there has been received £14,467 9s 5½d principal, and £1,182 18s 7½d interest.

PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CLERGY RESERVES. 15

*GENERAL RETURN of Receipt and Expenditure of Monies arising from Sales and Rents of Lands reserved for the support of a Protestant Clergy, from the 1st January to the 31st December 1833, inclusive.*

RECEIPTS.		CURRENCY.
		£ s d
From the Hon. P. Robinson, for interest on Sales of Clergy Reserves,.....		708 7 9
From the Hon. G. H. Markland, on account of Rents of ditto, .....		1877 0 0
From Thomas Baines, Esquire, on account of ditto,.....		295 5 0
Proceeds of two Bills of Exchange on Mr Sargent of the Treasury, London, on account of Clergy Dividends,.....		960 19 7
Receipts during the year 1833,.....		3841 12 4
Balance on hand on 31st December 1832,.....		665 17 5
	Total, ..... £	4507 9 9
PAYMENTS.		Currency.
		£ s d
Salary to the Lord Bishop of Quebec for the six months ending 31st December 1832, inclusive, at the rate of £1500 sterling per annum, to be paid in this Province, as directed by Viscount Goderich's Despatch, dated 21st November 1831, .....		833 6 8
Salary to the Hon. and Rev. John Strachan, D.D. as Archdeacon of York, for the year ending 30th June 1833, pursuant to despatch from the Hon. the Lords Commissioners of His Majesty's Treasury, dated 31st August 1827, at the rate of £300 sterling per annum, .....		333 6 8
Salary to the Rev. George O'Kill Stuart, Archdeacon of Kingston, for the like period, pursuant to the same despatch, at the rate of £300 sterling per annum,.....		333 6 8
Salary to the Rev. George O'Kill Stuart, as one of the established Clergymen of this Province, for the year ending 30th June 1833, at the rate of £100 sterling per annum, pursuant to the Duke of Portland's Despatch of the 11th September 1797,.....		111 2 2½
Paid Roswell Mount, Esquire, on account of erecting a house and preparing a Glebe for the occupation of the Incumbent of the township of Adelaide, agreeably to Lord Goderich's Despatch of the 5th April 1832, .....		50 0 0
Paid the Rev. Saltern Givens, being to aid in erecting a Parsonage House in the Mohawk Indian Tract, in the Bay of Quinte, .....		100 0 0
Transfer from this Fund to Fund D, to repay so much withdrawn therefrom, being an appropriation in aid of the support of the Ministers of the Church of England in this Province, authorised by Lord Goderich's Despatch of 5th April 1832, .....		3888 17 9½
Paid to the Ministers of the Church of England, on account of the appropriation in aid of their support, authorised by Lord Goderich's Despatch as above stated, to the 30th of June, 1833,.....		3880 11 1½
	Total, ..... £	9530 11 1
RECAPITULATION.		Currency.
		£ s d
Receipts during the year 1833, including the balance on hand on 31st December 1832,.....		4507 9 9
Payments during ditto,.....		9530 11 1
	In advance on the 31st December 1833, £	5023 1 4

JOHN H. DUNN, R. G.

*GENERAL RETURN of Receipt and Expenditure of monies arising from the Sales and Rents of Lands reserved for the support of a Protestant Clergy, from 1st January to the 31 December 1834, inclusive.*

RECEIPTS.		CURRENCY.
		£ s d
Refunded by the Lord Bishop of Quebec, being on account of his salary for the year 1832, paid him from this fund, which salary has been provided for by the Imperial Parliament,.....		1682 13 10
Rents of Clergy Reserves from the Secretary of the Clergy Corporation, .....		4095 1 5½
Interest on the proceeds of sales of Clergy Reserves, from the Hon. P. Robinson, Commissioner &c.		1062 11 4
Proceeds of two Bills of Exchange on London on account of the Clergy Funds,.....		540 11 1½
	Total receipts during the year 1834.....£	7380 17 8½

*Receipts and Payments for the year 1834—CONTINUED.*

PAYMENTS.		CURRENCY.
		£ s d
1—Salaries to the Ministers of the Church of England in this Province for the year ending 30th June 1834, .....		4936 11 6
2—Salary to the Hon'ble and Venerable John Strachan, Archdeacon of York, for the like period, ..		333 6 8
3—Salary to the Rev. George O'Kill Stuart, Archdeacon of Kingston, for the same period, .....		333 6 8
4—Salary to ditto as one of the established Clergy in this province for the same period, .....		111 2 2½
5—Salary to Thomas Baines, Secretary to the Clergy Coporation, from the 1st March 1833 to the 30th June 1834, .....		238 5 0½
6—Paid Mr. Thomas Baines, Secretary Clergy Corporation, for the ordinary and incidental expenses of his office, for 18 months from the 1st January 1833 to the 30th June 1834, inclusive, .....		172 13 3
7—Paid to ditto, for the Inspection of Clergy Reserves during the year 1834, .....		621 16 6
8—Paid to the Missionaries of the Church of England in this Province, together with £2301 5 0 sterling from the Crown funds, to make up 85 per cent on their salaries, and pensions to three retired Missionaries and two widows formerly paid by the Society for the Propagation of the Gospel, .....		1663 8 6
Payments during the year 1834, .....		8410 10 4½
In advance on the 31st December 1833, .....		5023 1 4
Total . . . . £		13433 11 8½



RECAPITULATION.

		CURRENCY.
		£ s d
Total payments from the Clergy fund E. during the year 1834. Including the advance on 31st December 1833, .....		13433 11 8½
Receipts during the year 1834, .....		7380 17 8½
In advance on the 31st December 1834. . £		6052 13 11½

JOHN H. DUNN.

*Receiver General's Office, }  
Toronto 15th Jan'y. 1835. }*

*Schedule of Authorities for the Payments herein stated.*

No.	AUTHORITY.
1	Lord Goderich's Despatch 5th April 1832.
2	Lords of the Treasury 31st August 1827,
3	ditto ditto
4	Duke of Portland's Despatch 11th September 1797, No. 5.
5	Lieutenant Governor and Council 3d April 1834.
6	Lieutenant Governor and Council.
7	ditto ditto
8	Mr. Secretary Rice's Despatch, 5th August 1834.

REC. GEN. OFFICE, 15th January, 1835.

Surveyor General's Office,  
York, U. C. 7th Feb'y. 1834.

Sir,

I have the honor, in transmitting the accompanying Schedule of lands set apart as Glebes, in the Province of Upper Canada, to observe that they are lands which have been reserved from sale for the purposes named; that the lots specified as appropriated under survey of the Townships were so set aside under an Order in Council, 17th February 1789, from the Province of Quebec, which was previous to reservations of the 7th for the Clergy.

The Town Lots, &c. in York, were given for the use of the Rector, being two acres, under the authority of a Despatch from the Home Government, dated 1823, in order to make up for lands given to Archdeacon Stewart, by order of Mr. President Grant.

I have the honor to be,  
Sir,

Your most obedient servant,  
S. P. HURD.

COL. ROWAN, &c. &c. &c.

*RETURN of Lands set apart as Glebes in the Province of Upper Canada.*

Townships.	Concession.	Lot.	Acres.	For what Church set apart.	Date of Appropriation.
Cornwall,	2nd	East half 5,	100	Church of Scotland	Set apart by Order in Council, 7th June 1831.
do.	8th	19	200	Church of England	Appropriated on the survey of the township in 1784 & 1787.
Osnabrock,	5th	18	200	do	ditto
do.	do.	19	200	do	ditto
do.	A strip of land between the above lots	lots 18 and 19	50	do	ditto
Matilda,	6th W. bound	18	200	do	ditto
do.	do.	19	200	do	ditto
Charlottenburgh,	3rd	16	200	do	ditto
do.	do.	17	200	do	ditto
do.	S. side river Aux Raisin.	W. half 11,	60	Presbyter'n Church	Set apart by O. C. 7th Feb. 1832.
do.	do.	do.	100	For the Presb. Ch. of Williamstown,	Granted by O. C. 9th May 1818,—not yet located.
Roxborough,	5th	A	200	Church of England	Appropriated on the survey of the township in 1784 and 1787.
do.	do.	B	200	do	ditto
do.	do.	W. half C,	100	do	ditto
Williamsburgh,	4th	19	200	do	ditto
do.	do.	20	200	do	ditto
Lancaster,	5th	21	200	do	ditto
Lochiel Gore,	3rd	1 & w. part 2	200	do	Set apart by O. C. 21st Feb. 1833.
Kenyon,	2nd	8	200	do	Appropriated on the survey of the township in 1792 and 1793.
do.	do.	9	200	do	ditto
Elizabethtown,	5th	19	200	do	Appropriated on the survey of the township in 1799.
do.	do.	20	200	do	ditto
Yonge, formerly Escott	3rd	12	200	do	Appropriated on the survey of the township in 1796.
do.	do.	13	200	do	ditto
Yonge,	3d. by East boundary.	11	200	do	Appropriated on the survey of the township in 1788 and 1796.
do.	do.	12	200	do	ditto
Augusta,	4th	18	200	do	Appropriated on the survey of the township 1793.
do.	do.	19	200	do	ditto
do.	the space between the above lots,	between the 18 and 19	50	do	ditto
do.	1st	N.7 part 15,	ab't. 150	do	ditto
Elmsley,	9th	4	200	do	Set apart by O. C. 29th April 1829.
do.	10th	26	200	Church of Scotland	Set apart by O. C. 10th January 1833
Edwardsburgh,	5th	18	200	Church of England	Appropriated on the survey of the township in 1793.
do.	do.	19	200	do	ditto
do.	space between the above lots 18 and 19,	do.	50	do	ditto
Lansdown,	4th	12	200	do	Appropriated on the survey of the township in 1796.
do.	do.	13	200	do	ditto
Leeds,	4th	12	200	do	Appropriated on the survey of the township in 1795.
do.	do.	13	200	do	ditto
Marlborough,	8th	15	200	do	Appropriated on the survey of part of the township before the division of the Province.
do.	do.	16	200	do	ditto
Oxford,	1st	East half 15	250	do	ditto
do.	do.	16	do	do	ditto
do.	6th	East half 15	300	do	ditto
do.	do.	16	do	do	ditto
Drummond,	1st	4	200	do	Set apart by Lieutenant Governor's Order of 18th December 1816.

## Return of Lands set apart as Glebes in the Province of Upper Canada.—CONTINUED.

Townships.	Concession.	Lot.	Acres.	For what Church set apart.	Date of Appropriation.
Adolphustown,.....	In rear of the town plot.	24	116	Church of England	Appropriated on the survey of the township before the division of the Province of Quebec.
.....do.....	do	25	116	do	ditto
Fredericksburgh,....	2nd	9	500	do	ditto
.....do.....	do	10		do	ditto
.....do.....	do	11		do	ditto
Thurlow,.....	1st	B. be'g. pt. of 4	18	do	ditto
.....do.....	3rd	16	200	do	ditto
.....do.....	do	17	200	do	ditto
Sidney,.....	6th	19	200	do	Appropriated on the survey of the township in 1795.
.....do.....	do	20	200	do	ditto
Ernesttown,.....	4th	13	200	do	Appropriated on the survey of the township before the division of the Province of Quebec.
.....do.....	do	E. $\frac{3}{4}$ 12	150	do	ditto
.....do.....	do	W. $\frac{3}{4}$ 14	150	do	ditto
Kingston,.....	4th	E. $\frac{3}{4}$ 12	150	do	Appropriated on the survey of the township in 1794 & 1795.
.....do.....	do	13	200	do	ditto
.....do.....	do	W. $\frac{3}{4}$ 14	150	do	ditto
Camden,.....	4th	19	200	do	Appropriated on the survey of the township in 1795.
.....do.....	do	20	200	do	ditto
Richmond,.....	4th	15	200	do	ditto
.....do.....	do	16	200	do	ditto
Cramahe,.....	Brok. Front	2	100	do	ditto
Eldon,.....	3d	W $\frac{1}{2}$ 5	100	Church of Scotland	Set apart by O. C. 5th Feb. 1831.
York,.....	2d from the Bay.	9	100	Church of England	Appropriated on the survey of the township in 1793 and 1794.
.....do.....	do	22	200	do	Set apart by O. C. 5th April 1800.
.....do.....	3d do	17	200	do	Appropriated on the survey of the township in 1793 and 1794.
.....do.....	2d E. Yonge st	14	200	do	Set apart by O. C. 13 Feb'y. 1816.
.....do.....	2d from the Bay.	6	200	do	Appropriated on the survey of the township in 1793 and 1794.
Gwillimbury East,...	1st East of Yonge street	E. part 110	175	do	Appropriated on the survey of the township in 1803.
Markham,.....	5th	9	200	do	Set apart by order of the Lieutenant Governor of 11th June 1818.
Tecumseth,.....	6th	17	200	do	Set apart by O. C. 3rd April 1830.
Tay,.....	2d east side Pen. Road.	{ 116 } { 117 }	200	R. Catholic Church	Set apart by O. C. 28th June 1832.
Ancaster,.....	5th	38	200	Church of England	Appropriated on the survey of the township in 1793 and 1795.
.....do.....	do	39	200	do	ditto
.....do.....	do	40	200	do	ditto
.....do.....	do	36	200	do	ditto
.....do.....	do	37	200	do	ditto
Barton,.....	4th	3	200	do	Appropriated on the survey of the township in 1788 and 1799.
.....do.....	5th	3	200	do	ditto
Saltfleet,.....	5th	4	100	do	Appropriated on the survey of the township in 1788.
.....do.....	do	5	100	do	ditto
.....do.....	do	6	100	do	ditto
.....do.....	6th	4	100	do	ditto
.....do.....	do	5	100	do	ditto
.....do.....	do	6	100	do	ditto
Binbrooke,.....	N. $\frac{1}{2}$ block 4	4	500	do	Appropriated on the survey of the township in 1794 and 1795.
Wilmot,.....	3d	South part 2	400	Roman Catholic and Presbyterian Churches of Guelph	Appropriated by O. C. 25 Oct. 1828.
.....do.....	do	3			
.....do.....	do	4			
.....do.....	do	S. W. 5.			
.....do.....	4th	3			
.....do.....	do	4			
.....do.....	do	5			

Return of Lands set apart as Glebes in the Province of Upper Canada.—CONTINUED.

Townships.	Concession.	Lot.	Acres.	For what Church set apart.	Date of Appropriation.
Louth, .....	4th .....	11.....	100..	Church of England	Appropriated on the survey of the township in 1788.
.....do.....	do.....	12.....	100..	do .....	ditto
.....do.....	5th.....	12.....	100..	do .....	ditto
.....do.....	6th.....	12.....	100..	do .....	ditto
Thorold, .....	.....	98.....	100..	do .....	ditto
.....do.....	.....	99.....	100..	do .....	ditto
.....do.....	.....	100.....	100..	do .....	ditto
.....do.....	.....	121.....	100..	do .....	ditto
.....do.....	.....	122.....	100..	do .....	ditto
Niagara, .....	.....	126.....	100..	do .....	Appropriated on the survey of the township in 1787.
.....do.....	.....	127.....	100..	do .....	ditto
.....do.....	.....	128.....	100..	do .....	ditto
.....do.....	.....	129.....	100..	do .....	ditto
.....do.....	.....	130.....	100..	do .....	ditto
Pelham, .....	7th.....	14.....	100..	do .....	Appropriated on the survey of the township in 1788.
.....do.....	do.....	15.....	100..	do .....	ditto
.....do.....	8th.....	14.....	100..	do .....	ditto
.....do.....	do.....	15.....	100..	do .....	ditto
Crowland, .....	3rd.....	10.....	100..	do .....	This township was surveyed between 1787 and 1795 when the Glebes were set apart.
.....do.....	do.....	11.....	100..	do .....	ditto
.....do.....	do.....	12.....	100..	do .....	ditto
.....do.....	do.....	13.....	100..	do .....	ditto
.....do.....	do.....	14.....	100..	do .....	ditto
Bertie, .....	5th.....	6.....	100..	do .....	Appropriated on the survey of the township in 1788
.....do.....	do.....	7.....	100..	do .....	ditto
.....do.....	6th.....	6.....	100..	do .....	ditto
.....do.....	do.....	7.....	100..	do .....	ditto
Grantham, .....	5th.....	3.....	100..	do .....	ditto
.....do.....	6th.....	3.....	100..	do .....	ditto
Wainfleet, .....	4th.....	15.....	200..	do .....	Appro'd. on the survey of the town'p. in 1793 & 1794
.....do.....	do.....	16.....	200..	do .....	ditto
.....do.....	do.....	17.....	200..	do .....	ditto
Humberstone, .....	4th.....	16.....	200..	do .....	Appro'd. on the survey of the town'p. in 1793 & 1795
.....do.....	do.....	17.....	200..	do .....	ditto
.....do.....	6th.....	18.....	200..	do .....	ditto
Grinsby, .....	do.....	11.....	100..	do .....	ditto
.....do.....	do.....	12.....	100..	do .....	ditto
.....do.....	do.....	13.....	100..	do .....	ditto
.....do.....	do.....	14.....	100..	do .....	ditto
.....do.....	7th.....	12.....	100..	do .....	ditto
Stamford, .....	.....	72.....	100..	do .....	Appro'd. on the survey of the township in 1787.
.....do.....	.....	78.....	100..	do .....	ditto
.....do.....	.....	88.....	100..	do .....	ditto
.....do.....	.....	89.....	100..	do .....	ditto
.....do.....	.....	106.....	100..	do .....	ditto
Clinton, .....	6th.....	10.....	100..	do .....	Appropriated on the survey of the township in 1788.
.....do.....	do.....	11.....	100..	do .....	ditto
.....do.....	do.....	12.....	100..	do .....	ditto
.....do.....	do.....	13.....	100..	do .....	ditto
.....do.....	do.....	14.....	100..	do .....	ditto
Willoughby, .....	4th.....	7.....	100..	do .....	The Glebes in this township were set apart on the survey thereof in 1787 and 1795.
.....do.....	do.....	8.....	100..	do .....	ditto
.....do.....	do.....	9.....	100..	do .....	ditto
.....do.....	do.....	10.....	100..	do .....	ditto
.....do.....	do.....	11.....	100..	do .....	ditto
Gainsborough, .....	3d.....	12.....	200..	do .....	Appro'd. on the survey of the town'p. in 1782 & 1795.
.....do.....	do.....	13.....	200..	do .....	ditto
.....do.....	4th.....	12.....	200..	do .....	ditto
.....do.....	do.....	13.....	200..	do .....	ditto
Oxford West, .....	5th.....	N. half 6	100..	do .....	Set apart by O. C. 28th Jan'y. 1828.
Harwich, .....	2d from River Thames	1.....	200..	do .....	Supposed to have been set apart on the survey of the town of Chatham in 1795.
Colchester, .....	In front of L. Erie	68 } reserved for a vil-	say 200	do .....	Supposed to have been set apart in the year 1798.
.....do.....	do.....	69 } lage and	for	do .....	
.....do.....	do.....	70 } glebe	Glebe.	do .....	

No. 8.  
GLEBE LANDS.

Amount of Acres set apart as Glebes previously to the Year 1800,—19,600	
.....do.....	In 1800,..... 200
.....do.....	1803,..... 175
.....do.....	1816,..... 400
.....do.....	1818,..... 300
.....do.....	1828,..... 500
.....do.....	1829,..... 200
.....do.....	1830,..... 200
.....do.....	1831,..... 200
.....do.....	1832,..... 260
.....do.....	1833,..... 400

Total amount set apart,..... 22,435 Acres.

S. P. HURD, S. G.

Surveyor General's Office, York, }  
7th February, 1834: }

*LIST of Ministers of the Church of England in the Province of Upper Canada.*

PLACES.	STERLING.			NAMES.
	£	s	d	
Adolphustown, .....	50	0	0	Job Deacon.
Amherstburgh, .....	100	0	0	Romaine Rolph.
Ancaster, .....	100	0	0	John Miller.
Bath, .....	50	0	0	John Houghton.
Beckwith, .....	100	0	0	Richard Harte.
Belleville, .....	100	0	0	Thomas Campbell,
Brockville, .....	100	0	0	William Gorming,
Carrying Place, .....	100	0	0	John Grier,
Cavan, .....	50	0	0	Joseph Thompson,
Chatham, .....	100	0	0	Thomas Morley,
Chippewa, .....	100	0	0	William Leeming.
Cobourg, .....	100	0	0	Alexander N. Bethune.
Cornwall, .....	100	0	0	George Archbold,
Fort Erie, .....	100	0	0	John Anderson,
Grimsbey, .....	100	0	0	George R. F. Grout,
Hallowell, .....	100	0	0	William Macaulay.
Kingston, .....	50	0	0	Archdeacon Stuart.
London, .....	65	0	0	Benjamin Cronyn,
Hamilton, .....	100	0	0	Ralph Leeming,
Markham and Vaughan,	65	0	0	W. F. Mayerhoffer.
Matilda, .....	50	0	0	B. Lindsay.
Niagara, .....	100	0	0	Thomas Crien.
Oxford, .....	100	0	0	Henry Patten.
Perth, .....	100	0	0	Michael Harris.
Cavan, .....	100	0	0	Samuel Armour.
Port Hope, .....	100	0	0	James Coghlan.
Prescott, .....	100	0	0	Robert Blakey.
Richmond, .....	100	0	0	Robert Short.
St. Catharines, .....	100	0	0	James Clarke.
St. Thomas, .....	100	0	0	Mark Burnham.
Toronto, .....	75	0	0	James MaGrath.
Williamsburgh, .....	75	0	0	J. G. Weagent.
Woodhouse, .....	100	0	0	Francis Evans.
Yonge, .....	100	0	0	Rossington Elms.
York, .....	137	10	0	Archdeacon Strachan.
Mohawks, .....	100	0	0	Saltern Givens.
Sandwich, .....	50	0	0	Wm. Johnson.
Osnabruck, .....	50	0	0	F. Mark.
Thornhill, .....	25	0	0	G. W. Mortimer.
Guelph, .....	25	0	0	Arthur Palmer.
Adelaide, .....	50	0	0	Dominick Blake.
March and Huntley, .....	25	0	0	James Padfield.

Total £ 3492 10 0

St'g. = £3880 11 1 Cur'y.

(A true Copy.)

JOHN H. DUNN.

*Letter from Archdeacon Strachan to His Excellency Sir John Colborne, respecting an endowment for the Incumbent.*

[COPY.]

TORONTO, 31ST JANUARY, 1835.

May it please Your Excellency,

On the first settlement of the City of Toronto, then York, and its establishment as the seat of Government, the following lands were set apart to form an endowment, with the view, as I have frequently heard, of making the living, at no very distant period, equal in value to the office of Puisne Judge in the Court of King's Bench:—

1st. Park Lot No. 11, on which the buildings of the Law Society are now erected, containing one hundred acres.

2nd. A square of six acres in the centre of the town, which, after deducting a portion for the church and burial ground, left upwards of two acres, to be leased or sold as building lots for the benefit of the Incumbent.

3rd. Five Glebe Lots, containing 1000 acres, viz:

- Glebe Lot No. 14, 2d Concession East of Yonge Street.
- do No. 6, 2d Concession from the Bay.
- do No. 22, 2d Concession from the Bay.
- do No. 9, 2d Concession from the Bay.
- do No. 17, 3d Concession from the Bay.

1st. In regard to the two first items I beg leave to remark, that on my removal to York in the spring of 1812, at the particular request of Governor Gore, General Brock, and the principal Inhabitants, I found that they were disposed of, and no longer the property of the Incumbent. I had likewise the mortification to discover that there was neither Parsonage House, nor any allowance from the Parish, both of which I enjoyed at Cornwall. General Brock, on learning these particulars, of which he was till then ignorant, engaged with much kindness to make the Living equal to Quebec or Halifax as soon as he had leisure to take the necessary steps; and he was pleased to add, that he felt himself bound in honour to do so, as he was the principal cause of my accepting the situation of Clergyman of York. The death of that excellent person in the field of battle, and the continuance of the war, prevented me for some years from troubling the Provincial Government with my private affairs; but on the return of peace, I considered it my duty to bring under the consideration of His Excellency Lieutenant Governor Gore the dilapidations which had been committed on the proposed endowments of the Parish.

The first Clergyman, the Rev. Mr. Radish, procured a grant in fee simple of the park lot instead of during his incumbency, and having sold it, returned to England. Thus a property, which would have yielded by this time several hundred pounds per annum, was lost to the Parish for ever.

In regard to the square of six acres, Archdeacon Stuart, who succeeded Mr. Radish, procured a grant of two acres of the portion not appropriated to the Church and Burial Ground, leaving, for the benefit of his successor, an insignificant strip across the middle of the block. The two acres thus improvidently alienated, are so happily situated, being opposite the Market, that they have since been divided into building lots, and yield a large revenue. Governor Gore was so struck with these facts, that he directed a special report on the subject to be made by the Executive Council, which was referred home for the consideration of His Majesty's Government; but it remained without answer till the matter was taken up by His Excellency Sir Peregrine Maitland, who felt strongly the hardship of my situation. Through His Excellency's kind and powerful interference, Lord Bathurst ordered

immediately a fresh endowment of lands to be set apart, equal in value to that portion which had been alienated; and although he could not, at so late a period, make up the whole loss which had been sustained, he directed that two thousand acres of land should be given to the Incumbent as some small compensation for the injustice done him, and that the Living should not in future be less than £500 sterling per annum; and in order to secure that amount, His Lordship commanded, that in addition to the allowance granted by the Society for the Propagation of the Gospel in Foreign Parts, which was £275 sterling, the further sum of £225 sterling should be paid out of any revenue in the Province at the disposal of His Majesty's Government, but on condition that this annual grant of £225 sterling should cease when the new endowment became available to that extent.

In consequence of these directions, His Excellency Sir Peregrine Maitland endeavoured, with much anxiety, to find an equivalent; but after repeated search, he could find only two acres to set apart in lieu of the portion of the former endowment, which had been unadvisedly granted, but this was far from being an equivalent, and so far Lord Bathurst's instructions were by no means satisfied. One of these two acres, being that on which the old Gaol stood, has been leased for £150 currency per annum—the other acre, being part of what was formerly the Hospital square, for £100 per annum; thus furnishing yearly £250 currency, or £225 sterling; and consequently the like amount ordered by Lord Bathurst is no longer paid to the Incumbent, who receives these rents instead.

The small strip of the old endowment, already noticed, ought to bring £80; but owing to the various difficulties, it has never yet realised more than £57 10s, and frequently less, per annum.

On the whole, the portion of income arising from the town lots which have been granted by the Crown in trust, for the benefit of the incumbent of this Parish, ought, when regularly paid, to amount to £310 currency per annum.

2nd. In respect to the five Glebe Lots, they have been in possession of the Incumbents of this Parish nearly forty years, with the exception of Glebe Lot No. 6, &c., which was occupied by Paul Marrian and his widow, whom neither of my predecessors nor I ever sought to disturb; but the lot can now be resumed without detriment to any one.

The profits arising from the four lots, which have been actually in my possession for nearly twenty-three years, amount at this date to .....£119 15 0  
Expenses incurred by clearing, fencing, surveying, and running disputed lines, &c.&c. 57 0 0  
at least.....

Leaving, during my Incumbency, at the highest calculation,..... £ 52 15 0  
or something less than £2 10s. per annum.

It is only of recent date that they have yielded anything, nor can it be expected that they will ever become property available for the support of the Incumbent, till they are made, by special grant, part of the endowment. In the meantime, the Incumbent has been exposed to the hardship of paying from a diminished income, an assistant, whom the increased duties of the Parish render necessary.

From this statement it cannot escape Your Excellency's observation, that during the first twelve years of my Incumbency, the Living was not equal to that which I enjoyed at Cornwall, while the duty was much increased, and the expense of living, the calls of charity, and sub-

scriptions to various institutions, were more than double. In truth, I could not have lived through this period on such a small income had I not possessed some private resources, which, instead of husbanding, as I had intended, to meet the increasing wants of a rising family, I was compelled to expend for their comfort and to maintain my own respectability and usefulness. Even now the Living is not on a par with Quebec and Halifax, where Curates and Evening Lecturers are allowed. Nor is it likely ever to equal in my time what General Brock led me to expect,—all which is the more to be lamented, since the emoluments of the Parish would have amounted, years ago, to more than their first intention, had not the principal part of their endowment been most unwisely alienated.

All which is most respectfully submitted by Your Excellency's, &c.

JOHN STRACHAN.

*Letter from Archdeacon Strachan to Colonel Rowan.*

[COPY.]

TORONTO, MARCH 3RD, 1835.

SIR,—I have the honor to acknowledge your letter of the 27th ult., requesting such information on the subject referred to by the House of Assembly, as will enable His Excellency to comply with the wishes of that body, and beg leave to state, that I never received any such sum as £824 sterling, out of the public revenue of this Province, and have no knowledge of the return to the House of Commons in which that charge is said to have been mentioned.

Perhaps, however, the charge, though erroneous in amount, may allude to two separate and distinct sums of money which were placed in my hands by His Majesty's Government in London, during the winter and spring of 1827, which taken together compose £800 sterling.—1st. The sum of £300 sterling, being my salary for 1825 as Archdeacon of York, which was not paid over to me till January 1827. 2nd. The sum of £500 placed in my hands to defray certain charges incident to procuring the Charter of the University of King's College; all of which was expended to the satisfaction of the then Secretary of State for the Colonies. In this matter I was employed, merely as Agent, and had no personal interest in the disbursement.

Having thus endeavoured to furnish His Excellency with the only information, which can, as far as I am able to conjecture, be supposed to bear upon the matter of inquiry, I may be permitted to add, that I never received any money from His Majesty's Government to which I was not justly and honourably entitled, and have therefore not the slightest objection to explain any and every pecuniary transaction, which has taken place between me and the Government, either here, or in England, to which the attention of the Legislature may be directed.

I have the honor to be, &c.

JOHN STRACHAN.

Lt. Col. Rowan, Civil Sec'y. &c. &c. &c.

*Copy of Despatch from Lord Goderich to Sir P. Maitland.*

[COPY]

DOWNING STREET, 28TH JUNE, 1827.

SIR,—You are already aware, that a Royal Charter for establishing a University in the Province of Upper Canada has passed the Great Seal, and of which Dr. Strachan is the bearer.

As Doctor Strachan was sent Home to solicit this Charter, and has been detained on the concerns of the Church and other matters of great interest to the Province, you will consider yourself authorised to make him such a remuneration from the Clergy Reserve fund, and any other fund at your disposal, as on account of the length of his detention in this country and the trouble and expense, to which he has been exposed may seem reasonable.

I have the honor to be &c.

GODERICH.

Maj. Gen. Sir P. Maitland, K. C. B. &c. &c. &c.

*Letter from Archdeacon Strachan to Colonel Rowan.*

[COPY]

TORONTO, 17TH MARCH, 1835.

Sir,

I have the honor to acknowledge your letter of the 7th inst. enclosing an Address from the House of Assembly, requesting various returns respecting Upper Canada College and the University of King's College, and beg leave to state for His Excellency the Lieut. Governor's information, that as the returns required seem to embrace a complete transcript of all the books of these Institutions, I very much fear that it will be impossible to satisfy the said Address to the letter, during the present Session of the Legislature, but every practicable exertion will be made, and in the mean time every particle of information that can be deemed either useful or necessary the proper officer has been directed to furnish with as little delay as possible.

In regard to one head of inquiry, numbered three,—“A copy of any communication from His Majesty's Government by authority of which £712 16 2 was paid to Archdeacon Strachan out of the College funds, as “expenses of a journey to England performed by him.” I most respectfully submit, that this money was paid to me in consequence of a despatch from Lord Ripon, then Goderich, dated, I believe, in June or July 1827, doubtless to be found in the Government Office.

To anticipate the trouble of future inquiry, it may be convenient to state, that confining myself merely to the expenses incident to my journey and long detention in England, a journey be it remembered made at the express desire of His Majesty's Government, I claimed and was allowed £1100, (eleven hundred pounds) payable in London, where the money had been furnished me on credit and chiefly expended, and where it remained at interest till repaid. This sum included £226 14 0 sterling, paid for the performance of part of my duty during my absence, and double passage money which the fulness of the ship obliged me to advance on my voyage homewards, leaving about a guinea and a half per day to cover my expenses while in London and on my journey.

My services were principally devoted to the subject of Emigration—to withdrawing the Clergy Reserves from what was judged an improvident sale. To the procuring an Act of the Imperial Parliament to dispose of one fourth of the said Reserves now in operation, and the Charter establishing the University of King's College.

From the nature of these various services it was deemed reasonable to pay one half of the eleven hundred pounds sterling, which including interest and exchange and difference of currency, amounted to £1356 13 4, from the Clergy Reserve fund, and one half from the funds of the University of King's College. The former half or £678 6 8, was paid in July 1828, the latter not till May 1829, at which time the accruing interest being added it came to £712 16 2.

The services I was enabled to perform were duly appreciated in England, and I feel justified in declaring, for it is now matter of fact, that they have been and ever will be beneficial to the Province, nor is the time far distant when the University of King's College, the Establishment of which on a more liberal footing than any similar institution in Great Britain or America, I was the humble instrument in effecting, will shed light and glory over the Colony, and embalm the names of its promoters in the grateful affections of posterity, when its ignorant and rancorous revilers are forgotten, or deservedly consigned to contempt and execration, as having been ready to sacrifice the most important interest of the present and future generations in deference to a popular clamour which they themselves had for the purpose excited.

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

Lt. Col. Rowan, Civil Sec'y, &c. &c. &c.

**No. VI.**

TO THE  
**Honourable the Commons House of Assembly of Upper  
Canada,**  
IN PROVINCIAL PARLIAMENT ASSEMBLED,  
**The Petition**  
OF THE  
**JUSTICES OF THE PEACE OF THE MIDLAND  
DISTRICT:**

*Humbly Sheweth,*

THAT your Petitioners, resident in the Town of Kingston, and in other parts of the Midland District, have, of late years, been frequently called upon to hear and receive information against Insane Persons, who had either committed some act of violence, or had excited in the minds of the Complainants just apprehensions that they would do some injury to themselves or their neighbours. It seldom happens that the Midland District Gaol is not occupied by one or more unfortunate individuals of this description; some of them strangers in the Country, without friends or relations to care for them, —and others whose friends and connexions are alike unable to provide for their support as they are for their safe keeping. Your Petitioners are aware that, by the Provincial Statute, 11 Geo. IV., Chap. —, some provision was made for the relief of Insane Persons in the Home District, and that its provisions have subsequently been extended to the other Districts of the Province; but, in cases of Insanity where restraint becomes necessary, if the restoration of the Patient to a sound mind be kept in view, it should only be that kind of restraint which is considered best adapted to promote the cure of the disease; & in such case where the lamp of reason appears to be so entirely extinguished as to leave no hope of restoration to light and life,—then will humanity suggest the means best calculated to cheer the gloom of dull idiotcy, or to soften and mitigate the unnatural energies of the raving maniac. It is under the consideration that our common Gaols do not afford the requisite accommodation for the successful treatment of Insane Persons,—and that our Gaolers, with any additional accommodation that might be provided for the reception of such individuals, are neither expected to be qualified for, nor to have leisure to attend to, the more difficult and responsible duties of superintending the Insane—

Your Petitioners beg leave to suggest to the humane consideration of your Honourable House the propriety of providing for the erection of a Provincial Asylum upon a scale sufficiently extensive for the probable wants of such as may require it, to be under such management as the Legislature shall, in its wisdom, see fit from time to time to direct.

Your Petitioners beg to refer your Honourable House to a Return of the Gaoler of the Midland District, hereto appended. Whilst this Return exhibits the names and number of Insane Persons committed to the Gaol of the Midland District since October 1830 to the present period, as well as the kind of offences for which they were committed,—it yet fails to convey any thing like an idea of the sufferings and wretchedness of these persons while in confinement, or of their hopeless and miserable condition when discharged. Not unfrequently individuals have been released under a conviction, on the minds of the medical attendant, the gaoler, and even the magistrate who had committed them, that their disease was becoming more confirmed by the kind of restraint necessarily imposed on them in their place of confinement, and the want of that soothing treatment that has of late been found so eminently successful in bringing back many wanderers to the light of reason, and ameliorating the condition of the greater number of the objects of its care.

All which is Respectfully Submitted.

**JNO. MACAULAY,**  
*Chairman Q. S. M. D.*

*Court-House, Adolphustown, January, 1835.*

**PETITION**  
OF  
**JOHN MACAULAY, Esq.**  
Chairman of the Quarter-Sessions of the  
MIDLAND DISTRICT,  
On Behalf of the Magistrates of said  
District,  
ON THE SUBJECT OF  
**Insane Persons.**

**INSANE PERSONS Committed for Offences from October 19th, 1830, to Jany. 13th, 1835,  
in the MIDLAND DISTRICT GAOL.**

Name.	Offence.	By Whom Committed.	When Committed.	REMARKS.
William Hawkins	Slabbing a Female with a Sword . . . . .	S. Yarwood, Esq. . . . .	October 19, 1830	Released November 18, 1830, by S. Yarwood, Esq.
Edward Matthewson	Breach of the Peace . . . . .	H. Smith and H. C. Thomson, Esqrs.	July 3, 1831 . . . . .	Released July 21, 1831, by H. Smith, Esq.
Hiram E. Whitney	Breach of the Peace . . . . .	A. Pringle, Esq. . . . .	July 10, 1831 . . . . .	Released July 13, 1831, by H. Smith, Esq.
Thomas Madden	An Assault on his Wife . . . . .	H. Smith, Esq. . . . .	July 10, 1831 . . . . .	Released August 10, 1831, by H. Smith, Esq.
John Minnie	Breach of the Peace . . . . .	H. Smith, Esq. . . . .	October 8, 1831 . . . . .	Released October 18, 1831, by H. Smith, Esq.
Jesse Purdy	Assault on his Mother . . . . .	H. Smith, Esq. . . . .	April 21, 1832 . . . . .	Released April 30, 1832, by H. Smith, Esq.
William Askin	Breach of the Peace . . . . .	H. Smith, Esq. . . . .	February 6, 1832 . . . . .	Released February 10, 1832, by H. Smith, Esq.
Mary L. Buchannan	Assault . . . . .	H. Smith, Esq. . . . .	March 24, 1832 . . . . .	Sent to York, 25th April, by Order of the Sessions
"	Assault . . . . .	John Marks, Esq. . . . .	May 15, 1832 . . . . .	Released May 23, 1832, by John Marks, Esq.
"	Assault . . . . .	H. Smith, Esq. . . . .	June 29, 1832 . . . . .	Released July 10, 1832, by H. Smith, Esq.
"	Assault . . . . .	H. Smith, Esq. . . . .	July 30, 1832 . . . . .	In Charge still
Sarah Harris	Assault on her Mother . . . . .	H. Smith, Esq. . . . .	October 5, 1832 . . . . .	Released October 15, 1832, by H. Smith, Esq.
Michael Tibbo	Assault . . . . .	John Marks, Esq. . . . .	January 24, 1833 . . . . .	Released January 31, 1833, by J. Marks, Esq.
Daniel Rice	Assault . . . . .	John Marks, Esq. . . . .	July 25, 1833 . . . . .	Released July 30, 1833, by J. Marks, Esq.
"	Assault . . . . .	H. Smith, Esq. . . . .	August 17, 1833 . . . . .	Released August 19, 1833, by H. Smith, Esq.
"	Assault . . . . .	John Marks, Esq. . . . .	August 31, 1833 . . . . .	Released September 8, 1833, by J. Marks, Esq.
Michael Bacchus	Assault on his Wife . . . . .	H. Smith, Esq. . . . .	December 23, 1833 . . . . .	Released January 27, 1834, by H. Smith, Esq.
Edward Matthewson	Assault . . . . .	A. Pringle and H. Smith, Esqrs. . . . .	July 13, 1834 . . . . .	Released July 30, 1834, by H. Smith, Esq.
"	Having Broken into a House of Worship . . . . .	By the Court . . . . .	August 6, 1834 . . . . .	Released September 29, 1834, by the Court
William Kelly	Assault on his Wife . . . . .	John Marks, Esq. . . . .	September 16, 1834 . . . . .	Released September 18, 1834, by J. Marks, Esq.
Edward Matthewson	Assault . . . . .	J. Marks and John Macaulay, Esqrs. . . . .	October 7, 1834 . . . . .	Released November 19, 1834, by the Court
Thos. M. Nicholls	Breach of the Peace . . . . .	A. Manahan, Esq. . . . .	December 13, 1834 . . . . .	Released January 9, 1835, by A. Manahan, Esq.
"	Breach of the Peace . . . . .	A. Manahan, Esq. . . . .	January 13, 1835 . . . . .	In Gaol

I Certify that the above Statement is Correct.—*January 13, 1835.*

**JOHN ASHLEY, Gaoler.**

NO. 7.

*Report of the Commissioners appointed to superintend the improvement of the navigation of the River St. Lawrence.*

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To His Excellency Sir JOHN COLBORNE, Knight, Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's Forces therein, &c. &c. &c.

*The Commissioners for the Improvement of the Navigation of the River St. Lawrence,  
Respectfully Report,*

That having ascertained from the Receiver General that the necessary arrangements were made for carrying into effect the provisions of the Act authorizing the improvement of the River St. Lawrence, the Board proceeded to the adoption of such measures as they considered expedient to facilitate the progress of the work.

Having every confidence in the capability of the gentlemen by whom the surveys of the last year were made, the Board were desirous to engage their services in the prosecution of the work, and accordingly they effected an arrangement with Benjamin Wright, Esq. as Consulting Engineer, and with Mr. J. B. Mills, as Resident and Acting Engineer, with instructions to Mr. Mills to organize the department by engaging the necessary assistants. An Agent and Secretary were also appointed.

Doubts having been expressed as to the eligibility of the route from Brownell's Bay to Mille Roches, as laid down in the plans submitted last year, and aware of the necessity for an observance of the utmost caution and circumspection in constructing a work that involves so much importance to the public interest, the Board were induced to apply to your Excellency to afford them the professional services of Capt. Cole, Royal Engineers, and to procure those of Messrs Geddes and Fleming, Civil Engineers, in an examination of the line; and their several reports, with those of the Consulting and Acting Engineer are appended hereto.

It is satisfactory to discover throughout these documents that strong testimony is borne to the professional skill of the gentlemen by whom the original survey was conducted, which, whilst it strengthens the confidence reposed in them, affords considerable relief Commissioners from the anxiety necessarily attendant upon so important a charge to the as that committed by the legislature to their management.

Although, on a perusal of these Reports, it will be observed that routes differing partially, and some wholly from the original one, are suggested—there is, in all of them, a union of opinion expressed as to its eligibility in connexion with local and uncontrollable circumstances; and whilst the improvements suggested by these professional gentlemen command the attention due to talents of such high order, Messrs. Wright and Mills were enabled to present such objections involving either extraordinary expense or insurmountable difficulties as afforded satisfactory reasons for the adoption of the route originally laid down by them, and approved of by the Legislature.

As the prosecution of the work on the Longue Sault Rapids would necessarily cause an interruption to the transport of goods, it was important to provide a remedy with as little delay as possible. An arrangement was affected with the proprietors on the American shore of the Rapids, by which an exclusive right in the land required for the purpose of a towing-path was vested in the Commissioners for five years, and a guarantee was obtained from the persons interested in the forwarding trade, that the sum expended in its construction, amounting, as per abstract, to £436 1 4½ should be reimbursed by the payment of a Toll which has been accordingly levied on the boats in transitu since the completion of the path; the difficulties and inconvenience which otherwise must have existed have thus been speedily obviated.

The Report of the Agent under whose immediate inspection the tow-path was completed, is appended hereto, which exhibits a statement of the probable amount of toll to be derived from it, estimated by the levies of the past season. The next measure to which the Board conceived it important to direct their attention was, to the setting out of the

## 2 Report on improvement of the River St. Lawrence.

lands required for the purposes of the Canal and causing the necessary alterations to be made in the highway, where it interfered with the bounds prescribed. These alterations are specified in the Report of the Resident Engineer on the subject, and have cost in the construction £ 636 1 6 $\frac{1}{2}$ , as detailed in the appended abstract.

These preliminary measures having been put in operation, the Secretary was directed to give public notice that the plans, profiles and specifications of the contemplated work were ready for inspection at the Office of the Resident Engineer, and that sealed tenders for its execution would be received until the 16th day of July. On the day appointed by public advertisement, the Board proceeded to the examination of the tenders submitted, and whilst in their choice of contractors they were scrupulously attentive to an impartial decision, they were equally careful in satisfying themselves of the moral eligibility of the applicants, and of the means they could command to ensure a fulfilment of their engagement.

Aware of the inutility in most instances of exacting personal security for the fulfilment of contracts on public works, the Board deemed it more expedient to introduce a clause into the respective agreements empowering them to withhold twenty-five per cent at each monthly payment from the estimated amount of work done; but as the unavoidable outlay of capital in the purchase of implements, &c., and in the erection of dwellings and offices must necessarily cramp the means of the contractors, and might have an injurious effect as respected the progress and completion of the work, the Board were induced, at the close of the season, to pay twenty per cent of the amount withheld, upon obtaining a conveyance of the property on the works, which, whilst it afforded to the contractors the means of paying off their workmen and meeting their other contingent engagements, left a sufficient guarantee for resumption of work in the spring, when the Board will be guided by circumstances as to the mode most advisable to adopt for securing the fulfilment of the contracts.

The salutary effect of prohibiting the sale of ardent spirits by the contractors on public works has been so abundantly experienced in the United States, that the Board were induced to adopt a similar precaution, and it is pleasing to know that the regulation has met the approval of the Contractors in their desire to prevent, as far as possible, the introduction of this source of mischief on the works, by discountenancing the licensed houses and stores where it is accessible to the workmen, and discharging from their employment all persons addicted to intemperate, or disorderly habits. Other regulations tending to the promotion of good order and peaceable demeanor have been inserted in the contracts, and no pains have been spared to provide against the consequences to be apprehended from so large a body of the working class employed in a comparatively limited space.

It next became the duty of the Board to direct their attention to the adjustment of the claims made upon them for the lands required for the purposes of the canal, and for the injury to property in the removal of buildings and the destructions of orchards, &c.; and the difficulties which presented themselves in the accomplishment of this important portion of their trust were of a character which, whilst they called for the most decided impartiality and firmness, required the exercise of much forbearance.

As may be looked for in all similar cases, the claims submitted were in many instances absurd, and in most of them exorbitant—and the Board, convinced that arrangements satisfactory to the claimants and strictly just to the public, could not be effected by them collectively at their stated meetings, and aware that as the work advanced, and the benefits to be looked for from the improvement became more clearly developed, the difficulty of adjustment would be increased, they appointed two of their members arbitrators on the part of the Commissioners at different points along the line, with power to arrange with the individual claimants, if practicable, or to meet their arbitrators and proceed in accordance with the provisions of the Act. In this particular item of the expenditure the sum disbursed, as is shown by the accompanying abstract, amounts to £ 10,102 11 7. A few claims remain yet unsettled, but they are unimportant, and sufficient has been effected to show that the Board has not been unsuccessful in the accomplishment of an arduous part of their duty.

From the indications of the soil composing the high banks at the Longue Sault Rapids, it was anticipated that a large quantity of stone would be found in the course of

## Report on improvement of the River St. Lawrence. 3

excavation, which, with the material to be had from the surface of the circumjacent country, would be sufficient for the construction of breakwaters for the purpose of protecting the works on the Rapids. Disappointed, however, in the quantity of stone found, and having ascertained that to persevere in this otherwise most desirable plan of operation, would, from the depth and rapidity of the waters, involve a great and uncertain expense, the Engineers deemed it prudent to suspend its prosecution and to submit for the consideration of the Board, the substitution of one or other of the plans suggested in the report upon the subject, in reference to this part of the work which is hereto appended. To the plan which proposes the diminution of the width of the Canal to fifty feet at bottom and carrying it within the bank, and independent of the river for the distance required objections were found to exist sufficient to overbalance the comparatively small saving in expenditure (estimated at £5,633 4 9). In consideration of the delay and risk of accidents to boats and the material injury to the appearance of the Canal, the Board were induced to decide upon adopting the plan which suggests the removal of the line for the prescribed distance within the bank and beyond the influence of the rapid waters, and retaining the width at bottom as originally intended and in correspondence with the other parts of the Canal. The report of the resident Engineer details the progress of the work to the close of the season; the estimated value of which, deducting five per cent. withheld from the contractors as a part security for the completion of their contracts amounts to £20,271 1 9,—this sum includes £4,716 10 2 for work done since the last monthly payment.

The expenditures already particularized, with the sum of £1,980 11 5½, the disbursements of the Engineer Department, including the salaries of the consulting and acting Engineers, &c. £200 for quarry privilege, and £779 18 5½ for general and contingent expenses, exhibit an outlay in the past year of £29,689 7 8, which has been met by an advance from the Province during the season, of £35,000 and the balance on hand at the commencement of the year £259 9 2, amounting together to £35,259 9 2, and leaving a balance undisbursed at the close of the season of £5,570 1 6 in the hands of the Commissioners.

The Board beg to refer your Excellency to the annexed report from the resident Engineer, relative to the expediency of prosecuting the contemplated improvements on the St. Lawrence from the Longue Sault to Prescott.

Accompanying the abstract of receipts and expenditures, for the past year, the Board transmit, for your Excellency's satisfaction, the several vouchers corresponding with the detailed statement of disbursements appended.

JONAS JONES,

*President of the Board,  
of Commissioners.*

*Canal Office, Moulinette, }  
14th January, 1835. }*

### APPENDIX.

KINGSTON, (U. C.) 10th June, 1834.

## *Report on the plans for the improvement of the St. Lawrence Rapids between Prescott and Cornwall, U. C.*

### *LES GALOPPES AND POINT CARDINAL.*

On these points there can be little or no difference of opinion.

### *RAPIDE PLAT.*

The rejection of Routes Nos. 1 and 2, in the Report of Mr. Mills, appears to be well founded on points of economy, and, I believe, on the comparative length of the route. The

## 4 Report on improvement of the River St. Lawrence.

only point appearing worthy of remark, is that it might be advisable to ascertain the exact velocity of current above Mr. Brattle's store; whether that current is uniform for the whole width of the channel, or might be avoided in ascending by taking advantage of eddies or counter-currents. If the unavoidable current does not exceed five miles an hour, it would remain at the option of the Commissioners to save one mile of embankment, and the purchase of the banks supposing each entrance to be equally convenient.

### *FARRENS POINT.*

The mode proposed appears unobjectionable.

### *ARCHIBALD'S POINT.*

The great judgment of Mr. Mills in his proposed route appears indubitable. It gives one and a half mile longer of good river navigation, is more economical, and is moreover essential to the proper following up of the system of river navigation proposed below. The only point I would suggest for the consideration of the Commissioners and their Engineers, being whether the head of the canal should not be placed at Tait's old store, or even a little below as far as safe from the draught of the rapid, thus giving another mile of placid navigation. The proposed entrance, if my notes do not deceive me, is at Stewart's Bay—this Bay appears favorable as an entrance in one point of view, and the objection is only one of economy, and the addition of another mile of river, unless it shall also be found that Stewart's Bay is more exposed to descending ice and timber than Tait's Store, where, I believe, the current rather inclines to the opposite shore—and secondly, whether by placing a sufficient number of mooring posts or heads of embankment, vessels waiting to descend, would not be equally or more safe from wind and current than in the Bay above—if all these points, or a sufficient number of them to warrant the change, are true, the saving in banks and purchase of land and houses might be spared, and Mr. Mills' judicious plan of river route, would be further followed up.

### *LONGUE SAULT.*

Here four routes present themselves—No. 1 is preferred by Judge Wright and Mr. Mills, being the land route from Longue Sault to the Bay below Cornwall, estimated at \$775,197 61cts—No. 2, by locking down into Brownell's Bay and obtaining a river navigation to Mille Roches by help of a Dam placed at the latter place, there cutting through above the Dam and joining Mr. Mills' inland route to the Bay below Cornwall. The expense as compared with No. 1, from documents furnished by Mr. Mills, left an advantage to No. 1 of about £18,000 after making deductions of the rate of cutting, not for the same depths, but as the additional cutting would be near the top instead of the bottom, as estimated by Mr. Mills, there was also a saving in the estimated price of Guard Gates—still further deductions might also have been made by following the shore for some distance below Mille Roches, as suggested by Judge Geddes and Mr. Fleming. This would have reduced the comparative expenses of Nos. 1 and 2 nearly to an equality. This plan has the defect of not taking sufficient advantage of River Navigation.

No. 3. The next plan which suggests itself is that of following the Banks of the River from Mille Roches, keeping the higher level of 8 or 9 feet above the River, and perhaps getting into the River at French's Lower Point. I do not know whether this plan was thought of by the Engineer employed, but it has the objection of heavy embankment exposed to the Ice, and still avoids the River too much—no estimate was made of this route, No. 4 appearing to meet the approbation of all parties either fully or with the reservation before mentioned

No. 4. This plan proposes to Lock down into Brownell's Bay, the surface of which is to be raised  $5\frac{1}{2}$  feet by a dam at Moulinette; a lock at the latter place descends 9 feet below the back water of a dam of nearly equal dimensions at Mille Roches, the descent is here made by two Locks, the first at or near the dam. It then appears a matter of comparative expense whether the 2d Lock should be placed in the Basin immediately below the Mill, and a cut made through the River bed to the deep water below Marsh's Point, the cutting averaging about 5 feet depth, chiefly boulders and loose stone, which plan was the one agreed on—or whether as I have since thought, it would be found better to keep the level below first Lock across the Basin, by embankment to the deep water below Marsh's Point,

where the second Lock would then be placed, with only lift enough to clear the bottom of the Basin, so as to save embankment; the greater part of lift being on upper Lock. This plan would avoid excavation under water, and the heavy consequent pumping. The expense of the heavy permanent embankment would not equal that of double coffer for excavating, and a large portion of the Basin would be left as a passing place within the embankment. It may also be considered whether the Mill can be saved, [and other damages to buildings,] by keeping on that side, or whether it will be expedient to place the Lock, and Canal, on the side next Sheek's Island, if this were done, a wash weir or embankment below would be necessary to carry off the Canal and Mill water, which latter would then be comprised within the embankment.

From Marsh's Point to French's Rift there is a fine expanse of deep water on the Canada side, within a reef extending nearly the whole distance—the current is trifling.

#### *FRENCH'S RIFT.*

At this point an embankment will start from the level above the Rapid and a cut through French's Upper Point will, with an embankment as far as Lower Point of that Bay, lead to a lock of small lift.—The cut through the Upper Point appears likely to furnish some good building stone, and sufficient for the whole work will be found on the spot if I am rightly informed. From French's rift is an open river navigation without much current to Maligne Point.

#### *CRAB ISLAND RAPID.*

I examined this part of the river in a boat with Messrs. Mills and Fleming, and (with the latter gentleman) I conceive the Rapid is under three miles an hour. The agitation over the island is from shoal water, and that in the channel from the meeting of two branches of water, which causes small whirls and ebullitions. On the shore and near Crab Island, the current appears more rapid. I have already mentioned to you in person that a closer trial is advisable.

#### *POINT MALIGNE.*

It is proposed to cut through this point and drop into Cornwall Bay. Thus far all opinions coincided; but you will perceive that the work is left imperfect, as the Rapid below and opposite Cornwall is left unabated, which is so considerable as to oblige the steam-boats to cast off their barges in tow, as you are aware: nevertheless this work being a separate one, may be left for consideration. I will merely mention my own views on the subject, which are considered by all the Engineers as perfectly practicable, and by the American Engineers as having been performed in the States, though not with so rapid a current to contend with, yet in equal depth of water, and Judge Wright has given the improved plan of making the wooden Crib work of the Dam, which I propose to be in pieces up and down stream, parallel to each other, and connected by heavy timbers after they are sunk. I will propose in a separate paper for the consideration, and under the hope of its being improved on by the Engineers employed, if they should advise its execution, I will, at the same time, give a sketch of its construction, as I would propose it, and an estimate, which (by allowing a greater length and depth than the soundings and measurements warrant,) I have made of its expense on a more solid scale than I had at first contemplated as to its thickness. This estimate I make to amount to £1410 for very solid timber work, and the sum of £4398 for filling in and sinking the Cribs with stone below and gravel above, not including Cables, Guys, and Anchors; which latter I think would not be advisable on account of the bad bottom. If it should be found otherwise, they might probably be borrowed from Government, as well as Crabs and Capstans.

The advantage of a dam at Point Maligne I have before stated to you, being, that the Crab Island current would be slackened, if not drowned by the water which would probably be raised higher than usual in Anderson's Gut, when only one channel remained for its passage. By the inverse operation of that usually expected from a dam, the Cornwall Rapid below would be destroyed, but the back water from Lake St. Francis would give 18 to 20 feet and upwards for a channel. The cutting through Point Maligne would be saved as an offset to the expense of the dam, the manner of sinking them and sustaining them until sunk. The only disadvantage would be the obstruction of the channel for the descending trade, in case the Massina channel is found inconvenient.

## 6 Report on improvement of the River St. Lawrence.

As to the formation of a dam being injurious to the Town by creating every year an extra flood, as once happened when a dam was formed of ice at Point Maligne, when, by the by, no additional flood arose to create fears, except at one Point, and which flood went down in an hour; I think I can show that the stone dam would, by reversing the usual formation of ice, create an opposite effect. But this, as I have said, I will propose in a separate paper, and will now only touch on another, plan which, if I mistake not, you hinted at when I had last the pleasure of seeing you: this is the continuation of the level above Point Maligne by cut and embankment through the Cornwall bay to, and perhaps through the lower point to the Lower Bay. This, independent of its disadvantages, would create a heavy expense in forming embankments to the level of the water, the material of which must be brought from a distance. Then the pumping out, inside this long embankment, in order to excavate to the depth of about five feet; also the cost of land, houses, and wharf. If the embankment were run along the island, the cutting would also be great and the embankment heavy.

### *General Remarks on the River Route.*

In altering their plan to meet the wishes of the country, Judge Wright and Mr. Mills stated that they were aware of the greater cost of No. 1 (the inland Route) but preferred the latter as a more perfect work. The latter gentleman thought the saving might be £60,000. I imagine that this will be found under the mark, but nothing certain can be given until a survey of the Points to be improved has been made. The first, and principal feature of the natural course about to be adopted, is the damming below Brownell's Bay—Having given the subject such consideration as imperfect accounts of the localities, and Mr. Ridout's map of Canada, enable me, to give before I visited the spot, I concluded that we might construct these works advantageously, and I found the reality greatly surpassing my expectations. If an embankment be thrown across the passage above Brownell's Bay to Sheek's Island, the water lock may be finished without pumping, and the dams below constructed without the usual expense of an artificial waste weir or the shifting of a temporary one in the dam itself as the work progressed. The water being thrown round the outer channel by this embankment, no difficulties remain to contend with. This bank, I advise should be permanent, with a masonry waste weir of sufficient dimensions to feed the Locks and Mills, with a spur or jetty thrown forwards (as at present from the Wooden Lock) to catch the upper level of rapid as it passes at right angles across the mouth of the passage, this difference of level is about two feet. The extra expense of making this work permanent would scarcely exceed that of a temporary coffer dam independent of the masonry cheeks of the sluice way—and a guard of 3 or 4 feet against the spring floods would be much less costly than the same guard placed on the Dam and Lock at Moulinette. The advantage would be acquired of relieving the works below at any time, in case of leak in the Dam or Locks, which may be required in spite of all previous care of the Engineers, from the carelessness of the Contractor, or from some defect in the Lock itself which would require remedy; much, it is true, may be done by previous care in the foundation of Dams, and the examination of the rock under them and the Locks—all apparent fissures being filled with cement and covered with a little masonry. The advantage, also, will be given by the bank above, of letting in water by degrees, and watching the effect produced, so that all defects may be remedied before the navigation opens. The backing might also be allowed some time to consolidate before the water is let in. This work I call an embankment because it does not raise the level of water, but merely retains it at the level required. All these details, and many more, will better be known to the resident Engineer. I will merely state, that the masonry of dams should be arched key work, well wedged up; this saves extra masonry, and if well performed, there is no use in mortar or cement being added, but broken stone and shingle should in either case be placed about 4 feet thick on the back of masonry to prevent the passage of the gravel and clay of the slope above. The water should not run over, for several reasons, and a guard of two feet will be ample against the wash of the surface water. All these arrangements were concurred in by the Engineer, and from hence downwards, no discrepancy of opinion appeared; all details being left to

the judgment of the resident Engineer, including the formation of sluices at each Dam. The works below Mille Roche will be covered by ice and water backed up during winter — This, from the testimony of the inhabitants, and the opinion of the Engineers will have no effect on the works as is proved by the wooden Lock. The ordinary rise is from 5 to 10 feet from Mille Roches to French's Rift, and the water is described as rising and falling with such gentleness as to leave all floating fences, &c. nearly on their proper site. This extraordinary rise which, 2 or 3 years ago affected the mill has not been known before by those who have resided on the spot during 27 years. The reaction on this occasion, was not occasioned by a dam at Point Maligne, but by that formed at French's Rift, which threw back on Mille Roches a sudden wash of water down the line.

I should have mentioned that, independent of the less expense in dividing the Dam, below Brownell's Bay, a separation of locks and a basin between them is secured for the time when an increase of trade will render that desirable. The saving of both mills is also an object of consideration. In taking the testimony of residents, due consideration has, of course, been had to local interests and prejudices which may distort opinion both here and at Cornwall. At the latter place the reaction is described as more formidable, but nothing to create fears for works of ordinary strength, particularly as they will be covered with water before the reaction commences.

The repairs of such works will be trifling, and less than those of a long cut or embankment. The interest of money saved by this route will soon pay for the whole cost of works below Mille Roches. It may be remarked that all embankments exposed to ice or powerful currents should have a retaining wall of crib work to the full height exposed to such action. This would be less costly in first construction and subsequent repair, as it will not require the heavy border of boulders and stone.

The river route is said to be imperfect as a Canal, but if Crab Island current is found to be trifling, and Cornwall Rapids be destroyed by a dam, I believe the term imperfect will no longer be applicable. The general advantages of a river route are too well known and appreciated to require remark, particularly as they need no professional knowledge to understand them, and come more under the notice of the trader and inhabitants in general.

I have the honor be be, &c.

P. COLE,

*Captain R. Engineers.*

*To Jonas Jones, Esquire,  
President of the Board of Commissioners  
for Longue Sault Improvements,  
&c. &c. &c.*

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*To the President of the Board of Commissioners for the Improvement of the Navigation  
of the River St. Lawrence.*

SIR,

In pursuance of your instructions I have examined the proposed Canal line from Longue Sault to Cornwall, more particularly that part of the route from Brownell's Bay to Cornwall; an account of which is respectfully presented.

The level of the upper end of the Longue Sault, carried past Brownell's Bay as proposed by Messrs. Wright and Mills, I have denominated the *upper level*, and the other route, which is to pass through Brownell's Bay, the *lower level*.

At the upper end of Brownell's Bay, the two routes separate from each other, and unite again at the location of the second lock above Wood's Creek.

The lower level leaves the upper, by locking down seventeen feet to the surface of Brownell's Bay: said Bay being raised five and a half feet by a dam at Mille Roche, holding up the water thirteen feet above its present surface of that place, thus producing a depth of ten feet water through the Bay.

The artificial lake thus produced, would afford a fine piece of navigation for three

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miles, but destroy the valuable water power of Moulinette, and what is more serious, produce, in the canal line to be carried from Mille Roche's onward in much of the distance for the first three quarters of a mile, cutting seventeen feet deeper than by pursuing the upper level, beyond which there is nine feet between the two levels. The saving in a long embankment after this lock, is about balanced by the excess in a deep cutting opposite French's Rift. From below said rift to the location of the second lock on the upper level, the excessive cutting still continues.

The following is a calculation of the number of cubic yards of excavation which the lower level exceeds the upper :

Past Marsh's Point to first lock	302,130 c. yds.	a 25 cts. per c. yd.	\$75,532
Past and below French's Rapid	153,268 "	18 "	27,588
On to second lock	54,440 "	16 "	3,710
Amounting to	- - - 509,838 c. yds.		Costing \$111,330

To this sum may be added the expense of a Dam at Mille Roche's. This dam, or water wier, as Mr. Clowes calls it, has been valued by him at \$4,000—by Mr. Mills at \$16,000.

Few localities equal this in the facility of making said dam, or founding a water lock at the head of Brownell's Bay: a low embankment shuts all the water from the north side of Sheek's Island, leaving dry land to build the water lock on at the head of Brownell's Bay, and the dam at Mille Roches. This embankment at the head of Sheek's Island, Mr. Mills values at but \$450—a canal from the head of Brownell's Bay to Mille Roches, he estimates at \$103,980.

No estimate having been made of the damage that would be assessed for the interference with the many buildings on this route, nor of the land which would be saved by following the river, a strict comparison of the first cost of the two routes cannot now be made.

The excess of excavation in the lower level may be made less than what is shewn by the calculation, which followed the line laid down for the upper level, producing a cutting opposite Marsh's Point of thirty feet in the deepest spot.

Cut through Marsh's Point near the River, then follow so near the River below French's Rapid, as to throw much of the spoil bank into it.

Lessening the expense thus may be objected to, as lengthening the line of Canal, but the line of the lower level would not then be longer than the upper, as a measurement on the map will shew. To examine this as it ought to be done, would require the laying out a new line past Marsh's Point, and from above French's Rapid to the location of the second lock.

The value of three miles of an artificial lake, instead of a Canal, would be the sett off against some excess of expense which probably will be incurred by following the lower level.

Unless the current at Potash Point is much greater than I have understood it to be, I am decidedly opposed to conducting it, through Cornwall village.

A route still different merits particular attention, to wit, passing through Brownell's Bay, when raised five and a half feet to a dam at Moulinette, here lock down seven feet to the surface of water to be raised by a dam at Mille Roches, this level to be carried in a Canal half a mile long through Marsh's Point, where two seven feet locks pass into the deep water below said point. Thus will remain the water power at Moulinette and Mille Roches, and a third below Marsh's Point, to both of these dams belong the uncommon facility of being built in a dry channel.

The entrance to the river now is into a wide and deep sheet of water, reaching to near the head of French's Rapid, where a short side cut, and low lock may be required, and perhaps some straightening of the channel for the descending navigation.

Onward the next difficulty is the Crab Island Rapids, for which there appears no remedy—as marked on the maps of the land route, there is but five feet fall in the river from below Mille Roches to the lower end of the swift water near Col. Anderson's—less than four feet of this fall must be from the head of French's Rapid, the distance something less than two miles. In one eighth of a mile in this distance, called Wright's Rapid, I found the

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velocity five and a quarter miles per hour. It is said to be more rapid near the shore where the trial was made, than near the middle of the stream.

At Maligne Point I found the current over five miles per hour, and have no doubt that the swiftest spot is over six miles per hour. The improvement required past this rapid will be a side cut and lock; as all vessels descending will pursue the natural channel—these side cuts will require but fifty feet width at bottom.

I have thus, Sir, communicated such information as I have been able to obtain. From the velocity of the several rapids in the river, to which I gave an early attention, I was soon disposed to entertain little hopes of Mr. Barrett's plan of following the river from Mille Roches downwards, and now expect little else than that the Crab Island Rapids will be found sufficiently formidable to condemn the river route. Of the level of Brownell's Bay, denominated the *lower level*, I entertain the expectation, that the survey of a line running past Marsh's Point, and from above French's Rapid to the location of the second lock, as I have marked it on a sketch of the river herewith submitted, will be found to diminish so much the excessive excavation which is found to exist, by calculating on the line of the *upper level* as to give it a preference over the route surveyed by Messrs. Wright and Mills; but in the event of little advantage being thus obtained, their route cannot be departed from.

Submitted with great respect by

Your most obedient

JAMES GEDDIS, Engineer.

Brockville, 7th June, 1834.

### *Report of Peter Fleming, Esq. upon the proposed improvements of the navigation of the St. Lawrence, between the head of the Longue Sault and the Town of Cornwall.*

*To the Honourable the Commissioners.*

As instructed by Philip Vankoughnet, Esq. I proceeded on the 2nd current, to make an examination of that part of the St. Lawrence within the terminations of a projected inland canal as surveyed and marked out on the plans of Mr. Mills, made under the direction of Mr. Wright, the head Engineer for the proposed improvements, and after viewing the route described by those plans, I have been led to consider this subject under three points of view, by which the navigation of this part of the river may be obtained, both for steam and other vessels, requiring ten feet depth of water.

The first of these is that throughout, by an entire canal of a hundred feet in width at bottom, and one hundred and forty feet on the water line, and of ten feet in depth as proposed by Messrs. Wright and Mills. The second compounded of a canal of same dimensions from the head of Longue Sault or Stewart's Bay, to fall into the river at Brownell's Bay, thence following the bed to Mille Roches, and from this last point, have a canal; or uniting with the route of Messrs. Wright and Mills, on which it continues downward to its termination.

The third which I now propose as new, is the same as the last to Mille Roches, but from here continuing in the bed of the river, or along its beach to the same termination as the others at Cornwall.

1st. On considering the first of these, namely, an entire canal, as now laid down by the Engineers mentioned, it appears to me to have been adopted under the impression of avoiding apprehended hazard from ice to any works which might be placed in the river between Brownell's Bay and Mille Roches, for on the left bank of this branch of the river the canal route is necessarily very circuitous and would be expensive to construct from the steepness and the brokenness of the ground, whereon much deep side cutting with heavy embankments must be made towards the river, for the level of the base of the canal, must be from thirteen to twenty-three feet above the surface of the river—which, in consideration of the magnitude of the canal proposed, becomes the more hazardous in point of stability, by being thus supported by new embankments.—At the upper side of

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Mille Roches village, the same route leaves the bank of the river and proceeds about one mile farther on the same level to the first lock. On the last part the cutting is very deep and through a soil of a quality as indicated by several places here, much disposed to slip, and which may require, I would fear, somewhat more than the estimated expense, although this might be sufficient to accomplish the same quantity of excavation of better ground. The continuation of this route to its debouche into the St. Lawrence presents nothing remarkable but the deterioration of the lands and town of Cornwall, which it passes through.

Such being the features of this proposed route of an entire Canal, I regard that part of it which extends from Brownell's Bay to Mille Roches as unnecessary and expensive, and which, in my opinion, should be entirely superseded, by adopting the river here in its stead, which brings me to consider the second route mentioned above.

2d. That part of an entire Canal route from Stewart's bay to Brownell's bay is to be considered as common to all routes which are required to surmount the opposite parts of the Longue Sault, therefore it is proposed as better than an entire Canal route, to drop into the level of Stewart's bay at Brownell's bay, about seventeen feet, by two locks, and by a dam at Mille Roche's, of the average height of twenty feet; to lock the water so as to give sufficient water, or ten feet deep upon the lower lock of Brownell's bay—the level then of this reach of the river will be one foot below the level of the second lock upon the entire canal route, consequently the level of this branch so dammed up, may be united upon the same level of the entire canal at the third lock, by reducing this lock to seven instead of eight feet of fall.

It now will appear on this route, there would be a great saving in expense, by the mere construction of the dam proposed at Mille Roches, instead of forming a canal along the bank of the magnitude proposed. As additional to this dam is only required a stop gate in the entrance here of the Canal, it would also be advisable to throw a dam of small height across the stream at a point above the position of the lock at Brownell's Bay, by which the waters from the Longue Sault may be always regulated, or occasionally absolutely stopped. The means of doing the latter would afford the dam at Mille Roches to be built on almost a dry foundation, and also the same for the locks at Brownell's Bay, which also would allow to remove any shallowness or impediments of the channel,—pauls or buoys may be afterwards placed to direct the course of deep water.

It appears that in one instance about three years ago, an icy barrier somewhere below Mille Roches caused the water and ice to back upon the river here, nearly about the height which this dam is now proposed, which circumstance, although it may not happen again, or be a rare occurrence, this would direct that a dam here should be of the most substantial materials, not only as regards stability and duration, but to be also characteristic of this magnificent internal improvement. That part of the canal belonging to this route from Mille Roche's dam to where it would join at the same level with the entire canal route proposed by Mr. Mills, is not intended to be the same; for the dam at Mille Roches may be placed considerably below where the latter leaves the bank, and which encircles the whole village—but the new line proposed here would follow the bank and on the road in front of the mill, which it leaves on the right and afterwards again falls upon the bank of the river; thence proceeds around Marsh's Point, after which it joins the entire land route near to lock No. 1. It is true that this part of this route would be more curved and winding than the opposite part of the other; but this would be sufficiently easy in navigation, and would avoid a deep cutting on the other. It would also not embarrass the canal by having the village not isolated, to which some communication would be required, were the canal to be made otherwise.

As the proposed part of this new route on the canal is not yet surveyed, the expense of it must remain undetermined until this is done, however, it is clear this proposed alteration of route, from Brownell's Bay, would afford a much better Steam Boat navigation than an entire canal, and which would be evidently many thousand pounds less expensive; also, if well constructed in the dams and locks, the whole would require little annual repairs; besides this reach upon the river would afford a safe protection for vessels to lay up in the winter months; for the dam here would form a barrier against all movements which might hereafter happen from obstruction of the ice below, and with a very ordinary dam

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above the works at Brownell's Bay, there could be no danger apprehended on this side, while this last dam would regulate the supply of water as required for this grand Basin, as well as for mill purposes, which then might be properly afforded from the dam at Mille Roches.

Thus far I would decidedly recommend these alterations as superior, both in respect of utility in navigation and towards reducing the whole expense to that of an entire route, as proposed by Messrs. Wright and Mills.

3d. The third route which I shall now describe is to be different from either of the above. inasmuch as those are chiefly entire canal communications which limits the navigation to a state that yet has not been found commodious for Steam Boats, and especially for that class necessary to navigate the St. Lawrence, also the depth of ten feet is a narrow limit for these, or even for sailing craft which may hereafter navigate this noble river, and the lakes, for it is evident the growing prosperity of this fertile country, will require every extent which can be afforded to commercial intercourse upon the magnificent Saint Lawrence, which will always be the great carrying channel to and from the ocean, and not only this, for those countries already under settlement along its shores, but also those on the farthest sources of its waters. Under these views, every thing like restriction or confinement within narrow capability ought to be as much avoided, as natural circumstances will afford more extended limits, which makes me conclude that either of the modes of navigation above described for this part of the St. Lawrence in question, is so much subject to this objection or that these would be more constricted than the natural condition of the present state of the River requires; for inextension by enlargement is peculiar to inland canal navigation, without a ruinous interruption to trade, and also an immense expense. Therefore instead of being thus limited by almost unalterable conditions of an inland canal, I propose, here to lay before the Hon. the Board of Commissioners, a navigation which will be exempt from this alleged objection, by the unavoidable or necessary part of a Canal being only an appendage to a complete River Navigation, suitable to all descriptions of vessels.

It is obvious that a canal is the only means of surmounting the Longue Sault between Stewart's Bay, and Brownell's Bay—then, as before, I propose to fall seventeen feet into Brownell's bay by two locks and maintain the height of water for the lower lock by a dam thrown across the stream at Moulinette, on which would be another lock, No 3; the depth of water on this lock would also be maintained by another dam at Mille Roches; on which would be the fourth lock. At this point, it becomes a matter of actual survey to ascertain from the depth of the river, and other circumstances respecting it below the dam, whether it would be better to add another lock here, or carry this forward below the village: but by either way we come to the level of the river at Marsh's Point, or that of the reach to French's rift—the whole fall to this, making a fall from Stewart's Bay of about thirty eight and a half feet, containing five locks. There being deep water above Marsh's Point, I propose to cut the shallow point here close in shore, of sufficient breadth and depth of channel and which, in length, does not exceed two or three hundred yards, and average depth not exceeding half of the required depth in hard bottom, which thus unites the deep water on both sides of this point, which would then extend from the Mille Roches dam-lock to French's rift, and would complete a river navigation from Brownell's Bay to the last point. Also at French's Point, I propose another lock [No 6.] to surmount this rapid, the fall of which cannot exceed two or three feet, and below this to Wood Creek, or Point Maligne, there appears, by my examination in a boat, to be no obstruction but that which would arise in ascending a current of the river—which thus completes our river navigation to Point Maligne. At the last point, or the mouth of Wood Creek, I propose that a channel of the required depth and breadth, as proposed above to be around Marsh's Point, be cut close in shore or on the beach, but this channel would be of a canal form by its having a bank thrown up from the bottom against the river, but only of sufficient height to retain the water at the highest summer level of Wood Creek. This canal would follow the shore to Cornwall Steam Boat landing, at which place I propose to place the last or seventh lock, from this lock the outside bank would be continued across the bay in a curved direction with the convex side to the shore, which would thus enclose a capacious basin; from this basin another channel or canal of the above description would be carried round Potash Point, and terminating in the deep water of Mr. Vankoughnett's Bay, immediately below. It is to be observed this last canal and basin would be the level of dead

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water of Vankoughnett's Bay ; for the lock here would not rise the difference of this level, and that of Wood's Creek, and by this arrangement, vessels of all descriptions could proceed in and out from Mr. Vankoughnett's Bay, or the river into the Cornwall basin without lockage ; or instead of this course a canal may be cut right across the land into Vankoughnett's Bay, which, if properly formed, would not readily be altered by the ice floods.

Such is the outline of an improved navigation on the river, as much as its natural conditions offer, and will admit, and which I venture to prefer as much superior to an inland canal for the same objects. But it is also proper to shew the grounds of this preference : first, as regards the effective communication in relation to the great commercial objects required of those improvements, and next the proposed dimensions and probable stability of the whole, but particularly of those works to be below Mille Roches.

Then the presumed advantages which the canal possesses over the river from Mille Roches downwards to Point Maligne, can only arise from the one being dead water, upon which a boat is supposed to be propelled with less power than can be done on the other, ascending against the current—also it may be advanced, regarding this part of the river navigation, that here a boat of small power would not be very effective beyond her own tonnage, if even powerful enough to ascend, whereas upon a canal a boat too small in power to ascend the stream, would still be so far effective in a canal. So far, then, would a canal be superior to the river, but this only on the distance between Point Maligne and French's Rift ascending, and which only can refer to a class of boats of very small power: for boats of sufficient power and proportioned to the navigation proposed, would be less effective in a canal than in the stream mentioned, from the resistance which would be caused by the swell of a canal acting as an opposite force to the motion of the boat which itself has produced: this resistance is very obstinate in all canals and which precludes the use of power of steam boats upon them, as it does high speed upon them attempted to be raised by horses, except of those boats drawing the least draught of water, such as light passage boats. It then must appear that the objection to this part of the river navigation can only apply in the case of using steam boats of small power, and this only in ascending trade, which consequently would limit the smallest size ascending to be not less than a certain power relative only to the proportion of trade going up, which may not exceed one third or one quarter of that descending—but within these limits the effective power of such boats would be more than in a canal which it would be expedient to construct. It then becomes a matter of trial or experiment to determine the power and class of steam boats which would be found most suitable to ascend this short reach of the river, namely, between Point Maligne and French's Rift.

If this navigation is termed imperfect by its limiting to a certain class of steam boats it is easy to show that this may also be made a dead water navigation, and be not so liable to repairs and keeping as an inland canal, and be much more capacious in both depth and breadth of channel; which also may be accomplished progressively without alteration whatever, of the works described on the part wanting dead water, that is, from Point Maligne to French's Rift, a distance only about two and three quarter miles.

Then all that I propose for to effect the last purpose, is to make a channel or canal in the bed of the river or close on the beach with a bank thrown up between it and the stream, of nearly the same form as that proposed above, to be below Point Maligne, only in this, the outside bank need be no higher than about two feet above the highest summer level, nor, I am of opinion, need not extend downwards from the lock of French's rift farther than would cover St. Regis channel, as from this point downwards, I presume the current on the left bank falls off, and would be more so after the bank proposed is made, which would cause dead water from its lowest extremity upwards to French's rift at this level. By these means a dead water navigation may be easily obtained with all the advantages of a much more capacious channel for steam boats than could be in an inland canal, and freed from many appendages and incumbrances attending the latter—also this would be suitable to every description of vessels, and especially to sailing vessels which in it would require little or no horse traction, as would be required for them throughout the whole length of an inland canal.

It next becomes proper to shew the dimensions of the works proposed, and also the prospect of their stability as these are now designed to be placed not only within the flood water boundaries, but within the bed of the river.

If the St. Lawrence had been a river liable to be much raised or depressed in its waters, or subject to periodical freshes by the rains, it would have been useless to have made the propositions of the works I have done above—but it is not subject to such fluctuations, as from its great magnitude it is not sensibly changed by any of its feeders below the lakes, while the wide extent of those lakes prevents the same changes from any sources above them, and consequently its summer level does not vary above a couple of feet. In this view we only have to consider the St. Lawrence as a stationary lake, but without the surges to which the latter is liable by wind and storms. Then we have little to fear for our works during the summer months—but in winter the scene is changed, as this river then presents only heaped and vast masses of ice—and particularly above its narrowed sections, which sometimes happen to become choaked with ice, which consequently dams back, and raises the water to overflowing its banks—it is during the movement of those local and temporary floods, and particularly at the breaking up of those icy barriers (which if immediately over or near our works) might much injure or destroy them if exposed to their force.

That part which calls our attention first, regarding stability, is the lock on French's rift, and the other at Cornwall, which are both between Mille Roches and Mr. Vankoughnett's Bay. In the construction of these, it is proposed they should project as little as necessary above the summer highest level of the river, say eighteen or twenty four inches, and with no projecting part above the coping of the chamber walls, and by having an independent stop gate below each. The gates of the Locks can be locked into their respective recesses during winter. It is very clear from this state of the Locks there is no obstacle presented by them to the moving ice under any direction which this may take, for during the temporary floods or shovings of ice by being dammed back, such is acting at much higher level, as upon the top of the banks where their movements are generally destructive to obstacles met there. The new wharves at Montreal harbor afford a good experiment regarding the safety of works being placed low in the bed of the St. Lawrence, to which yet no material injury has been done; besides almost every temporary or ordinary low work exhibits the same security every where on the banks along the river. The channels mentioned to be cut around Marsh's Point, and Point Maligne, are proposed to be not less than one hundred and twenty-five feet wide in the bottom, and where an outside embankment is necessary, as at Point Maligne, to keep the water level of Wood Creek; this I propose, twenty-five to fifty feet wide at top, and its side slope one to two and a half on the inside, and the natural bank made or dressed up to the same slope, leaving a tracking path of ten feet in breadth, of the same form, in a cross cut, if made from Cornwall basin to Mr. Vankoughnet's bay, and also of the embankment across Cornwall bay. The width of channel proposed for dead water running down from French's rift, I would propose to deepen to 150 feet wide at bottom, and its outside embankment 50 feet wide at top; this embankment need not be raised above two feet above the highest summer level of the river; also the land bank is to be provided with a tracking path the same as described above, and the face of it also dressed up to a slope of one to two and a half, and where it inclines to slip one, to three. Such outside embankments may be chiefly made out of the deepening of the channels opposite, or from the river bank, by which the direction of the Channel will be made straighter than if following the natural shore, but no more need be cut than make the opposite portion of the river embankment, at any point except where a greater breadth is to be taken by crossing a curve or bay of the shore.

It is almost needless to observe from the lowness or little projection of all these works necessary to complete this navigation, and thereby presenting no real obstacle to the stream of the river; there is little to be apprehended of their being disturbed or seriously injured either by the rise of the river or movement of the ice.

In the proposed line of river navigation, I think it advisable to construct all the Locks to twelve feet water, which would be a better proportional depth for this than ten feet, as has been proposed for the inland canal; for although only ten feet channel is first obtained on the river route, the additional two feet may be progressively added as required, and more easily, as a dragging machine which I advised for, and is now obtained for the Lower Province, is the most effective in use.

In the above I have attempted to shew the most natural and best adapted line of navigation, not only in my opinion most suitable for the great object of accomplishing a perfect

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Steam Boat navigation throughout the St. Lawrence—but most appropriate in its localities, by retaining all the privileges of the lands and property along this route. All which I respectfully submit.

PETER FLEMING,

Cornwall, 9th June, 1834.

### *Report of Benjamin Wright, Esquire, Consulting Engineer.*

#### Considerations on the choice of route for the Canal at Longue Sault.

1st. The high level as reported last year will probably cost from 100 to 120 thousand dollars more than the river route.

2nd. The damages will no doubt be much greater to individual property on the high level than on the river route.

3rd. There will be more danger of breaches of the Canal than by the river route, as it is found that with ever so much care there are breaches in all new Canals, and the frost will be more injurious to the high level than the low, or river route in after time.

4th. The river route can be descended sooner and easier than the Canal or high route, as boats would scarce ever pass the locks at French's Rift, and never the one at Maligne Point.

5th. It is probable there would not be much difference in time in ascending by the two routes for steam boats of power sufficient to ascend Crab Island Rapid.

#### IN FAVOR OF THE HIGH LEVEL.

1st. It may be said to be out of danger from ice.

2nd. It overcomes all velocity of current to a point below Cornwall, where but gentle current is found, to Lake St. Francis, and no further additional work will ever be required between the head of Longue Sault and St. Francis.

#### RIVER ROUTE.

1st. There is danger of ice injuring the works at Point Maligne, and at French's Rift, and some little at Mille Roches, if the lock is carried down to Marsh's Point, which I think it must be.

2nd. There will be more security against accidents or breaches (ice excepted) on this than on the high level.

3rd. Although it is estimated by Mr. Mills that the difference will be 100 to 120 thousand dollars in favour of the river route, and although, Mr. M. has estimated (to appearance) pretty liberally, at each separate improvement below Brownell's Bay, yet it ought to be understood by the Board that where there is so much water work no estimate can be relied on. There are several favorable formations such as rock for lock bottom at Moulinette, perhaps at French's Rift, and it may be at Mille Roches, but I think not.—Where there is rock, the timber and plank for foundation will be saved: this would go towards pumping the lockpits to the amount of 3000 dollars nearly—it is true that we can perhaps make the current at these different places pump the water, but in doing so we incur considerable expense in machinery.

The whole question turns upon the point.

1st. Whether the River improvement is pretty safe from injury by ice.

2nd. Whether it reduces the difficulties of ascending navigation between Cornwall and the head of the Longue Sault, to be as easy as many places between the Longue Sault, and Prescott, which are never expected to be improved.

3rd. There is a view of the river plan of improvement at Point Maligne which deserves to be well digested viz:—whether a dam across the river would not have an effect to check the velocity of the current at Crab Island; my own opinion is, that it would pro-

## Report on improvement of the River St. Lawrence. 15

duce a variation of one quarter less in the velocity, and it would make good navigation below and above Cornwall, to the head of Cornwall Island. It would deprive Cornwall of all descending navigation except when the boat had business there, as all others would go down the St. Regis Channel.

4th Whether should it be found that all kinds of boats could not ascend the Rapid at Crab Island, can there be an extension of the improvement from the proposed one at French's rift down to, and past Crab Island Rapid. I think this can be answered in the affirmative; but it will be pretty expensive, and still more in danger from ice than any other of the works, but it will not probably cost as much as the difference between the river route and the high level, unless the lock constructed below French's rift should be lost and transferred below Crab Island, or near to Colonel Anderson's—this depends so much upon the question yet to be settled viz: whether a dam shall be erected at or above Cornwall. If a dam shall not be erected, then it presents a question whether the improvement begun at French's rift ought not to be continued down at once to below Crab Island Rapids.

This question I think should be settled by further examination to ascertain what the velocity of current at Crab Island, is per hour, and reflecting well upon the greatest velocity which it is intended to permit in any part of the river unimproved when the whole work shall be complete from Montreal, to Prescott at a day twenty years hence.

Respectfully submitted

BENJAMIN WRIGHT,

Moulinette, June 11th 1834.

To Jonas Jones Esq. President, &c.

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*Report of J. B. Mills, Acting Engineer,*

*Jonas Jones Esq. President &c.*

SIR,

I am not aware that any communication by way of report is expected from me on this occasion, but as the subject of the plan and location of the contemplated improvement, of the St. Lawrence, from the head of the Longue Sault, to Cornwall, has been one of general remark and discussion, and as opinions much at variance with each other in relation to the propriety of the plan as proposed have been advanced, and strongly contested—and as this general discussion has no doubt, had much effect in producing a change in the minds of some men as to the wisdom and expediency of said plan; perhaps it may be desirable and expected that those who have taken an important part in the projection of those plans, should give the reasons which deterred them in the plans as presented, and whether upon further consideration, they recommend them, or what changes, if any, they would make.

On my return to your service, finding this subject exciting much interest, I was led to reconsider and examine the plans in question, and I believe I have been able to do it free from prejudice.

I am free to say, and do it most unhesitatingly, that the more I consider them, the better satisfied I am with their location, this however, is in view of reasons which influenced mainly in the original determination. Immediately on my arrival in Canada, in April, 1833, and on my first interview with you sir, and two or three other members of the Board of Commissioners, I was desired to visit Cornwall, to observe the position and operation of the ice; at least so far as this could be done at that late date. From several members of the Board, I heard representations of the collection, dams and jams of ice that were truly astonishing and singular. These representations are corroborated by all intelligent and observing men in the vicinity of the projected works—the opinion seemed settled and confirmed that the works of the proposed improvement must be so located as to have as little to do with ice and floods as possible. Having had much experience in listening to representations of a similar kind, I was not greedy in swallowing them all,

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As such operations in large streams ever leave marks of their effects; I presumed they were to be found along the banks of the river; accordingly, I observed such effects as the tearing up, breaking, and scarifying of trees, and concluded that the accounts might be *half* true, and if so, there was good reason for keeping as clear of exposure as possible in the construction of the works in contemplation. Floods, though free from ice, when they deluge a line of canal with earthen banks, ever cause great derangement and expense of repairs, and it is generally considered, by men conversant with matters of the kind in question, that such works ought not to be exposed to the danger and hazard of inundation—thus I viewed the subject sir, and accordingly I acted. As in the course of the past year I am not aware of any important change in the laws of nature or in the consequences of their operations, I am to presume that the danger of exposing works of the kind in question is as great to day as it was one year ago—therefore I have not seen any reasons for taking a different view of the said plans and locations.

In the course of the examination which has recently been made by professional gentleman who have been requested to consider and report upon the plan and location of the projected improvements passing the Longue Sault, many suggestions have been made, and changes proposed, some of them were soon abandoned, and others seemed to demand consideration, and comparative estimate. I wish briefly to refer to three plans that have been considered, and I believe abandoned.

1. The one proposed involving a dam of the St. Lawrence at Point Maligne, near Cornwall? This plan, I believe, is abandoned, not however, because of its impracticability, but rather from its inexpediency, all things considered

2. Passing Longue Sault by the original route—then dropping into Brownell's Bay, raised five or six feet by a dam at Mille Roches—thence passing the original line nearly, and reduced seventeen feet to Cornwall, I have made an estimate of the expense of this plan of improvement, and find it costs about £4,000 more than the plan recommended to your Board last year.

3. A similar plan to the second so far as Mille Roches—thence pursuing the shore of the river to Cornwall. This plan, as it would be at the height along the river most in danger from ice and floods, therefore requiring extraordinary protection and guard, it was concluded from some comparisons that were made, would cost more than the second—one other plan has been proposed which is to take the lowest levels possible from the head of Brownell's Bay to Cornwall, which may be called an improvement of the river navigation as follows:

4. Drop into Brownell's Bay, raised five or six feet by a dam at Moulinette. At Moulinette drop into a pond made by a dam at Mille Roches. At Mille Roches drop into the river at the foot of the fall at this place; thence pursuing the river to French's Rift, through which cut, and drop into the river below it—thence following the river to Point Maligne, through which cut, and drop into Cornwall Bay, where terminates the improvement. This plan, you may know, is not altogether new, at least it is as old as the spring of 1853, most of which was proposed to me by several persons at that time, and all of which has been more or less considered by me in the course of my surveys in reference to this improvement—however it does not receive from me so much serious consideration for the reasons which I have above stated. I believe this plan is thought well of, by at least two of the gentlemen who have recently visited the ground. I am very decided in the opinion that it is the best plan, if the original one is to be departed from, and the levels reduced—therefore I determined to furnish the Board with an estimate of the expense of it at this time. In the interval of the departure of the gentlemen who have visited us, and the meeting of the Board of Commissioners, there was not time for a minute survey with direct reference to this improvement.

In the course of my surveys the past year, all these points were passed over, and more or less examined; and are all accurately laid down on the plans presented to the Board, I furnished with data for an estimate which will approximate very nearly to the truth, and will enable the Board to act upon it with safety.

## Report on Improvement of the River St. Lawrence. 17

The following are the results of the estimate on the plan of making the several improvements fifty feet wide at the bottom.

Expense accruing near the foot of Longue Sault and at the head of Brownell's Bay,	-	-	-	\$14061	00
Ditto at Moulinette, (here I propose to make the improvement at the Sheek's Island side,)	-	-	-	44203	00
Ditto at Mille Roches (also on the Sheek's Island side) at present it is uncertain at which side it would be advisable to locate the work at this place, minute examination of the channel below this fall will be necessary to determine it. If it is found to be better to take the northern, or main shore, it must be at the expense of the hydraulic works, here at present, and the improvement will be longer, and cost more than this estimate,	-	-	-	\$50,647	00
Ditto at French's Rift,	-	-	-	34,859	00
Ditto at Point Maligne,	-	-	-	80,697	00
Lockage same as on the original route,	-	-	-	301,032	00
Original line between same points costs	-	-	-		627,681
					<u>\$102,182</u>
					<u>00</u>

Here we have about £25,000 in favor of the River Improvement, to which is to be added whatever extra amount of damages would be incurred in pursuing the original plan. The several improvements would take up about two miles, and the remainder would be river navigation. In the above estimate I have allowed quite liberally so far as foreseen expenses are concerned, but in the prosecution of works of this kind where so much of it is in the water, a great amount of unforeseen expenses generally occurs, and the expense may be swollen beyond the present estimate. It is a favorable feature of the river plan, that for so great a part of the distance you occupy the river, consequently that you have so much less canal in danger of derangement and requiring repair. The works in contemplation will certainly be safer at either extreme of the height of the floods than at any point between (considering the location as it respects the line the same) consequently if the works are not quite up, then the nearer they are to the point of the waters subsided the more safe they are. Upon the inland route you will observe that your works are not only up but off, out of the way of danger from ice and floods. By these remarks, I wish not to disguise the fact, that there may be accidents, and that there is danger of breaches and interruptions in the use of similar works whatever be their situation, and whatever be your forecast and precaution; but in the case before you, the probabilities of interruptions, derangements and expense of repairs in the one, hardly deserve to be named when considering the other.

The river plan appears favorable, when considering the first expenditure—but before you pronounce it the economical, the judicious, and altogether the best plan to be pursued, you must consider what it accomplishes, and what you have got for your money. In the first place you have got an imperfect improvement, and one which does not secure the ends contemplated—secondly, the works and construction of the improvement, the business, the commercial operations of the whole country are jeopardised upon an expected and oft occurring casualty, which may be avoided for the sum of 25000*l* or 30,000*l*—Thirdly, in case of repairs being necessary they must be done at greater expense, and the same advantage cannot be taken of the season for repairs. These are matters which are perfectly within the comprehension of your Board, and I hope they will receive the consideration which they deserve. Either, sir, there is little or no truth in the accounts and representations concerning the operations of the ice and floods, or else there is great and imminent hazard in placing so important and expensive works in danger from their effects. Had this question come up in the shape it now does, one year ago, I believe that it would have received much less attention; at the same time I am not aware of any light having been thrown upon the subject or any new development concerning it in this interval.

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Thus, sir, I have endeavoured to give a full and fair view of the question which now comes up for consideration in the responsibility which the Board must assume should they be disposed to change the plan of the contemplated work. Some doubts have been expressed as to the advantageous use and consequences of steam operating in the usual way in propelling boats and vessels upon a canal. I admit, sir, that there is not as much experience on this subject as would be desired; but to the case in hand; at farthest your pieces of canal are short, and your traffic and managements must be in reference to a canal business. Suppose the original plan adopted—you have, say ten miles of canal upon which you can move four to five miles per hour—suppose it only four miles (and I should not recommend a greater velocity in the first instance) you are two and a half hours in passing through, and I am inclined to think that the same time would ordinarily be taken in pursuing the river, considering the currents at various places which must be encountered.

In considering this subject, sir, you have probably had in mind the commotion and agitation of water caused by a boat moving at a velocity of from ten to fifteen miles per hour—this is one case; but it is quite another for her paddles to move so as to drive her only four or five miles per hour (a sight we never saw). At this velocity I apprehend no inconvenience from the abrasion of water—therefore attach no very great importance to the circumstance of having a few miles more of river navigation.

Respectfully submitted by  
Your obedient servant,

J. B. MILLS.

Moulinette, June 12th 1834.

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### *Review of preceding Reports.*

*To the President and Board of Commissioners for improving the Rapids of the St. Lawrence river, below Prescott in Upper Canada.*

GENTLEMEN,

Being requested by some of the Members of your Board to reconsider and revise the opinion made by me officially in July, 1833, in regard to the route for a canal or river improvement on that part of the river called the Longue Sault. As public opinion had suggested that some alteration might be made to advantage, I was myself desirous to re-examine the whole matter, and see whether alterations could be judiciously made, of such a character as to make as good a navigation, and economise also in the expenditure. I have therefore examined the original plans as proposed by Messrs Clowes and Barrett, and also the plans as reported by Judge Geddes, of the present month, the plans of Captain Cole, Royal Engineers, and the plan proposed by Peter Fleming Esquire.

There are merits in all these projects, but there are to me very great objections to some of the details. I have come to the conclusion, in my own mind, that the river St. Lawrence would be sooner or later improved to make a steam boat navigation in every part where there was a velocity of current that could not be avoided of much over four miles per hour—all currents of that velocity and under, would never require improvement, for steam power in ascending with heavy burthens or for towing barges. Assuming this as the ground for eventual improvement of the St. Lawrence above Montreal, I have compared all the various projected alterations in the plans at that place. I have examined into the probable effect of ice upon any works along the river shore,—I have looked, and ascertained the velocity of current to be overcome at Crab Island rapid, and at Point Maligne; at the former in its strongest part six miles per hour, and the latter eight miles, Potash Point, below Cornwall, four and a half miles—and I have examined the various proposed plans for improving these difficult places, and after a full view of all the various suggestions of gentlemen of skill and talent, and whose opinions are worthy of great consideration and respect, I have come to the conclusion that the plan as recommended in 1833 is the one that I still think the best to make a perfect navigation, brought to the scale I have before given, and I still recommend it. If the Board should

## Report on improvement of the River St. Lawrence. 19

depart from this plan, I should next recommend the plan as given in a general outline by Captain Cole in his report, which I will give in detail.

1st. From the head of Longue Sault, carry a Canal to Brownell's Bay, and then descend by two locks, about seventeen feet.

2nd. Raise the water of Brownell's Bay by a dam at Moulinette to a height five and a-half feet higher than the present surface—make a lock at Moulinette on Sheek's Island side, and descend seven or eight feet—raise the water between Moulinette and Mille Roches by a dam at the latter place about five or six feet higher than its present level, and from this dam at Mille Roches carry a canal along the bank on the North shore to a point near an old store house, then let down by a lock six or seven feet.

3rd. Bank across the small bay above Marsh's Point, and cut hard upon the point, and drop another lock into good deep water in the river toward the lower end of Marsh's Point.

4th. Follow in the river to the shallow water above French's Rift, or rapid—thence cut a canal from a third to half a mile on the shore, and drop a lock into good deep water below the rift and navigate the river from thence to Wood's Creek, above Point Maligne—there begin a work along shore and by a hard cut through Point Maligne, end at some point in Cornwall Bay.

This work would be cheaper, probably, than the work as reported last year—its imperfections are, the velocity of current (six miles per hour) at Crab Island as before mentioned, and at Potash Point, four and a-half. It may be asserted that we ought to continue our Canal from French's Rift, and carry our lock down to near Col. Anderson's, below the Crab Island Rapid. I should be disposed to recommend this if the river route is taken, and although there is every reason to believe that the effect of the ice formation above Cornwall will do serious injury to this part of the work, still it is possible that we are mistaken, as no Engineer can say what will be the certain effect of ice formation of the character represented as *nearly annually forming on this part of the river*. From the representations of the people who have resided on the bank of the river for forty years, I should fear the effect of this ice, and the current of water passing in and through it in its large sheets set edgeways. These are my views, gentlemen, and the view I have taken of a change which I should advise if the plan of 1833 is departed from—which I do not recommend.

Very respectfully, I am,  
Gentlemen,  
Your obedient servant,

BENJAMIN WRIGHT,  
*Engineer.*

Cornwall, 13th June, 1834.

Moulinette, 13th June, 1834.

SIR,

On Returning from Mr. Reddick's, I have made some estimate on that part of the plan, as proposed by Peter Fleming, Esq. which he calls *new*. You observe, sir, that he follows very much the line that I do on the low level—he makes a little alteration at Mille Roches, and extends the works from Wood's Creek, (just above Point Maligne,) along the stream to the bay below Potash Point.

The work at Mille Roches, as proposed by him, will cost \$25,000 more than my estimate for this place, on the same level. The work from Wood's Creek to Mr. Vankoughnett's Bay, constructed as he has proposed, will cost, protected as it ought to be, \$232,301, this sum reduced by \$102,182, (see the communication I addressed to you this day,) and there is left \$49,422, which is the expense of his work, over and above the inland route, as proposed to you last year, to which add the above \$25,000, and we have \$74,422 plus the inland route. If found necessary, he proposes the formation of a bank in the margin of the river from French's Rift, extending down to about opposite the St. Regis Channel,

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distance two miles. This bank, as he has specified, will cost \$225,000 which must be added to the above \$74,442, making \$299,422 plus the inland route. Had I time, I would refer to other parts of Mr. Fleming's report which I think demand comment.

Very respectfully,

Your obedient servant,

J. B. MILLS.

13th June, 1834.

To Jonas Jones Esq. President &c.

### *Report of Mr. J. B. Mills, relative to setting out the Lands required for the purposes of the Canal.*

To Jonas Jones Esquire, President &c.

SIR,

In relation to the Resolution of the Board of Commissioners, on the 14th June, "That the Engineer, as soon as convenient, set out the lands required for the purposes of the Canal, pursuant to law, and cause the alterations required in the road to be made," I beg leave to report.

1st. Concerning setting out the Lands :

Little has been done at this, except so far as the line has actually been staked out for execution, and it will be proceeded in as we proceed in laying out the line for construction. In cases where buildings are to be moved, for which damages are claimed in connexion with claims for occupation of land, the boundaries will be speedily defined.

2d. Concerning the alterations of the road :

This was required at three points—

1st. Opposite the Longue Sault about half a mile.

2d. Passing Moulinette, beginning at the military or post road, on the farm of Mr. John Bailey, thence crossing a part of his farm, also the farm of Mr. A. Dixson, Mr. Brownell, Mr. Forsyth, Mr. H. Amiable, and others, and terminating at the King's Highway, near said Mr. H. Amiable's—length of this change being about one and a half mile.

3d. Passing Mille Roches, and through the estate or farm of Mr. Marsh, deceased, distance little more than half a mile.

About the time that we were receiving tenders for the Canal, I made it known in this vicinity, that the said changes in the road were to be made, and that I would receive tenders for the same. I accordingly received five tenders, four of them covering said three alterations—accompanying this report on said four tenders, I made choice of, and accepted that of Mr. T. H. Maxwell of Osnabruck. The cost of constructing the several pieces of road varies from, [according to agreement.] £184 to £84 per mile of road, not including bridges, several of which are necessary. I have not yet agreed for the construction of the bridges. Mr. Maxwell is proceeding vigorously with the road—we are a little impeded in the prosecution of the road by disposition to wait a little for the crops of grain &c.

Your Obedient Servant,

J. B. MILLS.

Moulinette, August 16, 1834.

### *Report of the resident Engineer relative to procuring stone to protect the works on Section No. 1.*

To Jonas Jones Esq. President, &c.

SIR,

In the estimate of 1832 of the expense of that part of the St. Lawrence Canal now embraced in Section No. 1—an allowance was made for stone in distinction from the stone which might be found in the excavation of the same. It was presumed at that time from the

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appearances, that in prosecuting the work, sufficient stone would be found for the purposes of protection—it happens, however, that in opening the bank along said work, comparatively few stone as yet are found. In these circumstances it becomes necessary to provide stone to protect the works, and possibly a great quantity will be required. On the 15th ultimo I communicated with you concerning this business, and it was agreed to advertise to receive Tenders for delivering stone upon this line of work, which was done accordingly. Tenders were received until the 20th ultimo, when, with the advice of Mr. Berford, the work was given to the Messrs. Herveys at 1s 8d per yard. It was thought best that said contract should extend no further than to the delivery of the stone upon the bank of the river, as it could not be exactly foreseen when, and in what quantities they would be transferred. As this second transfer of the stone from the bank of the river to their final deposit, is a work necessarily intimately connected with the work of the Messrs. Herveys, and as it was necessary for this part of the work to proceed at once, I requested Mr. Hervey on the eighth instant to make me an offer for said moving of the stone. He offered to do it for 6d per Cubic yard—this I considered too much, and offered him four pence—he concluded to take it, so that the agreement now stands at 2s per Cubic yard, for delivering and finally placing the stone as may be directed.

I am, Sir,  
Very Respectfully,  
Your Obedient Servant,

J. B. MILLS.

Moulinette, November 11, 1834.

### *Report of the Resident Engineer relative to a proposed alteration of the plan in prosecuting the works on Section No. I. of the Canal:*

To Jonas Jones, Esquire, President, &c

SIR,

In pursuance of the resolution of the Board of Commissioners at Cornwall, on the 14th ultimo, "That the Engineer be directed to estimate the difference of expense between prosecuting the work on section No. 1, according to the original plan, and curtailing the dimensions of the Canal at the Longue Sault to one half the width at bottom, and to report upon the probable advantages or disadvantages of such alteration"—I have accordingly made such an estimate.

As I believe the above resolution originated in some remarks of mine at the meeting of the Board on the 14th ultimo, I beg leave to make some preliminary observations. It was the plan, originally, to protect the works of the Canal passing the rapid part of the Longue Sault, by a kind of break-water formed of stone, nearly on the plan shewn by the section herewith presented (see plan) and the materials to accomplish this protection I presumed, from the examinations made at the time, would be found in the excavation necessary in furtherance of the same plan. It was the intention to perform the work by reserving the stone found in the course of the excavation, and until the excavation had so far advanced that it required the commencement of the prism of the Canal—then to run out wing dams, formed by a pile of stone in several places, (see plan) which would throw off the water from this shore, and enable us to embank between and below said wings to near their outer extremity. When the embankment should have been thus extended, to take said reserved stone, and place them along quite outside of the area required for the Canal, all which seemed plain and feasible, and of which I have not changed my views. As the excavation proceeded, and the opening of the bank of the river along this work, I was greatly disappointed at the small quantity of stone it afforded, and I did not hesitate to conclude that few stone comparatively for our purposes would be found in the work, and that stone must be brought from without the Canal. I accordingly communicated with you on the subject, and it was concluded to procure stone from abroad. An agree-

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ment was speedily made with the Messrs. Herveys, for the delivery of stone, and the delivery accordingly commenced. Of these measures the Board are already informed. After a quantity of stone had been delivered, I commenced the formation of one of these wing dams, I think in the most rapid part of Longue Sault. Although it did not proceed far, the effect was good, and such as I intended, but I found that it would require more stone to form these dams than I expected, and as the stone of said wing dams (these near the shore) must be taken out of the river again, I determined to abandon it, and perform the work another way, which is to begin at an accessible point at either end of the work, and proceed directly up and down the river, forming an independent pier, or mole of stone, as shewn by the sections, and on the line where it is required to be (see ground plan.) Proceeding upon this plan the work will require a greater quantity of stone as they will naturally form a rather flat slope on both sides. On considering the quantity of stone required to accomplish the object, and the means and facilities for obtaining them, it became a question whether a sufficient quantity could be obtained except at great additional cost. With this impression, at the meeting of the Board on the 14th ultimo, I spoke of reducing the canal at the rapid water to 50 feet wide at the bottom, and forming it entirely within the bank, and independent of the river. I have made such examinations as enable me to estimate the difference in the expense of the two plans proposed.

From the upper end of the section to near the point occupied by Burns' store house, distance 5490 feet it will cost 11,660*l.* more to cut the canal entirely within the bank of the river (the canal being reduced to fifty feet wide at bottom) than to protect it as at present located and upon the original plan. There is very little object in changing the location or scale of this part of the work, unless it is pushed quite within the bank, and will cost very little more to protect it where it is than if it should be moved inwardly even 60 feet.

From said store house to No. 86 (see plan) passing all the rough and rapid waters of the Longue Sault, distance 3512 feet, it is proposed to protect the work by a breakwater as represented in the sections. In this distance we have

1100 feet as per section No. 56.	
676 " " "	70.
596 " " "	79.
1140 " " "	86.

Which requires 136,623 yards of stone, which at 2*s.*—13,662*l.* 6*s.* The above is a maximum quantity required for securing this part of the work as at present located and planned which quantity would probably be much reduced, and it is also less than is provided for in the original estimate. If this part of the canal is reduced to 50 feet width at bottom, and cut entirely within the bank of the river, it will require 213,033 yards of excavation more than is required on the present line, which will cost 7101*l.* 2*s.* giving 6561*l.* 4*s.* in favor of reducing the scale, and cutting it entirely within the bank. The length of this proposed change is 3512 feet, and from the plan it will be perceived that either extremity of it is in fair view of the other. If we allow a boat to pass in the canal at the rate of 5 miles per hour, the detention in the most extreme case would vary from 8 to 10 minutes, and ordinarily not more than from 4 to 5.

Although I have no doubt of the safety or permanency of the work on the original plan, it is not to be disputed that it would be more secure removed altogether within the bank; however the most obstinate difficulty in the way of the original plan is the circumstance of an insufficient quantity of stone to be found except at greatly advanced prices. In view of this fact solely, concerning which I have now little doubt, I am decidedly disposed to recommend to the Board of Commissioners the changing the location so much as to construct the Canal entirely within the bank of the river. Here it becomes a question (in view of said resolution) upon what scale shall it be so constructed, when so changed? I will now present a comparison of the cost of three plans.

We have seen the protection of the work constructed on the original plan will cost £13,662 2*s.*—I suppose again the Canal reduced to 50 feet wide at bottom, and cut quite within the bank, and clear of the river—This will require (as above) 213,033 yards of excavation, which I will put at 8*d* per yard, making £7101 2*s.* and giving £65641 4*s.* in favor of said reduction and alteration.

Now if we adhere to the original dimensions of the Canal, and still construct it entirely within the bank of the river, we shall require 213,033 yards of excavation at 3d.  $\times$  325,185 yards of excavation at 9d, making £7101 2s.  $\times$  £12194 8s. 9d. = £19295 10s. 9d, which reduced by £13,662 6s., gives £5633 4s. 9d. more than the original plan.

In view of the evident designs of the Legislature in the law under which the Board act, also in view of all the existing circumstances in connexion with the operation and progress of the Canal, I cannot recommend that this noble enterprise be marred in so important a degree as will be consequent upon its construction to 50 feet in width, even for the above 3512 feet.

I have the honor to be,

Sir,

Your very obedient and humble Servant,

J. B. MILLS.

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***Report of Benjamin Wright, Esquire, Consulting Engineer,  
on the proposed alterations at the Longue Sault Rapids.***

*To the President and Board of Commissioners of the St. Lawrence Canal.*

GENTLEMEN :

It appears by the report of Mr. Mills, Acting Engineer, of the work now being carried on at the Longue Sault, that there is difficulty in executing the plan of the work as originally proposed, by reason of there not being found the quantity of stone in the bank to be excavated against Section No. 1, which had been supposed would be found from the appearance on the surface. These stones which there was every reason to believe would be found in the bank were required to protect the outside of the embankment in the river, and an additional quantity to be gathered from the land adjoining were estimated. It is now found that the excavation into the bank will not produce the stone expected, and that all that can be obtained from the adjacent farms will not be sufficient to protect the work as formerly intended. Under these circumstances the board have properly required of the Engineers to devise a change of plan to suit and adapted to the material now found or to be obtained at reasonable expense.

The alteration which I would advise and recommend to the board will be to push the body of the Canal into the bank so far as to have the outside of the embankment next the river, nearly on the original shore of the water. This will increase the excavation and reduce the quantity of stone required to protect the work—It will, no doubt, make the whole work more safe.

According to the calculations of the Acting Engineer, the additional excavation will cost about 19295*l.* 10*s.* 9*d.* and there would be a deduction on the stone required equal to 13662*l.* 6*s.* leaving an extra cost of the canal by being carried the whole body of it into the bank, of 5633*l.* 4*s.* 9*d.* more than was formerly estimated. It has been suggested whether it would not be proper to reduce the width of the canal for the distance of 3512 feet to fifty feet in the bottom, and thereby save some expense:

If the saving had been a very large amount, I would probably have advised it to be done—In the present case, by saving only the sum as above stated, I do not consider it advisable, and cannot recommend it. Mr. Mills report gives this calculation, and I should regret to see so noble a work as this is intended to be, reduced in any part for so small a saving as it appears will be made.

Respectfully submitted,

BENJAMIN WRIGHT,

*Consulting Engineer, St. Lawrence Canal.*

Longue Sault, Dec. 10, 1834.

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*Report of William R. F. Burford, Esquire, Agent relative to construction of the tow-path on the American shore in the Longue Sault Rapid.*

To the Commissioners for the improvement of the navigation of the River St. Lawrence.

GENTLEMEN,

Having visited the tow-path about the 20th of last month, and made a careful examination of the whole line, particularly of Cartin's point and the Pepper Mill point—the two places mentioned in my Report submitted to your Board upon the 24th of September, as not being properly finished. I am of opinion that Mr. Ault has now fulfilled his contract, and have accordingly paid him the balance due him. viz: £50.

I have taken several opportunities of going up the river from the foot of Stilwell's rapids on Barnhart's Island, to the foot of the great rush bed near Colonel Marsh's which includes the whole of the tow-path made under Ault's contract, and find that the heaviest loaded boats can pass up that side of the river with all the safety and facility that they can upon the Canada side. It is true that one boat got upon a shoal at the foot of the big chat at Stone's drawing place, and had to be lightened before she could be got off, and that some slight detentions have occurred at other places, but when we consider that from the usual depth of that channel the Forwarders have generally loaded their boats much heavier than formerly, and that the river has been nearly two feet lower than I ever knew it before, I do not think those accidents are to be wondered at or considered of any moment. From the present lowness of the water, the heavy Durham boats are obliged to go outside the shoal at the Pepper Mill point, in order to avoid another shoal a little above the point, which at present causes some short delay to boats of that class, but when the water is at its usual height, boats drawing five feet might go up that channel, passing through the small canal, in the Pepper Mill point shoal, whereas in ordinary seasons, and with the same boats, I understand that more than one half of the loading had to be carted upon the Canada side.

Agreeable to the instructions of the President of your Board, I have given Mr Erl Stone, (the person who draws boats at the Big Chat) directions to receive a ticket from each Durham boat owned by J. Macpherson, & Co., H. Jones, & Co, McMillan & Co., & the Canada forwarding Company charging themselves 17s 6d, and for every batteaux 15s—and to take the same amount in cash from all transient boats over and above the amount charged for drawing. From the number of boats that have already gone up this season, I have made a calculation that if they continue to pass next year in the same proportion, the toll charged will be much more than sufficient to reimburse the Province the sum expended in making that improvement. In less than two months, one hundred barges and Durham boats, and one hundred and nine batteaux have passed up by the American side—nearly an equal number of each class, and being loaded on an average, with fifteen tons. Last year there were fifteen hundred boats taken up the British side, with an average load of seven tons—there is no reason to suppose the number will be less next season, or materially differ in the respective number of each class, which, if we admit, we may make the following calculation of the comparative advantages of the navigation.

	Tons.
1500 boats, each loaded with 15 tons upon the American shore,.....	22,500
1500 " " " 7 " British, .....	10,500

Tons 12,000

1500 boats upon the British side with each 3 tons, to be carted at 10s per ton. £	2250
Deduct cost of tow path, say,	445

£1805

**Report on improvement of the River St. Lawrence. 25**

From this it will appear that on the present route, the same number of boats can take up twelve thousand tons more, and make a saving of upwards of eighteen hundred pounds in the season.

I have the honor to be,  
Gentlemen,  
Your obedient humble servant,  
W. R. F. BERFORD.  
*Agent, St. Lawrence Canal.*

**Report of the Resident Engineer on the progress of the work and its estimated value to 31st December 1834.**

To Jonas Jones Esquire, President &c.  
SIR,

In relation to the progress of the work, it may be proper to remark that it did not commence until about the middle of August, then even it did not commence vigorously, that being the season of the year when the Cholera was in the Country, which circumstance induced hesitation in the congregating of men along the line of the Canal. The Autumn has been very favorable for the prosecution of the work, and I believe a fair and reasonable amount of labor was performed during that season. The winter thus far has been rather severe. Since the commencement of the severe weather not so much work has been done, or is now doing as we expected, neither has it been done with the usual facility attending winter work. The Autumn has been favorable, also, to the procuring and preparing materials for the locks, and other mechanical work, and the winter, thus far, is affording great facility for the delivery of the same upon the line of the canal, which delivery has been, and is now going forward with despatch.

The following is an abstract of an estimate shewing the amount of labor performed up to the first of January in pursuance of the contracts for the same.

	£	s.	d.		£	s.	d.
SECTION No. 1	3941	17	3 $\frac{3}{4}$	Amount brought up,	14427	18	10 $\frac{1}{2}$
2	778	1	6	24	18	13	2 $\frac{1}{2}$
3	1812	4	3	25	446	19	4
4	684	19	6	26	195	6	10 $\frac{1}{2}$
5	78	19	6	27	1067	5	0
6	752	6	2	Lock No. 1	763	4	8
7	0	0	0	2 & 3	1261	0	0
8	1117	13	4	4	751	3	4
9	125	14	10	5 & 6	1261	15	0
10	1042	15	0	Retaining wall,	406	3	4
11	878	3	5 $\frac{1}{4}$	Culverts,	563	10	1
12	679	12	8	Lock Gates,	175	0	0
13	64	13	1 $\frac{1}{2}$				
14	518	11	6		£21337	19	8 $\frac{1}{2}$
15	329	12	0	Off 5 per cent.	1066	17	11 $\frac{1}{2}$
16	0	0	0				
17	950	10	1 $\frac{1}{2}$		£20271	1	9
18	413	4	7 $\frac{1}{2}$	Deduct value of work done since the date of the last monthly payment to Contractors,	4716	10	2
19	176	1	10 $\frac{1}{2}$				
20	0	0	0		£15554	11	7
21	0	0	0				
22	0	0	0				
23	82	18	1 $\frac{1}{2}$				
Carried over,	£14427	18	10 $\frac{1}{2}$				

J. B. MILLS.

## 26 Report on improvement of the River St. Lawrence.

*Report of the Resident Engineer upon the expediency of prosecuting the contemplated improvements from the head of the Longue Sault to Prescott.*

To Jonas Jones, Esquire, President, &c  
SIR,

The relation in which I have the honour to stand to the Board of Commissioners, and which I bear to the projected improvements of the navigation of the St. Lawrence may render the following proposition within the course of my official duties.

I would respectfully recommend that the improvements contemplated between the head of the Longue Sault and Prescott be immediately commenced and prosecuted in pursuance of the projections of 1833.

The extent of improvement that may ultimately be necessary or expedient is a subject upon which I do not now propose to remark, but I conclude that there are several proposed, the propriety and necessity of which cannot be questioned—to wit, to Farren's Point, Rapid Platt and Le Rapide Galloppe. This being the case, their immediate prosecution is decidedly recommended by the following considerations—

In large expenditures of the Public funds, sanctioned by legislative enactments, the public look to the agents under whom they are disbursed, for those plans and arrangements that are best calculated to ensure the speedy accomplishment of their object and a quick and full return of the sum expended. You have just entered upon an undertaking which, if perfected as designed by the Act, will undoubtedly ensure to this Province the greatest possible Commercial advantages, and as undoubtedly will, if speedily executed, speedily return to the treasury the whole expenditure, together with liberal rewards.—But by the 13th Section of the Act authorising the improvement, you are required to complete a part of the line previous to the commencement of the remainder. The work has commenced at the point requiring the greatest expenditure (about £225,000) the profits and advantages to be derived from which, are by this clause of the Act, placed at a more remote, and an indefinite period—as it is clear that the completion of the Longue Sault improvement would add little, comparatively, to the facilities of the navigation, the points above being sufficiently difficult to prevent advantage being taken of this improvement. It probably will require about two years for the completion of the work at the Longue Sault. It would require about the same time to construct those above that place. The superintendance of the works now under your charge in all its departments will cost little less than £1500 per annum—the addition necessary to carry on the whole work at once would be about £750 per annum—If you complete the works at the Longue Sault before commencing those above it, the extra expense on account of superintendance would be about £9000—£1500=£7500. Though this is not a large sum, it is entitled to consideration; yet that, even, is not important in view of the loss of time and of other benefits which will probably be consequent upon postponing the upper part of the work. The fact of its being postponed at all, amounts to an indefinite postponement, and it is uncertain when the work may go on. This hesitation of the Province to move forward with spirit and energy in prosecuting the St. Lawrence improvements will serve only as an invitation to her neighbours on the south to go on with some of their projects, by which some, at least, of the trade of the Upper Country will find a Channel to a foreign and more Southerly market, and from which it might not readily be diverted. It has already been remarked that notwithstanding the great facilities to the projected improvements of the St. Lawrence in Canada, a Steam Boat navigation from Lake Ontario to the Hudson River may possibly be completed previous to the construction of your works. There is no doubt that such a communication will ultimately be effected, but when, it is difficult to tell; however it would be impolitic to be behind with the St. Lawrence improvement, even for the limited space of one year.

Having taken this liberty I leave the subject for your consideration.

I remain Sir,

With much respect

Your Obedient Servant.

Canal Office Moulinette, December 13, 1834.

J. B. MILLS. Acting Engineer.

**GENERAL ABSTRACT (1834)**  
*Of Receipts and Expenditures for the improvement of the  
 Navigation of the River St. Lawrence.*

Dr.		Cr.
Amount paid the contractors as per vouchers No. 1 to 103. A. ....	15554 11 7	
" claimants for damages as per vouchers 1 to 57. B.	10102 3 3	
" construction of a tow path as per vouchers No. 1 to 3. C. ....	436 1 4½	
" alterations in the highway as per vouchers No. 1 to 11. D. ....	636 1 6½	
" privilege of quarrying stone on Barnhart's Is- land, per voucher E. ..	200 0 0	
" expenses of Engineer's department per voucher's No. 1 to 65. F. ....	1980 11 5½	
" contingent expenses as per vouchers 1 to 28. G.	779 18 5½	
	£29639 7 8	
Balance in the hands of the commissioners...	5570 1 6	
	£35259 9 2	
		259 9 2
		35000 0 0
		£35259 9 2
		Dec 31. By balance on hand..... £5570 1 6

*Appendix to General Abstract (1834.)*

		£ s. d.
Contractors. Vouchers A 1 to 103 No.		
1. Sept. 25 R. and W. Hervy.	407 17 1½	
2. " C. Kerr and Co.	41 3 5	
3. " Do.	287 6 6	
4. " John Rogers & Co.	68 3 6	
5. " S. & W. M. Frazer,	130 18 9	
6. " Buby and Shearer,	249 3 4	
7. " Simpson and Co.	173 12 11	
	£ 1398 5 6½	
Amount brought forward	1398 5 6½	
8. " P. Anderton	247 18 6	
9. " Caleb Truax & Co.	122 16 10	
10. " S. & W. M. Frazer,	189 0 0	
11. " W and J. Bowron,	100 3 3	
12. " Reid & Shep- herd	59 18 5	
13. " Caleb Truax & Co.	126 6 4½	
14. " Crawford & Co.	4 8 16 2	
15. " Bellamy & Co	50 0 0	
	£ 2753 5 6	

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			£	s.	d.				£	s.	d.
Amount brought forward			2753	5	6	Amount brought forward			7387	15	6
16.	"	Reid & Shepherd,	75	0	0	50.	Nov. 14,	Wm. Bowron & Co.	70	0	0
17.	"	R. & P. McKay,	80	0	0	51.	"	Reid and Shepherd	238	0	0
18.	"	G. Crawford,	100	0	0	52.	"	Truax & Co.	87	0	0
19.	Oct. 8,	R. and W. Hervey,	420	0	0	53.	"	C. Kerr & Co.	80	0	0
20.	"	Charles Kerr & Co.	60	0	0	54.	"	Simpson & Co.	270	0	0
21.	"	Do.	139	10	0	55.	"	Chas. Kerr, & Co.	67	0	0
22.	"	John Rogers & Co.	90	0	0	56.	"	Crawford & Co.	100	0	0
23.	"	Adam Dixon,	20	0	0	57.	"	S. J. Bellamy, & Co.	169	0	0
24.	"	S. & W. M. Frazer,	86	0	0	58.	"	Reid & Shepherd,	200	0	0
25.	"	Buby and Shearer,	130	0	0	59.	"	R. & P. McKay,	150	0	0
26.	"	Simpson and Co.	145	0	0	60.	"	Geo. Crawford,	362	0	0
27.	"	P. Anderton	105	0	0	61.	"	do.	100	0	0
28.	"	Caleb Truax & Co.	50	0	0	62.	"	C. Kerr, & Co.	500	0	0
29.	"	S. and W. M. Frazer	140	0	0	63.	"	Richards and Bull,	222	0	0
30.	"	W. & J. Bowron	77	0	0	64.	"	R. and W. Hervey,	927	10	0
31.	"	Reid & Shepherd	95	0	0	65.	"	Rogers & Co.	135	0	0
32.	"	Caleb Truax & Co.	40	0	0	66.	"	S. & W. M. Frazer,	85	0	0
33.	"	Crawford and Co.	135	0	0	67.	"	Buby & Co.	140	0	0
34.	"	S. Bellamy & Co.	42	0	0	68.	"	Simpson and Co.	10	0	0
35.	"	Reid & Shepherd	95	0	0	69.	"	Do.	160	0	0
36.	"	R. & P. McKay	40	0	0	70.	"	Peter Anderton,	75	0	0
37.	"	Geo. Crawford	50	0	0	71.	"	Truax & Co.	140	0	0
38.	Nov. 14,	R. & W. Hervey	697	0	0	72.	"	Crawford and Co.	16	0	0
39.	"	C. Kerr & Co.	216	0	0	73.	"	Reid & Shepherd,	195	0	0
40.	"	do	318	0	0	74.	"	Truax & Co.	50	0	0
41.	"	John Rogers & Co.	144	0	0	75.	"	Simpson and Co.	27	0	0
42.	"	Adam Dixson	30	0	0	76.	"	Do.	13	0	0
43.	"	S. and W. M. Frazer	170	0	0	77.	"	Do.	65	0	0
44.	"	Buby & Co.	208	0	0	78.	"	Do.	25	0	0
45.	"	Simson & Co.	75	0	0	79.	"	S. J. Bellamy & Co.	187	0	0
46.	"	do.	222	0	0	80.	"	Reid & Shepherd,	162	0	0
47.	"	P. Anderton	180	0	0	81.	"	Do.	32	10	0
48.	"	Truax & Co.	100	0	0	82.	"	R. & P. McKay,	75	0	0
49.	"	S. and W. M. Frazer	60	0	0	83.	"	Do.	15	0	0
						84.	"	G. Crawford,	180	0	0
			£7387	15	6				£12708	15	6

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	£	s.	d.
Amount brought over	12708	15	6
85. Dec'r. Geo Crawford	56	0	0
86. " R. and W. Hervey,	654	0	0
87. " C. Kerr & Co.	336	0	1
88. " Rogers & Co.	115	12	0
89. " J. & W. M. Fraser,	148	8	0
90. " Buby & Co.	190	16	0
91. " Simpson and Co.	22	12	0
92. " Do.	208	8	0
93. " P. Anderton,	161	16	0
94. " Truax & Co.	109	0	0
95. " S. and W. M. Fraser,	103	12	
96. " W. Bowron & Co.	65	16	0
97. " Reid & Shepard	156	4	0
98. " Truax & Co.	80	4	0
99. " Simpson & Co.	7	4	0
100. " do.	3	12	0
101. " do.	89	4	0
102. " do.	213	8	0
103. " Pierce & Co.	124	0	0
	£15554	11	7

Vouchers for damages B—1 to 57

No.	£	s.	d.
1. Aug. 1. Joel Daniels,	125	0	0
2. " 8. Owen Glaney,	15	0	0
3. " Thomas Murray,	10	0	0
4. " Geo. McEwan,	2	10	0
5. " S. & S. Frazer,	57	10	0
6. " Byrnes & Co.	112	10	0
7. " Arch'd M'Lean,	50	0	0
8. " Alex. Whipple,	300	0	0
9. " H. Cryderman,	350	0	0
10. " Owen Glaney,	4	0	0
11. " Michael Mattice,	30	0	0
12. " Joseph Pearson,	50	0	0
13. " Peter Chesley,	1090	0	0
14. " S. D. King,	12	10	0
15. Nov. 7. Nath Tait,	34	0	0
16. " 15. Alfred Amiable,	9	0	0
17. " J. Waggoner,	195	0	0
18. " James Forsyth,	628	10	0
19. " Albert French,	34	0	0
20. " John Bailey,	480	0	0
21. " H. Russell & Co	100	0	0
22. " Lewis Vancamp	175	0	0
23. " 17. Corn's McEvoy,	4	0	0
" Daniel Dailey,	6	0	0
	£3874	10	0

	£	s.	d.
Amount brought over,	3874	10	0
25. Nov 17 L. Stoneburner,	143	5	0
26. " Daniel Smith,	257	8	0
27. " John A. Wert,	86	0	0
28. " And. Millross,	175	0	0
29. " James Groves,	52	2	6
30. " Hiram Amiable	97	10	0
31. " Henry Runions, Sen'r & Jun'r.	38	10	0
32. " John Piscod Sen & Jun'r.	128	10	0
33. " Henry Gallinger.	98	0	0
34. " Jas. Robertsou,	182	10	0
35. " Amos Wright,	117	0	0
36. " John Wright,	84	0	0
37. " Wm. Lewis,	153	0	0
38. " G. Robertson Jr	73	0	0
39. " G. S. Jarvis,	75	0	0
40. " W. Mattice,	123	15	0
41. " P. Vankoughnet,	1400	0	0
42. " H. Waggoner,	97	15	0
43. " Lewis Lebruiason	5	0	0
44. " Wm. Browne,	38	16	0
45. " Jacob Browne,	192	0	0
46. " George Stewart,	66	0	0
47. " Alex. M'Nairne,	137	16	3
48. " Norman S. Hover,	40	5	6
49. " John Day,	11	0	0
50. " William Roys,	71	5	0
51. " John Roys,	185	0	0
52. " Samuel Moss,	283	0	0
53. " M. Swart & John Milross,	282	15	0
54. " John Marsh,	70	0	0
55. " S. D. King,	1	15	0
56. " Jos. Anderson,	287	15	0
57. " Adam Dixson,	1250	0	0
	£10,102	3	3

Vouchers Account Towpath C, 1 to 3.

1. N. N. Ault .....	423	10	0
2. John E. Perkins ....	5	2	6
3. Agent's disbursements	7	8	10 <sup>1</sup> / <sub>2</sub>
	£436	1	4 <sup>1</sup> / <sub>2</sub>

Vouchers for Road Account D, 1 to 11.

1. T. H. Maxwell.....	352	1	0
2. J. Bailey, Jun.....	13	7	6
3. John Gardner .....	18	12	4
4. Tunis Vancamp ....	10	0	10
5. Mrs. M. Milross ....	15	1	3
	£409	2	11

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No.		£	s.	d.
	Amount brought over	409	2	11
6.	Hiram Amiable . . . .	8	0	0
7.	James Forsyth . . . . .	20	3	0
8.	John Marsh . . . . .	2	3	10½
9.	John Bailey . . . . .	11	0	0
10.	William M. Frazer	17	11	10
11.	Adam Dixson . . . .	167	19	11
		£636	1	6½

Voucher for Stone Quarry, E, 1.  
200 0 0

Vouchers Engineer Department, F, 1 to 65.

1.	June 16 Jas. Geddes,	60	5	3
2.	" P. Cole,	10	0	0
3.	July 10 Peter Fleming,	48	8	0
4.	" B. Wright,	175	0	0
5.	Oct. A. Jones,	2	12	6
6.	Dec. B. Wright,	175	0	0
7.	" J. B. Mills,	9	1	7
8.	" William Cline,	8	7	6
9.	" Israel Brooks,	1	10	0
10.	" Owen Glaney,	14	6	
11.	" S. W. Brady,	10	7	2
12.	" William Daily,	3	5	0
13.	" Joel Daniels,	11	6	
14.	" Owen Glaney,	1	5	0
15.	" Junis Vancamp,	15	0	
16.	" James Caldwell,	1	0	0
17.	" David Bruce,	15	0	
18.	" William Cline,	8	0	
19.	" Alex. Magarry,	30	5	0
20.	" Angus McDonell,	8	2	
21.	" Guy C. Wood,	4	9	
22.	" P. Vankoughnett,	1	1	11
23.	" John Chesley,	7	18	3
24.	" Adam Dixson	9	11	10½
25.	" E. C. Tuttle	16	14	6
26.	" James McIntosh	11	13	4
27.	" John Jackson	12	11	8
28.	" Angus McDonell	7	12	3
29.	" Joel Daniels	10	16	3
30.	" Hiram Groves	8	17	3
31.	" John McIntosh	12	11	8
32.	" Donald McIntosh	12	11	8
33.	" John McDonald	7	12	3
34.	" Thomas Rowley	13	13	3
35.	" Arch'd McDonell	12	0	0
36.	" Daniel Dixson	14	0	
37.	" John Scott	12	0	0
38.	" Duncan Stewart	12	0	0
39.	" Archd. M'Intosh	5	3	4
40.	" John M'Intosh	17	16	8
41.	" Joel Daniels, jun.	2	10	0

£735 14 5½

No.		£	s.	d.
	Amount brought forward	735	14	5½
42.	" Peter Anderton	26	10	0
43.	" Wm. Rodrigue	169	5	0
44.	" Samuel Keefer	179	1	6
45.	" E J Farnum	39	8	9
46.	" William Keefer	29	8	0
47.	" John Jackson	25	0	0
48.	" Donald McIntosh	25	0	0
49.	" John McDonald	25	0	0
50.	" Angus McDonell	25	0	0
51.	" Angus A M'Donell	21	3	4
52.	" Duncan M'Donnell	15	6	8
53.	" David Thompson	7	10	0
54.	" William Cline	9	0	
55.	" William M. Park	3	0	
56.	" G. C. Wood	1	6	11
57.	" John Moore	5	0	
58.	" Thomas Gillespie	3	2	6
59.	" James Forsyth	1	5	0
60.	" R. & W. Hervey	6	5	6
61.	" Adam Dixson,	1	19	8
62.	" J B Mills,	2	16	9
63.	" Adam Dixson,	10	0	0
64.	" J B Mills	45	0	0
65.	" do	584	10	5

£1980 11 5½

Vouchers for Contingent Expenses, G, 1 to 28

1.	Jonas Jones . . . . .	39	0	0
2.	Samuel Keefer . . . . .	38	10	0
3.	Henry Church . . . . .	3	5	7
4.	Wiman & Carter . . . . .	9	0	6
5.	J. F. Taylor . . . . .	3	0	0
6.	P. Vankoughnet . . . . .	30	12	2
7.	Wm Buell & Co . . . . .	6	0	0
8.	Stephen Richards . . . . .	15	0	
9.	John Reid . . . . .	2	0	0
10.	John Chesley . . . . .	1	0	0
11.	Jas. McFarlane & Co.	13	18	4
12.	Edward Vennor . . . . .	1	11	10
13.	Billings & Co . . . . .	6	15	3
14.	J. Hume . . . . .	6	5	0
15.	do . . . . .	30	14	0
16.	do . . . . .	20	14	0
17.	Jonas Jones . . . . .	67	0	0
18.	John McAulay . . . . .	35	0	0
19.	P. Vankoughnet . . . . .	3	0	0
20.	Hiram Norton . . . . .	27	0	0
21.	Geo Longley . . . . .	15	0	0
22.	Peter Shaver . . . . .	62	0	0
23.	Henry Sherwood . . . . .	74	16	8
24.	A. Amiable . . . . .	14	7	
25.	Jacob Sheets . . . . .	20	14	9
26.	W R F Berford . . . . .	150	0	0
27.	James Hume . . . . .	100	0	0
28.	W R F Berford . . . . .	11	10	9½

£779 18 5½

VOUCHERS.

A—1 to 103,.....	15,554	11	7
B—1 to 57,.....	10,102	3	3
C—1 to 3,.....	436	1	4 <sup>1</sup> / <sub>2</sub>
D—1 to 11,.....	636	1	6 <sup>1</sup> / <sub>2</sub>
E—1.,.....	200	0	0
F—1 to 65, .....	1,980	11	5 <sup>1</sup> / <sub>2</sub>
G—1 to 28, .....	779	18	5 <sup>1</sup> / <sub>2</sub>
	<hr/>		
	£29,689	7	8
Cash on hand	5,570	1	6
	<hr/>		
	£35,259	9	2

## No. 8.

### MESSAGE

*From His Excellency the Lieutenant Governor, with Documents relative to the Post Office Department.*

J. COLBORNE,

THE LIEUTENANT GOVERNOR, transmits to the House of Assembly the accompanying Extract of a Communication from the Secretary of State for the Colonies, respecting the Post Office Department, and the views of His Majesty's Government in recommending an Act to be passed for regulating the internal postage of the North American Colonies; a copy of which Act is forwarded for the information of the House.

*Government House, 29th January, 1835.*

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*EXTRACT of a Despatch from the Secretary of State for the Colonies, addressed to the Lieutenant Governor.*

[CIRCULAR.]

*Downing Street, 5th October, 1835.*

THE representations which have from time to time been received from the Legislature and Inhabitants of several of the Colonies in North America, respecting the Internal Postage in that part of the British Dominions, have not failed to attract the serious attention of His Majesty's Government; and I have now the gratification to send you an Act passed in the late Session of Parliament, which I hope will prove the means of settling this important question to the satisfaction of all parties.

The Act provides, that so much of the Statute, 5th Geo. 3rd, cap. 25, as authorises the taking of certain rates of Inland Postage within His Majesty's Dominions in North America shall be repealed from the time, when His Majesty's consent shall be signified to Acts of the Provincial Legislatures imposing the same or other rates of Postage, and making such regulations for the management of the Post Office by the Post Master General or his Deputies, as to the Legislatures may seem expedient.

You will observe, that in order to give effect to this Act, certain Bills must be passed by the Provincial Legislatures, and receive the Royal Assent and I need scarcely add, that to establish a practicable system, it is essential that a uniformity of views should pervade these Bills.

It was found impossible to devise any practicable plan for keeping separate the accounts of the Post Office Revenue and Expenditure in each possession in North America; and where the accounts were blended, no mode of distributing the surplus Revenue, appeared to be free from serious objection, except to apportion it according to the gross amount of Postage collected within each Colony; a provision therefore to this effect has been made in the Imperial Act of Parliament. In order, however, to admit of any other plan, which might be preferred by the Provincial Legislatures, a power has been left to them to alter this clause by Local enactments. I should scarcely anticipate that at the present time any more eligible expedient is likely to be suggested, than the one adopted by the Imperial Act: and as any alteration of it could not be carried into effect, until agreed to by each separate Legislature, it is perhaps to be wished, that at any rate for a period sufficient to try the remainder of the proposed measures, the provision made by Parliament on this point should remain untouched.

It is of course necessary that all the Acts passed by the several Legislatures on the present subject, should take effect on the same day—the first of January, 1836.

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**AN ACT passed in the Imperial Parliament, relative to the future Appropriation of the Post Office Revenues in the British Provinces in North America.**

ANNO QUARTO

GULIELMI 4, REGIS.

CHAP. VII.

*AN ACT to repeal, at the period within mentioned, so much of an Act passed in the fifth year of the Reign of His late Majesty, King George the Third, intituled, "An Act to alter certain rates of Postage, and to amend, explain, and enlarge several provisions in an Act made in the ninth year of the reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office," as authorises the taking of certain rates of Inland Postage, within His Majesty's Dominions in North America. [26th March, 1834.]*

**WHEREAS** by an Act passed in the fifth year of the reign of His late Majesty King George the Third, entitled *An Act to alter certain Rates of Postage, and to amend, explain, and enlarge, several Provisions in an Act made in the ninth year of the reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office.* His Majesty's Postmaster General was authorised to take and receive certain rates of Postage in the said Act specified for the postage and conveyance of Letters and Packets within the British Dominions in America; And whereas the said rates have been collected in the *British Colonies and Provinces in North America* by His Majesty's Postmaster General or his Deputies, and the surplus thereof, after payment of the charges of

Collection and Management, have been remitted to the General Post Office in *London*, as part of the General Revenue of the Post Office: And whereas it is expedient that henceforward the *British Colonies and Provinces in His Majesty's Dominions in North America* having local and independent Legislatures should be enabled by the authority of such Legislatures to levy, for the inland Postage of Letters and Packets within such Colonies and Provinces, such rates as to the said Legislatures shall seem meet, and also to make such Regulations for the management of the Post Office within such respective Provinces and Colonies, by His Majesty's Postmaster General or his Deputies, as to such Legislatures may seem expedient, and that the surplus revenue arising from the collection of such rates should be applied and appropriated for the use and benefit of such respective Colonies and Provinces.

*Be it therefore enacted by the King's Most Excellent Majesty*, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,—That from and after His Majesty's consent shall in the usual form be signified by the Governors, or Deputy Governors, of His Majesty's Colonies or Provinces in *North America*, to Bills or Acts of the Legislatures of such respective Colonies or Provinces, authorising the demanding and taking within such respective Colonies or Provinces, by His Majesty's Postmaster General, or his Deputy or Deputies, the like rates of Postage as are authorised to be received and taken by the said recited Act of the fifth year of the Reign of His late Majesty King George the Third, or such other rates of Postage as in and by such Bills or Acts respectively may be mentioned and authorised, to be received and taken, and for making such regulations for the management of the Post Office within such Colonies and Provinces by His Majesty's Post Master General or His Deputies, as shall be therein directed, then the said Act passed in the fifth year of the reign of His late Majesty King George the Third, so far as the said Act authorises the demand and receipt of any rates for the inland carriage and conveyance of Letters and Packets within such Colonies or Provinces respectively, shall thenceforth be absolutely repealed, and be no longer of any effect.

II. *And be it further enacted*, That from and after His Majesty's consent shall be so signified to such Bills, or Acts of Colonial or Provincial Legislatures as herein before mentioned, all the revenue which may arise from the collection of the rates of inland Postage within the said respective Colonies or Possessions, (after deducting the expenses of collection, and of the establishment and management of the Post Office within and throughout the said respective Colonies or Provinces under the direction of His Majesty's Post Master General or his Deputies,) shall and may, instead of being remitted, as heretofore, to the General Post Office in *London*, as part of the General Revenue of the Post Office, be appropriated, applied, and distributed to and among the said respective Colonies and Provinces, in proportion to the gross amount of the rates and duties of postage which shall be raised, collected and received, within each and every such respective Colonies or Provinces, unless and until the said Colonies or Provinces shall, by Bills or Acts of their respective Legislatures, to which His Majesty's consent shall in the usual form be signified, unite and agree in directing any other mode in which such surplus shall be applied and disposed of.

III. *And be it further enacted*, That this Act may be altered, varied, or repealed, by any Act or Acts to be passed in this present Session of Parliament.

After His Majesty's assent shall be signified to Acts of the Legislatures of the Provinces of *North America*, authorising certain rates of Postage to be taken therein, the provisions of the recited Act as to the collection of Postage within such Provinces, shall be repealed.

Appropriation of Inland Postages in the North American Provinces.

Act may be altered.

## B I L L

### For the management and regulation of the Post Office in Upper Canada.

**WHEREAS** it is expedient and necessary to make provision for the future management of the Post Office, and payment of rates for the Postage and conveyance of Letters and Packets by the Post within this Province: *Be it therefore enacted by the King's Most Excellent Majesty*, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, and it is hereby declared and enacted by the authority of the same,—That from and after the First day of January 1836, this Act shall come into and be in full force and operation for the management of the Post Office within this Province, and for regulating the rates to be paid on the Postage and conveyance of Letters and Packets by the Post.

*And be it further enacted*, That there shall be one General Post Office in the City of Toronto, from whence all Letters and Packets to or from places within this Province, and to or from places out of the same, may be sent, received and dispatched; and that His Majesty's present Postmaster General of the United Kingdom of Great Britain and Ireland, and the person to be from time to time hereafter appointed by His Majesty, His Heirs and Successors, Postmaster General of the said United Kingdom, by Letters Patent, under the Great Seal of Great Britain, shall have the entire controul and management of the Post Office within this Province, with full power and authority to settle, establish and keep Letter Offices in any place or places within this Province, where he in his absolute discretion may deem expedient; and to appoint a Deputy Postmaster General under him, and other Deputies, Agents and Officers for better managing the said Post Office, and collecting, ordering and improving the Revenue hereby granted, at such annual salaries, and making and paying to them out of the said Revenue all such annual allowances and compensations, as he shall in his absolute discretion from time to time think fit.

*And be it further enacted*, That it shall and may be lawful to and for the Postmaster General of Great Britain and Ireland for the time being, by any instrument in writing already or hereafter to be signed by him and sealed, with his Seal of Office, from time to time to appoint any person whom he in his judgment may think fit and proper to be the Deputy Postmaster General for this Province; and also, from time to time, of his sole authority, to remove and displace any such person from his said Office; and on death, resignation or removal of any Deputy Postmaster General, or on any other vacancy of the said office, to appoint any other person to fill the said office.

And that for more readily authenticating and proving the appointment, powers and authorities of the said Deputy Postmaster General, an office copy of the Letters Patent, enrolled in some Court or Office of Record in

London, of the appointment of any person to be the Postmaster General for the time being of Great Britain and Ireland, shall, until proof to the contrary be given, be good and sufficient evidence in all Courts of Law and other places in this Province, of the fact that the person so named in such office copy, is the Postmaster General for the time being of Great Britain and Ireland; and that any instrument in writing, signed by the Postmaster General for the time being of Great Britain and Ireland, with his name and sealed with his Seal of Office, appointing any person to be the Deputy Postmaster General of this Province, enrolled in any Court of Record in this Province, shall be good and sufficient evidence of the appointment of the person in such instrument named, to be such Deputy Postmaster General for the time being.

*And be it further enacted,* That all the powers and authorities in and by this present Act vested in the present or any future Deputy Postmaster General, shall remain and continue vested in and exerciseable by such person, until his death, resignation or removal from office, although and notwithstanding the Postmaster General originally appointing such Deputy Postmaster General, or any of his Successors, shall have died or resigned, or been removed from office since such appointment was made; and in all cases in which such Deputy Postmaster General shall be removed from his said office, all the powers and authorities hereby vested in him shall remain and continue vested in and exerciseable by such person until his removal from office, notified in writing, under the hand and Seal of Office of the Postmaster General for the time being, shall be enrolled in some Court of Record in this Province.

*And be it further enacted,* That the Deputy Postmaster General for the time being shall obey all the orders, directions, regulations and instructions which shall or may from time to time be transmitted or sent to him by or from the said Postmaster General, for the better management, regulation and conduct of the Post Office in this Province.

*And be it further enacted,* That in all subsequent clauses in this Act, in which the term "Postmaster General" shall be used, the same shall be construed to extend to and include the Deputy Postmaster General, although not specially named or mentioned, unless the nature of the provision or the context of the Act shall exclude such a construction.

*And be it further enacted,* That the said Postmaster General, and the Deputy Postmaster General for the time being, and his and their Servants and Agents, and no other person or persons whatsoever, shall have the receiving, taking up, ordering, despatching, sending post or with speed, carrying and delivering of all Letters and Packets of Letters whatsoever, which shall from time to time and all times be sent to and from all and every parts and places within this Province, and to and from any place or places within this Province, from or to any place or places out of the same, where Posts or Post communications are now or may hereafter be settled, established or opened, except such Letters as shall solely and exclusively concern Goods or Merchandize, sent by common known Carriers of Goods or Merchandize, and delivered with the Goods or Merchandize such Letters do concern, without hire or reward, or other profit or advantage for receiving or delivering such Letters; and except Letters sent by any Steam Boat, or other Ship or Vessel, and delivered by the Master, Commander or Manager, at any Post Office, pursuant to the directions hereinafter contained; and also, except any Letter or Letters sent by any private friend, in his or her way of journey or travel, so as such Letter or Letters shall be delivered by such friend to the party to whom such Letter or Letters shall be directed; and also, except any Letter or Letters to be sent by any messenger on purpose for or concerning the private affairs of any person:--*Provided always nevertheless,* that nothing in the said exception contained shall extend, or be construed to extend, to give any license or authority to any common known Carrier of Goods or Merchandize, their Servants or Agents, to receive, collect, carry, or deliver, with or without hire, any Letter or Letters, Packet or Packets of Letters, whatsoever, that do not solely and exclusively concern Goods or Merchandize in their Carts or Wagons, nor to any Owners, Drivers, or Guards of Stage Coaches, Machines, or other Carriages, although such Carriers, Owners, Drivers, and Guards of Stage Coaches, Machines and Carriages, do not receive any hire or reward, or any advantage for the same; but all such Carriers, Owners, Drivers and Guards of Stage Coaches, Machines or other Carriages, collecting, carrying or delivering Letters as aforesaid, though without hire or reward, shall be deemed and taken and are hereby declared to be persons offending against this Act, and shall forfeit and pay for every Letter by them collected, carried or delivered, contrary to the enactment of this present clause, the sum of Five Pounds.

*And whereas* it may be expedient that power should be given to search Carts, Waggon, Stage Coaches or other public Carriages, and Packages therein, and the persons of Carriers, Drivers and Guards of Carts, Waggon, Stage Coaches or other public Carriages, for the purpose of discovering whether any Letters or Packets be collected or sent contrary to the provisions of this Act:--*Be it therefore enacted,* That it shall be lawful for any Constable or other Peace Officer, or any person lawfully authorised by or under the Postmaster General for the time being, such Constable, Peace Officer, or other person first obtaining a Warrant for that purpose, under the hand and seal, or hands and seals, of any one or more of His Majesty's Justices of the Peace, acting in and for the County, Division, City, Town, or place where such Warrant is intended to be executed (which Justice or Justices shall grant such Warrant, on reasonable cause of suspicion being stated on oath by any such Constable, Peace Officer, or other person,) to detain and search any Carts, Waggon, Stage Coaches or other public Carriages employed for the conveyance of Goods or Passengers, and to detain, open and search any Packages, Parcels, Boxes, Trunks, or Bundles, in or upon or otherwise conveyed or carried by any such Carts, Waggon, Pack Horses, Stage Coaches, or other public Carriages employed for the conveyance of Goods or Passengers, and to detain and search all common Carriers, Drivers, and Guards of Carts, Waggon, Stage Coaches or other public Carriages, for the purpose of ascertaining whether any Letters or Packets are collected, carried or sent contrary to the provisions of this present Act, and upon discovery of any such Letters or Packets, to take possession of the same, and to carry or send the same to the next or nearest Post Office, and if any person or persons shall resist, hinder, obstruct or impede any such search, he or they shall for every such offence forfeit and pay the sum of Twenty Pounds.

*And be it further enacted,* That no person or persons hereafter to be appointed shall be capable of having, using, or exercising within this Province any employment relating to the Post Office, or be in any wise concerned in receiving stamping, sorting, charging, carrying, conveying, or delivering of Letters or Packets, unless such person shall have first taken the following Oath before some Justice of the Peace, or Magistrate acting as such for the County City, or place where such person resides, which said Oath such Justice of the Peace or Magistrate is hereby authorised and required to administer.

"I, A. B., do swear that I will not wittingly, willingly, or knowingly open, detain, or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed, any Letter or Letters, Packet or Packets, which shall come into my hands, power or custody, by reason of my employment in or relating to the Post Office, except by the

“consent of the person or persons to whom the same is or shall be directed, or by an express Warrant in writing under the hand of the Governor or Lieutenant Governor for the time being of the Province of Upper Canada, or other Officer for the time being administering the Government for that purpose, or except in such cases where the party or parties to whom such Letter or Letters, Packet or Packets, shall be directed, or who is or are hereby chargeable with the payment of the Port or Postage thereof shall refuse or neglect to pay the same, and except such Letters or Packets as shall be returned for want of true directions, or when the party or parties to whom the same is or shall be directed cannot be found; that I will not in any way embezzle any Letter or Letters, Packet or Packets, which shall come into my hands, power or custody, by reason of my employment in or relating to the Post Office, that I will faithfully perform all the duties required of me by my said employment, that I will obey and execute all such orders and instructions as I may from time to time receive from my superior Officers, and will abstain from every thing forbidden by the Laws in relation to the Post Office.”

*And be it further enacted*, That for the purposes of this Act every person of the persuasion of the people called Quakers, and every Moravian, shall be permitted to make his or her solemn affirmation or declaration, instead of taking an Oath in all places and for all purposes whatsoever where an Oath is by this Act required or directed to be taken, which said affirmation or declaration shall be of the same force and effect as if he or she had taken an Oath in the usual form; and if any such person making such solemn affirmation or declaration shall be lawfully convicted wilfully, falsely, and corruptly to have affirmed or declared any matter or thing which if the same had been in the usual form would have amounted to wilful and corrupt perjury, he or she shall incur the same penalties and forfeitures as by the Laws and Statutes of this Province are enacted against persons convicted of wilful and corrupt perjury, any Law, Statute, or custom to the contrary notwithstanding—*Provided always*, that every such affirmation or declaration shall be in the words following, (that is to say:)

“I, A. B., being one of the people called Quakers, [or] one of the persuasion of the people called Quakers, [or] of the United Brethren called Moravians, [as the case may be,] do solemnly, sincerely, and truly declare and affirm.”

And to the end that the persons employed in or about the business of the Post Office may not be hindered or impeded in their respective duties or employments in or relating to the same: *Be it enacted*, That no Deputy or Officer, or other person employed under the Post Office within this Province, shall be compelled or compellable to serve upon any Jury or Inquest, or to appear or serve at any Assize or Session, or to bear any public Office, either Ecclesiastical, Parochial, Municipal, Civil or Military, or to serve in the Militia; but the said Deputies and Officers and other persons aforesaid shall be wholly and absolutely exempted therefrom.

*And be it further enacted*, That from and after the said first day of January, 1836, it shall and may be lawful to and for the said Postmaster General for the time being, and his Deputy and Deputies, Servants and Agents, to and for the use of His Majesty, His Heirs and Successors, to demand, have, receive, and take for the Postage and Conveyance of all Letters and Packets which he or they shall convey, carry, or send, post within this Province according to the several rates and sums of money hereinafter mentioned, (that is to say:)

For the port and conveyance of every single Letter or piece of paper from the Office where such Letter or piece of paper shall be put in to any distance not exceeding thirty miles, the sum of four-pence.

And to any distance exceeding thirty miles, and not exceeding eighty miles, the sum of six-pence.

And to any distance exceeding eighty miles, and not exceeding one hundred and fifty miles, the sum of eight-pence.

And to any distance exceeding one hundred and fifty miles, and not exceeding two hundred miles, the sum of ten-pence.

And to any distance exceeding two hundred miles, and not exceeding three hundred miles, the sum of one shilling.

And to any distance exceeding three hundred miles, and not exceeding four hundred miles, the sum of one shilling and two-pence.

And to any distance exceeding four hundred miles, and not exceeding five hundred miles, the sum of one shilling and four-pence.

And to any distance exceeding five hundred miles, the sum of one shilling and six-pence.

And for the port and conveyance of every double Letter or Letter composed or consisting of two pieces of paper, double the said sums respectively, according to such respective distances.

And for every treble Letter or Letter composed or consisting of three pieces of paper, treble the said sums respectively, according to such respective distances.

And for every ounce weight, four times the said sums respectively, according to such respective distances, and so on in proportion for any greater weight than an ounce, reckoning every quarter of an ounce and fraction of a quarter of an ounce equal to a single Letter or piece of paper.

*Provided always, and be it further enacted*, That no Letter or Packet sent or conveyed by the Post from places within this Province to places within any of His Majesty's other Provinces and Dominions in North America, or from places within His Majesty's other Dominions or Provinces in North America to places within this Province, shall be charged or chargeable with, or subject or liable to pay any distinct or separate rate or rates for the conveyance of such Letter or Packet within this Province, but the same shall be liable to and charged with Postage according to the whole distance between the places from and to which such Letter or Packet shall be sent as if such conveyance had been to and from places entirely within this Province.

*And be it further enacted*, That it shall be lawful to and for the said Postmaster General in his discretion to undertake at the expense of the Revenue of the Post Office the conveyance and delivery of Letters and Packets directed to persons at Towns, Villages, and places (not being Post Towns) from the respective Post Towns to which such Letters and Packets shall have been conveyed by the Post, and also the collection and conveyance of Letters in and from such Towns, Villages, and places (not being Post Towns) in order to be sent by the Post; and also the collection, conveyance, and delivery of Letters and Packets from or to Towns, Villages, and places (not being Post Towns) to or from any other Towns, Villages, and places, (not being Post Towns,) such sum and sums of money for the use of His Majesty, His Heirs and Successors, for such respective extra services to be performed as shall and may from time to time be mutually agreed upon by and between the said Postmaster General and the Inhabitants of such Towns, Villages, and places respectively:—*Provided always, and be it further enacted*, that nothing herein contained shall extend, or be construed to extend, to hinder or prevent the Inhabitants of such Towns, Villages, and places respectively, from carrying or re-carrying, or employing any messenger, servant, or other person to carry or re-carry, any Letters or Packets to or from such Towns, Villages, and places respectively; any thing herein contained to the contrary thereof notwithstanding.

*And be it further enacted,* That the monies to arise and be received for such extra services as aforesaid shall, after paying the expenses incurred, be applied in such manner as the rates of Postage are hereinafter directed to be applied.

*And be it further enacted,* That from and after the passing of this Act it shall and may be lawful to and for His Majesty's Postmaster General for the time being in his discretion to enter into any agreement or agreements with, or take security from any person or persons applying to him for that purpose for indemnifying His Majesty, His Heirs and Successors, and the Post Office Revenue in the whole or in part and for such time as the Postmaster General may think necessary against the expenses which shall or may be incurred beyond the rates of Postage by extending the conveyance of Letters and Packets by Post at the request of such person or persons, where it shall appear doubtful to the Postmaster General whether by extending such conveyance an additional expense to the Revenue beyond the aforesaid rates may not be incurred.

*And be it further enacted* That every Packet or cover containing therein, or having affixed thereto, one or more paper or papers with patterns, or one or more pattern or patterns, of Cloth, Silk, Stuff, or other goods, or one or more sample or samples of any other sort of thing, not exceeding together one ounce in weight, sent and conveyed by the Post to and from places within this Province, and to and from places within this Province, from or to places within any other of His Majesty's Dominions in North America, shall be chargeable and charged with no higher rate of Postage than a single Letter, so as every such Packet or Cover shall be sent open at the sides and without any letter or writing in upon or with such Packet or Cover, other than the address or direction, and the name or names of the person or persons sending the same, with the place or places of his or her or their abode, and the prices of the articles contained therein or affixed thereto.

*And be it further enacted,* That it shall and may be lawful to and for his Majesty's Post Master General, and his Deputy and Deputies, or any of the Officers employed under him or them, respectively to examine and search any such packet containing Patterns as aforesaid in order to discover whether any letter or writing be in, upon or with such Packet or Cover other than the address or direction and the name or names of the person or persons sending the same, with the place or places of his her or their abode, and the price of the articles contained thereon or affixed thereto, as aforesaid, and in case any letter, communication or writing whatsoever shall be found to be in, upon, or with such Packet or Cover, other than as hereinbefore is mentioned and allowed then and in such case the whole of such Packet shall be charged and chargeable, with the full rates and duties of Letter Postage, hereby established.

*And be it further enacted,* That every Letter not open at the sides containing one or more paper or papers with patterns or containing one or more pattern or patterns of cloth, silk, stuff, or other goods, or one or more sample or samples of any other sort of thing, not exceeding together one ounce in weight, sent and conveyed by the post to and from places within this Province, and to and from places within this Province, from or to places within any other of His Majesty's Dominions in North America, shall be charged and chargeable with no higher rate of Postage than a double Letter.

*And be it further enacted,* That Newspapers printed and published within this Province, or any other of His Majesty's Provinces or Dominions in North America, and printed Acts, Votes, Journals, Reports, and Proceedings, printed by order of the Legislative Council or Assembly of this Province, or any other of His Majesty's Provinces in North America (other than and except such as shall be put into any Post Office within this Province or any other of His Majesty's Provinces or Dominions in North America for conveyance by the Post by His Majesty's Packet Boats to Great Britain or Ireland) shall and may be conveyed by the General Post within this Province at the rates following: (that is to say) at the rate of one half penny for every such Newspaper, and at the rate of two pence for every such printed Act, Vote, Journal, Report, and Proceeding, provided any such printed Act, Vote, Journal, Report, or Proceeding, shall not exceed the weight of an ounce; and one penny for every half ounce above that weight, so as every such Newspaper, printed Act, Vote, Journal, Report and Proceeding, be sent without a cover, or in a cover open at the sides, and so as every such Newspaper be put into a Post Office on the day on which the same shall appear from the date thereof to have been published, or within seven days afterwards, and so as there be no writing crosses or other marks of any description upon any such Printed Newspaper, Act, Vote, Journal, Report, or Proceeding, or the cover thereof, other than the direction, and that there be no other paper or thing enclosed or concealed therein or affixed thereto, nor any printed words or communication on or within the cover thereof.

*And be it further enacted,* That Newspapers printed and published in any Country, Island, or Colony, out of any of His Majesty's Dominions in North America (except Newspapers printed and published in Great Britain or Ireland and sent by Post from thence by His Majesty's Packet Boats) shall and may be conveyed by the General Post within this Province at a rate of one penny each, so as every such Newspaper be sent without a cover, or in a cover open at the sides, and there be no writing crosses or other marks of any description upon such printed Newspaper or the cover thereof other than the direction, and that there be no other paper or thing enclosed or concealed therein or affixed thereto, nor any printed words or communication on or within the cover thereof.

*And be it further enacted,* That newspapers printed in Great Britain or Ireland, and sent by post from thence by His Majesty's Packet Boats, and newspapers printed and published within this Province, or any other of His Majesty's Dominions in North America, and put into any post Office for conveyance by His Majesty's packet Boats to Great Britain or Ireland, the said newspapers being respectively without covers or in covers open at the sides, and without any writing, crosses, or other marks of any description upon any such newspapers or the covers thereof, other than the direction, and without any other paper or thing enclosed or concealed therein, shall and may be conveyed by the General post within this Province free of postage, except as to any newspaper printed in Great Britain or Ireland, which, on reaching the place of its address, shall be redirected and forwarded by the post to some other place, in which case every such paper, if under the weight of an ounce, shall be liable to and charged with a rate of two pence and if above that weight to a rate of one penny for every half ounce above that weight.

*And be it further enacted,* That unbound printed Magazines, Reviews, Almanacs, and other periodical publications (other than and except Pamphlets, Magazines, Reviews, and other periodical publications sent from Great Britain and Ireland by His Majesty's packet Boats to this Province) and also all printed Votes and proceedings of the Legislatures of any Kingdom, Island, or Province, out of His Majesty's Dominions in North America, (other than and except the printed votes and proceedings of the Legislature of Great Britain and Ireland) shall and may be sent by the General post within this Province at a rate of three pence each if under the weight of one ounce and if above that weight and under the weight of six ounces then at the rate of three pence per ounce

but if above the weight of six ounces, then at the rate of Four pence per ounce for every ounce above that weight, and every fraction of an ounce to be considered an ounce so as every such printed Publication or paper be sent without a cover, or in a cover open at the sides, and there be no writing crosses, or other marks of any description upon the same or the cover thereof other than the direction and that there be no other paper or thing enclosed or concealed therein or affixed thereto nor any printed words or communication on or within the cover thereof.

*And be it further enacted,* That it shall and may be lawful to and for the Postmaster General for the time being, to settle and establish a Penny Post Office in any City or Town, or the suburbs thereof, or places adjacent, within this Province, where the Postmaster General shall deem the same necessary and expedient, and to continue as long as he may deem expedient all Posts of a like description which are now established, and to demand, receive, and take for the postage and conveyance of all letters and packets conveyed or carried by such Posts, according to the rates and sums hereinafter mentioned: (that is to say,) for every letter or packet originally sent by the General Post and afterwards delivered by the Penny Post, or originally sent by the Penny Post and afterwards passing through the General Post, the sum of one penny over and above all other rates chargeable for the conveyance of such letter or packet; and for every letter or packet originally sent by the Penny Post, and not first passing or afterwards to pass through the General Post, the sum of two pence.

*And be it further enacted,* That no letter or packet shall be forwarded by any Penny Post which shall exceed the weight of four ounces, other than such as have first passed or be afterwards to pass by the General Post.

*And be it further enacted,* That the better to provide for the expenses of the Post Office within this Province, it shall and may be lawful for His Majesty's Postmaster General for the time being, and his Deputy and Deputies, to demand and receive in any City, Town, or place where such penny post shall be established, and in which the Postmaster General shall employ Letter Carriers for delivering Letters and Packets at the houses of the inhabitants (over and above, and in addition to the several rates hereby granted) the rates hereinafter mentioned: (that is to say,) on any Letter or Packet (not being a Newspaper) delivered by any such Letter Carrier within any distance not exceeding a mile and a half from the Post Office, the sum of one penny; and on every Letter or Packet (not being a Newspaper) delivered beyond that distance, the sum of one penny half penny. And on every Newspaper delivered by any such Letter Carrier within the aforesaid distance of a mile and a half, the sum of one half penny; and on every newspaper delivered beyond that distance, the sum of one penny: *Provided always,* that no Letters, Newspaper, or Packet, shall be sent out for delivery by a Letter Carrier for any person or persons who shall have lodged and deposited at the Post Office a request in writing that his, her, or their Letters and correspondence may be retained and kept at the Post Office till called for.

*And be it further enacted,* That it shall be lawful for His Majesty's Postmaster General and his Deputy and Deputies to demand and receive in respect of every letter or packet left or deposited at any Post Office not to be sent or conveyed by the post, but to be delivered at the Post Office where the same shall be so deposited, the sum of one penny, either of the person by whom such letter or packet shall be left or deposited, or of the person to whom the same shall be delivered.

*And be it further enacted,* That it shall be lawful for the Postmaster General for the time being to appropriate and apply at any town or place where he shall deem the same expedient, the extra rates by the last two clauses of this Act granted in augmentation of the salaries of the Deputy Postmasters of any such towns or places, or of the Letter Carriers employed therein.

*And be it further enacted,* That from and after the said first day of January, 1836, it shall be lawful to and for the said Postmaster General, his Deputy or Deputies, Servants and Agents, to demand, have, and receive for every letter or packet, printed vote, proceeding, or other paper printed by order or under the authority of the Legislative Council and Assembly of this Province, or either of them, and put into any Post Office within this Province for conveyance by His Majesty's Packet Boats to Great Britain or Ireland; and for every letter or packet, printed vote, proceeding, or other paper printed by order or under the authority of either House of Parliament of the United Kingdom of Great Britain and Ireland, pamphlet, magazine, review, or other periodical publication brought by His Majesty's Packet Boats from Great Britain or Ireland, and delivered by the post within this Province, the several and respective packet and other rates of postage which now are or shall at any time and from time to time hereafter be chargeable and payable upon or in respect of the same under and by virtue of any Act or Acts of the Parliament of the United Kingdom of Great Britain and Ireland, subject to all such regulations and restrictions as in such Act or Acts are or shall be contained. But it is hereby declared and enacted that no additional rate of postage shall be paid or payable for the conveyance of any such letters or packets, printed votes, proceedings, pamphlets, magazines, reviews, or other periodical publications by the post within this Province, unless any such shall on reaching the place of its address be re-directed and forwarded by the post to some other place, in which case every such letter, packet, printed vote, proceeding, pamphlet, magazine, review, or other periodical publication, if under the weight of one ounce shall be liable to and charged with a rate of two pence, and if above that weight to a rate of one penny for every half ounce above that weight.

*And be it further enacted,* That if any letter or packet, printed vote, proceeding, or other paper printed by order or under the authority of the Legislative Council and Assembly of this Province, or either of them, be sent by the post from this Province to Great Britain or Ireland, for the purpose of being forwarded from thence by post to some foreign Kingdom, or if any letter or packet brought into this Province by the post shall have been sent from some foreign Kingdom through Great Britain or Ireland, every such letter or packet shall be liable to and charged with the British foreign rates and duties of postage (sterling money) in addition to the rates lastly hereinbefore mentioned.

*And be it further enacted,* That all monies to arise and be received in this Province, in respect of the several rates and duties mentioned in the two last mentioned clauses, (except the rates and duties arising on Letters and Packets, printed Votes, Proceedings, Pamphlets, Magazines, Reviews, and other periodical publications re-directed and forwarded by the post within this Province,) shall be deemed and considered British postage, and be accounted for and remitted to the Post Office of Great Britain accordingly.

*And be it further enacted,* That it shall and may be lawful to and for His Majesty's Postmaster General for the time being, and his Deputy and Deputies, to contract for the conveyance of Mails of Letters by any Steam Boat or other vessel, to or from any port or place within this Province, or within any other of His Majesty's Dominions or Provinces in North America, and to forward the same accordingly, and to demand and take for such conveyance the same rates and duties of postage, according to the distance, as if such Letters and Packets were conveyed by land.

*And be it further enacted,* That it shall be lawful for the Master, Commander or Manager of any Steam Boat or other vessel arriving at any port within this Province, from any other port within the same Province, or from any port within any other of His Majesty's Dominions in North America, or from any port in the United States, situate upon any of the inland waters or lakes separating that Country from his Majesty's Dominions, to collect, receive, and keep in a bag or box, to be provided by him for that purpose, any letter or packets of letters which may be on board his Steam Boat or vessel, addressed to or destined for any of the ports or places within this Province at which he may touch or for which he may be bound, all which letters and packets the Master, Commander or Manager, on arriving at any such port or place shall deliver immediately after his arrival, if between sunrise and sunset, and if at any other time than within two hours after the next sunrise, to the Postmaster of any such port or place, and every letter or packet so conveyed and delivered shall be liable to and charged (in addition to any postage which may arise on the inland conveyance thereof) to a water rate of four pence for every single letter or piece of paper, eight pence for every double letter or letter composed or consisting of two pieces of paper, one shilling for every treble letter or letter composed or consisting of three pieces of paper, and one shilling and four pence for every ounce weight, and so in proportion for any greater weight than an ounce, reckoning every quarter of an ounce or fraction of a quarter of an ounce equal to a single letter or piece of paper.

*And be it further enacted,* That it shall and may be lawful to and for the Postmaster General and his Deputy and Deputies, to demand, have, receive and take for every letter or packet which shall be brought into this Province by Steam Boats or other Vessels, from any port or place out of the same, other than and except any of the ports mentioned in the last foregoing clause, over and above and in addition to any postage which may arise on the inland conveyance of such letters or packets, a water rate of two pence for every letter or packet.

*And be it further enacted,* That for the encouragement of the Masters and Commanders of Steam Boats and other Vessels, arriving at any port or place within this Province, it shall be lawful for the Postmaster General to allow such Masters or Commanders the sum of one penny a letter or packet upon all such letters and packets as they respectively on their arrival shall duly deliver unto the Deputy or Deputies of the Postmaster General, according to the directions hereinbefore and hereinafter contained, (newspapers, printed votes, proceedings or other papers printed by order of or under the authority of any House of Parliament or Legislative Assembly, pamphlets, magazines, reviews, or other periodical publications excepted, and also except letters and packets made up at and forwarded from any Post Office in Great Britain or Ireland.)

*And be it further enacted,* That on the arrival at any port within this Province of any Steam Boat or other Vessel, the Master or Commander shall deliver immediately after his arrival, if between sunrise and sunset, and within two hours after the next sunrise, if the arrival be after sunset, all letters on board destined for such port or place, to the Postmaster there, in order that the same may be distributed by the earliest inland posts; and the Master or Commander of every Steam Boat or Vessel coming from ports and places out of His Majesty's Dominions in North America, shall, at the regular port or place where the Ship or Vessel shall report, sign a declaration in the presence of the person authorised by the Postmaster General at such port or place, who shall also sign the same, which declaration shall be in the form or to the effect following; that is to say,—

“I, A. B., of the [state the name of the Ship or vessel], arrived from [state the place], do, as required by law, solemnly declare, that I have to the best of my knowledge and belief delivered, or caused to be delivered to the Post Office, every letter bag, letter and package or parcel of letters that were on board the [state the name of the Ship].”

and that till such declaration be made and produced to the Collector, Comptroller or principal Officer of the Customs, he or they shall not permit such Steam Boat or Vessel to report or enter.

*And be it further enacted,* That if any such Master or Commander shall wilfully refuse or neglect to make or produce the said declaration, he shall forfeit and pay for every such offence the sum of twenty pounds.

*And be it further enacted,* That if any Collector, Comptroller or principal Officer hereby required to prohibit any Ship or vessel reporting or entering, until the requisites of this Act shall have been complied with, shall permit such Ship or Vessel to report or enter, such Collector, Comptroller or Officer, for permitting such Ship or Vessel to report or enter, shall forfeit and pay the sum of fifty pounds.

*And be it further enacted,* That if after the Master, Commander or Manager of any Steam Boat or other Vessel shall have sent his letters to the Post Office, or if after the period at which any such Master, Commander or Manager ought to have sent his letters to the Post Office, pursuant to the directions hereinbefore contained, any letter or packet shall be landed from his Ship or Vessel, by himself or any of his crew or passengers, or shall be found on board his Ship or Vessel, in his possession or in the possession of any of his crew or passengers, every such Commander, Master or Manager, for every letter or packet landed by him or any of his crew, or by his direction or authority, and every such passenger, for every such letter or packet landed by him or her or his or her servants, shall forfeit and pay the sum of five pounds, to be recovered in a summary way as hereinafter provided, and for every letter so found on board, there shall be paid by the person in whose possession or baggage the same shall be found, the sum of five pounds, and for every letter or packet found on board in the possession, custody, care or power of the Master, Commander or Manager, after he shall have made the declaration hereinbefore required, every such Master, Commander or Manager shall forfeit and pay the sum of five pounds:—*Provided always,* and it is hereby declared, that nothing lastly hereinbefore contained shall be deemed or construed to extend to any letters which from their address it shall appear any passenger has in his or her possession for the purpose of personally delivering to the person or persons to whom the same shall be addressed.

*And be it further enacted,* That it shall and may be lawful to and for the Collector, Comptroller, or principal Officers of the Customs at any port or place within this Province, and they are hereby required, to search every Steam Boat or other Vessel for letters or packets which may be on board contrary to the provisions of this Act, and to seize and take all such letters, and to forward the same to the Postmaster of the port or place at or near which such search shall be made, and that the Officer seizing and sending the same shall be entitled to one moiety of the penalties that may be recovered for any such offence.

*And be it further enacted,* That if any person to whom any letters may be entrusted for the purpose of bringing on shore by the Master of any Ship or Vessel shall break the seal of the bag, box, or other envelope, or in any manner open the same, or shall not duly deliver the same without delay, every person so offending shall forfeit and pay for every such offence the sum of fifty pounds.

*And be it further enacted,* That in case any Bags Packages or parcels of Letters shall be brought by any ship of War the Commander thereof shall cause the same and all Letters which may be on board (except the

Public despatches of Government) to be immediately sent to the Post Office at the first Post where he shall arrive and that such commander shall not be entitled to any remuneration for the same.

*And be it further enacted*, That in case it shall happen from any unforeseen circumstances that the master of any ship or vessel shall, upon delivering his Bags, Packages, or parcels of Letters at any out Port, be prevented from receiving the money to which he shall be entitled, such Master or Commander shall nevertheless be paid the same by the order of the Post Master General or his Deputy at such other place as may be most convenient.

And for the more effectually preventing the detention of Letters on board Steam Boats and other Vessels, and the injury and inconvenience resulting to Merchants and others therefrom. *Be it enacted*, that it shall be lawful to and for any person or persons thereunto duly authorised and appointed by the Post Master General or his Deputy, to demand and receive from the Master, Commander, or other person having the charge of any Steam Boat or other Vessel arriving at or off any Port in this Province, all Letters and packets on board the same, and the Master or Commander or other person having the charge of any such ship or Vessel, is hereby required forthwith, on production of the authority or appointment signed by the Postmaster General, or his Deputy, to deliver such Letters and Packets to the Person or Persons so authorised to demand and receive the same, and in case any letter or Packet shall be landed from any such ship or vessel, or found on board the same in the possession of the Master or Commander, or of the Passengers or Crew at any time after the ship's Letters shall have been demanded or delivered, as last aforesaid, the Master or Commander, for every letter or packet so landed by him or any of his crew or by his direction or authority, or so found on board in his possession, custody or care, and every passenger for every letter or packet so landed by him or her, or his or her servants, or so found on board in the possession or baggage of any such passenger, shall forfeit and pay the sum of five pounds:— Provided always, and it is hereby declared that nothing lastly hereinbefore contained shall be deemed or construed to extend to any letters which from their address it shall appear any passenger has in his or her possession for the purpose of personally delivering to the person or persons to whom the same shall be addressed.

*And be it further enacted*, That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies, in his and their discretion to collect and receive letters and packets of letters directed to any place or places out of this Province for conveyance by Steam Boats or other Ships or Vessels, (other than Packet Boats,) and to forward the same by any Steam Boat or other Ship or Vessel that he in his discretion shall think fit, and to demand, have, receive, and take for every letter and packet which shall be delivered to him or his Deputy or Deputies for conveyance in manner lastly hereinbefore specified, over and above and in addition to any postage which may arise in the inland conveyance of such letters or packets, a water rate of two pence for every such letter or packet.

*And be it further enacted*, That it shall be lawful to and for each and every Seaman employed in His Majesty's Navy within any part of this Province, whilst such Seaman shall be actually employed in His Majesty's service and not otherwise, to send single letters by the post on his own private concerns only at the rate of one penny for each such letter, the same to be paid on putting the same into the Post Office of the town or place from whence such letter is intended to be sent by the post: *Provided nevertheless*, that upon every such letter so to be sent, the name of the writer and his class or description in the Ship or Vessel to which he shall belong shall be superscribed: *And provided also*, that upon every such letter there shall be written in the handwriting of and signed by the Officer having at the time the command of the Ship or Vessel, his name, and the name of the Ship or Vessel commanded by him.

*And be it further enacted*, That it shall and may be lawful to and for each and every seaman employed in His Majesty's Navy within any part of this Province, whilst such seaman shall be actually employed in His Majesty's service and not otherwise, to receive single letters by the Post on his own private concerns only free from postage; provided, that the sum of one penny for the postage of each such single letter shall have been paid upon putting the same into some Post Office established under the authority of His Majesty's Postmaster General in any part of His Majesty's Dominions; and provided also, that every such letter shall be directed to such seaman, specifying on the superscription thereof the Ship or Vessel to which he shall belong; and provided likewise, that it shall not be lawful for the Deputy Post Master of the Town or place to which such letter shall be sent to be delivered, to deliver such letter to any person except the seaman to whom such letter shall be directed, or to some person appointed to receive the same by writing under the hand of the Officer having the command of the Ship or Vessel to which such seaman shall belong: *Provided nevertheless*, that nothing in this present clause, or in the clause lastly hereinbefore contained, shall extend, or be construed to extend, to letters sent by or to Commissioned Officers or Warrant Officers, Midshipmen, or Masters' Mates.

*And be it further enacted*, That it shall and may be lawful to and for each and every Serjeant, Corporal, Drummer, Trumpeter, Fifer and private soldier in His Majesty's regular Forces, Militia, Fencible Regiments, Artillery or Royal Marines, within this Province whilst such Serjeants, Corporal, Drummer, Trumpeter, Fifer, and Private Soldier, respectively shall be actually employed in His Majesty's service, and not otherwise to send single letters by the Post on his own private concerns, only at the rate of one penny for each such letter, the same to be paid upon putting the same into the Post Office, in the town or place from whence such letter is intended to be sent by the Post: *Provided also*, that upon every such letter so to be sent the name of the writer and his Class or description in the Regiment, Corps, or Detachment to which he shall belong shall be superscribed; *and Provided also* that upon every such letter there shall be written in the hand writing of and signed by the Officer having at the time the Command of the Regiment Corps or Detachment, his name and the name of the Regiment Corps or Detachment commanded by him.

*And be it further enacted*, That it shall and may be lawful to and for each and every Serjeant, Corporal, Trumpeter, Drummer, Fifer and Private Soldier in His Majesty's Regular Forces, Militia, Fencible Regiments, Artillery or Royal Marines within this Province, whilst such Serjeant, Corporal, Drummer, Trumpeter, Fifer and Private Soldier respectively shall be actually employed in His Majesty's Service, and not otherwise, to receive by the post on his private concerns only, free from postage, single letters: *Provided*, that the sum of one penny for the postage of each such letter shall have been paid upon putting the same into some Post Office established under the authority of His Majesty's Postmaster General in any part of His Majesty's Dominions: *And provided also*, that every such letter shall be directed to such Serjeant, Corporal, Trumpeter, Drummer, Fifer and Private Soldier, specifying on the superscription thereof, the name of the Regiment, Corps, or Detachment to which he shall belong: *And provided likewise*, that it shall not be lawful for the Deputy Postmaster of the Town or place to which such letter shall be sent to be delivered, to deliver such letter to any person except the Serjeant, Corporal, Trumpeter, Drummer, Fifer, and Private Soldier to whom such letter shall be directed, or to some person appointed to receive the same by writing, under the hand of the Officer having the command of the Regiment.

Corps, or Detachment to which such Sergeant, Corporal, Trumpeter, Drummer, Fifer, and Private Soldier shall belong: *Provided always*, that nothing in this present clause, or in the clause lastly hereinbefore contained, shall extend, or be construed to extend, to letters sent by or to Commissioners, Officers, or Warrant Officers.

*And be it further enacted*, That any such letter to or from any Seaman employed in His Majesty's Navy, and any Serjeant, Corporal, Trumpeter, Drummer, Fifer, and private Soldier in His Majesty's Forces as aforesaid, who shall not be within this Province, shall and may be conveyed by the post through this Province free of the duty of postage.

*And be it further enacted*, That if any such letter sent by any Seaman, Serjeant, Corporal, Drummer, Trumpeter, Fifer, or private Soldier, shall be forwarded by His Majesty's Packet Boats to Great Britain the penny paid on putting the same into the Post Office, shall be deemed and considered British postage and be accounted for and remitted to the Post Office of Great Britain accordingly.

*And be it further enacted*, That if any person having the command of any Ship, Vessel, Regiment, Corps, or Detachment, and who is hereby authorised to write his name and the name of the Ship, Vessel, Regiment, Corps or Detachment commanded by him, upon any single letter from any Seaman, Serjeant, Corporal, Trumpeter, Drummer, Fifer, and private Soldier in the several cases aforesaid shall wilfully and knowingly write his name upon any letter that is not from any such Seaman, Serjeant, Corporal, Trumpeter, Drummer, Fifer and Private Soldier, and on his own private concerns, only such commanding Officer shall for every such offence forfeit and pay the sum of five pounds.

*And be it further enacted*, That if any person not having at the time the command of the Ship, Vessel, Regiment, Corps, or Detachment, shall write his name upon any such letter in order that the same may be sent at a lower rate of postage than by law established, every such person shall for every such offence forfeit and pay the sum of five pounds.

*And be it further enacted*, That if any person or persons whosoever shall knowingly and designedly address a letter or letters to any such Seaman, Serjeant, Corporal, Trumpeter, Drummer, Fifer, or private Soldier, which shall be intended for another person, or which shall be concerning the affairs of another person, with intent to evade the payment of the rates of postage by law established, every such person or persons so offending shall for every such offence forfeit and pay the sum of five pounds.

*And be it further enacted*, That if any person or persons whosoever shall procure any such Seaman, Serjeant, Corporal, Drummer, Trumpeter, Fifer, or private Soldier, to obtain the signature of his commanding Officer to any letter or letters to be sent by the post which shall not be on the private concerns of such Seaman, Serjeant, Corporal, Drummer, Trumpeter, Fifer, or private Soldier; or if any such Seaman, Serjeant, Corporal, Drummer, Trumpeter, Fifer, or private Soldier, shall himself obtain the signature of his commanding Officer upon any letter or letters which shall not be from such Seaman, Serjeant, Corporal, Drummer, Trumpeter, Fifer, or private Soldier, and upon his own private concerns, only in order to avoid the payment of the rates of postage by law established, each and every person so offending shall for every such offence forfeit and pay the sum of five pounds.

*And be it further enacted*, That one moiety of the several penalties and forfeitures by the four last preceding clauses of this Act imposed, shall be to the use of the person who shall and will inform and sue for the same, and the other moiety shall be paid to the Postmaster General or his Deputy for the purpose hereinafter mentioned; and such several penalties or forfeitures shall and may be recovered with costs before any one or more Justice or Justices of the Peace for the County, City, Town, or place where the offence shall be committed, either by the voluntary confession of the party, or upon the Oath or Oaths of one or more credible Witness or Witnesses, which Oath or Oaths the said Justice or Justices is and are hereby authorised and required to administer; and in default of payment it shall and may be lawful for such Justice and Justices to commit such offender or offenders to the Gaol or House of Correction, to hard labor for any space not exceeding one month, or until such forfeiture or penalty be sooner paid.

*And be it further enacted*, That all printed papers to be conveyed by the post under the provisions of this Act without covers, or in covers open at the sides, shall be delivered to the Postmaster General, or his Deputy or Deputies, at such hours in the day and under all such regulations as the Postmaster General for the time being, or his Deputies, shall in his discretion from time to time appoint.

*And be it further enacted*, That it shall be lawful for His Majesty's Postmaster General and his Deputy or Deputies, or any of the Officers employed under him or them respectively, to examine and search any printed paper or packet which under the provisions of this present Act shall be sent by the post without a cover, or in a cover open at the sides, as aforesaid, in order to discover whether any other paper or thing whatsoever be enclosed or concealed in or with such printed paper or packet; and in case any such other paper or thing whatsoever shall be found to be enclosed or concealed in or with such printed paper or packet as aforesaid, or in case there shall be any writing other than the address upon such printed paper or packet, or upon the cover containing the same, or any crosses or marks upon such printed paper or packet, or any printed words or communication upon the cover thereof, the whole of such packet shall be charged with treble the duty of letter postage.

*And be it further enacted*, That in all cases in which any dispute, controversy, or question shall arise whether any printed paper sent, or attempted or offered to be sent, by the post within this Province, is to be considered and deemed a newspaper, printed vote or proceeding of any Legislature or House of Assembly, or printed magazine, review, almanac, or pamphlet, within the intent and meaning of this Act, the question shall be referred to the judgment and determination of the Postmaster General for the time being, or his Deputy, whose decision, with the concurrence of the Governor and Executive Council of the Province, shall be final and conclusive on all persons whomsoever.

*And be it further enacted*, That nothing herein contained shall be construed to oblige any person or persons to send any printed votes or proceedings of the Legislatures of this Province or printed newspapers through His Majesty's Post Office, but that it shall and may be lawful for all persons to send such printed votes, proceedings, and printed newspapers in any manner they may find practicable or convenient.

*And be it further enacted*, That any piece or sheet of paper upon which letters to several and distinct persons shall be written, shall not be charged or chargeable with any higher rate of postage than if one letter only were written upon such sheet or piece of paper: *Provided always*, that if any piece or sheet of paper upon which letters to several and distinct persons shall be written shall be folded as distinct letters, or be directed to several

or distinct parties, then and in every such case the like rates of postage shall be payable in respect of such piece or sheet of paper, as would have been payable by law in case such several and distinct letters had been written and sent on several and distinct pieces or sheets of paper.

*And be it further enacted,* That in case any person to whom any letter or packet sent by the post shall be directed (except in respect of any letters or packets brought by His Majesty's Packet Boats from Great Britain or Ireland which are hereinbefore provided for) shall have removed from the place to which such letter or packet shall be addressed prior to the arrival thereof at such place, then and in every such case it shall be lawful for the said Postmaster General, his Deputies and Agents, to demand, have, and receive from the person to whom such letters shall be directed over and beyond the rate of postage that would be payable for the same if delivered at the Post Town or place to which such letters were originally directed, a distinct further rate of postage after the rates authorised by the provisions of this present Act, for the distance from such Post Town or place to the place or places to which the same may ultimately be forwarded: *Provided always,* that in all cases in which any letters shall be forwarded by the General Post addressed to any Commissioned Officer of the Army, Navy or Ordnance, or any of the Departments belonging thereto respectively, at any place where such Officer shall have been employed on actual service, and shall before the delivery of such letter have removed from such place to another place in the execution of his duty in the public service, such letter shall not be charged with any postage for the conveyance of the same to the place at which such letter may be ultimately delivered over or beyond the rate of postage payable for the same on delivery at the place to which such letter was originally directed.

*And be it further enacted,* That it shall and may be lawful to and for the said Postmaster General, his Deputy or Deputies, (if he or they shall deem it necessary or expedient,) to cause the rates or sums payable under this Act for the postage of all letters, packets, and printed papers which shall be sent out of this Province (except such as may be directed to any other of His Majesty's Provinces in North America, or to any of His Majesty's European Dominions) to be paid on their being put into any Post Office within this Province.

*And be it further enacted,* That no toll shall be demanded or taken at any Turnpike, Tollgate, or Bar in this Province for any horses or carriages of whatsoever description, employed or to be employed, in conveying mails of Letters and expresses, under the authority of the Post Master General, either when employed in conveying, fetching, or guarding such mails or expresses, or in returning back from conveying or guarding the same; and all Turnpike keepers, and Toll collectors, are hereby directed and required to permit such carriages and horses to pass through all Turnpikes, Tollgates, and Bars without demanding any toll or duty for so doing.

*And be it further enacted,* That no deputy officer or Agent of the Post Master General, travelling with any mail of letters, shall pay for passing or repassing any Ferry within this Province.

*And be it further enacted,* That if any collector or Receiver, Ferryman or other person whatsoever, within this Province, appointed, entrusted, or employed to take or receive the tolls, or rates at any Turnpike, Gate, or Bar, erected upon any high way, Bridges, or Post Roads, or at any Ferry, shall demand and take any Toll or rate for the coachman, Post Boy, Express Boy, or Rider, Guard, Servant, or other person, horses, or carriages, conveying or employed to carry any mail or Bag of Letters, passing through, over, or across the same, or shall not permit and suffer the Horses and carriages together, with the coachmen, Post Boys, express Boys, or riders, Guards, Servants, and other persons so employed to pass through such Toll Gates, Bars, or Gates, and across such Ferries without delay; or if any Ferryman shall not immediately, and without any delay, after demand made, convey the coachman, Post Boy, Express Boy, Rider, Guard, Servants, and other persons, together with the Horses and Carriages employed as aforesaid, across such Ferry, to the usual landing-place, such offender, or offenders, being convicted thereof by the oath of such Coachman, Post Boy, Express Boy, or Rider, or other credible witness or witnesses, before any Justice of the Peace within the District wherein such offence shall be committed (which oath every Justice is hereby authorised and required to administer,) shall, for every such offence, forfeit the sum of Five pounds, to be paid to the Informer; and if the same shall not forthwith be paid upon such conviction, it shall and may be lawful for every such Justice, and he is hereby required, to commit the offender to the Gaol or House of Correction, there to remain until the said penalty or forfeiture, shall be paid, or for any time not exceeding the space of twenty one days, nor less than fourteen days, from the time of the commitment, unless such penalty or forfeiture shall be sooner paid.

*Provided always, and Be it further enacted,* That the exemption from toll, hereinbefore contained, shall not affect nor be deemed or construed to affect any existing charter or grant under which Tolls at any Turnpikes or Bridges are now demanded and paid, all which tolls shall continue to be paid and payable until the expiration or determination of any such existing Charter or Grant, but no longer, any thing hereinbefore contained to the contrary thereof notwithstanding.

And to the end that all letters and packets may be charged with postage, according to the distance they are respectively carried by the post, and for preventing disputes touching the same: *Be it enacted,* that it shall and may be lawful to and for such person and persons as the Postmaster General for the time being or his Deputy shall appoint, to measure or cause to be measured by the wheel or otherwise, all the post roads which are now settled and established, or which shall hereafter be settled and established in any part of this Province: *Provided always,* that all such person or persons who shall be so appointed as aforesaid to measure the said distances, and every of them, shall be sworn to perform the same according to the best of his and their skill and judgment, which oath shall and may be administered by any Justice of the Peace who is hereby authorised and required to administer the same, and to make Certificates thereof in writing, to be entered without fee or charge in the Chief Post Office within this Province; and moreover, such person or persons so to be appointed by such Postmaster General as aforesaid, shall, and he and they is and are hereby required to cause fair Surveys or Books to be made out, one of each whereof shall be left at the Chief Post Office established or to be established within this Province with the Deputies or Agents of the Postmaster General, there to remain in the said post Office, each of which said surveys, or Books, shall be signed by the Person or Persons making the same, who shall, and are hereby respectively required to make Oath of the truth of such surveys which Oath or Oaths shall and may be administered by any Justice of the Peace who is hereby authorised and required to administer the same and a certificate of his or their having been sworn to the truth thereof shall be signified by the Postmaster General for the time being, or by His Deputy in such chief Post Office as aforesaid, which Books and Surveys shall determine the distances on all the said Post roads, and in case of any suspicion of error or wrong admeasurement, it shall and may be lawful for the Postmaster General if he shall deem the same expedient to cause new surveys to be made and the last survey which shall be made and be verified and attested as aforesaid shall in all courts of Justice be evidence of the distances on such Post Roads and all rates granted by this Act for the Post or conveyance of Letters and Packets shall be paid and taken according to such surveys.

And to prevent disputes and questions as to the limits and boundaries of Post Towns and other places in which Post Offices are or shall be established within this Province, and within which limits and boundaries Letters and Packets are to be delivered by the Post, *Be it enacted*, That it shall and may be lawful to and for the Post Master General for the time being or his Deputy from time to time, in all cases in which he shall deem the same advisable or proper by writing under his hand to limit and declare for the purposes aforesaid, the limits and boundaries of any town or place in which a Post or Posts of any description hath or have been or shall hereafter be settled and established under his authority or under the authority of any of his Predecessors in Office and that such Declaration under the hand of such Postmaster General or his Deputy shall be binding and conclusive on all persons and parties whatsoever, and the production of an examined Copy of the same under the hand of the Postmaster General for the time being or his Deputy shall be received as evidence in all courts of Justice within this Province.

AND WHEREAS it is of great benefit to the public that letters addressed to persons which for want of proper directions, or other causes, cannot be delivered, or which, on being tendered and refused, should be returned to writers thereof on payment of the Postage: *Be it therefore enacted*, That in all cases in which the party or parties to whom any such letter or packet shall be directed, shall refuse or neglect to receive the same, and in all cases in which any letter or packet shall be returned to the Post Office for want of true directions, or where the party or parties to whom the same is or shall be directed, cannot be found, it shall be lawful to and for His Majesty's Postmaster General, his Deputy and Deputies, to open all such letters and packets and return the same to the person or persons from whom the same shall have been sent, and thereupon to have demand, recover, and receive from such person or persons, to and for the use of His Majesty, His Heirs, and Successors, the like rates of Postage as would have been payable by the person or persons to whom the said letters are or shall be directed, according to the distances which they shall have been sent, or, at the option of such Postmaster General or his Deputy, the rates which would by law be payable for the distances which the letters shall travel on the return thereof to the person or persons writing or sending the same, but not both of such rates in any case soever.

*And be it further enacted*, That the postage marked on any letter or packet and charged in the letter Bill which may accompany the same shall be conclusive evidence in favor of the Postmaster by whom the same shall be delivered of the lawful postage thereon unless such letter or packet shall be opened in the presence of the Postmaster or his Clerk.

*And be it further enacted*, That no person or persons whatsoever, or Body Politic or Corporate in any part of this Province, where any post is or shall be established under the authority of His Majesty's Postmaster General, shall presume to receive, take up, order, despatch, convey, carry, re-carry, or deliver, or shall send, or cause to be sent or conveyed, or tender, or deliver, in order to be sent or conveyed otherwise than by the post or by and with the authority and consent of His Majesty's Postmaster General for the time being, or the Deputy or Deputies of such Postmaster General, or to the nearest or most convenient Post Town to be from thence forwarded by the post any letter or letters, whether such letter shall be received, taken up, ordered, despatched, conveyed, re-carried, or delivered, or sent, or caused to be sent or conveyed, or tendered, or delivered, in order to be sent or conveyed separately or by itself, or together with any other letter or letters, or other matter or thing whatsoever; nor shall make any collection of letters, or set up or employ any Foot Post, Horse Post, or Packet Boat, or other conveyance or conveyances whatsoever for the receiving, taking up, ordering, despatching, conveying, carrying, re-carrying, or delivering any letter or letters, packet or packets of letters within this Province, or by means whereof any letter or letters, packet or packets of letters shall be collected, received, taken up, ordered, despatched, conveyed, carried, re-carried, or delivered within this Province, on pain of forfeiting the sum of Five Pounds for every letter, and also the sum of One Hundred Pounds for every week that any offender against this Act shall collect, receive, take up, order, despatch, convey, carry, re-carry, or deliver any letter or letters, packet or packets of letters within this Province, or shall set up, continue, or employ any Foot Post, Horse Post, or Packet Boat, or other conveyance or conveyances whatsoever for the receiving, taking up, ordering, despatching, conveying, carrying and re-carrying, or delivering of any letter or letters, packet or packets of letters within this Province as aforesaid: *Provided*, that nothing herein contained shall be deemed or construed to extend to Masters, Commanders, or Managers of Steam Boats or other Vessels plying on any of the inland waters of this Province, who shall duly collect and deliver to the Post Office the letters on board their Vessels in obedience to the directions hereinbefore contained.

*And be it further enacted*, That so often as any sum or sums of Money not exceeding Fifty Pounds shall be due from any person or persons within this Province for the postage of any letter or packet, letters or packets, to him, her, or them delivered by any Deputy, Agent, or Letter Carrier under His Majesty's Postmaster General, or which shall be due from any Deputy or Letter Carrier within this Province for the port of any letters or packets to him or them entrusted for delivery under the authority of the said Postmaster General, or from any other person or persons employed or to be employed in receiving or collecting the postage of letters or packets, or any of the Post Office Revenue, it shall and may be lawful for any Constable, Tithing-Man, or other Peace Officer of the County, Riding, Division, City, Town, or place where such person or persons shall reside, first obtaining a Warrant for that purpose under the hand and seal or hands and seals of any one Justice of the Peace or Magistrate acting in and for such County, Riding, Division, City, Town, or place, (which Justice or Magistrate on complaint made to him shall summon the party complained of and the Witnesses on either side, and examine into the matter of fact, and shall grant such Warrant on due proof being made of the sum or sums due and owing from such person or persons as aforesaid by the voluntary confession of the party or by the Oath of one or more Witness or Witnesses,) to distrain such person or persons by his, her, or their goods and chattels for the amount of such debt, and the distress so to be taken, to detain and keep for the space of five days at the costs and charges of such person or persons, and if he, she, or they shall not within the time pay the amount of such debt with the cost and charges of taking and keeping such distress, then the goods and chattels so distrained shall be sold by such Constable, Tithing-Man, or other Peace Officer, who shall render the overplus (if any) of the money arising by the sale thereof, after deducting and retaining the amount of such debt and the costs and charges of taking, keeping, and selling such distress to the person or persons so to be distrained as aforesaid, and for the purpose of taking such distress, it shall be lawful for such Constable, Tithing-Man, or other Peace Officer, when any refusal or desistance shall be made to break open in the day time any house or place where any goods or chattels of such person or persons shall be, and if no sufficient distress can be had or taken whereon to levy the said debt and charges, then such Justice or Magistrate shall commit such person or persons to the Prison of such County, Riding, Division, City, Town, or place, there to remain until such debt and charges shall be fully paid and satisfied.

*And be it further enacted,* That in case any action, suit, or other proceeding at Law, shall, at any time hereafter, be instituted or commenced against any Deputy, Agent, Officer, or Letter Carrier, and his, her, or their sureties, or any of them, for recovery of any sum or sums of money for or on account of the postage of letters, whether the claim shall arise on any Bond or Obligation, or otherwise, all such actions, suits, or other proceedings, shall be instituted and carried on in the name of His Majesty, His Heirs, or Successors; and an account made out and signed by the Postmaster General for the time being, or his Deputy, shall, in all Courts of Law and Equity, and before any Justice of the Peace, be allowed, admitted, and received as sufficient evidence of the facts stated in such account, and of the money thereby appearing or therein stated to be charged and chargeable on any such Deputy, Agent, Officer, or Letter Carrier, for or on account of the port and postage of letters and packets, being truly charged and chargeable on and legally due and owing from him, her, or them for or on account of the port and postage of letters and packets, without further or other proof thereof, unless by other evidence the contrary shall be made appear.

*And be it further enacted,* That it shall and may be lawful to and for the Postmaster General for the time being, and his Deputy, to require all Deputy Postmasters, Receivers, Letter Carriers, and other Officers employed in the service of the Post Office within this Province, to verify their several accounts by a written declaration before some Magistrate or Justice of the Peace, (which declaration any Magistrate or Justice of the Peace is hereby empowered and required to witness and take;) and that any Deputy Postmaster, Receiver, Letter Carrier, or other Officer, who shall knowingly declare falsely to any such account, shall be guilty of a misdemeanor, and being convicted thereof shall forfeit and pay the sum of fifty pounds, and be imprisoned in any Gaol or House of Correction for the space of one year, and shall be thereafter wholly incapable of serving His Majesty, His Heirs or Successors, in any employment, Civil or Military, and also incapable of holding any public office of honor, trust, or profit.

*And be it further enacted,* That all the rates and duties of postage and penalties payable under and by virtue of this Act, shall, in cases where the same are not expressly made payable in Sterling money, be paid and payable in Halifax Currency; and that in all accounts and transactions between the Post Office of this Province and the General Post Office of Great Britain, five shillings Halifax Currency shall be deemed and considered equivalent to four shillings and four pence Sterling, and four shillings and four pence Sterling as equivalent to five shillings Halifax Currency.

AND WHEREAS, by an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, in the fourth year of the reign of His present Majesty, intituled, "An Act to repeal, at the period within mentioned, so much of an Act passed in the fifth year of the reign of His late Majesty King George the Third, intituled, 'An Act to alter certain rates of Postage, and to amend, explain, and enlarge several provisions in an Act made in the ninth year of the reign of Queen Anne, and in other Acts relating to the Revenue of the Post Office, as authorises the taking of certain rates of inland postage within His Majesty's Dominions in North America,'" it is enacted, that from and after His Majesty's consent shall in the usual form be signified by the Governors or Deputy Governors of His Majesty's Colonies or Provinces in North America to Bills or Acts of the Legislatures of such respective Colonies or Provinces, authorising the demanding and taking, within such respective Colonies or Provinces, by His Majesty's Postmaster General, or his Deputy or Deputies, the like rates of postage as are authorised to be received and taken by the said Act of the fifth year of the reign of His late Majesty King George the Third, or such other rates of postage as in and by such Bills or Acts respectively may be mentioned and authorised to be received and taken, and for making such regulations for the management of the Post Office within such Colonies and Provinces by His Majesty's Postmaster General, or his Deputies, as shall be therein directed, then the said Act passed in the fifth year of the reign of His late Majesty King George the Third, so far as the said Act authorises the demand and receipt of any rates for the inland carriage and conveyance of letters and packets within such Colonies or Provinces respectively, shall thenceforth be absolutely repealed and be no longer of any effect; and it is further enacted, that from and after His Majesty's consent shall be so signified to such Bills or Acts of the Colonial or Provincial Legislatures as thereinbefore mentioned, all the Revenue which may arise from the collection of the rates of inland postage within the said respective Colonies or Provinces (after deducting the expenses of collection and of the establishment and management of the Post Office within and throughout the British Colonies or Provinces in North America, under the direction of His Majesty's Postmaster General or his Deputies,) shall and may, instead of being remitted as theretofore to the General Post Office in London, as part of the general Revenue of the Post Office, be appropriated, applied, and distributed to and among the said respective Colonies and Provinces, in the proportion which the gross amount of the rates and duties of postage raised, collected, and received within each and every of such respective Colonies or Provinces shall bear to the total amount of the rates and duties of postage raised, collected, and received within all such Colonies and Provinces, unless and until the said Colonies or Provinces shall by Bills or Acts of their respective Legislatures to which His Majesty's consent shall, in the usual form, be signified, unite and agree in directing any other mode in which such surplus shall be applied and disposed of: *Now be it further enacted,* that the several rates and duties of postage hereinbefore granted (save and except the rates hereby declared to be British postage) shall and may be appropriated, applied, and distributed in the manner by the said recited Act of the Imperial Parliament directed and set forth, and that such portion of any such rates and duties as shall at any time hereafter belong to and be payable to this Province shall be paid to the Treasurer or Receiver General, or such other Officer as the Governor or Lieutenant Governor for the time being shall direct, for the general purposes of the Province, and the receipt of any such Treasurer, Receiver General, or other Officer shall be a sufficient discharge for the same.

*And be it further enacted,* That the better to enable the Postmaster General and his Deputy to provide for the necessary expenses of carrying on the service of the Post Office it shall and may be lawful for the Governor, or Lieutenant Governor or other person who for the time being shall be in the lawful administration of the government of this province, and he is hereby required from time to time on application for that purpose from the Postmaster General for the time being, or his Deputy to grant and issue to such Postmaster General or his Deputy a warrant or warrants for any sum or sums of money not exceeding £2,000 Halifax Currency in any one year upon and payable out of the general funds of this Province, which advances and the appropriation or application thereof shall be accounted for in the accounts to be laid before the Legislative council and assembly as hereinbefore mentioned.

*And be it further enacted,* That once in every year accounts of the general receipts and expenditure of the Post Office shall be rendered to and laid before the Legislative council and assembly of the Province.

*And be it further enacted,* That from and after the said first day of January 1836, it shall and **(FRANKING.)** may be lawful to and for each and every Member of the Legislative Council and Assembly of this Province to send by the General Post to any place or places within His Majesty's Dominions in North America, free from the duty of Postage during the sitting of any session of the Provincial Parliament any number of letters or Packets not exceeding ten letters or packets in any one day so as none of such letters or Packets shall exceed the weight of one ounce and so as each of them be superscribed or directed in manner hereinafter mentioned, and also that it shall and may be lawful to and for each and every member of the Legislative Council and House of Assembly, during the sitting of any session, to receive by the General Post from places within His Majesty's Dominions in North America any number of letters and packets not exceeding Ten letters or packets in any one day so as each such letter and packet do not exceed the weight of one ounce, and be directed to the member at the place where he shall actually be at the time of the delivery thereof or at his usual place of residence or at the House of Parliament of which he shall be a member.

*Provided always, And be it further enacted,* That no letter or packet whatsoever directed by any member of either of the Legislative Council or Assembly of this Province shall be exempted from the payment of Postage unless the whole superscription upon any such letter or packet so sent shall be of the handwriting of the member directing the same and shall have indorsed thereon the name of such member together with the name of the Post town from which the same is intended to be sent, and the day, month, and year when the same shall be put into the post office, the day of the month to be in words at length, and the whole to be in the handwriting of the member; and also unless every such letter or packet shall be put into the General Post Office or other Post Office, or into any Receiving House or place appointed by His Majesty's Postmaster General for the receipt of letters and packets to be forwarded by the Post on the day of the date put upon such letter or packet, and unless the member whose name shall be endorsed thereon shall actually be in the post town, into the Post Office of which every such letter or packet shall be put, or within twenty miles of such post town on the day or on the day before the day on which such letter or packet shall be put into the Post Office.

*Provided always, And be it further enacted,* That whenever the number of letters or packets not weighing more than one ounce each, sent or received by any member of the Legislative Council or Assembly in any one day shall exceed the number hereinbefore permitted to pass free from the duty of postage and the rates of postage on the said letters and packets respectively or any of them shall differ, then such of the said letters or packets as would be chargeable with a higher rate of postage than the remainder shall be included in the number so exempted in preference to any which would be chargeable with a lower rate of postage, and the remainder of such letters or packets shall be chargeable with the several rates of postage respectively at which such letters or packets would by Law be chargeable if sent or received by any persons not entitled to send or receive letters or packets free from the duty of postage.

*And be it further enacted,* That from and after the said first day of January, 1836, it shall be lawful for each and every Member of the Legislative Council and Assembly of this Province to receive by the General Post any Petition addressed to either House of Parliament free from the duty of postage, provided the same be sent without a cover, or in a cover open at the sides, and shall not exceed the weight of six ounces.

AND WHEREAS frauds may be practised in sending covers, letters, and packets by Post, directed to Members of the Legislative Council and Assembly at places where such members do not usually reside, and are not then resident, and at different houses and places in the same post town, and by directing covers of letters and packets to Members at their usual places of residence containing letters and packets intended for others and not intended for such Members to whom the covers, letters, and packets are so directed, on which covers, letters, and packets so directed and enclosed private marks may be put whereby the persons for whom such letters are really intended may receive such covers, letters, and packets free from the duty of postage to the injury of the Revenue; for remedy whereof, *Be it enacted,* That it shall and may be lawful to and for the said Postmaster General, and all persons acting under this Act, to charge the whole of such covers, letters, and packets with the full duty of letter postage, according to the rates established by this Act, any thing herein contained to the contrary in any wise notwithstanding.

*Provided always,* That if it shall appear by the Certificate of such member that such cover, letter, or packet so charged, was actually intended for such member, and not covering a correspondence to any other person, that then and in every such case the postage so charged and paid for every such letter, cover, or packet shall be returned to such member.

*And be it further enacted,* That it shall be lawful for the Governor or other Officer for the time being, having the Government of this Province, the Deputy Postmaster General and the Surveyors of the Post Office within this Province respectively, to send and receive letters and packets by the General Post from or to any place within His Majesty's Dominions in North America, free from the duty of postage in the same manner and under the like regulations and restrictions (excepting as to the weight and number of such letters and packets) as any member of the Legislative Council and Assembly may send letters and packets in pursuance of this present Act.

*And be it further enacted,* That it shall be lawful for the Secretary of this Province, the Civil Secretary of the Governor, the Chief or Senior Clerk of the Executive Council, the Receiver General or Treasurer of the Province and the Deputy Postmaster General for the time being respectively to authorise and direct one person in each of their Offices or Departments respectively, the name and names of which said several and respective persons shall be from time to time transmitted by the respective Officers aforesaid to the Deputy Postmaster General for the time being, to send letters and packets by the General Post to places within this Province, and to places out of the same, but within His Majesty's Dominions in North America, free of postage, provided all such letters and packets shall relate solely and exclusively to the business of the said respective Offices or Departments, and shall be in covers with the words "on His Majesty's service," "Office of the Secretary of the Province," "Civil Secretary's office," "Office of the Executive Council," "Receiver General's office," or "General Post Office," as the case may be, printed on the same, and be signed or subscribed on the outside thereof, under such words with the name of the person so to be respectively authorised as aforesaid in his own hand writing, and provided all such letters and packets shall be sealed with the seal of the said Office respectively, and all the said persons so to be authorised are hereby strictly forbidden so to subscribe and seal any letter or packet whatsoever, except such only concerning which they shall receive the special direction of their superior Officer or which they shall themselves know to relate solely and exclusively to the business of

their respective Departments and if any such authorised person or any other person shall send or cause or permit to be sent under any such cover, any letter paper or writing or any inclosure other than what shall relate to the public business of their respective departments, every person so offending shall, for the first offence, forfeit and pay the sum of fifty pounds, and for any subsequent offence, shall be dismissed from his office.

*And be it further enacted,* That all letters and packets sent from any places within His Majesty's Dominions in North America by the General Post, addressed to the Secretary of the Province, the Civil Secretary of the Governor, the Chief or Senior Clerk of the Executive Council, and the Receiver General or Treasurer of the Province, for the time being respectively, the said letters and packets being on His Majesty's service, and relating solely to the business of their respective Departments, shall be delivered at their respective offices free of postage.

*And be it further enacted,* That if any letter, paper, or thing shall be sent under cover to any of the said last mentioned Officers; the same not being actually and *bona fide* on His Majesty's service and relating exclusively to the business of their respective Departments, the Officers to whom the same shall be sent are hereby strictly required and enjoined to transmit the same forthwith to the Post Office, with the covers under which the same were sent, in order that the contents thereof may be charged with the full rates of Postage.

*And be it further enacted,* That in case any person entitled by virtue of this act to send letters or packets free of the duty of Postage, being by bodily infirmity disabled from writing the whole superscription of such letters and packets, shall choose to authorise and appoint some one person on his behalf and, in his stead, sign his name upon and write the superscription of such letters and packets, and shall cause notice thereof in writing under his hand and seal to be transmitted to the Deputy Postmaster General, all letters and packets so signed and superscribed by the person so authorised and appointed, shall be allowed to pass free of the duty of postage, and shall in all respects be proceeded with as if the whole superscription had been of the hand writing of the person by whom such authority was given as aforesaid; *Provided always,* that no letter or packet superscribed and dated under the hand writing of such person shall pass free of postage until such person shall by order under his hand and seal revoke such notice.

*And be it further enacted,* That it shall be lawful and competent to, and for His Majesty's Postmaster General for the time being to authorise and empower any of his Deputies, Officers, or other persons employed under the Post Office within this Province, to send and receive letters and packets free from postage, subject to such regulations and restrictions as he shall think fit.

*And be it further enacted,* That every person within this Province who, under and by virtue of the provisions of this act, shall be entitled to send letters by the Post free of Postage shall previous to exercising such privilege for the first time in any town or place where he may happen to be, deliver at the Post Office of every such town or place an autograph of his name in the manner he usually signs and writes the same, and in default thereof his letters posted at any town or place shall be liable to and charged with the full rates of postage.

*And be it further enacted,* That all letters arriving in His Majesty's Dominions in North America by the Post from the Lord High Chancellor of Great Britain; the Speaker of the British House of Commons, the Lord High Treasurer or First Lord Commissioner of His Majesty's Treasury in Great Britain; the Commissioners of the Treasury; His Majesty's Principal Secretaries of State and their Under Secretaries; the Chancellor of His Majesty's Exchequer of Great Britain; His Majesty's Postmaster General; the President of the Committee of Council appointed for the consideration of matters relating to Trade and Foreign Plantations; the Clerks of His Majesty's Most Honorable Privy Council; the Judge Advocate General; the Secretary and Assistant Secretary of His Majesty's Postmaster General in London; the Commander in Chief of His Majesty's Forces; the Military Secretary to the Commander in Chief of His Majesty's Forces; the Master General of the Board of Ordnance, the Secretary to the Board of Ordnance; the Inspector General of Fortifications; the Quartermaster General of His Majesty's Forces; the Adjutant General of His Majesty's Forces; the Comptroller of Army Accounts; the Secretary at War; the Deputy Secretary at War; the Paymaster General of the Forces; and from the Lord High Admiral or First Lord Commissioner of the Admiralty and the Secretaries of the Admiralty respectively, shall be conveyed by the General Post within this Province free from the duty of Postage, provided all and every such letters be directed dated and franked in conformity with the Franking Acts from time to time in force in Great Britain and Ireland, but not otherwise, and all Letters and Packets put into any Post Office within this Province addressed to any of the said last mentioned Public Officers shall be forwarded free of the duty of postage.

*And be it further enacted,* That all letters and packets sent from the Treasury, the Admiralty Office, the Offices of His Majesty's Principal Secretaries of State, the War Office, the General Post Office, the Commander-in-Chief's Office, the Board of Ordnance, the Adjutant General's Office, the Quarter Master General's Office, or the Commissioner's Office for the issue of Exchequer Bills, all at London, and which shall appear by endorsement made thereupon by some person properly authorised to make the same, to be upon His Majesty's Service, and shall be sealed with the seal of Office or with the seal of the principal Officer in the Office or Department from which they are sent, shall be also exempt within this Province from the duty of postage.

*And be it further enacted,* That all penalties incurred by any person or persons for offences contrary to the provisions of this present Act, shall be sued for within the space of one year next after any such penalty shall be incurred.

*And be it further enacted,* That it shall be lawful for any Justice of the Peace within this Province having jurisdiction where the offence shall be committed, to hear and determine any offence against this Act, which may subject the offender to any pecuniary penalty not exceeding Twenty Pounds; and it shall be lawful for any such Justice, and he is hereby required upon information given or complaint made before him, to summon the party accused, and also the Witnesses on either side, to be and appear before the said Justice or before any other Justice of the Peace at a time and place to be named in such summons, and on the appearance of the party accused (or if he or she shall not appear, then upon proof of the due service of the summons upon such person by delivering the same to him or her personally, or by leaving the same at his or her usual place of abode) the Justice may proceed to examine into the matter of fact, and upon due proof made thereof by voluntary confession of the party, or by the Oath of one or more Witness or Witnesses, to give Judgment for the penalty and to award and issue out his Warrant for the levying of any penalty so adjudged, together with the costs and expenses of

such proceedings, and also the costs and expenses of such Warrant, and of levying the same on the goods of the offender, and to cause sale to be made of such goods in case they shall not be redeemed within five days, rendering to the party the overplus, if any; and where goods of such offender cannot be found sufficient to answer the penalty and all such costs, charges, and expenses, it shall be lawful for such Justice, and he is hereby required to commit such offender to the Common Gaol or House of Correction, there to remain for any time not exceeding Three Calendar Months, unless such penalty and all such costs and expenses shall be sooner paid and satisfied.

*And be it further enacted,* That if any person who shall be summoned as a Witness to give evidence before any Justice of the Peace touching the matters alleged in or relating to any information, complaint, or other proceeding, depending before such Justice for the recovery of any penalty incurred under this Act, shall neglect or refuse to appear before such Justice at the time and place to be for that purpose appointed, without a reasonable excuse for such neglect or refusal, to be allowed by such Justice, or if any person so summoned shall appear, but shall refuse to be examined and give evidence before such Justice or Justices, touching the matters aforesaid, every such person so offending shall forfeit Ten Pounds.

*And be it further enacted,* That it shall be lawful for any Justice of the Peace before whom any person shall be convicted of any offence against any of the provisions of this Act, to mitigate as he shall see fit any penalty by this Act imposed in cases where such Justice shall see cause so to do, provided that all reasonable costs and charges expended or incurred in prosecuting for such offence shall be always allowed over and above the sum to which such penalty shall be mitigated, and so as such mitigation do not reduce the penalty to less than one-fourth of the penalty incurred, exclusive of such costs and charges, any thing herein contained to the contrary notwithstanding.

*And be it further enacted,* That all penalties and forfeitures which may be incurred under this Act exceeding Twenty Pounds, shall and may be prosecuted, sued for, and recovered with full costs of suit in any Court of Record within this Province having jurisdiction where the cause of prosecution may arise.

*And be it further enacted,* That it shall be lawful for the Postmaster General for the time being, or his Deputy, to compromise and compound any action, suit, bill, plaint, or information which shall at any time hereafter be commenced in any Court of Record within this Province against any person or persons for recovering any penalty or penalties incurred under the provisions of this Act exceeding Twenty Pounds, on such terms and conditions as the said Postmaster General or his Deputy shall in his absolute discretion think proper.

*And be it further enacted,* That in all informations, prosecutions, and actions for the recovery of any penalties or forfeitures under this Act, the Oath of the informer shall be received as evidence wherein no Essoign, Privilege, Protection, or Wager at Law shall be admitted, and the said several and respective penalties and forfeitures that shall happen from time to time to be recovered, (except as are hereinbefore directed to be otherwise paid and applied,) shall as to one moiety thereof be paid to and received by the Postmaster General for the time being or his Deputy, who shall from time to time lay out and expend the same in and about the repair of Roads and Bridges, on Post routes within His Majesty's Dominions in North America, accounting for such expenditure to the Legislative Council and Assembly of this Province; and as to the other moiety thereof, the same shall be paid to such person or persons as shall inform against the offender or offenders against this present Act, and shall sue for the said penalties and forfeitures, and on every such recovery such person or persons so informing and prosecuting for the said penalties and forfeitures shall recover and have also taxed and paid his and their full costs of suit.

*And be it further enacted,* That in any prosecution, action, suit, bill, plaint, or information which shall at any time after the passing of this Act be commenced against any person or persons for receiving, taking up, ordering, despatching, collecting, conveying, carrying, re-carrying, delivering, or sending, or causing to be sent, or conveyed, or tendering, or delivering, in order to be sent or conveyed otherwise than by the Post any letter or packet, letters or packets, contrary to the provisions of this present Act, the proof that the letter or packet, letters or packets, was or were received, taken up, ordered, despatched, collected, conveyed, carried, delivered, or sent, or tendered, or delivered, in order to be sent or conveyed according to the provisions contained in this present Act, shall lie on the person or persons against whom any such action, suit, bill, plaint, or information shall be brought.

*And be it further enacted,* That if any person whatsoever shall steal any bag (CRIMINAL PUNISHMENTS.) or mail of letters or packets, or shall steal any letter or packet sent by the Post, from or out of any bag or mail of letters or packets, or from or out of any carriage, vessel or boat, for the conveyance of letters or packets sent by the Post, or from or out of any Post Office, or from the possession of any person employed by or under the Post Office, every such offender shall be guilty of Felony, and being convicted thereof, shall be .....; and if any person whatsoever shall rob any person employed by or under the Post Office, of any bag or mail of letters or packets, or of any letter or packet sent by the Post, every such offender being convicted thereof shall .....; *And it is hereby declared and enacted,* that every letter and packet shall be deemed and considered to be sent by the Post for all the purposes of this Act, when and as soon as the same shall have been deposited or delivered at or in any Post Office, or to or with any person employed by or under the Post Office to receive and Post or convey the same, and until the delivery thereof to or for the person for whom the same is directed or addressed; *And it is hereby declared and enacted,* that every house, office or place for the receipt or delivery of letters or packets sent by the Post, shall be deemed and considered a Post Office for all the purposes of this Act.

*And be it further enacted,* That if any person employed by or under the Post Office shall, for any purpose whatever, embezzle, secrete or destroy any bag or mail of letters or packets, or any letter or packet sent by the Post, every such offender shall be guilty of Felony, and being convicted thereof in due form of law, shall be .....; *And it is hereby declared and enacted,* that every person employed in transacting any business relating to the Post Office, whether such person shall have been employed or engaged by any Postmaster General, or by any Deputy or Agent of any Postmaster General, and whether any such person shall be employed constantly or occasionally, and whether any such person shall receive any hire, pay or reward for his or her services or not, shall be deemed and considered to be employed under the Post Office for all the purposes of this Act.

*And be it further enacted,* That if any such letter or packet so stolen or embezzled, secreted or destroyed, shall contain therein any chattel or money whatsoever, or the whole or any part of any Tally Order, or other security whatsoever, entitling or evidencing the title of any person or body corporate to any share or interest in any public stock or fund, whether of this Province or of any other Kingdom, Country, or Province, or in any Fund of any Body Corporate, Company, or Society, or to any Deposit in any Savings Bank, or any Debenture, Deed, Bond, Bill, Note, Warrant, Order, or other security whatsoever, for money or for payment of money, whether of this Province or of any other Kingdom, Country, or Province, or any warrant, or order for the delivery or transfer of any goods or valuable thing, every such offender shall . . . . . : And it is hereby declared, that each of the several documents herein before enumerated shall throughout this act be deemed for every purpose to be included under and denoted by the words "Valuable Security."

*And be it further enacted,* That if any person whatever, whether employed by or under the Post Office or not, shall steal from or out of any letter or packet sent by the Post, any chattel or money, or the whole or any part of any valuable security whatsoever, every such offender shall be guilty of Felony, and on being convicted thereof in due form of law, shall . . . . .

And with regard to receivers of stolen property sent by the Post—*Be it enacted,* That if any person whatever shall receive any bag or mail of letters or packets, or any letter or packet whatever sent by the Post, or any chattel or money, or the whole or any part of any valuable security, the stealing, taking, embezzling or secreting whereof shall amount to a Felony under this Act, such person knowing the same to have been feloniously stolen, taken, embezzled or secreted, or in the case of any chattel or money, or the whole or any part of any valuable security, knowing the same to have been contained in any letter or packet sent by the Post, every such receiver shall be guilty of Felony, and may be indicted and convicted either as an accessory after the fact or for a substantive Felony, and in the latter case, whether the principal offender shall or shall not have been previously convicted, or shall or shall not be amenable to justice, and every such receiver, howsoever convicted, shall be liable to . . . . .

*And be it further enacted,* That if any person employed by or under the Post Office shall, by virtue or in consequence of his employment, receive or take into his possession any chattel, money or valuable security, for any purpose whatever, and shall fraudulently embezzle or secrete the same or any part thereof, every such offender shall be guilty of Felony, and being convicted thereof in due form of law, shall be . . . . .

And for preventing difficulties in the prosecution of the last mentioned offenders—*Be it enacted,* That it shall be lawful to charge in the Indictment and proceed against any such offender for any number of distinct acts of embezzlement not exceeding three which may have been committed by him within the space of Six Calendar months from the first to the last of such acts and in every such Indictment, except where the offence shall relate to any chattel it shall be sufficient to allege the embezzlement to be of money without specifying any particular coin or valuable security, and such allegation so far as regards the description of the property shall be sustained if the offender shall be proved to have embezzled any amount, although the particular species of coin or valuable security of which such amount was composed shall not be proved, or if he shall be proved to have embezzled any piece of coin or valuable security, or any portion of the value thereof, although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, and although such part shall have been returned accordingly; and it shall be lawful in every such indictment to lay the property of any such chattel money or valuable security so embezzled or secreted as aforesaid in the King's Majesty.

*And be it further enacted,* That if any person employed by or under the Post Office shall give, render, or deliver any false account, statement, or return of any monies received or paid, or to be received or paid, by or to him, by virtue or in respect of his employment, or shall make any claim, charge, or demand of money upon or from any person by virtue or under colour of his office, with a view or intent in either of such cases to defraud any person, every such offender shall be guilty of a misdemeanor and being convicted thereof shall be liable at the discretion of the Court to be transported beyond the seas for the term of Seven Years or to be imprisoned for any period not exceeding two years.

*And be it further enacted,* That if any person employed by or under the Post Office shall unlawfully open or shall procure or suffer to be unlawfully opened any bag or mail of Letters or Packets or any Letter or packet whatever sent by the Post or shall wilfully detain or delay or procure or suffer to be detained or delayed any Bag or mail of Letters or Packets or any Letter or Packet whatever sent by the Post in course of conveyance or delivery thereof by the Post every such person shall be guilty of a misdemeanor and being convicted thereof shall be liable to any of the punishments which the Court may award as herein before last mentioned.

*Provided always, and be it further enacted,* That nothing in the foregoing clause contained shall extend or be construed to extend to cases of opening, or detaining, or delaying letters or packets sent by the Post which shall or may have been returned for want of true directions, or of letters or packets sent by the Post returned by reason that the persons to whom the same are directed cannot be found, or have refused the same, or have refused or neglected to pay the postage thereof.

*And be it further enacted,* That if any person whatever, whether employed by or under the Post Office or not, shall, by any means whatever, fraudulently obtain, or cause to be obtained, from any Post Office, or from any person employed by or under the Post Office, any bag or mail of letters or packets, or any letter or packet whatever, sent by the Post, or shall fraudulently retain after the delivery thereof to or for him, any letter or packet whatever sent by the Post, for or belonging to, or which ought to have delivered to or for any other person, every such offender shall be guilty of Felony, and being convicted thereof shall be . . . . .

*And be it further enacted,* That if any such letter or packet so fraudulently obtained or retained as aforesaid shall contain therein any chattel or money, or the whole or any part of any valuable security, every such offender shall . . . . .

AND WHEREAS it sometimes happens that bags and mails of letters and packets sent by the Post are lost in the course of conveyance, and are detained by persons finding the same in the expectation of gain or reward: *Be it enacted,* That if any person whatever shall wilfully secrete, keep, or detain, or being required to deliver up by any person employed by or under the Post Office, shall refuse to deliver up any bag or mail of letters or packets sent by the Post, or made up in order to be sent by the Post, or any letter or packet sent by the Post, which shall have been lost, whether the same shall have been found or picked up by the person secreting, keeping, or detaining, or neglecting, or refusing to deliver up the same, or by any other person, every such offender shall be guilty of a misdemeanor, and being convicted thereof shall be . . . . .

*And be it further enacted,* That if any person whatever shall wrongfully come into possession of any bag or mail of letters or packets, or of any letter or packet, sent by the Post, in any other manner than hereinbefore is mentioned, and shall not forthwith deliver the same into the Post Office, or to any person employed by or under the Post Office, who shall demand the same, every such offender being convicted thereof before a Justice of the Peace shall, at the discretion of the said Justice, forfeit and pay such a sum of money not exceeding £. . . . ., or be imprisoned for any period not exceeding . . . . . Calendar months, as to the said Justice shall seem meet.

*And in order to prevent the imitation and forgery of lawful Franks, Be it further enacted,* That if any person whatever shall forge and counterfeit the hand writing of any other person in or to the superscription of any letter or packet sent, or to be sent by the Post, or shall alter or change upon any letter or packet sent or to be sent by the Post, the superscription thereof, or any part thereof, or shall write or send by the Post, or cause to be written or sent by the Post, any letter or packet, the superscription whereof, or any part of the superscription whereof, shall be forged, or counterfeited, or altered, knowing the same to be forged, counterfeited, or altered, with intent in either of those cases to avoid the payment of the duty of postage, every such offender shall be guilty of Felony, and being convicted thereof in due form of Law shall be . . . . .

*And for the better discovering and bringing to justice persons who may be guilty of forging or counterfeiting the hand writing of any Member of the Legislative Council and Assembly, or other person acting under the powers or authorities of this Act, in the superscription of letters and packets to be sent by the Post—Be it enacted,* That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputies and Officers, to send any letter, the superscription whereof or any part of it shall appear to be forged or counterfeited, or the date upon such superscription forged, counterfeited or altered, in order to evade the payment of the duty of Postage to the Member or other person whose name or superscription is suspected to be forged, counterfeited or altered, in order that he may declare whether the same is forged, counterfeited or altered; and if the Member or other person shall declare the superscription to be forged, or the date thereof to be altered, it shall and may be lawful for such Postmaster General, and his Deputies and Officers, to open, stop and detain such letter or packet, in order to find out the person guilty of such offence.

*And be it further enacted,* That if any person whatever shall forge or counterfeit upon any fictitious or other letter or packet, any stamp, mark or impression, used or made by the Post Office upon any letters or packets sent by the Post, or shall utter any such stamp, mark or impression, upon any fictitious or other letter or packet, knowing the same to be forged or counterfeited, or if any person shall knowingly obtain or demand any money from any person for or in respect of any fictitious letter or packet, or of any letter or packet not sent by the Post, as and for the Postage thereof, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of seven years, or to be imprisoned for any term not exceeding two years.

*And be it further enacted,* That if any person whatever shall assault any person employed by or under the Post Office, or any coachman, post boy, rider, driver, runner, boatman, or other person engaged in the conveying of any bag or mail of letters or packets, or of any letter or packet sent by the Post, in the execution of his duty, or shall by any means whatever wilfully impede, obstruct or prevent the passage of any carriage, horse, vessel or boat, used or employed in the conveyance of any bag or mail of letters or packets, or of any letter or packet sent by the Post, or shall impede, obstruct or prevent the service of the Post Office in any manner howsoever, every such offender shall be guilty of a Misdemeanor, and being convicted thereof, shall be liable to such punishment by fine, or by imprisonment for any period not exceeding two years, or by fine and imprisonment for any period not exceeding two years, as to the Court shall deem meet.

*AND WHEREAS* it frequently happens that bags and mails of letters and packets, and letters and packets, sent by the Post, are lost or delayed in the conveyance thereof, by the carelessness, negligence or other misconduct of guards, coachmen, post boys, riders, drivers, runners, boatmen and others, engaged or employed in carrying, conveying or delivering the same: *Be it therefore enacted,* That if any letter carrier, guard, coachman, post boy, rider, driver, runner, boatman, waterman or other person engaged or employed in carrying, conveying or delivering any bag or mail of letters or packets, or any letter or packet sent by the Post, shall, whilst so engaged or employed, or whilst the same shall be in his custody, care or possession, quit, leave or desert any bag or mail of letters or packets, or any letter or packet sent by the Post, or shall suffer or permit any person not being the guard or person employed for that purpose to ride in the place appointed for the guard, in or upon any carriage used for the conveyance of any bag or mail of letters or packets, or any letter or packet sent by the Post, or to ride in or upon any carriage so used, or upon any horse used for the conveyance on horseback of any bag or mail of letters or packets, or any letter or packet sent by the Post, or if any such person shall be guilty of any act of drunkenness or of carelessness, negligence or other misconduct, whereby the safety of any bag or mail of letters or packets, or any letter or packet sent by the Post, shall or may be endangered, or if any such person shall collect, receive, convey or deliver any letter or packet otherwise than in the ordinary course of the Post, or if any such person shall give any false information, statement or account of any assault or attempt at robbery upon him, or if any such person shall loiter on the road or passage, or wilfully mispend his time, so as to retard or delay the progress or arrival of any bag or mail of letters or packets, or any letter or packet sent by the Post, or shall not use due and proper care and diligence safely to convey any bag or mail of letters or packets, or any letter or packet sent by the Post, at the rate appointed by and according to the regulations of the Post Office for the time being, every such offender being thereof convicted before a Justice of the Peace, shall, at the discretion of the said Justice, forfeit and pay such sum of money not exceeding £. . . . ., or be imprisoned for any period not exceeding . . . . . calendar months, as to the said Justice shall seem meet.

*And be it further enacted,* That where any person shall be convicted of any offence punishable under this Act, for which imprisonment may be awarded, it shall be lawful to sentence the offender to be imprisoned with or without hard labor in the Common Goal or House of Correction, and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment.

*And be it further enacted,* That no action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act, unless within Six Calendar Months after the right of action shall have accrued, and the defendant or defendants in such action or suit shall and may plead the general Issue, and give this Act and the special matter in evidence,

and that the same was done in pursuance of and by the authority of this Act, and if it shall appear so to be done or the action or suit shall be commenced after the time before limited for bringing the same, then the Jury shall find for the defendant or defendants, and upon a Verdict for the defendant or defendants, or if the plaintiff or plaintiffs shall be non suited or discontinued, his, her, or their action or suit after the defendant or defendants shall have appeared, or if upon Demurrer, Judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in any other cases by Law.

And in order to avoid the frequent use of divers terms and expressions in this Act, and to prevent any misconstruction of the terms and expressions used therein—*Be it enacted*, That whenever in this Act with reference to any person, matter, or thing, any word or words is or are used importing the singular number or the masculine gender only, yet such word or words shall be understood to include several persons as well as one person, females as well as males, Bodies Politic or Corporate as well as individuals, and several matters or things as well as one matter or thing, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction; and that wherever the terms and expressions following occur in this Act, they shall be construed respectively in the manner hereinafter directed: (that is to say,) that the term and expression, "His Majesty's Dominions or Provinces in North America," shall be construed to mean and include the Provinces of Upper Canada, Lower Canada, New Brunswick, Nova Scotia, and Prince Edward's Island, and their respective dependencies; and that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the Government of this Province shall be taken to be the Governor thereof.

Second Report of Select Committee on Grievances.

TO THE HONORABLE THE HOUSE OF ASSEMBLY.

The Select Committee on Grievances respectfully Report :

That one of the complaints made by the agent of the petitioners to His Majesty, to whose memorial Viscount Goderich's Despatch, referred to this Committee, is in part an answer, was concerning the secret and irresponsible character of the Post office Department; by which the people were taxed without their consent, and the proceeds remitted to London to be applied to the purposes of the Nation, while an extravagant income was allowed to the head of the Department at Quebec, and in some cases insufficient remuneration given to his deputies.

The agent of the Petitioners, a member of this Committee, having had the honor to call the attention of Lord Viscount Goderich at various times to this important question, received, on the 27th March, 1833, the official communication from Lord Viscount Howick, marked A, and appended to this Report, in consequence of which, on the 29th of March, in that year, he addressed a letter to his Lordship, for the reference of his Grace the Post Master General, and enclosing the various reports, debates, and proceedings, of the House of Assembly in the Canadas on the Post office in these Colonies.

The Department considered these documents, and concluded to send for Mr. Stayner to London, where he arrived in June 1833.

The Agent for the petitioners from Upper Canada, carried the memorials to the House of Commons to be presented to that Honorable Body, who, in consequence addressed the King for the information which is contained in the annexed returns.

It is a grievance of magnitude, that the abuses shown to exist in the Department are continued, and that the Revenue raised from the Colonists is misapplied. Your Committee have also reason to believe, from the evidence given before them by Thomas Dalton Esq. that the return of monies appropriated by the Deputy Post Master General to his own use from the tax levied on the transmissions of newspapers included in the annexed documents is defective; and they consider it an object of importance to obtain the various items of information concerning the Department and its operations, which are enumerated in the address to His Excellency herewith submitted to the House.

W. L. MACKENZIE,  
Chairman.

Committee Room House of Assembly, }  
February 20th 1835. }

[A]

Letter from Lord Howick to W. L. Mackenzie Esq., No. 2 Poland Street.

Downing Street 27th March 1833.

SIR,

I have laid before Viscount Goderich your letter of yesterday's date, and I am desired by his Lordship to acquaint you that he is disposed to think that much advantage might be derived from a personal communication from yourself and Mr. Viger either to his Grace the Post Master General, or to the Secretary to the Post office, on the questions which have been agitated in Upper and Lower Canada respecting the Post office in those Colonies. But before his Lordship sends a recommendation to the Post Master General, founded on this opinion, I am directed to request that you will inform me whether you have not put into a written form your views on the present subject, and to observe that, if that be the case, Lord Goderich would deem it the most convenient course to place the Post Master General in possession of any such written statements before an interview should take place on the matter to which they relate. I am therefore to request that you will transmit any documents of this nature to me in order that Lord Goderich may communicate on them with the Duke of Richmond. In making this communication I am aware that you purpose to leave town in a few days; and that therefore, unless you have a very early opportunity of waiting on the Duke of Richmond, it may be necessary to postpone for some time the interview you desire. But if the postponement should not be productive of inconvenience to yourself or to Mr. Viger, it would probably not form a sufficient reason for foregoing the advantage of considering a written statement on the Post office in Canada, before the proposed conference with you and Mr. Viger.

I am Sir,  
Your obedient humble servant  
HOWICK.

CANADA POST OFFICE.

Returns to an Address to His Majesty, dated February 6, 1833: for

(1)

A RETURN of the ESTABLISHMENT of the GENERAL POST OFFICE in Upper and Lower Canada, and in each of the other Colonies in North America stating the number of Postmasters and Deputy Postmasters in each Province, the amount of Salary, Allowances, and emoluments, and the name of each person receiving more than £50 sterling in Salary, Allowances, and Fees, with the amount of such income in each year, and from what sources derived; distinguishing also

2 Second Report of Select Committee on Grievances.

whether resident and performing the duties of the office in person or by deputy, and if by deputy, what salary and allowances are paid to each such deputy; stating also whether those persons hold any other office, and what office, of emolument, in those provinces, and by whom these offices are appointed; also the whole expense of the establishment at each place, distinguishing the amount of salaries above and the amount under £50, the expense of conveying the mails, and all contingent expenses, during each of the years 1827, 1828, 1829, 1830 and 1831.

(2)

A RETURN of the Gross Amount of POSTAGE in Upper and Lower Canada, and in each of the other Colonies in North America, distinguishing each, during each of the years 1827, 1828, 1829, 1830, and 1831; distinguishing also the amount of Newspaper and Pamphlet Postage charge from the amount of letter Postage received at each office, and shewing in what manner the proceeds have been applied under the several heads.

(3)

STATEMENT shewing the GROSS AMOUNT of NEWSPAPER POSTAGE paid by each Printer or Proprietor of Newspapers in the Canadas, and other Colonies in North America, in each of the years 1827, 1828, 1829, 1830 & 1831, shewing in what manner and to whom the proceeds have been appropriated.

MR. HUME.

Ordered by the House of Commons to be printed, 10th July, 1833.

CANADA POST OFFICE.

(1)

A RETURN of the ESTABLISHMENT of the GENERAL POST OFFICE in Upper and Lower Canada, and in each of the other Colonies in North America, stating the number of Postmasters and Deputy Postmasters in each Province, the amount of salary, allowances, and emoluments, and the name of each person receiving more than £50 sterling in salary, allowances and fees, with the amount of such income in each year, and from what sources derived, distinguishing also whether resident and performing the duties of the office in person, or by deputy; and if by deputy, what salary and allowances are paid to each such deputy; stating also whether those persons hold any other office, and what office, of emolument in those Provinces, and by whom these offices are appointed: also the whole expense of the establishment at each place, distinguishing the amount of salaries above, and the amount under £50, the expense of conveying the mails, and all contingent expenses, during each of the years 1827, 1828, 1829, 1830, and 1831.

Number of Postmasters.	NAME OF PERSON Receiving £50 sterling and upwards, in salary, &c. &c.	1827.			STERLING.			By whom appointed.
		£	s	d	£	s	d	
Lower Canada. 52.	D. Sutherland, Deputy Postmaster General British North America: Salary .....	500	0	0	730	0	0	Postmaster General.
	Allowance for Clerks .....	200	0	0				
	Ditto for Stationary .....	30	0	0				
	F. Belanger, Postmaster, Quebec: Salary .....				90	0	0	
	T. A. Stayner, Assistant in the Quebec Establishment; Salary .....	50	0	0				
	John Bignell, Postmaster, Three Rivers; Salary .....	5	0	0	55	0	0	Deputy Postmaster Genl of British N. America.
	Allowance for Stationary, &c. ....							
	J. Williams, Postmaster, Montreal; Salary .....	300	0	0	450	0	0	
	Allowance for assistance .....	150	0	0				
		The remaining 39 Postmasters receive as Salary, a commission of 20 per cent on the net postage collected by them, to which is added their allowance for stationary, amounting to .....				304	6	5
Upper Canada. 61.	John Macaulay, Postmaster Kingston; Salary .....	130	0	0	148	0	0	Deputy Postmaster Genl of British N. America.
	Allowance for Stationary, &c. ....	18	0	0				
	William Allan, Postmaster, York; Salary .....	150	0	0	168	0	0	
	Allowance for Stationary, &c. ....	18	0	0				
	J. Crooks, Postmaster, Niagara; Salary .....	53	0	0	54	0	0	
	Allowance for Stationary, &c. ....	1	0	0				
	J. Wilson, Postmaster, Amherstburgh; Salary .....	91	2	1	100	2	1	
	Allowance for Stationary, &c. ....	9	0	0				
	The remaining 57 Postmasters receive as salary a commission of 20 per cent on the net postage collected by them, to which is added their allowance for Stationary, amounting to .....				546	16	2	
	The expense incurred for the transport of the mails in Upper and Lower Canada (it not being practicable to state what proportion should be charged to each Province) amounts to .....				4940	0	0	

NO 9.

Second Report of Select Committee on Grievances. 3

Number of Postmasters.	NAME OF PERSON Receiving £50 sterling and upwards, in Salary, &c. &c.	By whom appointed.
------------------------	--	--------------------

The amount of contingent expenses, including viz: advertising, printing work, mail bags, allowance to letter carriers, travelling and law charges, &c. for Upper and Lower Canada (it not being practicable to state what proportion should be charged to each Province) amounts to... 419 11 0

STERLING.  
£ s. d.

The above persons are all resident, and perform the duties of their offices in person. I am unable to state what other places of emolument may be held by my deputies.

Remarks.—The Deputy Postmaster General derives an emolument from the transport of newspapers and pamphlets through the post.—Out of his aggregate income he pays the salaries of his clerks and the expenses of his office, and is responsible for the whole of the Revenue collected in the provinces.

		1828.			STERLING.					
		£	s	d	£	s	d			
Lower Canada. 51.	}	T. A. Stayner, Deputy Postmaster General, British North America; salary.....							} Postmaster General.	
			500	0	0					
			200	0	0					
			30	0	0					
		John Bignell, Postmaster, Quebec; salary.....					730	0		0
		William Harvey, Assistant in the Quebec Establishment; salary.....					225	0		0
		D. Chisholm, Postmaster, Three Rivers; salary.....					90	0		0
		Allowance for stationary, &c.....					50	0		0
		Andrew Porteous, Postmaster, Montreal; salary.....					55	0		0
		Allowance for assistance.....					5	0		0
Upper Canada. 62.	}	Ruggles Wright, Postmaster, Hull; salary.....							} Deputy Postmaster Gen'l of British N. America.	
		The remaining 47 Postmasters receive as salary a commission of 20 per cent on the net postage collected by them, to which is added their allowance for stationary amounting to.....					450	0		0
		John Macaulay, Postmaster, Kingston; salary.....					56	1		1
		Allowance for stationary, &c.....					272	7		10
		William Allan, Postmaster, York; salary.....					130	0		0
		Allowance for stationary, &c.....					18	0		0
		J. Crooks, Postmaster, Niagara; salary.....					148	0		0
		Allowance for stationary, &c.....					150	0		0
		J. Wilson, Postmaster, Amherstburgh; salary.....					18	0		0
		Allowance for stationary, &c.....					54	15		0
The remaining 58 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, to which is added their allowance for stationary, amounting to.....					1	0	0			
					55	15	0			
					85	6	5			
					9	0	0			
					94	6	5			
					599	4	11			
The expense incurred for the transport of the mails in Upper and Lower Canada (it not being practicable to state what proportion should be charged to each province) amounts to.....					5037	2	3			
The amount for contingent expenses, including, viz. advertising, printing work, mail bags, allowance to letter carriers, traveling and law charges, &c. for Upper and Lower Canada, (it not being practicable to state what proportion should be charged to each province) amounts to.....					848	6	9			

		1829.			STERLING.					
		£	s	d	£	s	d			
Lower Canada. 55.	}	T. A. Stayner, Deputy Postmaster General, British North America: salary.....							} Postmaster General.	
			500	0	0					
			200	0	0					
			30	0	0					
		John Bignell, Postmaster, Quebec; salary.....					730	0		0
		William Harvey, Assistant in the Quebec Establishment; salary.....					225	0		0
		D. Chisholm, Postmaster, Three Rivers; salary.....					90	0		0
		Allowance for stationary, &c.....					50	0		0
		Andrew Porteous, Postmaster, Montreal; salary.....					57	4		0
		Allowance for assistance.....					7	4		0
Upper Canada. 62.	}	The remaining 52 Postmasters receive as salary a commission of 20 per cent on the net postage collected by them, to which is added their allowance for stationary amounting to.....							} Deputy Postmaster Gen'l of British N. America.	
							450	0		0
							57	4		0
							57	4		0
							450	0		0
							354	14		7

4 Second Report of Select Committee on Grievances.

Number of Postmasters.	NAME OF PERSON Receiving £50 Sterling and upwards in salary, &c. &c.		By whom appointed.
1829, Continued.			
	John Macaulay, Postmaster, Kingston; salary .....	£ 130 0 0	
	Allowance for stationary, &c .....	18 0 0	
			STERLING. £ s d
			148 0 0
	J. S. Howard, Postmaster, York; salary .....	150 0 0	
	Allowance for stationary &c.....	24 15 0	
			174 15 0
	John Crooks, Postmaster, Niagara; salary .....	68 9 6	
	Allowance for stationary, &c. ....	3 12 0	
			72 1 6
Upper Canada. 75.	John Willson, Postmaster, Amherstburgh; salary ..	77 6 10	
	Allowance for stationary, &c.....	9 0 0	
			86 6 10
	Henry Jones, Postmaster, Brockville; salary ...	47 16 2	
	Allowance for stationary, &c....	3 12 0	
			51 8 2
	Josias Tayler, Postmaster, Perth; salary .....	46 17 6	
	Allowance for stationary, &c.....	4 1 0	
			50 18 6
	The remaining 69 Postmasters receive as salary a commission of 20 per cent on the net postage collected by them, to which is added their allowance for stationary amounting to .....		662 4 2
	The expense incurred for the transport of the mails in Upper and Lower Canada (it not being practicable to state what proportion should be charged to each province) amounts to .....		5266 10 0
	The amount for contingent expenses, including, viz. advertising, printing work, mail bags, allowance to letter carriers, travelling and law charges, &c. for Upper and Lower Canada (it not being practicable to state what proportion should be charged to each province) amounts to .....		599 6 0
1830.			
	T. A. Stayner, Deputy Postmaster General, British North America; salary .....	£ 500 0 0	
	Allowance for clerks.....	200 0 0	
	Ditto for stationary, &c.....	30 0 0	
			730 0 0
Lower Canada. 61.	John Bignell, Postmaster, Quebec; salary .....	225 0 0	Postmaster General.
	William Harvey, Assistant in the Quebec Establishment .....	90 0 0	
	D. Chasnoir, Postmaster, Three Rivers; salary .....	50 0 0	
	Allowance for stationary, &c.....	5 0 0	
			55 0 0
	Andrew Porteous, Postmaster, Montreal, salary .....	300 0 0	
	Allowance for assistance, &c. ....	150 0 0	
			450 0 0
	The remaining 58 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, to which is added their allowance for stationary, amounting to .....		376 0 8
	John Macaulay, Postmaster, Kingston, salary, .....	130 0 0	
	Allowance for stationary, &c.....	18 0 0	
			148 0 0
	J. S. Howard, Postmaster, York, salary, .....	150 0 0	
	Allowance for stationary, &c. ....	27 0 0	
			177 0 0
	John Crooks, Postmaster, Niagara, salary, .....	72 18 9	
	Allowance for stationary, &c. ....	5 8 0	
			78 6 9
	John Wilson, Postmaster, Amherstburgh, salary, .....	97 17 9	
	Allowance for stationary, &c. ....	9 0 0	
			106 17 9
Upper Canada. 91.	Henry Jones, Postmaster, Brockville, salary, .....	48 3 7	
	Allowance for stationary, &c. ....	3 12 0	
			51 15 7
	Josias Tayler, Postmaster, Perth, salary, .....	48 9 8	
	Allowance for stationary, &c. ....	5 8 0	
			53 17 8
	M. Cannel, Postmaster, Bytown, salary, .....	88 15 9	
	Allowance for stationary, &c. ....	2 14 0	
			91 9 9
	The remaining 84 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, to which is added their allowance for stationary amounting to .....		772 10 2
	The expense incurred for the transport of the mails in Upper and Lower Canada (it not being practicable to state what proportion should be charged to each province) amounts to .....		5776 8 0
	The amount for contingent expenses, including, viz. advertising, printing work, mail bags, allowance to letter carriers, travelling and law charges, &c. for Upper and Lower Canada (it not being practicable to state what proportion should be charged to each province) amounts to .....		758 11 10

Second Report of Select Committee on Grievances. 5

Number of Postmasters.	NAME OF PERSON Receiving £50 sterling and upwards, in Salary, &c. &c.	By whom appointed.	
	1831.		
Lower Canada. 76.	T. A. Stayner, Deputy Postmaster General, Bristol, North America, salary, ..... 500 0 0 Allowance for clerks, ..... 200 0 0 Ditto for stationary, ..... 30 0 0	Postmaster General.	
	John Bignell, Postmaster, Quebec, salary, ..... 225 0 0		
	William Harvey, Assistant in Quebec Establishment, salary, ..... 90 0 0		
	D. Chisholme, Postmaster, Three Three Rivers, salary, ..... 50 0 0 Allowances for stationary, &c. .... 7 4 0		
	Andrew Porteous, Postmaster, Montreal, salary, ..... 300 0 0 Allowance for assistance, ..... 150 0 0		Deputy Postmaster Gen'l of British N. America.
	The remaining 73 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, to which is added their allowance for stationary, amounting to ..... 445 15 10		
	John Macaulay, Postmaster, Kingston; salary ..... 130 0 0 Allowance for assistance ..... 40 10 0 Ditto for stationary, &c. .... 18 0 0		Deputy Postmaster Gen'l of British N. America.
	J. S. Howard, Postmaster, York; salary ..... 150 0 0 Allowance for assistance ..... 50 12 6 Ditto for stationary, &c. .... 27 0 0		
	John Crooks, Postmaster, Niagara; salary ..... 73 5 1 Allowances for stationary, &c. .... 7 4 0		Deputy Postmaster Gen'l of British N. America.
	Charles Bercezy, Postmaster, Amherstburgh; salary ..... 88 14 6 Allowance for stationary, &c. .... 9 0 0		
Henry Jones, Postmaster, Brockville; salary ..... 57 4 0 Allowance for stationary, &c. .... 3 12 0	Deputy Postmaster Gen'l of British N. America.		
Josias Taylor, Postmaster, Perth; Salary ..... 53 18 10 Allowance for stationary, &c. .... 5 8 0			
Alpheus Jones, Postmaster, Prescott; salary ..... 61 5 0 Allowance for stationary, &c. .... 4 10 0	Deputy Postmaster Gen'l of British N. America.		
M. Connel, Postmaster, Bytown; salary ..... 100 15 2 Allowance for stationary, &c. .... 2 14 0			
	The remaining 93 Postmasters receive as salary a commission of 20 per cent on the net postage collected by them, to which is added their allowance for stationary, amounting to ..... 976 2 2		
	The expense incurred for the transport of the mails in Upper and Lower Canada [it not being practicable to state what proportion should be charged to each Province] amounts to ..... 6474 14 11		
	The amount for contingent expenses, including, viz: advertizing, printing work, mail bags, allowance to letter carriers, travelling & law charges &c. for Upper and Lower Canada [it not being practicable to state what proportion should be charged to each Province] amounts to ..... 962 18 11		

**T. A. STAYNER,**  
*Deputy Postmaster General.*

A Similar RETURN of the Establishment of the  
GENERAL POST OFFICE in *Nova Scotia.*

	1827.	By whom appointed.
30.	John Howe, Junr., Postmaster, Halifax; salary ..... 220 0 0 Allowance for assistance. .... 70 8 2 Rent of office, stationary, &c. .... 50 0 0	Postmaster General.
	A. P. Ross, Postmaster, Pictou; salary ..... 55 0 0	
	James Cail, Postmaster, Miramichi; salary ..... 60 0 0	Deputy Postmaster Gen'l.
	The remaining 17 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to ..... 279 0 0	
	The expense incurred in the transport of the mails amounts to ..... 1122 0 0	
	The expense of printing ..... 60 0 0	

6 Second Report of Select Committee on Grievances.

Number of Postmasters.	NAME OF PERSON Receiving £50 sterling and upwards, in salary, &c. &c.	By whom appointed.		
<p><b>REMARKS.</b>—The Deputy Postmaster General at Halifax derives an emolument from the transport of newspapers and pamphlets through the post. Out of his aggregate income he pays the salaries of his clerks, and the expenses of his office, and is responsible for the whole revenue collected in Nova Scotia and New Brunswick.</p>				
1828.				
	£ s d	STERLING. £ s d		
20.	John Howe, junr. Postmaster, Halifax; salary.....	220 0 0	} Postmaster General. } Deputy Postmaster Genl.	
	Allowance for assistance.....	70 8 2		
	Rent of office, stationery, &c.....	50 0 0		
	A. P. Ross, Postmaster, Pictou; salary.....	60 0 0		
	James Carl, Postmaster, Miramichi; salary.....	65 0 0		
	The remaining 17 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....	284 0 0		
	The expense incurred in the transport of the mails amounts to.....	1126 0 0		
	The expense of printing.....	70 0 0		
	1829.			
	21.	John Howe, junr. Postmaster, Halifax; salary.....		220 0 0
Allowance for assistance.....		70 8 2		
Rent of office, stationery, &c.....		50 0 0		
A. P. Ross, Postmaster, Pictou; salary.....		60 0 0		
James Carl, Postmaster, Miramichi; salary.....		65 0 0		
The remaining 18 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....		290 0 0		
The expense incurred in the transport of the mails amounts to.....		1130 0 0		
The expense of printing.....		100 0 0		
1830.				
21.		John Howe, junr. Postmaster, Halifax; salary.....	220 0 0	} Postmaster General. } Deputy Postmaster Genl.
	Allowance for assistance.....	70 8 2		
	Rent of office, stationery, &c.....	50 0 0		
	A. P. Ross, Pictou; salary.....	60 0 0		
	James Carl, Postmaster, Miramichi; salary.....	65 0 0		
	The remaining 18 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....	318 0 0		
	The expense incurred in the transport of mails amounts to.....	1130 0 0		
	Expense of printing.....	100 0 0		
	1831.			
	21.	John Howe, junr. Postmaster, Halifax; salary.....	220 0 0	
Allowance for assistance.....		70 8 2		
Rent of office, stationery, &c.....		50 0 0		
A. P. Ross, Postmaster, Pictou; salary.....		60 0 0		
James Carl, Postmaster, Miramichi; salary.....		65 0 0		
The remaining 18 Postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....		318 0 0		
The expense incurred in the transport of mails, amounts to.....		1130 0 0		
The expense of printing.....		100 0 0		

A Similar RETURN of the Establishment of the GENERAL POST OFFICE in *New Brunswick*.

1829.			
	£ s d		
7.	Charles Drury, Postmaster, St. John; salary.....	250 0 0	} Deputy Postmaster Genl.
	Allowance for stationery, &c.....	25 0 0	
	W. B. Phair, Postmaster, Fredericton; salary.....	110 0 0	
	Allowance for stationery, &c.....	16 0 0	
	The remaining five postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....	126 0 0	
	The expense incurred in the transport of the mails, amounts to.....	48 0 0	
	The expense of printing.....	759 0 0	
		30 0 0	

Number of Postmasters.	NAME OF PERSON Receiving £50 Sterling and upwards in salary, &c. &c.	By whom appointed.
1830.		
7.	Charles Drury, postmaster, St. John; salary.....	240 0 0
	Allowance for stationary, &c. ....	25 0 0
	W. B. Phair, postmaster, Fredericton; salary.....	100 0 0
	Allowance for stationary, &c. ....	16 0 0
	The remaining five postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to .....	116 0 0
	The expense incurred in the transport of the mails amounts to.....	38 0 0
	The expense of printing.....	750 0 0
	30 0 0	
1831.		
7.	Charles Drury, postmaster, St. John; salary.....	260 0 0
	Allowance for stationary, &c. ..	25 0 0
	W. H. Phair, postmaster, Fredericton; salary .....	112 0 0
	Allowance for stationary, &c. ....	16 0 0
	The remaining six postmasters receive as salary a commission of 20 per cent. on the net postage collected by them, amounting to.....	128 0 0
	The expense incurred in the transport of the mails, amounts to.....	70 0 0
	The expense of printing .....	750 0 0
	30 0 0	
<u>POST OFFICE Establishment in Prince Edwards Island.</u>		
1.	R. Chappel, Postmaster, Charlotte Town, 1828; salary .....	60 0 0
	do.....do.....do.....1829; do.....	65 0 0
	do.....do.....do.....1830; do.....	67 0 0
	do.....do.....do.....1831; do.....	70 0 0
	The expense incurred in the transport of the mails, amounts to.....	250 0 0

STERLING.  
£ s. d.

Deputy Postmaster Genl.

FRANCIS FREELING,  
Secretary.





RECEIPTS AND PAYMENTS FROM CROWN LANDS.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Crown Lands, made by the Commissioner for Crown Lands, from 1st January to 30th June 1832, inclusive.

PAYMENTS.	CURRENCY.			STERLING.			RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d	£	s.	d.		£	s	d	£	s	d
1832.							1832.						
To H. C. Thomson, for Advertising..	3	14	5				Bybalance in the hands						
" Eastwood & Skinner for stationary	2	12	6				of the Commission-						
" F. P. Rubidge for surveying,...	84	14	6				er for Crown Lands						
" Wm. Buel & Co. for printing,...	1	13	9				the 31st Dec. 1831.....				162	6	1½
" F. H. Cumming ditto.....	4	8	0				By Rents received on						
" W. L. MacKenzie ditto.....	3	0	9				Crown Reserves,...	191	3	8½			
" George Gurnett ditto.....	5	4	0				By Instalments recei-						
" Thomas Dalton ditto.....	4	13	6				ved on Crown lands	1244	11	9			
" Francis Collins ditto.....	11	9	4								1292	3	11
" Robert Stanton ditto.....	15	12	3										
" John Carey ditto.....	7	5	10										
" James McFarlane ditto.....	1	11	0										
" Egerton Ryerson ditto.....	3	5	11										
" James Johnson ditto.....	1	1	3										
" Samuel Heron ditto.....	4	5	6										
" J. McGie for office furniture,...	17	10	0										
" J. S. Howard for Postage,.....	7	9	8										
" Thomas Baines as Clerk,.....	75	0	0										
" Edward Beeston ditto.....	75	0	0										
" John McCloskey messenger,....	12	10	0										
" Paid into the hands of the Hon.													
John Henry Dunn, Receiver Ge-													
neral.....	191	3	8½										
" Paid into the hands of the Hon.													
John Henry Dunn, Receiver Ge-													
neral.....	1000	0	0										
" Balance in the hands of the Com-				1379	19	3½							
missioner for Crown Lands, the													
30th June 1832,.....				74	10	9½							
Total £.....				1454	10	0½	Total £.....				1454	10	0½

PETER ROBINSON.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Crown Lands made by the Commissioner for Crown Lands, from 1st July to 31st December 1832, inclusive.

PAYMENTS.	CURRENCY.			STERLING.			RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d	£	s	d		£	s	d	£	s	d
1832.							1833.						
To R. D. Chatterton for Printing,...	5	17	2				Bybalance in the hands						
" Arthur McLean ditto,.....	13	5	9				of the Commission-						
" J. Flanagan ditto,.....	3	12	6				er of Crown Land-						
" Wm. Buell & Co. ditto,.....	4	19	6				the 30.h June 1832,.....				74	10	9½
" F. H. Cumming ditto,.....	1	5	0										
" H. C. Thomson ditto,.....	11	6	0										
" John Carey ditto,.....	6	4	6										
" George Gurnett ditto,.....	7	1	4										
" R. D. Chatterton ditto,.....	7	13	2										
" C. Rankin for surveying,.....	8	12	6										
" Robert Livingston for inspecting,	6	16	6										
" Cyrus Davison ditto,.....	8	9	0										
" George Fisher ditto,.....	6	16	6										
" J. S. Howard for Postage,.....	5	7	9½										
" Thomas Baines as Clerk,.....	75	0	0										
" Edward Beeston ditto,.....	75	0	0										
Carried forward £	247	7	2½				Carried forward £.....				74	10	9½

RECEIPTS AND PAYMENTS FROM CROWN LANDS.

*Receipts and Payments for the Year 1832, continued.*

PAYMENTS.	CURRENCY.	STERLING.	RECEIPTS.	CURRENCY.	STERLING.
Brought forward, £	247 7 2½	£ s d	Bro't forward, .....	£	74 10 9½
To John McCloskey as Messenger,	12 10 0		By rents received on Crown Reserves, ..	228 13 9	
" Paid into the hands of the Hon. J. H. Dunn, Receiver General,	228 13 9		By instalments rec'd. on Crown Lands, ..	1340 10 6	
" Paid into the hands of the Hon. J. H. Dunn, Receiver General,	1000 0 0				1412 5 9½
" Balance in the hands of the Commissioner for Crown Lands the 31st December 1832, .....		1339 13 10½			
		147 2 8½			
Total, .....		1486 16 7	Total, .....		1486 16 7

Sold in the year 1832, 10,323 acres, at the average price of 9s 1½d currency per acre, amounting to the sum of £4711 2s 9d: and there has been received the sum of £2503 3s 5½d currency. Also 30 town Lots, amounting to £327 15s; and there has been received the sum of £81 18s 9d currency.

PETER ROBINSON.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Crown Lands, made by the Commissioner for Crown Lands, from the 1st January to 30th June 1833, inclusive.

PAYMENTS.	CURRENCY.	STERLING.	RECEIPTS.	CURRENCY.	STERLING.
1833.	£ s d	£ s d	1833.	£ s d	£ s d
To James Johnson for Printing, .....	0 8 9		By balance in the hands of the Commissioner for Crown Lands the 31st December 1832, .....		147 2 6½
" W. L. MacKenzie ditto, .....	2 18 3		By rents received on Crown Reserves, ..	224 0 8½	
" Samuel Heron ditto, .....	0 16 3		By instalments rec'd. on Crown Lands, ..	2032 11 6½	
" Samuel Heron for Advertising, ..	0 18 9		By interest received on the instalments of Crown Lands, ..	19 19 7½	
" Thomas Hodgkinson ditto, .....	2 13 9				2046 18 10
" James King for Printing, .....	6 19 6				
" James King for Advertising, .....	5 2 2				
" George Gurnett ditto, .....	8 19 0				
" Samuel S. Wilmot cont'g't exp's	4 9 6				
" Samuel S. Wilmot for inspecting,	53 7 6				
" Samuel S. Wilmot ditto, .....	80 10 0				
" H. M. Mosley as Auctioneer, .....	11 12 4				
" J. S. Howard for Postage, .....	10 11 2½				
" Thomas Baines as Clerk, .....	75 0 0				
" Edward Beeston ditto, .....	75 0 0				
" John McCloskey as Messenger,	12 10 0				
" George Gurnett for Advertising,	2 3 4				
" A. H. Armour & Co. ditto, .....	8 15 6				
" R. Stanton, Printing & stationery,	17 8 11				
" Robert Stanton for Advertising,	13 8 0				
" Thomas Dalton for Printing, .....	2 0 0				
" Thomas Dalton for Advertising,	11 17 4				
" W. L. MacKenzie ditto, .....	11 13 4				
" John Clarke ditto, .....	1 6 3				
		379 8 8½			
" Balance in the hands of the Commissioner for Crown Lands the 30th June 1833, .....		1817 12 10			
Total, .....		2196 1 6½	Total, .....		2196 1 6½

PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CROWN LANDS.

UPPER CANADA.

STATEMENT of the RECEIPTS and PAYMENTS of all monies arising from the Sales of Crown Lands made by the Commissioner for Crown Lands, from the 1st July to 31st December 1833, inclusive.

PAYMENTS.	CURRENCY.			STERLING.			RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d	£	s	d		£	s	d	£	s	d
1833.							1833.						
To William Tully for advertising,..	10	12	2				By balance in the hands of the Commissioner for Crown Lands the 30 June, 1833, .....				1817	12	10
“ Ogle R. Gowan ditto, .....	9	9	7				By rents received on Crown Reserves,..	86	16	7½			
“ James Johnson ditto, .....	11	3	1				By instalments received on Crown lands	4319	15	10½			
“ Edward A. Talbot ditto, .....	10	0	0								3965	19	3
“ James Macfarlane & Co. ditto, ..	18	11	2										
“ W. B. Gowau ditto, .....	23	9	6										
“ W. L. McKenzie ditto, .....	6	10	0										
“ George Walton ditto, .....	2	13	0										
“ Wm. Buell & Co. ditto, .....	14	1	7										
“ J. Radcliffe ditto, .....	12	15	7										
“ Thomas Dalton ditto, .....	22	0	9										
“ James King ditto, .....	16	18	4										
“ R. D. Chatterton ditto, .....	18	18	7										
“ William Smith ditto, .....	2	1	10½										
“ James Johnson ditto, .....	0	18	9										
“ Chauncey Lewis ditto, .....	3	11	3										
“ Francis Collins ditto, .....	2	9	5										
“ Samuel Heron ditto, .....	10	11	5										
“ H. C. Thomson ditto, .....	19	3	9										
“ George Gurnett ditto, .....	20	14	0										
“ Daniel McLeod ditto, .....	6	13	3½										
“ W. W. Wyman ditto, .....	8	4	0										
“ Ogle R. Gowan ditto, .....	17	9	7										
“ Egerton Ryerson ditto, .....	10	5	3										
“ Robert Stanton ditto, .....	21	9	5										
“ H. Leavenworth ditto, .....	1	16	9										
“ Thomas Dalton ditto, .....	2	17	8										
“ Archibald Ferguson ditto, .....	32	2	4										
“ George Gurnett ditto, .....	22	3	9										
“ Henry J. Jones as agent, .....	145	4	3½										
“ John Huston for surveying, .....	46	5	0										
“ Robert Stanton for Stationery, ...	13	3	6										
“ James Myers for paper cases, ...	4	0	0										
“ M. B. Henderson for penknives, ..	0	7	6										
“ T. Baines attending sale of lands at Hamilton, .....	4	0	0										
“ J. S. Howard for Postage, .....	9	17	8										
“ Thomas Appleby ditto, .....	1	0	0										
“ Thomas Baines as clerk, .....	75	0	0										
“ Edward Beeston ditto, .....	75	0	0										
“ Samuel S. Wilmot for inspecting, ..	28	7	6										
“ Paid into the hands of the Hon. J. H. Dunn, Receiver General, ..	224	0	8½										
“ Paid into the hands of the Hon. J. H. Dunn, Receiver General, ..	2000	0	0										
“ John McCloskey as messenger, ..	12	10	0										
“ Sam'l. S. Wilmot for surveying, ..	5	0	0										
“ John McNaughton as agent, .....	89	12	10										
“ Balance in the hands of the Commissioner for Crown Lands this date, .....				2783	18	4							
				2999	13	9							
Total, £ .....				5783	12	1	Total £ .....				5783	12	1

Sold in the year 1833, 26,376 acres, at the average price of 8s 9½d currency per acre, amounting to the sum of £11,578 19s 3d; and there has been received the sum of £5660 8s 3d Principal, and £77 10s 5½d Interest.— Also, 114 town Lots, amounting to £1674 9s currency, and there has been received the sum of £634 18s 6d, Principal, and £7 16s 5½d Interest.

N. B.—Before the year 1833, the Sales were directed to be made without exacting Interest or Instalments.

PETER ROBINSON.

RECEIPTS AND PAYMENTS FROM CROWN LANDS.

UPPER CANADA.

STATEMENT of RECEIPTS and PAYMENTS of all Monies arising from the Sales of Crown Lands, made by the Commissioner for Crown Lands, from the 1st January to 30th June 1834, inclusive.

PAYMENTS.	CURRENCY.			STERLING.			RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d	£	s	d		£	s	d	£	s	d
1834.							1834.						
To A. K. Mackenzie for Advertising,	4	8	9				By balance in the						
“ J. Radcliffe ditto,.....	2	1	9				hands of the Com-						
“ A. H. Armour & Co. ditto,.....	28	0	0				missioner for Crown						
“ Thomas Hodgkinson ditto, .....	2	7	6				Lands the 31st De-						
“ Thomas Hodgkinson, ditto,.....	4	17	6				cember 1833,.....				2999	13	9
“ S. O. Tazewell for Printing,....	1	17	6				By rents received on						
“ G. W. Busted for Advertising.	12	16	7				Crown Reserves,..	108	1	0			
“ John Cowan ditto, .....	15	7	6				By instalments rec'd.						
“ Joseph Talbot ditto, .....	11	4	3				on Crown Lands,..	1872	17	6½			
“ Francis Collins, ditto,.....	6	8	2								1782	16	8½
“ W. L. MacKenzie ditto, .....	5	5	11½										
“ Thomas Dalton for Printing,....	1	0	0										
“ H. M. Mosley as Auctioneer,....	23	2	0										
“ Samuel S. Wilmot for inspecting.	45	16	8										
“ Charles Rankin for surveying,..	6	12	0										
“ Watkins & Harris for a cash box,	0	16	3										
“ Alex. McDonell as Agent,.....	242	17	5½										
“ Executors of the late R. Mount,	101	9	6										
“ Edward Beeston, salary advanced													
to £200 currency per annum,													
as authorised by an Order in													
Council of the 17th March 1834,	100	0	0										
“ Edward Beeston, additional al-													
lowance for the year 1833, as													
authorised by the above Order,	50	0	0										
“ Thomas Baines, additional allow-													
ance from 1st January to 31st													
March, 1833, as authorised by													
the above Order, .....	12	10	0										
“ Paid into the hands of the Re-													
ceiver General, .....	88	16	7½										
“ Paid into the hands of the Rec.													
General, .....	3200	0	0										
“ John McCloskey as Messenger,	12	10	0										
“ J. S. Howard for Postage, .....	10	10	11½										
“ Balance in the hands of the Com-				3591	15	2½							
missioner for Crown Lands this													
date, .....				1190	15	3½							
Total, .....				4782	10	5½	Total,.....				4792	10	5½

Sold this half year 3420½ acres, at the average price of 12s 4½d per acre, amounting to the sum of £2120 7 1 currency; and there has been received £1824 8 2½ Principal, and £48 9 4 Interest.

PETER ROBINSON.

UPPER CANADA.

STATEMENT of the RECEIPTS and PAYMENTS of all monies arising from the Sales of Crown Lands made by the Commissioner for Crown Lands, from the 1st July to 31st December 1834, inclusive.

PAYMENTS.	CURRENCY.			STERLING.	RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d			£	s	d			
1834.					1833.						
To Paid into the hands of the Hon.					By balance in the						
J. H. Dunn, Receiver General,.	108	1	0		hands of the Com.						
Carried forward, £	108	1	0		for Crown Lands the						
					30 June, 1833, .....				1190	15	3½

RECEIPTS AND PAYMENTS FROM CROWN LANDS.

*Receipts and Payments for the Year 1834, continued.*

PAYMENTS.	CURRENCY.			STERLING.			RECEIPTS.	CURRENCY.			STERLING.		
	£	s	d	£	s	d		£	s	d	£	s	d
1834.							1834.						
Brought forward,	108	1	0				Bro't forward				1190	15	3½
To Paid into the hands of the Hon. John Henry Dunn, Receiver General.....	1000	0	0				By rents received on Crown Reserves,..	14	0	0			
“ W. B. Gowan for Advertising, ..	31	6	10				By instalments received on Crown Lands	2044	15	6½			
“ Thomas Dalton ditto, .....	20	0	0								1852	17	11½
“ J. Radcliffe ditto, .....	5	14	10										
“ James Macfarlane & Co. ditto, ..	8	6	9										
“ A. K. McKenzie ditto, .....	2	10	0										
“ Henry J. Jones as Agent, .....	104	12	3										
“ Edward J. Barker for Advertising	12	14	8										
“ Charles Rankin for Inspecting,	39	0	0										
“ J. Radcliffe for Advertising, .....	3	1	3										
“ Noble Palmer ditto, .....	20	1	11										
“ William J. O'Grady ditto, .....	8	9	7										
“ R. D. Chatterton ditto, .....	10	13	5										
“ Egerton Ryerson ditto, .....	6	9	5										
“ George P. Bull ditto, .....	2	14	10										
“ F. Thomson ditto, .....	6	4	9										
“ James Macfarlane & Co. ditto,	4	19	4										
“ Daniel McLeod ditto, .....	3	14	2										
“ John Hogan, ditto .....	0	5	0										
“ John Huston, for Inspecting, .....	49	9	6										
“ John Busted for Advertising, ..	16	18	2										
“ H. Leavenworth ditto, .....	7	13	10										
“ Samuel Heron ditto, .....	9	11	0										
“ H. M. Mosley as Auctioneer, .....	6	6	0										
“ Murray, Newbigging & Co. for Stationery, .....	7	10	9										
“ Joseph Talbot for Advertising, ..	3	7	2½										
“ John Kent ditto, .....	5	2	8½										
“ R. D. Chatterton, ditto, .....	1	8	9										
“ Wiman and Carter, ditto, .....	4	13	10										
“ Wm. Buell & Co. ditto, .....	3	5	6										
“ Edward J. Barker, ditto, .....	11	10	2½										
“ H. Leavenworth ditto, .....	0	18	0										
“ John Vincent ditto, .....	12	8	9										
“ J. Wilson ditto, .....	2	13	9										
“ George W. Busted ditto, .....	10	17	11½										
“ Thomas Dalton ditto, .....	21	2	3½										
“ James S. Howard for Postage, .....	10	15	9½										
“ Robert Stanton for Advertising, ..	22	13	1										
“ Robert Stanton for Stationery, ..	11	14	4										
“ Edward Beeston as Clerk, .....	100	0	0										
“ Arthur Beeston as extra Clerk, ..	29	10	0										
“ John McCloskey as Messenger,	12	10	0										
“ Balance in the hands of the Commissioner for Crown Lands this date, .....											1584	19	3½
											1458	14	0
Total £ .....											3043	13	3½

Sold in the year 1834—8891 acres at the average price of 9s 0½d. currency per acre, amounting to the sum of £4023 11 11.—And there has been received £3287 8 4, principal and £90 8 8½, interest. Also, 87 Town Lots, amounting to £1166 13 0.

PETER ROBINSON.

**THREE REPORTS,**

FROM THE

**SELECT COMMITTEE**

**Appointed to inquire into the State**

OF THE

**TRADE AND COMMERCE**

OF

**UPPER CANADA :**

Together with the Minutes of Evidence,

AND

**An Appendix.**

---

**MEMBERS OF COMMITTEE :**

MR. WILSON, *Chairman.*  
MR. MACKENZIE,  
MR. SHAVER,  
MR. McMICKING,  
MR. DURAND.

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The First Report was presented to the House on the 6th of March.—See Journal, page 210.

The Second Report was presented March 12th.—See Journal, page 233.

The Third Report was presented April 15th.—See Journal, page 398.

There was another Report from the same Committee, on the Bill for increasing the Stock of the Bank of Upper Canada.  
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SESS. 1835.

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PRINTED BY ORDER OF THE COMMONS' HOUSE OF ASSEMBLY.

—  
R. STANTON, PRINTER.

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## ORDERS OF REFERENCE.

"On motion of Mr. MACKENZIE, seconded by Mr. ROBLIN,—“Ordered, that a special Committee be appointed to inquire into the state of the trade and commerce of this Province with other parts of the world; and to consider whether any, and if any, what alterations and improvements should be made therein: that the Committee do consist of Messieurs Durand, Shaver, Mackenzie, McMicking, and James Wilson; that they be intrusted with power to send for persons and papers and records, and with permission to report to the House by address or otherwise; and that to this Committee be referred His Excellency's Message accompanying Mr. Secretary Rice's Despatch on grain and flour.”

Truly extracted from the Minutes of the 26th January, 1835.

JAMES FITZGIBBON,  
Clerk of Assembly.

"Ordered, that the petition of George Hamilton be referred to the Committee on trade, to report thereon by bill or otherwise; and also the petition of Moses Willson."

Truly extracted from the Minutes of the 21st February, 1835.

JAMES FITZGIBBON,  
Clerk of Assembly.

"Ordered, that the petition of William Johnson and others, praying for a Post Office, be referred to the Committee on trade, to report thereon."

Truly extracted from the Minutes of the 3rd March, 1835."

JAMES FITZGIBBON,  
Clerk of Assembly.

"Ordered, that the petition of William Cunningham and others, on the subject of a Loan Office, be referred to the Committee on trade, with power to send for persons and papers, and to report by bill or otherwise."

Truly extracted from the Minutes of the 19th February, 1835.

JAMES FITZGIBBON,  
Clerk of Assembly.

## FIRST REPORT,

FROM THE

### SELECT COMMITTEE

Appointed to inquire into the state of the

TRADE AND COMMERCE

OF THE

PROVINCE OF UPPER CANADA.



#### MEMBERS OF COMMITTEE:

Mr. JAMES WILSON—*Chairman*.  
Mr. MACKENZIE,  
Mr. SHAYER,  
Mr. McMICKING, and  
Mr. DURAND.

The Select Committee appointed to inquire into the condition of the Trade and Commerce of this Province with other parts of the world, and to consider whether any, and if any, what alterations and improvements should be made therein, and to whom was referred His Excellency's Message sent down with Mr. Secretary Rice's Despatch on grain and flour, and the petitions of certain Inhabitants of this Province, complaining that at a time when a great part of the population are involved in debt to an alarming extent for lands they have purchased, a great and unexpected depression has taken place in the prices of agricultural produce, and praying for such relief as it may be within the power of the Legislature to extend—have made some progress in the investigation of the matters referred to them, and agreed to the following as a first report:—

The case submitted to your Committee by the petitions of the proprietors of the soil, is one of severe distress, affecting those interests of this country which are of a fixed and permanent nature, as compared with the usual objects of commercial enterprise, and which would require the early and careful consideration of the House, and the efficient co-operation of the Government to lessen and alleviate.

With a view of ascertaining the extent of the depression under which wheat and flour, the chief staple commodities, raised for exportation, have fallen in the Montreal market, your Committee put the following question to fifteen of the Members of the House, practical farmers, residing in various parts of the Province.

“What is the average cost of production of twenty bushels of merchantable wheat in your county, (without taking into consideration, or making a charge for interest on capital invested in the land) ?”

The result of these calculations was as follows:

	Halifax Currency.
Mr. Gibson, <i>York County</i> , . . . . .	£ 2 12 6
Mr. Wilson, <i>Prince Edward</i> , . . . . .	3 0 0
Mr. Alway, <i>Oxford</i> , . . . . .	2 0 0
Mr. Gilchrist, <i>Northumberland</i> , . . . . .	3 0 0
Mr. Cook, <i>Dundas</i> , . . . . .	2 15 0
Mr. Shibley, <i>Frontenac</i> , . . . . .	2 17 6
Mr. Woolverton, <i>Lincoln</i> , . . . . .	2 10 0
Mr. Hopkins, <i>Halton</i> , . . . . .	3 10 0
Mr. Smith, <i>Wentworth</i> , . . . . .	2 0 0
Mr. Chisholm, <i>Glengarry</i> , . . . . .	3 0 0
Mr. Roblin, <i>Prince Edward</i> , . . . . .	3 0 0
Mr. Waters, <i>Prescott</i> , . . . . .	3 15 0
Mr. Shaver, <i>Dundas</i> , . . . . .	£ 2 15 0
Mr. Yager, <i>Hastings</i> , . . . . .	2 10 0
Mr. Perry, <i>Lennox &amp; Addington</i> , . . . . .	2 15 0

The average result is £2 15s. 11½d., or two shillings and nine pence halfpenny per bushel.—On the shores of Lake Ontario, it ranges from half a dollar to three shillings: Eastward, in Glengarry and the Ottawa, it rises from three shillings to three shillings and nine pence; and Westward, in the Gore and London Districts, falls to between half a dollar and two shillings of our currency.

The price paid by the merchants in Toronto and the County of York, during the present winter, is from 2s. 6d. to 3s.; and the cost of conveyance of a bushel of wheat from hence to Montreal, in summer, is from fourteen to fifteen pence. The prices there have ranged between 4s. and 4s. 6d. during the last half year, and there is very little prospect of improved prices. The cost of conveyance is increased from the London District, so as to counterbalance the superior productiveness of the soil; and although there is less expense of freight and charges between Montreal the Ottawa and Glengarry, yet the natural disadvantages of climate under which the Eastern Districts labor, seem to place them but on a level as to prices, with the country near Lake Erie.

Mr. Cawthra, a merchant of extensive dealings here, stated in evidence before your Committee,

that the expense of conveying a bushel of wheat from Cobourg or Toronto to Montreal, was 1s. 2d. to 1s. 3d.; from Prescott to Montreal 9d.; and from Kettle Creek, on Lake Erie, 1s. 7d.

The immediate cause of distress is thus shown to be an inadequacy of return; the chief product of the soil does not now obtain, in any market, foreign or domestic, a price which replaces to the producer the cost of production, nor is there a return of interest on the capital originally invested, either in buying and clearing of waste lands, or in the purchase of improved estates.

Your Committee have not made a very minute inquiry as to the values of ashes, beef, pork, and other staple exports, although it is a well known fact, that they do not bring to the agriculturist a remunerating price for his capital and labor.

The average last season, at Quebec, for pearl ashes was about 25s. 6d. the cwt., and for pots, 24s.; pork was met in that market by a supply from Ireland, and the prices fell in consequence.\* Lumber appears to have been the only staple which commanded favorable prices, but there are many sections of the Province which receive little or no benefit from it as an export to places abroad.† Although 1122 vessels, measuring 315, 803 tons, arrived last year at Quebec, the greater number being for cargoes of lumber, yet there is such an uncertainty as to the course the British Government may pursue with regard to the discriminating duty in favor of American timber, that the disposition to embark capital in that very precarious article of traffic is much lessened of late years.

Another cause of distress is to be found in the restrictions laid on the trade of the Colony, and the disadvantages under which the land owners and merchants labor, as compared with the same classes on the opposite frontier.‡

Laws for the regulation of our trade and commerce are enacted in the Parliament of the United Kingdom,|| and continually changed and varied without our being consulted for our interest, although the value of our labor and property is unduly affected by this ever varying system of Legislation.§

In the United States, the different sections of the several States are fairly and equally represented, according to their numbers, in the body which\*\* regulates their commerce, and thereby raises or depresses the value of their industry and estates.

By the fiscal regulations of Great Britain, affecting the commerce of Upper Canada, customs duties are ordered to be levied at our shipping places, of 7½, 15, 20, and even 30 per cent. on the value of imported articles of the first necessity to an agricultural community, if those articles are not imported from England or some of her Colonies; but if imported from England or her Colo-

nies, they are only subject to 2½ per cent. on the £100. value, and in some cases are duty free.\*

Some articles of general utility are prohibited to be imported unless in British ships, or from a British port.†

Our trade by sea is carried on almost exclusively in British shipping, and for the advantage of capitalists residing in Europe.

Although it is obviously the most convenient and suitable for us to raise a revenue for state purposes, by customs duties levied on articles of foreign growth, or manufacture of a like kind with those which form the staple commodities produced and manufactured in this Province; and although England regulates our trade so as to protect her manufactures‡ against all foreign competition in our markets, yet it is declared by the Imperial Acts of late years, that heavy duties shall be charged on the importation of those foreign articles which we require but do not produce, while the importation of the staple commodities of the neighboring Republic, being the same as ours, shall be duty free.

England claims an exclusive monopoly in our markets; she allows us none in hers; [*See Note to page 49.*] Our beef and pork are prohibited in her home dominions, and our pot and pearl ashes subject to the same rates of duty at London or Liverpool as the pot and pearl ashes of the south shores of Erie and Ontario. The shipping of Great Britain, at Quebec, give no preference to timber, live stock, flour, beef and pork, brought from Upper Canada, over the same articles brought from the United States:—if we sell cheapest they buy from us, not otherwise.§

By the ninth section of an Act of the Imperial Parliament, passed on the 28th of August, 1833, which has not been placed on our Statute book,|| and which, it is probable, that not one in a hundred of our population ever heard of (the 3rd and 4th of Wm. the 4th, chap. 59,) it is enacted, that United States wheat, wheat flour, beef and pork, may be imported into the Canadas either by sea or inland navigation, free of duty; as also, that the wheat, wheat flour, beef and pork, thus brought into competition with ours, may be shipped at Quebec, in *British ships only*, to any part of the British West Indies, there to be admitted on the same terms as the like produce of Upper Canada is admitted. United States flour may be sent to Halifax or St. Johns in British ships; there it is warehoused duty free for exportation to the British West Indies.\*\* The monopoly is all in favor of England and the United States.

By an Act of Congress passed in July 1832, wheat, wheat flour, beef and pork, ashes, and all other articles, the staple produce of the Canadas, are subject to a tax of £15. on every £100. value, if imported into any port of the United States;

\* Vide page 13, Appendix.

† Vide pages 11 and 12, Appendix.

‡ See Appendix, pages 17 & 21.

|| See Appendix, pages 7, 13, 14, & 15.

§ See Appendix, pages 3 to 6.

\*\* See Appendix, page 14.

\* See Appendix, pages 13, 16.

† See Appendix, page 18.

‡ See Appendix, pages 10, 12.

§ See Appendix, pages 5, 14, & 19.

|| The 50th Chapter of the Statute Wm. 4, 3rd and 4th years, has not been published in this country, nor has the 59th Chapter.

\*\* See Appendix, pages 13, 14.

Congress choosing to levy duties for the purposes of revenue rather on those foreign articles of which the United States produce an abundance, than on articles of necessity, which come not in competition with the industry of their citizens. Adhering to this principle, the same act authorises the importation into the ports of the Union free from duty, of tea, coffee, pepper, ginger, mace, nutmegs, currants, raisins, camphor, flax, tin in plates and sheets, drugs, dye-woods, grapes, &c., and the consequence is, that tea and such other articles of general use, as are cheaper beyond the lines than in this Colony, are, in many instances, imported clandestinely, by a population who never assented to the Legislative Acts whereby tea was prohibited to be bought at the cheapest market.\*

We are necessarily confined to the markets of the United Kingdom and its Colonies, as the markets for our produce, for were we to attempt to extend our trade with other countries, the protecting duties imposed by England in favor of her own merchandise, would prevent the importation of foreign goods in exchange.†

In the documents appended to this report, your Committee have taken considerable pains to show the actual state of the trade of Canada, the extent of the tariff and prohibitions and protections here referred to, and the arguments adduced on behalf of their respective theories, by those in America and in England who advocate the doctrines of free trade,‡ as well as those who give a preference to the Colonial system,|| with its chain of monopolies; reference has been had to Legislative proceedings and official accounts, made up in the Colonies, Great Britain, and the United States, in order that parties interested might, by having placed before them a collection of facts bearing on the important questions before your Committee, be able to arrive at just conclusions.

But although a depression of prices and the restrictions which injuriously affect our commerce are, perhaps, the more immediate causes of the agricultural embarrassment which now prevails, and which is bringing many persons within the vortex of a tedious, costly, and ruinous series of lawsuits, with very little hope of being able to extricate themselves from the meshes of the Courts of civil jurisdiction, there are other causes of commercial and agricultural distress equally deserving of the notice of the Legislature, and perhaps more fully within its power to remedy.

Unless the taxes and rates which are raised from the people are laid out with care and prudence for their benefit, that advantage which good government would confer, is not shared by the community. In Upper Canada, a large sum is annually raised by district rates, fees, assessments on uncultivated lands, and other local taxation, which is not well accounted for, and in many instances not judiciously expended.

Again, the proceeds of the sales of Clergy Reserves paid into the military chest, and incorpo-

rated with the finances of Great Britain, serve to impoverish the farming classes here. If one farmer sell land to another, the parties being both resident among us, the public wealth receives no diminution, but the proceeds of the sales of the Clergy Reserves are very unjustly taken out of the country altogether, while the clergy of a few are thrown upon the protection of the whole population, and a large sum annually, illegally, applied to their maintenance.

Another injurious and unconstitutional scheme, whereby a vast sum is annually drawn from the labor of the hard working farmer, is, the Canada Company, an association of European mercantile speculators in those waste lands of the Colony to which the industry of the settled population had given value, but which had been constantly refused when they applied to the local authorities as intending purchasers. We are of opinion, that this monopoly is one of the greatest drawbacks upon the agricultural and commercial prosperity of the Colony—that its formation was an act of injustice and oppression—and that every possible legal effort should be made to root it out of the country.

Our commercial prosperity is retarded, and emigrants of wealth, talent and enterprise, induced to avoid our shores, by the knowledge they have, that men in whom the public would have confidence, cannot, and will not be placed in those situations of power and trust, where they might check misrule and punish the authors of it. Unless the Legislature is enabled to assume the control of the whole public revenue, from whatever source derived, and unless the nature of the Government is such, that all public officers can be made accountable, on this side the Atlantic, for their official conduct, those principles of economy and retrenchment, on the operation of which the whole fabric of domestic prosperity and successful competition in foreign commerce would safely rest, cannot possibly prevail. There is no question but that under a better order of things, the expenses of our canals and public undertakings, and of the Government itself, would be greatly diminished, the difference would go back among the agriculturists to encourage them to new exertions, and our public debt, like that of Lower Canada and the United States, would be annihilated.\*

The Legislative Council of this Colony have greatly augmented the difficulties with which the British and Colonial Governments have to contend, by the obstinacy with which they have thrice refused to agree to the proposals, first made by Lower Canada, under the Government of Sir James Kempt, that Commissioners should be appointed on the part of Upper Canada, to meet Commissioners who had been appointed by law in Lower Canada, to consult on the state of trade, and other matters of mutual interest to both Colonies.† Thrice was a bill sent up by the

\* See Appendix, 17, 18, and price current in page 19.

† See Appendix, 16, 17, 18, 19.

‡ See Appendix, page 2 to 6.

|| See Appendix, page 1 & 2.

\* See Appendix, page 14.

† See Journal of Assembly for 1829, 1830, 1831, and the page following this Report.

Assembly, in different sessions, and different Parliaments, word for word with that which had received the royal assent in the Sister Colony; but the Council would pass no bill whatever, unless it contained a clause that (while the Assembly had nominated the Commissioners in Lower Canada) the Lieutenant Governor should select the Commissioners here. Had the bill passed into a law, the joint deliberation of Commissioners possessing the confidence of the two Canadas, would have most probably resulted in the recommendation of measures to the British and Canadian Legislatures of great importance to our commercial welfare;—as it is, the country remains comparatively poor, and the land-owners, whether resident or non-resident, suffer severely.

Having called the attention of the House to some of the causes of the distress complained of by the farmers, your Committee proceed respectfully to submit to its consideration some practical measures for their relief.

Until England shall give to her colonists a monopoly in her markets, she cannot be held entitled to a monopoly of ours. If she resorts to the United States for those articles she finds to be cheapest there, why should not we do so also?

Our consumption of foreign and British Colonial merchandize is far greater, in proportion to our population, than that of those northern States of the Union whom she admits to equal advantages with us in her markets.\* Compare the duties imposed on British, and British Plantation rum, raw and refined sugars, wollens, cottons, silks, hardware, cutlery, &c. in the ports of Boston, New-York, Buffalo, or Oswego, with the charges levied on their importation at Quebec or Montreal,—they are in some cases four-fold—in very many instances, ten-fold greater in the former.

In what do we receive an equivalent?—We receive none.

Your Committee submit a resolution, which is, in substance and effect, to follow the example set us by Great Britain, and to allow the distressed agriculturists of this Colony to buy in the markets of the Union, free of duty, those articles which do not come in competition with their industry; are of immediate necessity; and cheaper than at Montreal.

To repeal so much of the Imperial Act of 1833, would perhaps be the most direct way of attaining this object; but to this course, some may entertain objections. That we have the power, however, to appropriate the monies raised in taxation, is not doubted;—it is a sacred trust reposed in us, to apply the public revenue in the way that would be most conducive to the general welfare.† The resolutions reported herewith embody the opinions of your Committee on this subject.

The article of salt is manufactured in small quantities in the Province, but the chief supplies

are from Onondaga. A bounty is granted on the exportation of this necessary article by New York State; and your Committee submit resolutions for the repeal of the Provincial Act under which salt is taxed, and the farmers on this side the great lakes obliged to compete on unequal terms in Montreal and Quebec with their brethren across the lines, whose salted beef and pork enter these markets duty-free.

Another means whereby the payment of the debt due by Canada might be ensured, is the taxing of the stock of joint stock Banks. It is evident that these institutions are making great annual profits in the midst of the general distress; and it appears unjust to allow capital invested in the transient concerns of Banking, to augment, without contributing to the expense of the government which protects its operations, while the houses and lands and cattle of the agriculturist, and even his salt, are taxed.

The advantages that would be conferred by the adoption of the course suggested by your Committee, on the families settled in this Province, and employed in agriculture, are plain and obvious. They would be enabled to purchase much cheaper than they do now, those articles of comfort and necessity which few families can do without.—It would be as if two rival stores had been opened in a township where there was but one before. After carefully considering the consumption of the articles proposed to be admitted free of duty, your Committee estimated that £5 to £20 would be saved yearly to a large number of the families in this Province, by following the example of England and buying in the cheapest market. The Lower Province would scarcely complain of an experiment intended to relieve Upper Canada, and to enable her population to increase those surplus products, the outlet for which is the St. Lawrence; or if she did complain, the remedy would be for her to follow our example and take off the duties on the same articles, whether imported from England, the West India Colonies, or the United States. It cannot be shewn that British commerce would suffer by such a course of Legislation.

Another remedial measure would be the passage of a law for raising a revenue by imposing moderate duties on imports from the United States, of flour, wheat, ashes, pork, beef, live stock, lumber, horses, and such other articles as come directly into competition with the staple products of this Colony; said duties to continue, at least until Congress shall remove the restrictions which have hitherto prevented the exportation, to the United States, of Canadian wheat, flour, provisions, lumber, &c., when that country would have afforded the best market for these articles. The sum likely to accrue from the passage of such a law, would, in part, prevent that decrease of revenue which might by some be brought forward as an objection to the proposition for the removal of certain other duties which injuriously effect the Colonists. The question of the expediency of raising a revenue from United States imports of

\* See Appendix, page 8, 9.

† The proportion of revenue paid by Lower Canada to this Province in 1833, was £53,466, currency; and in 1834, it was £54,393,—there is an increase of £925.

wheat, flour, live stock, &c., has, however, been referred to the consideration of another Committee.

The system of bonding merchandize, and making up assorted cargoes of foreign and domestic goods, duty free, for foreign countries, if it were permitted at Quebec and Montreal to the same extent and in the same way in which it is authorised at New York and Boston, would greatly increase the trade of these ports, and add to the commercial prosperity of both Canadas.\*

The cost of collecting the duties levied on imports from the United States, is unreasonably high; the system under which £100 can be retained for collecting another £100 being united to the powers vested in the Government to increase the number of collectors and ports of entry at pleasure, requires revision. From the official returns to the House, it appears that twenty Collectors of customs collected last year £2117 and kept back £1059 out of it, for their trouble.

The appointment, by resolution, of three Members of this House to proceed to Montreal, after the session has closed, and confer with any three Members whom the House of Assembly of Lower Canada may in like manner appoint, to consult on matters of trade,† and other matters of mutual importance to both Provinces, would be a very useful measure.

Although more than a million sterling, has been expended in the construction of an uninterrupted inland navigation, by the way of the Rideau, between this Province and the port of Montreal, it was the opinion of the House of Assembly, that another route had already become necessary; and at great expense and with borrowed funds the Province has commenced the improvement of the navigation of the Saint Lawrence upon a very extensive scale; a steam boat canal 100 feet wide at bottom, 200 feet at the surface, and 9 feet deep, with locks 200 feet in length, and 50 in width, is in progress; 11 miles are under contract; upwards of £30,000. have been expended, but no part is finished.‡ If this canal shall be completed on the scale on which it was begun, it will involve Upper Canada far deeper in debt, although the advantages will be shared by the sister Colony, and especially by her grand commercial emporiums, Quebec and Montreal. Lower Canada has contributed a very small part of the expenditure of the canal navigation of this Colony, al-

\* See Appendix, pages 18, 19.

† See page following Report.

‡ See proceedings at Utica relative to a ship canal from Ontario to the Hudson, pages 19 and 20.

though she is entirely out of debt, and possessed of a vast and greatly increasing revenue. The Commissioners whose appointment has been suggested, might do much towards bringing about a better understanding between the two Provinces in matters of this kind.

Another means of alleviating the existing distress is already adopted by the House, in the disposition, its votes have sanctioned, of the proceeds of the Clergy Reserves.

The extension of the trade of a country is not a true test of its happiness. Britain has a foreign commerce greater than any other nation, yet, owing to a long continuance of bad government and oppressive taxation, millions of her population are in poverty and want: Ireland exports immense quantities of her domestic products; † yet is she grievously impoverished, and coercion bills and thirty thousand armed men are found necessary to prevent her population from rising against the authorities, even in a time of profound peace. The documents appended show that one of the chief causes of that commercial and agricultural distress by which the British West Indies have so severely suffered, can be traced to the folly and extravagance of their Local Governments, too long sanctioned by the Colonial Office.‡

The abolition of the Canada Company, an illegal and injurious association, if at all practicable, or the taxation to the full extent of the lands so unjustly placed at its disposal, would be of great importance, as a means of lessening that perpetual drain upon the amount of cash circulating in the Colony, of which the people continue to complain.

Above all, it is essential to the welfare of Upper Canada, that the House should insist, that the whole public revenue raised within it might be henceforth at its disposal, to be applied only according to law; and that those Officers, whose duty it is to preside over the several departments of the Government, should be the responsible advisers of the Lieutenant Governor, and hold their offices only for such periods as their proceedings might obtain for them the confidence of the representatives of the people.

JAMES WILSON, *Chairman.*  
WM. L. MACKENZIE,  
PETER SHAVER,  
GILBERT McMICKING,  
JAMES DURAND.

† See Appendix, page 3.

‡ See Appendix, page 10.

*Extract from the Journal of the House of Assembly of U. Canada. (Page 25, printed copy.)*

29th JANUARY, 1829.

The House in Committee on the Message of His Excellency the Lieutenant Governor, relative to the joint Resolution of the Legislative Council and Assembly of Lower Canada.

The following Resolutions were unanimously agreed to:

*Resolved.*—That this House receive, with peculiar satisfaction, the communication of His Excellency the Lieutenant Governor, of the 23rd instant, with a copy of a despatch from His Excellency Sir James Kemp, relative to the joint Resolution of the Legislative Council and House of Assembly of Lower Canada, respecting the appointment of Commissioners on the part of that Province, to meet other Commissioners on the part of Upper Canada, to treat of, and report upon various matters of common concern to both Provinces, respecting the imposing and collecting duties on importation; the improvement of the navigation of the rivers Saint Lawrence and Ottawa, and roads of communication: and that this House do highly appreciate the assurance of His Excellency Sir James Kemp, of his approval of this important object.

*Resolved.*—That this House is fully impressed with the importance of cordial co-operation with the sister Province, in all matters of mutual interest.

*Resolved.*—That a bill be brought in for the appointment of three Commissioners, for the purpose of carrying into effect, in the most liberal manner, the object of the said joint Resolution of the Legislature of Lower Canada.

*Resolved.*—That a message be sent to the Honorable the Legislative Council, communicating the foregoing Resolutions, and to request their concurrence therein."

## RESOLUTIONS

REPORTED BY

**The Select Committee on Trade and Commerce.**

1st.—*Resolved.* That in order to afford relief to the Cultivators of the Soil, who are now laboring under great distress, owing to the low prices of the staple articles of domestic produce, it is expedient, that on the following articles, when imported from the United States into Upper Canada, for home consumption, there be granted to the Importers, for one year from the first of May next, a bounty or draw-back, equal in amount to the whole of the duties now levied under the authority of an Act of the Parliament of the United Kingdom,

(3 & 4 of William the 4th, chapter 59.) passed on the 28th of August, 1833, and entitled, "An Act to regulate the Trade of the British Possessions abroad," viz:—

Teas of all kinds.	Indigo.
Coffee.	Oil, or Spirits of Turpentine.
Iron, in Pigs.	Molasses.
Linens, bleached & unbleached	Almonds.
All Cotton manufactures and	Currants.
Cotton Yarn.	Prunes.
Window Glass.	Figs.
Manufactures of Silk, or of	Black Pepper.
which Silk is a component	Ginger.
part.	Mace.
Books and Papers of all kinds.	Nutmegs.
Printers Types, Presses and	Cassia.
Ink.	Cloves.
Brass Castings, for Steam Ma-	Machinery for Grist Mills.
chinery.	Saw Mill Irons.
Camphor.	Paper Mills, (Machinery for.)
Nuts, of all kinds.	Machinery for Oil Mills.
Tamarinds.	Rags.
Goose Quills.	Block Tin.
Arrowroot.	Tin in plates.
Aquafortis.	Scythes.
Sulphuric Acid.	Bookbinder's Tools.
Copperas.	Saddle Trees.
Saltpetre,	Fanning Mill Irons.
Burr Stones.	Mill Saws.
Bolting Cloths and Screens.	Tobacco, Manufactured and in
Sattinet, or Linsey Walsey.	the Leaf.
Garden and Grass Seeds.	Hops.

2nd.—*Resolved.* That it is expedient that the fifth section of an Act passed in the tenth Parliament of this Province, on the sixth day of March, 1830, entitled, "An Act for the relief of the sufferers who sustained loss during the late war with the United States of America," by which a duty is imposed on salt, should be repealed.

3rd.—*Resolved.* That if the duties now charged on the above articles when imported by sea, and on salt imported at Quebec, were remitted during the year, commencing in May next, a very seasonable relief would be obtained for the Agriculturists of Upper Canada.

4th.—*Resolved.* That a copy of these resolutions be communicated to His Excellency the Lieutenant Governor, with a request that he would transmit them to the Governor-in-Chief, for the purpose of being laid before the Legislature of Lower Canada.

5th.—*Resolved.* That it is expedient, in lieu of the tax on salt, to impose a tax of — per cent per annum on the declared profits of Joint Stock Banks, and that the same be applied to the purposes for which the proceeds of the tax on Salt were directed to be applied.

6th.—*Resolved.* That it is expedient to alter the law by virtue of which Collectors of Customs are paid £100. out of the first £200. they collect, and in like proportion for smaller sums; and in lieu of such compensation, to substitute the following per centages, viz:—On all sums collected by them in any one year under £100. 20 per cent; on all sums over £100 and under £300, 15 per cent; on all sums over £300. and under £1,000, 6 per cent; and on all sums over £1,000, 4 per cent.

7th.—*Resolved.* That it is expedient to appoint three of the Members of this House, Commissioners, to proceed to Lower Canada, and confer with any three of its Members whom the House of Assembly of that Province may, in like manner, appoint, to consider and report to their respective Houses, their opinions concerning the restrictions now placed on the Trade of these Colonies, and concerning Inland Navigation, and other matters of mutual importance to both Provinces.

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## APPENDIX TO THE REPORT ON TRADE.

*Arguments used in favor of protecting and discriminating duties, by the friends of the Colonial system in the United States and British America.*

In favor of the United States tariff of 1828, they allege:

The uncertainty of distant foreign markets, and the certainty of *that* at home.

The violence and caprice of foreign powers, who sometimes commenced a war suddenly, and swept the seas of American merchantmen.

The great expense of fitting up and upholding a navy like that of England, for the protection of foreign commerce.

The uncertainty of the demand for United States staples in the European markets—sometimes, while at war, opening their Ports and demanding American Flour at ten or fifteen dollars a barrel—and at other times, as in the event of a peace, ruining thousands of American farmers, and those connected with them, by reducing the price of that article to three or four dollars.

Cases like the following were cited:

A supposed scarcity of cotton, or some other American staple, is stated as existing in England—large supplies are sent from America—the market over-stocked—prices reduced; and shippers ruined.

A war takes place between the United States and England, and the supply of foreign manufactures thereby receives a check—domestic workmen are employed; capital expended on machinery, and apprentices indentured—the return of peace recalls the foreign competition, and proves ruinous to the domestic manufacturer.

It is argued:

That if a cultivator in the Western States obtains a good coat, good furniture, or education to his children, for so much of the produce of his fields, it is of little consequence what proportion the price paid bears to the prices in Europe; it must be fair whatever it be; he cannot send his grain to England to buy cloth or furniture.\*

That, as a Nation is a political community, where a number of persons unite for their mutual advantage, it is unjust for the farmer to say "I will buy my clothes or shoes from abroad, because they are cheaper," as it would be foolish for a shoemaker to propose to purchase his flour from abroad because it was dearer.

That it is better for the American farmer to pay twenty shillings for a yard of cloth wove in Massachusetts than to allow a person from Yorkshire to import and sell cloth of the same quality at fourteen. The English landlord uses the same argument to the Yorkshire weaver in favor of monopoly in corn, high rents, and domestic agriculture.

That free trade is opposed to the opinions of most countries—unapproved by long experience of any people—and that the United States created their marine by the old system of protection; and, were also creating, by the same means, distilleries and plantations sufficient for their supply in sugar and spirits.

That, by the old system, the Canadas have been enabled to exchange their wood, corn, and fish, for the manufactures of Great Britain, and the produce of the West Indies; that by the old system, therefore, a country which would otherwise have been uninhabited, or remained in poverty and want, has rapidly grown up into all the comforts and conveniences of life, and now teems with the industry and happiness of a million of British Subjects. That the Northern Colonies, and the Southern also, cleave, as to the very charter of their existence, to the old system of protection. †

That the United States Tariff of 1828 was imposed to balance the burthens imposed on native industry by the operation of foreign laws, but not to burthen one class of persons in the union, or one section thereof, at the expense of another. That all England meant by *free trade*, was merely to obtain a monopoly of other markets by means of her superior skill in manufactures, and thereby to prevent foreigners from her soil from establishing manufactures, or else to ruin and undersell those already established. That England could afford to

\* This argument would possess the same weight if applied to the produce of a Canadian farmer, who might desire to export it to the United States—the duties would prevent him.

† Sir Howard Douglas affirms, that the British Emigrant first finds employment in lumbering, and that the lumberman clears the ground for the agriculturist.

begin the system of free trade, because, her manufactures are now so well established, that free competition would place them in no danger.

That Washington, Jefferson, Madison, and Munroe, had all advocated the principle of protection.

That Britain had given birth to the tariff system, by persisting in her corn laws.

That the American tariff and English corn laws had brought to America many thousands of the capitalists and first-rate mechanics of Britain, whose industry must now be protected from the competition of their half-starved brethren in Europe, whose labor would be kept down, under the most favorable circumstances, by an unfeeling, but all-powerful aristocracy.

That the price of the great staple of cotton, and of all the chief productions of the agriculture of the United States, has been sustained, and a decline averted, by the protective system.

That objects within the scope of the policy of protection have greatly fallen in price; that the benefits of the close system would be still more extensively felt in time of war; that free trade would subject America to foreign legislation, regulated for foreign interests, and would prove ruinous to the nation.

That the power of invention would never be exerted if it had no confidence in the promise of support.

That capital would never come to the aid of skill and enterprise if it had no security for investment.

That America ought not to wait until surrounded by invasion, and then beg blankets from invaders to warm a shivering army engaged in national defence.

That if protection must be general—not local, the nation, with its various soils, different climates, and diversified objects of industry, could never provide a protecting tariff.

That duties upon foreign goods secure the market to the home manufacturer, and that the tax is not paid because the article is not imported, domestic competition among the manufacturers having reduced the cost to the lowest possible price, while at the same time *that* competition has improved the quality.

In the report of the committee on iron, in the New-York convention of "Friends of Domestic Industry," held in October 1831, it is urged that an impost may operate on the importer, and not on the consumer—1st. Where the *importing* country is the principal market for the article, and that article one which the *exporting* country *unavoidably* produces in the manufacture of some other of greater value. 2nd. Where there is an increasing surplus of production in the exporting country, and an extensive and growing manufacture of the same article in the country where this surplus has heretofore sought a market. Of the first class, they offer molasses as an example, and affirm that the duty on its importation into the union was exclusively paid by the planter, who was obliged to sell it there at what it would bring. Of the second, they give iron as an illustration, affirming that, after the intelligence of the United States new duty on iron by the tariff of 1828, reached England, iron fell one pound a ton, immediately, and next year was still further reduced in price; and that the United States manufacturer, feeling increased confidence, extended his operations and increased the supply, without raising his price. As the English manufacturer could only reach the domestic markets of America by paying the additional impost, it is contended that American competition compelled him to diminish his profits, and thus prevented the extra duty from falling on the consumer. "If," says the American manufacturers, "domestic ingenuity had not been thus protected, the price in England would have continued as before, because the foreign manufacturer, supplying the article exclusively, would have dictated his own terms, including a large profit to himself."

With reference more immediately to the British Colonial system, it has been argued, (see a letter of Mr. H. Bliss to Sir Henry Parnell,) that "the first general principle in the Colonial system of Great Britain, has hitherto been a mutual preference of all her Provinces in their intercourse with each other, and with the Mother Country. This has been the basis of that confederacy, the security of that connexion, which has held together for so many years her immense Dominions, in spite of all the differences and divisions of situation, laws, language, and religion. This has proved the main support of the power and wealth and independence of the whole Empire."—that to admit United States produce into the Ports of the

## APPENDIX TO THE REPORT ON TRADE.

Canadas, for domestic consumption or exportation, on the most favorable terms, while the United States prohibit Canadian produce from passing to a foreign market through their Territories, or from being consumed by their people (see Law of April 1831) is unjust to the Canadians; that it is calculated to raise the value of real Estate on the Northern and North Western Frontiers of the Union; and when taken into consideration with the advantages of Self Government, an independent judiciary, the absence of an established church, and the more equal distribution of real estate, will induce British Capitalists to prefer, in many cases, the Southern to the Northern banks of the Saint Lawrence, and great Lakes—that to alter the duties on American and Baltic timber would throw 1000 British Ships out of employment immediately—and that it would injure the Canadians.

Mr. Clay endeavoured, in February 1834, to persuade Congress to continue the tariff of 1828, by reading the following extracts from a work entitled, "The Trade and Navigation of Great Britain, considered by Joshua Gee, 1750."\*

"The advantages to Great Britain from keeping the Colonists dependent on her for their essential supplies."

"If we examine into the circumstances of the inhabitants of our plantations, and our own, it will appear that not *one-fourth* part of their profit redounds to their *own profit*, for out of all that comes here, they only carry back clothing and other accommodations for their families; all of which is of the merchandise and manufacture of this Kingdom."

After showing how this system tends to concentrate all the surplus of acquisition over absolute expenditure in England, he says,—

"All these advantages we receive by the plantations, besides the mortgages on the Planters estates, and the high interest they pay us, which is very considerable, and therefore very great care ought to be taken in regulating all affairs of the Colonists, that the Planters be not put under *too many difficulties*, but encouraged to go on cheerfully.

"New England and the Northern Colonies have not commodities and products enough to send us in return for purchasing their necessary clothing, but are under very great difficulties, and therefore any ordinary sort sell with them. And when they have grown out of *fashion* with us, they are new *fashioned* enough there."

The friends of the protective system in England and the United States use the same arguments. "The Working Man's Advocate," a paper printed in New York, reasons thus:

"And what advantage would be to the laboring man, if he gain twenty or thirty dollars a year in the purchase of food and clothing, and lose double or treble the amount by low wages, we leave it to the enemies of protection to decide.—The manufacturing and mechanical laborers of the United States could not work against the starving workmen of England and other countries, unless they worked as cheap, consequently would be in as miserable a condition. Do the enemies of protection want such a state of things? If they do, they are the real enemies of the country, and particularly of the laboring class."

President Jackson, in one of his messages, had laid it down as a maxim, that "objects of national importance alone ought to be protected." On this text Mr. Mallory speaks in Congress as follows:—

"The farmer who grows wheat, asks the aid of Government to protect that article. He knows that Poland, Russia, the Barbary States, and France, may furnish at times, wheat cheaper on the seaboard than he can afford. When he asks protection, an objection is made—some portions of the Union do not produce wheat—its production is not general—it must be rejected. Butter and cheese are presented for protection. Our farmers can produce them in abundance. The Irish tenant, who subsists on the humblest fare that unfeeling oppression deals out, may furnish them *cheaper* than the cultivators of our soil: yet, it is discovered, that *portions* of our extended country are unable to produce butter and cheese.—They cannot be protected; they are "*local*," and not *general*."

As to protecting particular branches of trade, and upholding American manufactures against British competition, Mr. Cambreling is of opinion, that—

† The arguments of Mr. Clay and Mr. Gee, in favor of fostering particular branches of manufacture, and in favor of protecting the industry of one part of an Empire or Nation at the expense of the industry of other parts, may be met by a perusal of Governor Hamilton's message to the Legislature of South Carolina, of which an extract is appended to this report.

"We (meaning the United States of America) cannot make our Merchants of yesterday rival in skill and economy, the Englishman, who is a manufacturer by inheritance. We cannot make one man perform more than the labor of three; nor can we make one capital equivalent to two. We may, as we have done, for fifteen years, force capital into particular manufactures, and drive our people into wild and speculative competition with each other. We may, for a time, crowd our markets, and sell the produce of our labor at less than the costs of the raw material: we may continue to waste our millions in such experiments, but when the phrenzy is over, our manufactures are as far as ever from being placed on a permanent and prosperous foundation. Although fabrics may be cheaper than before the competition, they are comparatively as much dearer than British manufactures, as they were—the permanent relative prices in the two countries depending not on temporary competition, but on the comparative advantages of capital, labor, skill, and duties on raw materials; our joint stock companies, and our mercantile manufactures, with all our short lived Legislative creations, must, under our artificial system, inevitably perish, with every re-action in trade, as they have done for twelve years past. The millions invested under the act of 1816, were swept away in 1818 and 1819: those under the act of 1824, by the revulsion of 1825 and 1826; and the investments under the act of 1828, by the tremendous shock of 1829. The oldest cotton manufacturer in America, one who came from England in 1788, and who had, under our ancient free trade system, accumulated a fortune by manufacturing; even that manufacturer trembled for a week on the verge of bankruptcy."

Mr. Huskisson, in his speech on the effects of free trade on the silk manufacture, laid it down as a principle, that it was to increasing industry, and not to artificial regulations for creating high prices, that England would have to look for relief. "It is to the increasing wealth of the manufacturing population, and the progress of industry, and not to artificial regulations for creating high prices, that this country must look, not only for relief from her present burthens, but for the power of making fresh exertions, whenever her situation may demand them. It is not in the power of any artificial measures to give that real relief to agriculture, or to any other mode of occupation, which can only flow from the increasing activity and increasing industry of the people."

Mr. Neilson, in his Quebec Gazette, appears to think that a low tariff is the most suitable for promoting the interests of the mercantile class in Canada. In March 1832, he wrote as follows:—"Our duties on the whole of our imports do not, perhaps, average one-sixth of those paid by the United States;—the effect is felt in the annual increase of our trade, and the increasing wealth and comforts of our population. Our low duties could not, however, give to our trade and industry the impulse which they have lately received, without the aid of the American tariff. It proves nearly as beneficial to these provinces as the American Embargo of 1810; and we shall, without being very solicitous of discovering the cause, be happy to find that the majority of the people of two neighbouring countries continue to be satisfied with a system of duties on importations so very different."

By the fiscal regulations on the trade between Great Britain and her West India Colonies, the Jamaica sugar planter is prohibited from refining the sugar produced on his estate,—that process or manufacture being confined to England. The steam millers of Manchester, not long since, petitioned the Imperial Parliament for protection against United States and Canadian grist-mills, propelled by water power. A Manchester (steam) flour miller, thus advocates the doctrine of protection to domestic industry, in the Manchester (England) Guardian, of March 24th, 1831:—"If it shall appear possible from war, or any other adverse cause, nonintercourse with America may at some future time recur; if it shall appear possible that from a bad harvest in America, or from superior demand from other States, supplies may not be spared, or diverted into other channels; and if it shall appear that whilst our sources of supply of foreign wheat are numerous, and generally abundant, our supplies of foreign flour are derived, almost entirely, from America; if it appear that peradventure at some future time we may have again an abundant harvest of our own; that in consequence, foreign flour would not be required, and that if required, it would be excluded by low prices of wheat, and consequent high duties; if it shall appear that under such circumstances, having abundance of wheat but not sufficient means for its conversion into flour, the country would be

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thrown upon the mercy of those millers, with whom all the surviving means of supply would remain; if, in short, it appear possible, that, with abundance of home and continental wheat, the inhabitants of this country may at any time, or times, be driven by a want of mill machinery, to pay a famine price for the flour they consume, then surely it must appear, that, next to an abundant supply of wheat, an abundant supply of machinery, to convert that wheat into flour, is of paramount importance to the whole community. It will appear that it is expedient for the general good that we continue within ourselves the power to manufacture flour sufficient for the whole population;—that, therefore, it is expedient that the means of conversion increase with our increasing population, and, of course that it is not expedient that a single existing establishment be driven to extinction for want of protection. For the sake, then, of every public as well as private interest, protection by the miller should be sought by all." Under the existing law of averages, direct prohibition, or a prohibitory duty, is necessary.

The friends of monopoly assert, and perhaps with reason, that Salt could not be brought so cheap to Lower Canada if the ships which come for timber to Quebec were discouraged by an equalization of the lumber tariff in England; they think the freight of other goods would also be augmented. To this it is replied, that many of the ships would continue to come for timber and other produce, and that by allowing a competition not now permitted the probability is, that freight would fall.

In Maine, the friends of the tariff of 1828, endeavour to uphold the principle of protection to particular branches of industry, by stating such facts as the following—(we quote the Portland Advertiser):

"Few persons, we apprehend, are sufficiently sensible how much the *Mechanics* of the country are protected by the tariff laws. Let us look at a single trade, by way of example.—Formerly a vast amount of Boots and Shoes were imported into this Country from Great Britain. In 1829 the whole amount imported was only \$ 310,943; and this is the largest amount imported for several years past. Now the proportion this bears to the boots and shoes made in the Country, we can form some idea of, when we find that the value of those made in the single State of New York, is estimated, in returns made by the State authorities, at five millions of Dollars. If the repeal of the tariff would enable us to bring English boots and shoes cheaper, so it would throw thousands of men out of employ, sinking many millions of capital, depress the price of agricultural produce, and, of course, land, and cause a revolution which would affect the business of every man in the Country. Hats afford us an example nearly as striking; many other mechanics are protected in like manner; and all are protected in some degree."

Ireland affords a very different example of the effects of the monopolising system, which ought not to be lost on the people of Upper Canada. Taking an average of three years, (1824; 1825; 1826,) Ireland exported to other Countries, but chiefly to England, *each year*, 57,427 Oxen; 62,929 Sheep; 73,913 Swine; 2,533 Horses; 38,070,368 pounds of Bacon and Hams; 189,931 barrels of Beef and Pork; 55,200,656 pounds of Butter; 3,020,664 bushels of Wheat, (and wheat flour); 10,443,624 bushels of Oats, (and Oatmeal); 531,907 gallons Irish Whiskey; 51,947,413 yards of Linen manufactures;—also, £23,412 value of ditto. We quote the official returns by Mr. Irving, the Inspector General of Exports, whose return is dated 15th January, 1831. In what condition do we find the majority of the population of this industrious community, notwithstanding its vast export of surplus produce!

*In support of the principle of Free Trade, the abolition of all the taxation laid on Foreign Commerce with a view to the protection and encouragement of domestic manufactures, or of particular branches of home industry, and the imposition of few and light duties, cautiously apportioned, for the purposes of Revenue, it is alleged,—*That there cannot be any more industry in the world than when every body is employed; that this industry is in the best condition when devoted to those employments which yield the most profits, payable in the Universal Currency, gold and silver; that for an American (for it is in the United States that the question has been most canvassed) or a Canadian, to commence making pins and needles under a protecting tax, when he would be more profitably employed in raising grain, pigs, or cattle, or in manufacturing

pearl or potash, if no such protective impost (whatever it might be) had an existence, is to apply the money of the community to induce the citizens to leave the sort of labor for which their country is naturally adapted, and to follow trades and professions for which it is not naturally adapted: that a proposal to levy taxes on Foreign Commerce in support of Domestic Manufactures, which would yield no returns without taxation, is about as wise a project as if the Legislature were to grant a bounty to the people of Quebec, for raising the grapes in hot-houses, in Canada, for making all their wines, instead of purchasing as they do now, in France or Portugal: that when a country is ripe for a manufacture it will be soon introduced, by private persons for their own advantage, unless the character of the Government or the instability of the Laws, deter them from trusting their capital in it: that great establishments of manufactures require great numbers of very poor persons to do the work for small wages; that these poor persons are to be found in Europe in great numbers, but that they will not be so found in North America until the lands are all taken up and cultivated, unless unnatural laws should be framed to prevent the cultivator from being supplied from the cheapest market: that whenever the Canadians or other Americans find it more advantageous to make the articles they now import, they will do so; and that the chief means they now have of importing goods, is by selling in exchange those articles which it is more advantageous for them to make or produce, to other countries, who, in their turn, find it suitable to be the purchasers: that trade between Foreign Countries, when not conducted on the principles of barter, regulates itself, in some degree, by raising the exchanges; that it is no good reason why English cotton or silk goods should be heavily taxed at New York, because the English choose to lay a prohibitory duty on American corn, exported from that City to London—for that, unless the corn finds a purchaser elsewhere, or unless the English consent to take some other commodity in exchange for their silks and cottons, be it money, bullion, tobacco, cotton, wool, or any other article in the possession of the American, as the fruit of his industry, whether of domestic or foreign origin, the exchange will soon be at an end, as a country cannot long continue to import that which it has not the means to pay for: that every one who is able and willing to work may be profitably employed in North America, there being no such class of persons there as Mr. Stanley described in the House of Commons in 1826, working fifteen hours a day for five or six shillings a week, and starving their families on a meal a day, rather than ask parish relief; nor any such class as Mr. Hume described in 1832, at Enfield, who receive thousands per annum for doing nothing, and allow their parents to take three, six or nine hundred pounds a year as State paupers: that the laborers to be employed in large establishments (which a country is taxed to keep up, by being prevented from purchasing at the cheapest market, in order that the Capitalists who own these establishments, may be supported) are not taken from an idle class, for there are no idle persons, but from labour, in which they were profitably employed, without the aid of a tariff to support it, and which labor will be injured by the operation of that tariff: that the whole art of gaining national wealth lies in producing the greatest public value from the least labor: that the western part of the State of New York, with the States of Ohio, Indiana, Illinois, &c., had risen up under the hand of agricultural industry, previous to 1810, when America had no tariff or manufactures in the modern style, farms in these countries, having generally increased in value 100 per cent. per annum, on the original investment: that Adam Smith and Mr. Malthus, gave a preference to Agriculture over every other modification of industry.—They perceived, in some degree, the superior importance of the primary means of subsistence over all other kinds of wealth.—Food is the first of indispensable necessities, and where the people have enough of that, they will, by their own exertions, supply clothes and fuel: their toil gives a zest to their food, and a pleasure. The aggregate happiness of a community is not increased in proportion to its wealth, indeed the latter may be augmented at the expense of the former; (the same proposition holds good in Upper Canada, except in so far as the absence of a frugal domestic Government has retarded its prosperity): that to employ a Manufacturer in the New England States, to weave sixty yards of cloth for one hundred and fifty dollars, which cloth could be purchased in England or France, of the same quality, for ninety dollars, freight and insurance included, is to draw American labor into unproductive channels: that many thousands of American Farmers saw

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their farms increase in value from a hundred dollars to two, ten, fifteen, and in some cases twenty thousand dollars, besides subsisting the Proprietor, while there was no protecting tariff to aid their efforts; and that on the other hand, had each of them become Manufacturers, he would have been compelled to tend a cotton or woollen Mill, with its spindles and reeds, and unwholesome smells, and with the aid of wife and children, and a tariff to boot, ten to one but he would have been an unfortunate Bankrupt, instead of being an opulent educated Freeholder: that a protecting tariff is introducing a set of miserable pauper operatives, establishing a privileged order in North America, and undermining that happy equality which has hitherto prevailed in that country; and that the great factories both of Europe and America, are the nurseries and hotbeds of vice and infamy. Thus, say the enemies of tariffs, "is our wealth checked, our population degraded, and the principles of our free and happy Government threatened to be subverted, by a miserable attempt of a combination of avaricious monopolists."

It is also urged in favor of free trade, that the advocates of the protective system have cunningly contrived to make it a party question; and by mixing it up with other questions, such as those of internal improvement, state rights, &c. they have obtained many partizans, who only advocate a high tariff as a political party measure; that the tariff laws tend to build up a rich and powerful general government; that they accumulate capital into great and permanent masses; that they offer many temptations to illicit trade and make the smuggler a partner in the spoil; that the duties on iron, a material of universal necessity, and principally used by the productive classes, are perhaps, of all others, the most obnoxious; that every branch of American industry ought to be equally protected, which cannot be the case while freedom of trade is interdicted and the farmer prevented from choosing his goods in the cheapest market;—but nevertheless, the taxation of imports for the purpose of raising a revenue, would be objected to by no one, as long as it might be found necessary for the public service. That no civilized nation in Europe is now so unnecessarily burthened with taxes as the American States, which, when not one quarter their present population, rose in arms, as one man, against the most powerful nation on earth, rather than submit to a tax of two pence per pound upon the important article of Tea!

It is asserted by Mr. Niles, of Baltimore, that the tariff law of 1828, of which that of May 1832 may be considered a modification, "was the result of a political bargain, and passed on principles disreputable to a Congress of the United States." Henry Lee, of the Massachusetts permanent Free Trade Committee, fears that the law was enacted by a compromise between various individuals who went to Congress for the promotion of their own ends, and those too, in many instances, of the most sordid and selfish character. They went to that Assembly pledged to promote other objects than that of the great interests of the people, and utterly devoid of that elevation of sentiment, and purity of purpose, which ought to characterize men entrusted with the Government of a great nation. That the revolutionary war was entered into in order to relieve the nation from monopolies, and unequal, unjust and burthensome taxation. That while the chief objects of duties should be revenue, they may be so adjusted as to encourage American Manufactures—of which the products of the soil, mines and workshops, essential to national defence, occupy the first rank. That, where, by giving a temporary encouragement, by means of duties, to certain species of domestic industry, a good and reasonable expectation may be had that these articles will soon be able to compete with foreign labor, on equal terms, so that the tariff would be no longer a tax, moderate duties may be properly imposed; but that (as in the case of tea, on which the duties are directed to be abolished) it would be of no use to establish a tariff to promote in America the culture of cinnamon, pepper, tea, coffee, or peruvian bark. That to take off entirely the duties upon these and other foreign products or manufactures which come not into competition with the funds of the labor of America, and from which a large revenue has been derived, would, in fact, be protecting American labour, by enabling the laborer to live cheaper, and the manufacturer to compete easier with foreigners. That as in America the market is far beyond the natural price of labor, much of the benefit on the reduction on necessaries would accrue directly to the poor, while the remainder would go to the aid of the capitalist.

That if unfortunately for the interests of the public, a partizan of the close protecting colonial system should be placed in the chair, the Union might expect a defective tariff to be made worse; every corruption to be cherished; every abuse encouraged; taxation to be still further increased; and the monies expended in rewarding followers, pensioning dependants, and purchasing friends,—that in due time, (European fashion) taxation would be made to reach every article of food and clothing, lands, houses, fuel, hearths, and the light of Heaven itself. That in return for these last stated miseries, America might reasonably look for splendid projects and magnificent structures, honored and adorned by the gorgeous equipages of the rich; liberty annihilated; property concentrated in the hands of a few, on whose darkened souls no ray of patriotism would ever shine, and the great mass of the people oppressed, poor, starving, desperate and rebellious.

Such results, however, will not be permitted in the United States; they have the example of the national debt and expenditure of Great Britain and Ireland continually before them; every day brings them fresh tidings of the evils of monopoly where it prevails;—they will therefore take heed.

It is further urged, that a free trade in iron would be highly advantageous, the effect of the high duty being to induce the people of America, with a fuel comparatively unfitted to the preparation of iron, to create a sum nearly equal to the whole duty, (as it stood in 1831) in endeavouring to compete with a country where bituminous coal may be procured by the mere act of appropriation. That a more careful discrimination in favor of necessaries, and higher comparative duties on luxuries, would best promote accumulation of capital where wanted, and best uphold the wages which reward labor. Dr. Johnson was of opinion, that much of the prosperity of a trading nation depends upon duties properly apportioned, so that what is necessary may continue cheap, and what is of use only to luxury, may in some measure atone to the public for the mischief done to individuals. Duties may often be so regulated as to become useful even to those that pay them; and they may be likewise so unequally imposed, as to discourage honesty, depress industry, and give temptation to fraud and unlawful practices. That the wealth of America does not depend on the poverty and depression of Europe; but is intimately connected with its industry, opulence and comfort. That a free trade with all the world formed one of the leading objects of that compromise of interests which produced the union of the States in 1789; "that the people of the United States were fed, clothed and lodged, before the tariff laws were passed; that converting Farmers into Manufacturers does not add to the consumers of food, and thereby create a demand for the surplus previously exported; it merely takes from the number of producers of food for exportation; and that if in their new employment they produce a less value, as Manufacturers, than they procured previously, when they were Farmers, in exchange for the products of their farms, a loss to that amount is sustained by the community." That to tax the imports of the Agricultural Countries of the Union *heavily*, is to cut off the means by which Foreign Nations purchase American surplus products; that it is taxation, (as in the case of South Carolina) virtually without representation. "Has one single voice of this entire section of the South, from the Potomac to the Alabama, said Mr. Haynes, been given in favor of a taxation whose uncompensated burthen falls exclusively upon this very section? Is not the tribute exacted altogether by the votes of the representatives of those who share the booty?" that "the principles of free trade are the principles of human liberty; next to worshiping our God according to the dictates of our conscience, is the privilege of directing the labor of our hands, with unrestricted freedom, to an industry of our own choice; a right no less sacred than the freedom of the press"; that peace is an enemy to speculation, and a bad time to force the establishment of new manufactures, because increased industry gives more diversified employments to the mass of the population of every country, and cheap rates of transport lower the prices of the products of Agriculture, Manufactures and Commerce. [Mr. Cambreling affirms, that the price of manufactures, whether in Europe or America, are generally not more than a third of their value in 1815]; that free trade is a saving of labor, and restriction a waste of it: that for a Government to attempt by taxation, to prescribe the occupations and direct the labor of the community, and control their private pursuits, is repugnant to the spirit of freedom: that all customs duties have the

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same effect as if the amount were levied on domestic productions, because these productions must sell both for consumption and for exportation, at rates proportioned to the additional price which the duties imposed upon the imported merchandize, render necessary: that the system of free trade is in accordance with the principles of Christianity, and calculated to unite all nations in harmony and peace; and that a protecting tariff is calculated to enrich one section of the Union at the expense of the industry of another section, and will, if continued, gradually alienate the affections of a section of the United States, from a Government founded solely on the love of the Citizens, and invested with no other than a moral force.

Mr. Albert Gallatin, Chairman of the Committee appointed by the Free Trade Convention, held in Philadelphia, in September and October, 1831, enclosed to the Speaker of the House of Representatives of the United States, in January 1832, a memorial setting forth the evils of excessive and unequal duties on imported goods. The Committee urge on the consideration of Congress, such arguments as follow:—

Every individual in every community, without exception, will purchase whatever he may want, on the cheapest terms, within his reach. The most enthusiastic restrictionist; the manufacturers most clamorous for special protection, will each individually, pursue the same course, and prefer any foreign commodity or material to that of domestic origin, if the first is cheaper, and the Law does not forbid him: all men ever have acted, and continue under any system, to act on this principle: it is impossible that they should universally act in that manner unless it was evidently their interest so to do. The tariff system is founded upon the principle, that what is true of all men, individually, is untrue, when applied to them collectively; Laws which do not trust the common sense of the Citizen, which do not permit him to seek what he thinks the best market for the products of his industry, or which compel him to receive in exchange for these a less quantity of the objects he wants, than without those laws he might have obtained, are evidently destructive of domestic industry. By Free Trade, we mean that trade which we may carry free of any restrictions imposed by our own Government; it is synonymous with free industry, and it is only because and so far as it promotes domestic industry that we object to those restrictions: when, in order to justify that system, it is said, that Nations are adverse to each other, and that a free trade between them would contravene the arrangements of Providence, when it seems to be forgotten, that it is Commerce which unites the several Nations of the Civilized World, and that next to Christianity, it is principally to Commerce that we are indebted for modern civilization; we can but lament the extremes to which enlightened, patriotic, and philanthropic men may be carried, by adhering to a favorite theory, and losing sight of every other consideration. We are not called upon to discuss the abstract question, whether another mode of taxation would be more eligible than the impost, or whether an unrestrained intercourse between all Nations, free of the payment of any duties on imports, would be best calculated to promote the industry and prosperity of all; on that subject the experience of forty years is conclusive, so far as relates to the United States. The people prefer, in time of peace, duties raised on the importation of foreign merchandize, to any internal tax, direct or indirect. Whether for good or for evil, that system affords an encouragement to domestic manufactures, not less efficient for being incidental, duties on imports amounting, on an average, to about 20 per cent. on the value, appear necessary to the support of Government. If the price at which a commodity can be afforded by the person who undertakes to produce it, is higher than that at which it may be, or might have been purchased from others, the difference of price is the measure of the National loss incurred by his misapplication of capital and labor, to the production of that commodity. "The whole amount of imports equalizes itself with the whole amount of exports. It is not at all necessary that this equality should exist; it never does exist in the trade of any Country with every other Country: every one purchases what it does want from that Country which affords it on the cheapest terms; and sells its products to those Countries by which they are wanted, and which give the highest price: a sufficient capital, and a certain density of population are necessary requisites; and Agriculture will, in preference to Manufactures, attract labor in Countries or Districts where virgin land is abundant, and within the reach of all: but a single glance at the map of Europe will satisfy every intelligent observer, that the great supe-

riority of some over other Countries, in other respects equally fitted for manufactures, is due to the nature of the Government, to Laws, which at least secure to men the proceeds of their industry, to liberty, or at least comparative liberty, and to the diffusion of knowledge and superior intelligence, skill and activity, the infallible offspring of unrestrained industry, and political, religious, and civil liberty."

Mr. Gallatin assumes, that the greatest mass of comfort and happiness is to be found always where the remuneration of labor is the highest; and adds, that after two centuries of Free Commerce with Great Britain, and fifty years of a similar intercourse with the rest of the world, the price of labor continues, without alteration, to be higher in the United States than in England, or any foreign country. A Manufacturer, a Mechanic, a Farmer, an Artist, or a Legislator, may be brought into Canada duty free, although his value to the community among whom he is to reside, may be thousands of pounds; but the materials with which he is to labor, whether of iron, steel, cotton, wood, colors, dyes, paper, quills, may not be imported, nor provisions he may require while in the exercise of his skill, whether tea, coffee, sugar, the products of the sea or of the land; on these there must be a tax—a tax to support extravagant Government, and to repress industry. When Americans wish to influence their population to support a high tariff, in order to exclude English competition, they continually quote the example of the Governments that have flourished in England in the midst of oppression.—In no country has the Government exerted itself with greater system to banish comfort from the cottage of the Peasant and the dwelling of the Artizan. In *Russia*, leaf Tobacco is taxed, on importation only three half pence per *lb.*: in Britain, it is taxed three shillings, or about 1200 per cent. on the cost price. In *Russia*, tobacco, manufactured for smoking or chewing, pays eighteen pence duty: in Britain it is taxed nine shillings; and a violation of the Law, in the least degree, subjects the offender to cruel and ignominious punishment. In the United States tea is duty free; in England it is nearly 100 per cent. on the cost price. The wife of the American laborer will be drinking her choice Old Hyson, at 3s. 6d. per *lb.* while the English mechanic will be condemned to quaff Congo, at 5s.

Mr. Henry Clay recommends to the Americans, that they should tax the woollens and cottons, and hardware, which are the fruit of the labor of the working classes in England, because the land owners of England will not admit American corn, duty free, from every part of the United States. The Duke of Wellington is in favor of high taxation on the corn of Prussia and Russia, because Russia and Prussia might refuse to take articles of British manufactures in return: the Duke would keep many industrious Englishmen unprofitably occupied in cultivating a bad soil; and Mr. Clay would fain persuade his fellow Citizens of the Union to abandon the cultivation of the finest lands in the world, and bid good-bye to the sight of green fields and pure atmosphere, to waste their health, strength and substance, in the midst of the noisome effluvia of a cotton or woollen mill! The objects of these Senators are the same—to build up, uphold and maintain an idle and luxurious class, to consume the Revenues of their Country.

England is the only country in which the prohibitory system and complete success in establishing manufactures, generally superior in cheapness and quality, are found united; she affords the only proof that both may subsist together; and it would not be difficult to show, that they thus submit to the aid of a vast Military force, at the expense of the happiness and comfort of millions of her population, the victims of a cruel oligarchy. Her staple manufactures, though firmly established, are not, however, exempt from those fluctuations which affect the flour and ashes manufactured in America; they "are exposed to evils of over production, as foreign trade to that of excessive importation. This partial and occasional evil is inseparable from foreign commerce, and cannot be prevented unless that commerce be altogether proscribed: so long as the protecting duty is not prohibitory, and the corresponding foreign article is not entirely excluded, it may occasionally be imported to excess."

So far back as 1820, the free trade principle had obtained, in England, many able and efficient advocates; in that year, in May, a memorial of Merchants and Traders of the City of London, was presented to the House of Commons, in which the subscribers set forth—

"That foreign commerce is eminently conducive to the wealth and prosperity of the country, by enabling it to import the commodities, for the production of which the soil, climate,

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capital, and industry of other countries are best calculated, and to export in payment, those articles for which its own situation is better adapted.

"That freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.

"That the maxim of buying in the cheapest market, and selling in the dearest, which regulates every Merchant in his individual dealings, is strictly applicable, as the best rule for the trade of a whole Nation.

"That a policy founded on these principles, would render the commerce of the world an interchange of mutual advantages, and diffuse an increase of wealth and enjoyment among the inhabitants of each State.

"That, unfortunately, a policy the very reverse of this has been and is more or less acted upon by the Government of this and every other country; each trying to exclude the productions of other countries, with the specious and well meant design of encouraging its own production; thus inflicting on the bulk of its subjects, who are consumers, the necessity of submitting to privations in the quantity or quality of commodities, and thus rendering what ought to be the source of mutual benefits and of harmony among states, a constantly recurring occasion of jealousy and hostility.

"That the prevailing prejudices in favor of the protective or restrictive system may be traced to the erroneous supposition, that every importation of foreign commodities occasions a diminution or discouragement of our own productions, to the same extent; whereas it may be clearly shown, that although the particular description of production which could not stand against unrestrained foreign competition would be discouraged, yet, as no importation could be continued for any length of time without a corresponding exportation, direct or indirect, there would be an encouragement for the purpose of that exportation, of some other production to which our situation might be better suited; thus affording at least an equal, and probably a greater, and certainly a more beneficial employment to our capital and labor.

"That of the numerous protective and prohibitory duties of our commercial code, it may be proved, that while all operate as a very heavy tax on the community at large, very few are of any ultimate benefit to the classes in whose favor they were originally instituted, and none to the extent of the loss occasioned by them to other classes.

"That among the other evils of the restrictive or protective system, not the least, is, that the artificial protection of one branch of industry, or source of protection against foreign competition, is set up as a ground of claim by other branches for similar protection; so that if the reasoning upon which these restrictive or prohibitory regulations are founded were followed consistently, it would not stop short of excluding us from all foreign commerce whatsoever.

"And the same strain of argument, which with corresponding prohibitions and protective duties should exclude us from foreign trade, might be brought forward to justify the re-enactment of restrictions upon the interchange of productions (unconnected with public revenue) among the kingdoms composing the Union, or among the counties of the same Kingdom."

Home or domestic manufactures ought to be protected at the outset, say the friends of high tariffs, in the same way as books and maps, and new inventions are for a series of years protected:—others urge, that like as young plants of trees in a field are protected by a paling, until they acquire strength, should the cotton Spinner and iron Master of America be environed; but we do not think the cases apply. Patents are given only to the original discoverers of something new, or to the authors of new publications; and to give patents for American editions of British works, or for American imitations of British cloths, would be taxing one part of a community to enrich the other, and turning productive industry out of its natural channels into new directions less advantages to the general interests.

In 1793, Mr. Jefferson proposed two remedies for the restrictions placed by foreigners on the commerce of his country; namely: countervailing measures, and friendly arrangement. In a report on trade, he says,—There can be no doubt, but that of these two, friendly arrangement is the most eligible.—Instead of embarrassing commerce under piles of regulations, duties and prohibitions, could it be relieved from all its shackles, in all parts of the world, and every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for

mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the numbers of mankind would be increased, and their condition bettered.

Mr. Booth, of Liverpool, in his celebrated Pamphlet in favor of the principle of Free Trade, considers the following axioms as established and indisputable.

1st. That if imports are prevented by prohibitory duties, exports are prevented to the same extent.

2nd. That a business or manufacture protected by high duties on importation, will not, on that account, yield more than the ordinary rate of profit, otherwise every one would engage in it, which is an absurdity. The public therefore suffer by being compelled to purchase a protected article at a high price, while the manufacturer *does* not receive any benefit from the high price.

3rd. That food is the basis of population, of life and all its enjoyments: population is limited only by the limitation of food; for manufacturers and workmen of all descriptions, will increase and multiply, if food be furnished in return for their labor.

4th. That to enable a whole community to obtain the greatest possible quantity of the conveniences and comforts of life, the Merchant must be at liberty to make his purchases wherever he can procure farm produce and commodities of the best quality, at the cheapest rate.

Mr. Booth says, that a certain amount of labor and capital is more *beneficially employed* in manufacturing an article for exportation in lieu of one imported, than in manufacturing a *protected* article for home consumption: that importations from Foreign Nations *must* be paid for by the produce of the industry of Great Britain, and therefore must afford employment to the laboring people: that as to England's being placed at the mercy of those Foreign States from whom her supplies would be drawn; commercial experience shows, that the selling party is the party *obliged*, and generally the more dependent of the two; that Holland had long and pre-eminently been an importing country, and had suffered as little from fluctuation in price as any country that could be named; that with free trade, instead of no employment, there would be much more employment than at present; not a bushel of corn would enter the harbors of the United Kingdom that would not be paid for by some commodity, the produce of the industry of the people; that under the free trade system, money and land would each find their proper level in value; that if the cost of the absolute necessaries be diminished, a larger amount of income is thereby set at liberty to be expended on the luxuries of life; that the law which regulates wages by the ratio which subsists between the supply of labor and the demand for it, is fixed and immutable; it can neither be evaded nor successfully opposed; that with reference to the affairs of trade, what the people of every community should say to their Government, is, "LET US ALONE;" that a spirit of peace and universal good feeling, of candour and liberal consideration, is best promoted by the freest and most enlarged intercourse between different nations. It is Governments alone which prevent their subjects becoming citizens of the world.

The celebrated advocate of Free Trade, Albert Gallatin, in an argument against the tariff of the United States, brings forward Switzerland, as an example of the good effects of the commercial system.

"Switzerland is one of the few European Countries to which the restrictive system has not extended, and is, nevertheless, that which, in proportion to her population, is next to England, the first manufacturing country of Europe; exposed like her, to the same revulsions, and to periods of distress, when the channels of superabundant manufactured products are obstructed.—Switzerland, unprotected by any duties whatever on foreign merchandize, besides certain branches belonging particularly to her, rivals England in the cotton and France in the silk manufacture."

From the table of Official Values\* of Imports and Exports,

\* Official Value means a fixed value, assigned by Law as far back as 1694, to each article exported or imported, and may, therefore, be considered as denoting quantity, rather than value, and may or may not have a relation to the current value of the present time. By the *declared value*, (or as we have in some places rather incorrectly called it the actual or real value,) is meant, the value at which the goods are entered at the Custom House, by

## APPENDIX TO THE REPORT ON TRADE.

sent down to the House of Commons of the United Kingdom, from the Inspector General's office, on the 12th May, 1832, it appears that during the year ending 5th January, 1831, produce and manufactures were imported from the British Northern Colonies into the United Kingdom, of the *official* value of £1,265,850.

British and Irish produce and manufactures were exported to the said Colonies, of the *official* value of £2,315,716.; the real or declared value of which was £1,857,133.

Also Foreign and Colonial merchandize of the *official* value of £303,798.

Making the *official* value of the whole exports £2,619,563.

The same table shows that the *official* value of Foreign and Colonial merchandize exported in that year to the United States, did not exceed the value of the same description of exports to the Northern Colonies, by so much as one-fourth.

It also shows that the value, at the Custom-house, of the British and Irish produce and manufactures, exported in that year to the Northern Colonies, was something more than two-sevenths of the value of the same description of exports to the United States.

From returns made to the House of Commons, in May 1833, moved for by Mr. Whitmore, we have ascertained that there were entered at the Custom-house, during the year 1832, for domestic consumption, in Great Britain, 164,982 quarters of *Foreign* wheat, on which a duty was paid of £193,249. varying from 23s. 8d. to 34s. 8d. duty, on the quarter: also, of *Colonial* wheat 160,453 quarters, paying a duty of 5s. per quarter, or 7½d. per bushel, equal to £39,536. on the quantity imported.

In the same year, (we quote the same returns) there were imported into Great Britain, for home consumption, 56,135 cwts. of *Foreign* wheat flour, on which an import duty was charged of £22,867.; also, 105,132 cwts. of *Colonial* wheat flour, on which England exacted for duty £9,052. The rates of duty on wheat, meal and flour, are regulated by the price of wheat, and are equal in amount per barrel, of 196 lbs. to the duty payable on 38½ gallons of wheat.

An attempt was made, and with good reason, by the House of Assembly, in April last, to obtain the remission of the duty charged in the Ports of Great Britain and Ireland, on wheat, grain and flour, the growth of the Colony; but it failed. Mr. Spring Rice replied, that Government did not think it advisable to make any change upon the duties of Canadian corn, apart from the consideration of a general change of the duties of corn. While Great Britain legislates so as to secure to herself a full monopoly on the foreign purchases we might *otherwise make at first hand*, she neglects to assure to Upper Canada any similar advantages in return.

From returns moved for by Mr. Burge in the House of Commons lately, it is shewn that during the year ending the 5th January 1831, there were exported from Great Britain to the United States, 7,307 gallons of rum; to the British Northern Colonies, 85,589 gallons.

In the same year, Great Britain exported to the United States, of raw and refined sugars, only 487½ cwts.; and to the British Northern Colonies, 4,750 cwts. of raw, and 16,513 cwts. refined sugar.† (16,513 cwts. of refined, is equal to 28,072 cwt. raw.)

From other official returns laid before the House of Commons, it is ascertained that—

In 1831, there were exported from the United Kingdom to the United States, 15,003 tons of British bar iron; to the Northern Colonies, 5,406 tons.

Of British bolt and rod iron, to the United States, 464 tons; to the Northern Colonies, 520 tons.

the exporter or importer, and which is, of course, an approximation to their real value, although it may be presumed rather below than above it. The averaged declared value of British produce and manufactures, exported from Great Britain and Ireland, during the three years ending 5th January 1830, was £35,920,670. Ster., while the official values was as high as £52,925,440.; of course it requires a careful calculation to reduce the official to the declared value. Mr. Irving, Inspector General, in a note to a return of British imports and exports, dated 1st August, 1832, mentions that the Law had made no provision for ascertaining the *real* value of Foreign commodities, either on their importation into, or exportation from the United Kingdom: he was unable to state the true value of imports, or of Foreign goods exported.

† Of these 4,750 cwts., 1,794 were from the British West Indies; 754 from the Mauritius; 1,602 from the East Indies; and 600 from the Plantations of Foreign Nations.

Of British nails, to the United States, 192 tons; to the Northern Colonies, 1,622 tons.—Also:

That 2,272,417 qrs. of wheat, (and wheat flour) were imported into Great Britain and Ireland from the following places during the year, ending on the 5th January 1832, viz.: from—

British North American Colonies, (part of which, however, was of United States origin,.....		qrs. 218,327
United States, .....		463,418
Italy, .....		253,295
Malta, .....		13,340
Spain, .....		154,671
France, .....		103,700
The Netherlands,.....		30,249
Germany,.....		218,507
Prussia, .....		296,287
Denmark,.....		55,968
Sweden, .....		71
Russia, .....		464,584

The total export from Quebec in 1831, was 81,609 barrels of flour, and 1,326,834 minots of wheat, to all countries. Of the flour, about 22,483 barrels were from the United States.

It is estimated by some statistical writers, that the people of the Canadas, on an average of five years, ending in January 1832, with a population averaging during that period 800,000 souls, employed as they have been, partly in the lumber trade, have raised nine millions of bushels of wheat annually; and that allowing each individual nine bushels a-year for domestic consumption, there was, one year with another, an annual surplus for export in the shape of wheat and flour, of 1,800,000 bushels. This, however, is *mere guess work*.

The official value of corn and meal imported into Great Britain in the following years, was as follows:—

From the British Northern Colonies in 1814, £	7
From Ireland, in 1814, .....	709,137
From other parts, in 1814,.....	1,216,701
From Ireland, in 1831,.....	1,905,640
From other parts, in 1831.....	4,304,511
From the Northern Colonies, in 1831, ....	366,421
From the British Northern Colonies in } America, in 1830, .....	124,695
do. do. in 1829,.....	19,275
do. do. in 1828,.....	31,706
do. do. in 1827,.....	91,232
do. do. in 1826,.....	44,792
do. do. in 1825,.....	146,741
do. do. in 1824,.....	1,402
do. do. in 1823,.....	303
do. do. in 1817,.....	41,258

In 1830, there were imported into Great Britain, and retained for home consumption, from the British Northern Colonies, 61,916 cwts. wheat, meal and flour; from the United States, 623,745 cwts.

Also from the Colonies, 58,963 qrs. of wheat.

From valuable and accurate returns by the Inspector General of Imports and Exports, to the House of Commons, dated Custom House, London, 30th April, 1833, we ascertain that in the year ending 5th January, 1833, there were imported into Great Britain, 98,764 quarters of barley, and barley meal, chiefly from Denmark and Germany; 24,231 qrs. of beans; 1,303 qrs. of indian meal and corn, chiefly from Portugal and the Azores; 29,350 qrs. of oats and oat meal, chiefly from Russia and Denmark; 17,329 quarters of peas, chiefly from Prussia; 4,629 qrs. of rye and rye meal, from Russia; 1,520 qrs. of buckwheat, from France and the Netherlands; also, of wheat and wheat flour, in *quarters*, 463,592, from the following countries:—British North American Colonies, 103,700; United States, 39,117; Guernsey, Jersey, Alderney, and Man, 16,619; Russia, 91,305; Denmark, 33,549; Prussia, 119,323; Germany, 43,199; the Netherlands, 71; Spain, 1,789; Italy, 2,305; Ionian Islands, 1,062; Turkey and Egypt, 10; Cape of Good Hope, 1,642; East India Company's Territories, 9,579; VanDieman's Land, 26; British West Indies, 1; Chili, 180. The average price of wheat in that year in Great Britain, was 58s. 8d. sterling.

In 1832, there were imported from Ireland into Great Britain, 3,091,202 quarters of grain of all sorts, (equal to 24,729,616 bushels) of which 802,430 qrs. were wheat and wheat flour, and 2,104,992 oats and oatmeal.

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In 1831, there were imported from Ireland into Great Britain, 2,319,947 qrs. of grain, meal and flour, of all sorts—(equal to 18,559,576 bushels)—of which 479,053 qrs. were wheat and wheat flour, and 1,605,723 quarters of oats and oatmeal.

These accounts were made up by Mr. Irving, at the Custom House, on the 30th of April, 1833, and may therefore be relied on as perfectly accurate. They shew that nearly double the quantity of wheat and wheat flour imported from Ireland into Great Britain in 1831, was imported in 1832; that nearly 500,000 qrs. more of oats and oatmeal were so imported in 1832: and that upwards of six millions of bushels of grain, meal and flour, were imported from Ireland into Britain in 1832 more than in 1831. There is no duty charged on grain between the countries since the union; and these facts, which shew the manner in which England obtains her supplies of our principal staple commodity, are important to be known in Canada.

From returns made up at the India House, to 1st May, 1882, we find that the remittances from the North American Colonies, on account of the tea sold by the East India Company's Agents there during the year then ending, amounted to £136,552.

And that they estimated the probable receipts from the same trade during the year, up to 1st May 1833, at £141,000—or, about a *thirty-third part* of all their commercial receipts estimated for 1832-3.

The return of tobacco imported into Great Britain during the year 1831, is—

From British North America, (grown in Upper Canada),	42,416 lbs.
The United States,	32,761,746 "

A table, shewing the quantities of *some* of the principal articles of British North American produce and manufactures imported in and retained for consumption in Great Britain, in 1830:

Ashes, Pearl and Pot,	cwt.	200,585
Beaver skins,		61,429
Martin do.		51,746
Musquash do.		454,816
Undressed seal do.		381,829
Flax and Linseed,	bushels,	3,138

Also timber, blubber, &c.

Only 6 hats; 4 quarters of barley; 1,223 qrs. of oats; 79 lbs. of butter; 55 lbs. cheese; bees wax, 104 cwt.

A statement, shewing the *declared* value of certain articles of British produce and manufactures, exported to the British Northern Colonies and United States, in 1830:

ARTICLES.	To N. American Colonies.	To United States.
Painters' colours,	£ 14,843.	£ 7,803
Sheep's and Lamb's wool,	112.	11,310
Linen manufactures, 2,215,109 yds.,	81,960.	698,788
Salt, bushels 1,331,564,	21,941.	66,760
Silk manufactures,	71,613.	195,957
Soap and candles, 1,157,677 lbs.,	27,693.	438
Stationery—all sorts,	34,296.	11,463
Woollen manufactures, entered by the piece,	244,372.	951,418
do. do. ent'd. by the y'd.	67,523.	151,514
Hosiery, and small wares,	19,595.	47,857
Apparel, slops and haberdashery,	157,632.	omitted.
Leather, wrought and unwrought,	65,247.	28,395
Iron and steel, tons 7,879,	98,582.	133,606
Lead and shot, do. 517,	8,649.	omitted.
Hats, dozens 8,774,	28,212	
Arms and ammunition,	15,318	
BEEF and PORK, 10,976 bbls.,	29,012	
BEER and ALE, 397 tons,	7,294	
Printed Books,	10,282	
BUTTER & CHEESE, 3,958 cwt.	13,265	
Cordage, 16,680 cwt.		
Cotton manufactures, 11,434,448 yds.	394,256	
Cotton twist and yarn, 213,394 lbs.		
Earthenware, 2,299,720 pieces,	33,177	
Glass, 17,326 cwt.	60,234	
Hardware and cutlery,	110,135.	

Of carpets and carpeting, £12,740 declared value; of blankets and blanketing, £23,038; of worsted and woollen stuff, £79,731; of baizes, £1,772; and of various descriptions of woollens, £126,550, were exported from Britain to the British North American Colonies, in 1831.

In 1830, the following quantities of articles of foreign and Colonial Merchandize, were exported from the United Kingdom to the British Northern Colonies:

Cassia Lignea,	lbs.	7,567
Cloves,		4,804
Cocoa Nuts,		8,768
Coffee,		169,207
Cotton piece goods of India, not printed,	pieces,	17,082
Iron bars,	tons,	459
Nutmegs,	lbs.	5,635
Pepper,		99,566
Pimento,		47,940
Rice,	cwts.	1,127
European silks,	lbs.	1,206
Silk manufactures of India,	pieces,	9,939
Brandy,	gallons,	111,019
Geneva,		93,945
Manufactured tobacco,	lbs.	7,883
Wine, of all sorts,	galls.	263,954

In 1831, the duty on coffee imported at Quebec into the Northern Colonies from the United Kingdom, was 2d. per pound; if imported from another British Colony, 2d. per pound, and 7s.\* per cwt. additional; and foreign coffee paid the 2d, the 7s.\* and also another 5s. per cwt.!! The effect was to increase the smuggling from the United States, chiefly of Cuba coffee. Only 119,464 lbs. of coffee appear to have been imported into the two Canadas from all parts, in 1831, a quantity wholly inadequate to the wants of the population. If Cuba coffee, *via*. New-York, found a market in Canada in 1831, how must it be now that the 5 cents a pound are taken off in the Union, and the trade supplied duty-free?

The official report of the Lower Canada Customs, and the Quebec commercial lists, for the year ending the 31st December 1831, shew the following results:—

There were exported from Quebec in 1831—

Ashes,	50,642 bbls.
Flour,	82,380 do.
Wheat,	1,316,834 minots.
Peas,	5,690 do.
Oats,	34,747 do.
Biscuit,	2,721 bags; 497 bbls.
Indian Meal,	514 bbls.
Pork,	8,554 do.
Beef,	4,655 do.
Pine Timber,	158,247 tons.
Oak,	19,175 do.
Elm,	9,101 do.
Ash,	1,859 do.
Birch,	1,506 do.
Deals,	1,539,937 pieces.
Deal ends,	79,021 do.
Lathwood,	1,498 cords.
Staves,	5,466,121 pieces.

There were imported that year into Quebec—

Brandy,	489 pipes.
Geneva,	573 do.
Rum,	12,732 puncheons.
Molasses,	988 do.
Com. red wine,	1,505 pipes.
Port wine,	443 do.
Madeira,	275 do.
Com. white wine,	622 do.
Musc. sugar, 2,443 hhds.; 879 tierces;	4,505 bbls.
East India sugar,	1,634 bags.
Loaf sugar,	1,129 hhds.
Coarse salt,	6,300 minots, 918 moys.
Liverpool do.	272,500 minots, 750 bags.
Coffee,	55 trs.; 374 bbls.; 69 do.
Pimento,	211 do.
Pepper,	729 do.

1,009 vessels arrived at the port of Quebec in 1831.

From England, Ireland and Scotland—

Under 150 tons,	42
Between 150 and 200 tons,	106
“ 200 and 300 do.	274
“ 300 and 400 do.	292
“ 400 and 500 do.	67
Over 500,	17

\* The 75 is taken off by 3rd & 4th William the 4th, chapter 50.

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From Great Britain, 278 with cargoes, and 305 in ballast; the tonnage being 177,931, and manned by 7,901 seamen.

From Ireland, 73 with cargoes, and 146 in ballast, the tonnage being 56,977, and manned by 2,583 seamen.

From Jersey, 1 vessel; 111 tons; 8 men; cargo, wine and merchandize.

From Gibraltar, 3 vessels; 431 tons; and 22 men; cargoes, spanish wine, sherry and brandy.

From the Netherlands, 3 vessels, in ballast; 974 tons; 43 men.

From Sweden, 1 vessel; 158 tons; 9 men; value of cargo, £2,289, currency.

From Spain, 2 vessels; 19 men; 358 tons; cargoes, wine, brandy, salt and merchandize.

From Portugal, 4 vessels; 879 tons; 37 men; wine and merchandize.

From the United States, 4 vessels; 822 tons; 37 men; cargoes, leaf and manufactured tobacco, rice, beef, pork, pitch, and rosin.

From Columbia, 2 vessels; 266 tons; 12 men; 300,469 lbs. muscovado sugar, &c.

From Brazil, 1 vessel, in ballast; 457 tons; 17 men.

From China, 1 vessel; 586 tons; 45 men: 465,797 lbs. tea; also 120,458 lbs. tea from the lower Colonies.

From British West Indies, 57 vessels; 7,940 tons; 443 men; cargoes, 881,813 gallons rum; 71,080 gallons molasses; 46,156 lbs. coffee; 18,956 lbs. pimento; upwards of 3½ millions of pounds of muscovado sugar, &c.

From Newfoundland, Nova Scotia, New Brunswick, Bermuda, Cape Breton, and Prince Edward's Island, 146 vessels; 15,633 tons; 816 men; cargoes—rum, 507,648 gallons; molasses, 24,257 gallons; about 10,700 gallons wine; 10,318 lbs. refined, and 1,530,817 lbs. muscovado sugar; 39,447 lbs. coffee; also, tobacco, salt, miscellaneous merchandize—value, £26,000.

Also, 77 vessels to Gaspé and New Carlisle—14,321 tons, and 774 men.

In this trade in 1831, were employed 12,766 seamen, and a tonnage of 278,243 tons, besides the seamen and shipping on the great Lakes, and on the Rivers Ottawa and St. Lawrence, above Quebec.

Only one foreign ship entered the Port of Quebec in 1831; she was from Columbia. Were trade free, there would be a change in this respect.

We have paid some attention to the mode and manner of entering merchandize at Quebec, subject to 2½ per cent, and have made some inquiries: perhaps if 20 per cent. were added to the official currency value at Quebec, the amount of the real value in sterling money would be nearly attained, independent of a large value in goods brought by passengers, which is passed over as part of their luggage; there is a carelessness of entry, owing perhaps to the lowness of the duties.

We have calculated the real value, at Quebec, of the imports for 1831, at nearly two millions, sterling, which is probably about the true worth of the goods.

Mr. Neilson has made out an estimate in detail, for 1829 and 1830, by which he shows the value of the exports for 1829, at Quebec, to have been £870,840. sterling, and the exports in 1830, £1,184,400., also British money; in this he includes new ships built at Quebec, for exportation, peltries, lumber, ashes, everything.

A return made to the House of Assembly of Lower Canada, and printed in the appendix to their Journals, 1832-3, gives the following official information on importations.

There were imported at Quebec, in 1830, of Muscovado sugar 4,400,951 lbs.; in 1831, 5,923,908 lbs.; in 1832, 5,495,976 lbs., besides 267,058 lbs. imported in 1833, at Montreal, now a separate Port.

And at Quebec, of loaf sugar, in 1830, 561,969 lbs.; in 1831, 1,084,889 lbs.; in 1832, 373,334 lbs.; and at Montreal, (in 1832) 688,638 lbs.

Also, at Quebec, of coffee, in 1830, 210,085 lbs.; in 1831, 118,137 lbs.; in 1832, 123,024 lbs.; to which add (1832,) 48,005 lbs., at Montreal.

In 1830, there were imported at Quebec, 82,108 gallons of molasses; in 1831, 97,813; and in 1832, 123,024.

In 1830, at Quebec, 234,196 minots of salt; in 1831, 277,120; and in 1832, 226,696; besides 17,832 minots landed at Montreal.

On referring to a schedule of importations of tea and coffee, published with a report of the Legislature of Upper Canada,

on tea in 1824, we find, that in 1815 a million and a quarter pounds coffee were imported by sea into Quebec, which fell to 335,441 lbs. in 1816, while in 1814 it had been 168,962 lbs., allowing for the demand for smuggling into the United States, then it must be evident, that our chief supply of coffee is from the States now. The import of coffee into the United States in 1831, was 81,757,386 lbs., value of upwards of six millions of dollars.

The difference between a trade in barter, like that we carry on with the British West Indies, Great Britain, and the British Lower Provinces of North America, and a trade which must be paid for in bills of exchange or in specie, is this, the latter raises the exchange with other Countries, it makes money scarce amongst ourselves, and thereby gives an interruption to the traffic within this Province.

In his evidence given February 16th 1832, before the Select Committee of the House of Commons, on the state of the West India Colonies, Peter Rose, Esq., a Planter, of Demarara, who had been sent to England to state the grievances under which the Colonists labored, mentions, that American (U. S.) cargoes of produce purchased in Demarara, were usually paid for by bills drawn on Great Britain. On being asked—

“Would you still continue to barter your produce for lumber brought from British North America, even though the protecting duties on lumber and other articles from the United States were taken off? He replied,—“I should say, in Demarara, certainly, because at this moment we have very few Planters who can draw bills on England; their credit is gone.”

Mr. Rose gave in a statement, from which we learn, that the official value of imports into Demarara, from the British North American Colonies, was £147,022, in 1828, in 288 ships, 27,037 tons; in 1829, £139,150., in 299 ships, 30,266 tons; and in 1830, £125,168., in 319 ships, measuring 31,632 tons. The imports from the United States were comparatively trifling in amount. The exports of rum, coffee, sugar, &c. from Demarara to British North America, in these years, were conveyed as follows:—

In 1828, in 331 ships, measuring 26,504 tons; in 1829, in 355 ships, 30,380 tons; and in 1830, in 379 ships, 35,872 tons. A trade like this, carried on exclusively in British shipping, must be of immense importance to the Naval superiority sought to be maintained by England. The official value of a year's exports to all places, from Demarara, is about £1,800,000. sterling.

The dependence of the West India resident Planters, on their English Commercial Agents, when under embarrassment, is shewn in the clearest light, by the evidence of Mr. James Aikin, of the firm of Aikin, & Hughes, Ship Brokers, Liverpool, given before the Committee, 20th February, 1832.

You resided in Demarara for some time, did you not? I did.

How long ago is that? I went to Demarara about twenty-one years ago.

How long did you remain there? For about twelve months: I have been there three times, for about twelve months each time.

Are you intimately acquainted with the mode of doing business in Demarara? I was at that time; I do not know that it is much altered since.

Have you been able to form any estimate of the rate per cent. per annum, which it costs the Planter to raise money on his estate, by way of mortgage? I have frequently made those calculations, and it has always occurred to me, that the party (including interest) must have been paying at the rate of about 20 per cent, for any money he borrowed.

In what way do you make that estimate? He pays, in that Colony, six per cent. interest, in the first instance: he pays to the generality of houses 5s. freight, when a ship owner would contract to bring it at 3s. and 2s. per cwt. upon the produce of the estate; I would calculate to be equal to more than the interest upon the loan, generally speaking.

Is that independent of the six per cent? Yes.

How is that? The six per cent. is the legal interest; the freight which the Merchant who has a mortgage charges, is 5s. to the Planter, when in reality he pays only 3s. to the Ship Owner, that is a difference of two-fifths.

How much per cent. is that? I should suppose that 2s. per cwt. would be about six per cent. upon the sum generally lent them: the Merchant lending the money, has other benefits,—the commission in effecting the insurance, and the commission upon the sale of the produce, and other advantages.—I think,

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moderately speaking, the whole cannot be estimated at less than 20 per cent.

You are aware, that whether a Planter is under incumbrance or not, he must pay a certain commission on the transit? Yes, but Planters who are free from mortgage, manage, in some instances, to save the Merchant's commission altogether; there are Brokers in Liverpool who receive consignments direct from different parts of the West Indies, and charge only one per cent, so that he would save, in that instance, one and a half, without looking to the guarantee commission.

The witness added, that (while Planters whose estates encumbered, were paying 5s.) he would undertake to bring home sugar from Jamaica to London, at 3s. 6d. per cwt. in British built ships!

The great depression of the West India trade, may be inferred from the facts stated in an official return from the Inspector General, London, 31st March, 1832, by which it appears, that while the declared value of British and Irish produce and manufactures, exported to the British West Indies in 1814, was seven millions of pounds, it gradually declined, until in 1818 it had fallen to six; in 1820 to four; in 1826 to three; and in 1830, to little more than two millions and three-quarters of a million of pounds, sterling. In proportion as West India produce fell in the markets of Britain, does the quantity and value of British manufactures appear to have fallen in the West Indies.

In the trade carried on between the British North American Colonies and the British West Indies, in 1828,-9, & 30, there were employed, on the average, 738 ships, measuring nearly 100,000 tons. In the same years, the average number of United States vessels employed in the direct trade between the British West Indies and the United States, was about 117.

The policy of England in founding, conquering, and maintaining Colonies, is thus described by Wm. R. K. Douglass, Esq. M. P., a member of the West India committee, and an extensive West India Proprietor, in his evidence given before the committee, February 2nd, 1832.

"Will you explain how the commercial policy of this country (England) imposes expenses upon the Colonist, which disable him from competing successfully with the grower of Foreign produce?"

"As I have already said, in an answer to a former question, the policy of this country, and every other country holding Colonies, is to hold them as dependencies, entirely subservient to the interest of the fixed commerce of the Mother Country; they are held entirely as an engine for that purpose, and the Colonists have no will of their own in regulating their own commerce. Every Act of Parliament, from the time of Charles the Second, downwards, has fully recognised that principle. If the Committee will refer to the 12th of Charles 2, Chap. 18. they will find that it is enacted, that no goods should be exported from the plantations but in British vessels, and that such ship should bring such produce only to England, for the sole benefit of our navigation and people. The 15th Charles 2, Chap. 7. is in the same spirit. The 25th of Charles 2nd, was passed, requiring, that unless bond were first given for bringing the Colonial produce to England exclusively, that produce, before the landing, should be subject to certain duties of customs; in fact, any person who will look at the whole Colonial policy of this country, will find, that it has been entirely for giving a fixed and certain trade to this country, and for the employment of its shipping. Various Acts of Parliament also have been passed, allowing a high rate of interest for monies lent on the security of Colonial property, all enacted under the same spirit as that general policy which regulates the possession of our Colonies: the consequence is, that at the peace in this respect, as I have before said, the effect of a competition in the sale of our Colonial produce on the Continent, became then fully felt, for Foreign Countries had the free'st mode of obtaining their various supplies, and selling their produce to all comers: our Colonist on the other hand, estimating the probable consumption of his estate, within a year, (the necessaries for the supply of the people) sends to this country a list, probably of a hundred various articles, that he estimates as really to be consumed upon the estate, within the coming year, from clothing down to the most minute articles; all these are therefore supplied on estimate; and, from the statement, it does not appear that the strictest economy can be observed, when there must be more of expense attending a system of that kind.

The Colonist also is not allowed to sell his produce; it has been the old system not to sell any of his sugar and other pro-

duce in the Colonies.—His trade is entirely restricted here; there are none of those persons come to buy in our Colonies that go to purchase produce in the independent Colonies; and there are expenses certainly that do necessarily attend that system, because, every man, when he is receiving supplies of this kind, in this estimated quantity, from his own country, must send all the produce he raises to the Mother Country; it must be sent and converted into money here, before it can be made changeable for those commodities supplied in the manner I have described. I mention this, not with any view on my own part to recommend the alteration of that system exclusively, for I conceive, if a country is to hold Colonies, it holds them for the specific advantages of maintaining a constant permanent trade, and giving employment to its shipping and navigation; and I believe, that has been the principle of our trade; but no man can avoid seeing that there are some expenses which are imposed upon the Colonist who is placed in this situation."

In page 240, of the fourth edition of Sir Henry Parnell's Work on Finance, he quotes the following opinions of the House of Assembly of Jamaica, on the monopoly under which the British West Indies suffer.

"By the Colonial system, established by England, for her own aggrandizement, British shipping and British seamen are exclusively employed in our commerce; no article of European growth or manufacture can be purchased unless imported from the Mother Country, which obtains the benefit of the carrying trade for our supply, and double freights; the Colonies being burthened with the increase of charge. The whole of our produce is, by the same system, sent in British shipping to the markets of the Mother Country."

On a reference to the official returns by the customs, of imports and exports, at the several seaports of Lower Canada, in 1832, recorded in the Appendix to the Journals of the House of Assembly of that Province, for 1832,-3, we find, that there were exported from Quebec, Montreal, Gaspe and New Carlisle, in 1832,—

Potashes, .....	Barrels,	26,344
Pearlashes, .....	do.	13,934
Wheat, .....	minots,	657,240
Peas, .....	do.	156
Oats, .....	do.	70
Indian Meal, .....	barrels,	659
Flour, .....	do.	51,167
Pork, .....	do.	8,180
Beef, .....	do.	5,059
Deals, .....	3 inch pieces,	1,136,684
Planks, boards, battens, &c., .....		726,505
Oars, .....	pieces,	25,095
Staves, all sorts, .....	do.	4,933,225
Codfish, .....	cwts,	54,645
Fish oil, .....	gallons,	24,861
Soap, .... 462 boxes, and .....	lbs.	24,565
Candles, .....	do.	10,962
Bear and Cub, .....	skins,	384
Martin, .....	do.	7,999
Miux, .....	do.	1,754
Beaver, .....	do.	13,376
Fox, .....	do.	1,558
Muskrat, .....	do.	59,265
Otter, .....	do.	12,366
Bees Wax, .....	lbs.	1,910
Oak timber, .....	tons,	20,804
Pine do, .....	do.	193,614
Ash do, .....	do.	1,432
Elm do, .....	do.	18,658
Maple, &c. do, .....	do.	436
Biscuit, .....	4,621 cwts. and 212 casks.	
Butter, .....	6,380 lbs., also 41 kegs.	
Lard, .....	2,168 do. do. 110 do.	

In 1832, there were imported into Canada, by sea, via Montreal and Quebec,—

5,763,034 lbs. ....	Muscovado sugar.
1,061,972 do. ....	Refined loaf do.
183,270 gals. ....	Brandy.
58,179 do. ....	Gin.
1,089,565 do. ....	Rum.
412,227 do. ....	Wine.
123,024 do. ....	Molasses.
124,153 lbs. ....	Leaf tobacco.
147,109 do. ....	Manufactured tobacco.

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827,031 lbs.....	Green tea.
63,895 do.....	Hyson tea.
91,092 do.....	Bohea tea.
*260,227 minots.....	Salt.
174,536 lbs.....	Coffee.
38,900 packs playing....	Cards.

This statement of imports is exclusive of the cargoes of 76 vessels imported into Gaspé and New Carlisle, which chiefly consisted of salt, rum, gin, sugar, flour, and molasses, with nearly £15,000 value of merchandise, paying advalorem duties.

The real value of the goods imported into Canada, in 1832, by sea, inclusive of the imports into places below Quebec, appears, on a careful calculation, to fall very little short of eight and a half millions of dollars, or about a twelfth of the imports into the ports of the United States.

1008 vessels arrived at the port of Quebec, in 1832;—

From Great Britain, 337 vessels, (96,555 tons, and 4,394 men) with cargoes; and 274 vessels (94,161 tons, and 3,615 men) in ballast. Among the imports direct from Britain, were—

173,351 gallons.....	Brandy.
56,632 do.....	Gin.
33,846 do.....	Rum.
276,046 do.....	Wine.
1,051,872 lbs.....	Refined sugar.
245,226 do.....	Muscovado sugar.
221,409 minots.....	Salt.
51,593 lbs.....	Coffee, and
34,748 packs of playing....	Cards.

From Ireland, 47 vessels, with cargoes, (12,793 tons, 588 men) and 156 in ballast, (40,982 tons, 1,855 men.

From Jersey, in one vessel, 113 tons, 8 men, wines, and merchandise.

From Gibraltar, in six vessels, 975 tons, 51 men, merchandise, brandy, salt, and 99,924 gallons wines.

From Portugal, in four vessels, 694 tons, 34 men, 14,387 minots of salt, 12,005 gallons of port wine, &c.

From Teneriffe, in one vessel, 106 tons, 6 men, 15,606 gallons of wine.

From Sweden, in one vessel, 155 tons, 8 men, merchandise.

From France, two vessels, 411 tons, 20 men, wine and brandy,

From Messina and Leghorn, one vessel, 180 tons, 9 men, wine, &c.

From the other Colonies in British North America, 75 vessels with cargoes, 8,321 tons, 452 men; and in ballast, 28 vessels, 4,393 tons, 214 men. Among the imports are 220, 528 gallons rum, 585,603 lbs. of sugar, and 14,756 lbs. coffee.

From the British West Indies, 55 vessels, (8,150 tons, and 460 men) of which 54 are with cargoes. Among the imports are 345,718 gallons of Jamaica rum, and 489,370 gallons of Leeward Islands rum, 98,398 gallons molasses, 46,810 lbs. of coffee, and 4,711,834 lbs. Muscovado sugar.

From the Netherlands, Brazil, the Azores, and Madeira, six vessels, 1,927 tons, 87 men, in ballast.

From the United States, six vessels with cargoes, 1,406 tons, 60 men; also ten vessels in ballast, 3,917 tons, and 162 men. All the imports, by sea, from the United States, were 119,539 lbs. leaf tobacco, 132,624 lbs. manufactured tobacco, 3,941 lbs. coffee, 355 lbs. segars, and £4,874 value of miscellaneous articles.

From Columbia, one vessel, 145 tons, 6 men; cargo 205, 663 lbs. Muscovado sugar, and 57,436 lbs. coffee.

And from China, two vessels, 1,327 tons, 99 men, with 968,057 lbs. teas.

[On a reference to the minutes of evidence given before the standing Committee on Trade, of the House of Assembly of Lower Canada, 21st January, 1833, we find—

William Finlay, Esq. was of opinion, that the East India Company could not import their teas, on quite as advantageous terms as the Merchants of the United States, "as the voyage is longer and the freight higher;" that the American vessels generally charge lower rates of freight; that the transport of teas between New York and Niagara, and Quebec and Nia-

\* This differs several thousand minots from another return by the customs; also a variety of articles stated in the official returns, of which the quantities are less, considerable; and £1,294,338. declared value at the Custom Houses, of merchandise from Great Britain and Ireland, chargeable with a duty of 50s. on the £100. value; £33,038. value in merchandise, from various countries, chargeable with different advalorem duties; and £27,460. value of goods that may be imported duty free.

gara, could not be very different, and that, therefore, the amount of duty payable in Canada, would be the premium for smuggling into Upper Canada, supposing the cost at the two seaports nearly alike: witness would prefer a free trade to China, to a legal importation from the United States.

Jeremiah Leaycraft, Esq., thought that the abolition of the Colonial duty on tea would increase the consumption of sugar.

William Walker, Esq. (an Agent to the East India Company), said, that the extensive establishments of the Company in China, their causing their teas to be conveyed in large valuable ships, and under two decks, the greater length and intricacy of the voyage, the examination of the teas at Quebec, and the illicit trade carried on by the merchants of the United States, when on their way to China and which is said to have been very profitable, appeared to be the principal causes why the Company could not import teas at Quebec on as favorable terms as they were sometimes imported into the United States.

The Committee reported, that in case it were found that the contraband trade in tea were continued, "the remedy would be, the opening of the intercourse with China, and legalizing the importation of teas from the United States, on the same scale of duties as are now levied." (Journals House of Assembly of Lower Canada, 1832,—3, page 466.)

The China trade is valuable to the United States, on account of the tonnage it employs on long voyages, and the profitable commerce carried on in exporting to places beyond the Cape of Good Hope, cotton and woollen goods, beaver, otter, fox and other skins, tobacco, lead, iron, ginseng, copper, quicksilver, &c. The imports from China, India, &c. are tea, indigo, pepper, nutmegs, cloves, cinnamon, cassia, silk, and East India sugar.

Of the exports from Quebec, in 1832, there were shipped for the United Kingdom, all the ashes save one barrel, all the wheat, 26,395 barrels of the flour, 3 barrels of pork, 200 of beef, a million of deals, 24,968 oars, nearly four-fifths of the staves, 20,662 tons of oak, 192,946 tons of pine, and 18,654 tons of elm.

For the British West Indies, only 4,901 barrels of flour, 470 barrels of Indian meal, 4,631 barrels of pork, 2,455 barrels of beef, nearly a million of staves, 5,775 lbs. of soap, 4,366 lbs. candles, and a large proportion of the codfish.

For Nova Scotia, New Brunswick, and the other Northern Colonies, 3,505 barrels of pork, 19,761 barrels of flour, 2,321 barrels of beef, 190 m. staves, 4,661 cwts. biscuits, 6,380 lbs. of butter, 18,790 lbs. of soap, and 6,596 lbs. of candles.

For France, 665 tons of pine timber, 127 tons oak, 11 m. staves, and nearly 2 m. deals. A small part of the imported goods is re-exported.—The value we can only guess at.

A large share of the exports from Quebec and Montreal is made up of United States produce; the exact proportion it would be difficult to ascertain.

By a reference to the laws regulating the customs, it will be seen, that while England gives no preference whatever in her ports, to the ashes and lumber of the north shores of the Saint Lawrence, over the like articles brought from the United States frontier; and while the wheat and flour of the Canadas are refused even an imaginary protection in the British and West India markets, against United States competition, the Canadians are compelled, by means of heavy discriminating duties, penal statutes, and orders in council, to confine their regular trade almost exclusively to British shipping, British home or Colonial produce and merchandise, and those foreign articles which are re-exported from England—tea, is now, in some degree, an exception.—The share we have of the West India trade, as compared with the United States, is trifling; and our staple articles of produce are shut out of the United States markets, by the operation of their tariff. The discriminating duty in England, in favor of lumber from Canada, and the other Colonies, is more in favor of United States lumber taken down to Quebec;\* the advantage to the Canadian is comparatively limited, and such as it is, is interfered with by the absurd tax at the Chaudiere.

The unanimous resolution of the House of Assembly, in February 1831, that the tax of a penny in the foot on the Canadian timber passing down the Ottawa, was not the least of

\* The duty on timber imported from British North America into Great Britain, whether of the produce of Canada, Novascotia, New Brunswick, Maine, New York, or Vermont, is 10s. per load; the duty on Dantzic, Memel, or Riga timber is 5s. per load.

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the many discouragements by which the lumber trade was blighted; and the address for its removal, in which the Legislative Council refused to concur, and which the Colonial Office declined to approve of, have remained unnoticed by the Board of Trade; and the proceeds of the tax are applied without the concurrence or approbation of the Legislature.— Whether the tax is equally collected on all timber, or only on the rafts of certain individuals, there would be difficulty in ascertaining.

The Finance Accounts of Great Britain for 1832, show, that there were built and registered in the British plantations, 367 new vessels, 32,719 tonnage; 376, tonnage 34,290, in 1832: and 221, tonnage 25,470, in 1833. The whole number of vessels registered in London, as belonging to the several ports of the British Empire, on the 31st December, 1832, was 24,435, measuring 2,618,068 tons, and navigated by 161, 634 men: of these 4,771 vessels belonged to the British plantations, measuring 356,208 tons, and employing 23,202 seamen.

Mr. McGregor, in the second edition of his "British America," has made a computation of the ships, tonnage, and seamen, employed in the trade between the United Kingdom and British North America, on an average, of the five years before the 5th January, 1833.

	Inwards.			Outwards.		
	Ships.	Tons.	Men.	Ships.	Tons.	Men.
Canada, .....	854	247,401	11,106	861	258,149	11,403
Novascotia, .....	97	29,340	1,370	102	24,421	1,230
New Brunswick, .....	494	141,010	6,907	541	152,904	7,012
Prince Edw'd. Island, .....	27	5,122	217	23	5,027	237
Newfoundland, .....	298	37,470	2,470	181	22,711	1,480
Total, .....	1,770	460,343	21,970	1,708	463,212	21,362

The difference of 62 ships on the average, inwards, greater than outwards, arises from that number, besides new ships, proceeding to Newfoundland with naval stores, and loading with fish, either for the continent of Europe or the West Indies: and the difference of tonnage from others, entered from the United Kingdom, being large ships, which load with lumber in the ports of New Brunswick, for the West Indies.

The following statement, computed by the same author, from the customs returns, shows the number of vessels, tonnage and men, employed between the British Northern Colonies in America, and the West Indies, and other Countries.

	Inwards.			Outwards.		
	Ships.	Tons.	Men.	Ships.	Tons.	Men.
British W. Indies, .....	486	58,540	3,236	589	75,896	5,074
British E. Colonies, .....	8	1,065	63	12	1,513	86
Foreign Nations, .....	.....	.....	.....	.....	.....	.....
British Ships, .....	1,127	68,690	4,524	646	55,912	3,275
Foreign Ships, .....	221	16,506	989	140	15,292	845
Total, .....	1,842	144,791	8,812	1,387	148,613	8,280

Mr. McGregor found it difficult to ascertain the tonnage, and seamen employed in the northern intercolonial trade. The official returns for the year ending 5th January 1832, give (he says) the following statement, which does not include the vessels employed in the fishery,

Inwards, 3,068 vessels, 211,471 tons, 9,991 men.

Outwards, 3,260 do. 227,197 do. 10,035 do.

The tonnage &c. employed between British North America and all other countries, for the year ending 5th January, 1832, Mr. McGregor computes to be—

Total inwards, 6,239 ships, 814,380 tons, 39,584 men.

Total outwards, 6,366 ships, 836,668 tons, 40,070 men.

Total imports to all countries, per official returns, .....

Total exports to all countries, per official returns, .....

£ 4,810,039

3,671,891 †

† The Halifax Novascotian published in 1831, gives an interesting detailed statement of the trade of Novascotia for 1830, showing that that Province imported, in that year, to the amount of £1,320,228. in 2,085 vessels, 151,382 tons, and 8,621 men; and that it exported to the value £645,542. in 2,330 vessels, 179,596 tons, and 9,440 men. The exports of Cape Breton, in 1830 were of the value of £67,620. sterling, and the imports £85,026.

The trade of New Brunswick with Canada, and other countries, is shown by a statement made to the House of Assembly of that Colony, containing the exports and imports for 1832, and certified to be correct by the Collector of customs at St. Johns.

## Imports 1832.

## The Value in Sterling Money of Great Britain.

From other British North American Colonies, .....	£149,810
British West Indies, .....	51,649
United States, in British ships, .....	£68,236
Do. United States ships, .....	18,228
Saint Domingo, .....	86,464
The United Kingdom, .....	5,216
Jersey, .....	291,293
British Africa, .....	89
	6,057

£ 590,578

Out of this large amount, exceeding as it does, half a million, it appears by the return, that only £8,558. value was of the produce or manufacture of the Canadas. The following was the value of imports of the produce or manufacture of some other places.

Of the United States, £97,142. a part having been conveyed via Canada, &c.

Of the British West Indies, £67,185. part of which came indirectly, via Novascotia, &c.

Of the United Kingdom, £277,933.

## Exports, 1832.

To the United Kingdom, .....	£ 285,671
" Spain, .....	2,400
" British Africa, .....	5,524
" British North American Colonies, .....	61,444
" British West Indies, .....	33,169
" United States, .....	20,765

£ 408,973

The value of the imports exceeds that of the exports, .....

The value of goods thus exported, of the growth, produce, or manufacture of the following countries, was as follows:

The Canadas, .....	£ 726
New Brunswick, .....	294,741
Novascotia, .....	8,915
British West Indies, .....	13,822
United States, .....	20,839
United Kingdom, .....	33,956
British North American Fisheries, .....	28,442

The quantities of the staple commodities of New Brunswick, exported in 1832, were 208,227 tons of square timber; 30,962, 000 superficial feet of deals; 5,091 m. shingles; 289,581 staves; 622 barrels, and 2,947 kits of pickled salmon; 1,499 barrels mackerel, 18,502 quintals cod; 18,335 bbls. salted herrings; 14,167 boxes, and 42 barrels smoked herrings; 4,510 bushels oysters; 6,695 gallons fish oil; 3,176 tons gypsum; 12,978 lbs. butter and cheese; 598 tons limestone; 11,355 grind stones, &c. Of native grain, the whole export is 60 bushels of oats.

The value of the trade of *New Brunswick*, in a great measure, arises out of the bulky nature of her staple products. From the returns of the Custom-house of Saint Johns to the House of Assembly, it is ascertained, that in the year 1831, there cleared out to sea, from the several ports of the Colony, 1,710 vessels, measuring 212,734 tons, and navigated by 10, 319 men; and that in 1832, there cleared out 1,758 vessels, 239,732 tons burthen, manned by 11,683 seamen.

In 1832, 471 vessels, 138,318 tons, 6,281 men, arrived in Saint Johns and the other ports of New Brunswick; and 536 vessels, 162,842 tons, with 7,186 men, cleared out for the United Kingdom. The same year, 1,039 vessels, 56,925 tons, 3,670 men, entered the ports of New Brunswick, from Canada, Newfoundland, &c.; and 935 vessels, 48,635 tons, and 3,095 men, sailed from the ports of New Brunswick for other parts in British North America.

In 1831, there were also employed in the trade of *New Brunswick*, Coastwise, at the port of Saint Johns, alone, 600 vessels, measuring 33,646 tons, and manned by 1,436 seamen; also 28 vessels cleared out for the fisheries, with 720 men, for bounty, and 38 vessels for ditto, with 120 men, not for bounty. The number in 1832 does not greatly differ from that of the year before.

## APPENDIX TO THE REPORT ON TRADE.

The appendix to the General Assembly of *Novascotia*, Journal for 1834, page 11,—furnishes an abstract of dutiable goods imported into that Province, in the year 1833, for which the duties had been paid or secured to the Colony, namely,—the duties had been paid or secured to the Colony, namely,—113,671 gallons of wine; 887,352 gallons of rum, brandy and gin; 41,990 cwt. (equal to 4,702,880 lbs.) sugar; 6,016 barrels of beef and pork; 32,263 barrels of flour; 186,690 lbs. of tobacco; and of merchandise, subject to *ad valorem* duties, £347,389. Duties collected on all these articles, £105,386.

We are indebted to an official tabular statement, in page 14 of the appendix to the same volume, for the following important information concerning the import and export of *Novascotia*, in the article of flour. *Novascotia* imported from the United States, in 1832, of flour 56,507 barrels, and from the British Colonies, in North America, only 6,564 barrels.

Of the 63,071 barrels thus imported, 7,432 were exported to the West Indies, and 13,164 to other parts.

9527 barrels of United States flour were entered for the British fisheries, and subjected to no duty.

In 1833, there were imported into *Novascotia*, 85,752 barrels of flour, of which 67 barrels were from Britain, 16,000 from the British North American Colonies, and 69,685 from the United States. In the same year, *Novascotia* exported 14,271 barrels to the West Indies, and 18,526 to other parts; in all 32,797 barrels.

That high duties give rise to smuggling in *Novascotia*, the following extract from the report of the "Committee of the Chamber of Commerce, appointed to obtain information respecting the illegal introduction of dutiable and prohibited articles" into that Province, will serve to show:\*

Your Committee, in pursuing their inquiries, have ascertained, from sources on which they can rely with the utmost confidence, that an illicit trade is now carried on in this Province, to a much greater extent than has heretofore been known; they have reason to believe that it is not confined to any particular section of the Province; but it is doubtless conducted on a much larger scale in those parts where the facilities and inducements are known to be the greatest.

Halifax, 2nd Dec'r. 1833.

We do not find the official return of the shipping belonging to the great port of Halifax, among the *Novascotia* returns, but in an abstract from the Custom-house, Halifax, dated 17th February, 1834, it is shown, that the number of vessels owned at the out ports of that Colony, were 8 ships, 76 brigs, 550 schooners, in all 634 vessels, 36,696 tons.

The value of the imports from the United States, by way of the rivers, the sea coasts, and the numerous roads, cannot be correctly ascertained; but their is a Port of entry and Custom-house at Saint Johns, on Lake Champlain, at which the imports into Canada, in 1832, appear to have been very considerable. We select some of the principal items, on the authority of the official returns, for which, see the Assembly of Lower Canada's Journals.

*Articles imported from the United States into Saint Johns, Lower Canada, in the year ended the 5th October 1832, inclusive.*

Ashes, 2,598 bbls.; salted beef, 1,675 barrels; butter 192 597 lbs.; 4,298 buffaloe robes; cheese, 396,622 lbs.; 5,811 head of cattle, (value on the Custom-house books, £26,442.); 6,450 packs of playing cards; 111,800 lbs. fresh codfish; 12,255 lbs. coffee; 5,219 raw calves skins; £1,494. value of drugs; £4,646. value in fancy goods; 32 barrels flour; 170 boxes glassware; 8,783 hat bodies; £1,119. value in hardware; 2,410 live hogs, value £4,573.; 252 horses, value £3,646.; 130 bales hops; 49,390 lbs. lard; leather, value £3,364.; 45 lots machinery, value £1,217; pork, salted, 4,400 barrels, value £11,953.; fresh pork, 731,378 lbs., value £5,507.; 36,815 raw hides, value £21,957; Rice 313,845 lbs. value £2,356.; 104 barrels spirits of turpentine; £1,382. value in silk goods; 5,407 sheep; 435,845 lbs. tallow, value £7,724.; leaf tobacco, 91,213 lbs.; tobacco manufactured, 252,773 lbs., value £6,541.; 127 boxes of French wines; wheat, 50 bushels; specie, £79,110. These and other imports at that port, that year, amount to £225,917. sterling money, and will serve to indicate to the Upper Canadians, the true

\* Sir H. Parnell, in his treatise on Financial Reform, mentions, that the annual revenue collected in the West Indies, by the imposition of duties on certain articles of necessity, is about £75,000. of which, about £68,000. are allowed up in the charges made for collection!

source from whence the inhabitants of Lower Canada and the 1,000 ships of England, annually frequenting Quebec, derive their supplies.

The articles imported (*specie* exclusive) at the port of Saint Johns, are valued at £146,807. sterling, while the exports from thence to the United States, (exclusive of £96,803. in *specie*) are valued only at £8,197. Some of the exports are 108 horses; 17,984 bushels of salt; 242 bales of rags: merchandise, value £3,338.; a few skins, seeds, fish, &c.

At another port in Lower Canada, named Saint Marie Nouvelle Beauce, the customs give £7,480. sterling, as the value of the imports from the United States, in 1832; and £4,569. as the exports; all of which consist of goods which had been imported by sea, into Canada.

No part of the revenue collected on imports, at any other ports in Lower Canada, save Quebec and Montreal, is paid to Upper Canada; nor is any part of the Upper Canadian customs revenue, derived from imports from the United States, accounted for to Lower Canada.

In the Quebec commercial list, 7th March, 1832, the value of all the lumber shipped from that Port in 1831, is down at £373,386; the ashes, at £334,128; flour and grain, £591,806; provisions, tobacco, &c. £49,322, (of which, Pork, £26,919; beef, £8,158, chiefly of United States origin); furs and peltries, £85,910; new vessels, £32,500;—in all, £1,467,052, or within about £400,000 of the estimated value of the imports. Of the lumber, a very considerable part was of United States origin; of 32,335 tons of hewn timber, this year exported by the United States, 29,967 tons were sent to the British North American Colonies; \* and 150,795 barrels of flour, and 24,159 bushels of corn, were shipped by the same, to the same; \* also, (says Niles) 100,382 barrels to the British West Indies, \* and 91,915 bushels of corn. † The principal imports into Quebec, Gaspé, and New Carlisle, Lower Canada, in 1831, are estimated in the Quebec commercial list, at £52,835 for wines; £218,962 for rum, brandy and gin; £10,216, molasses; £126,058, sugars; £85,714, teas and coffee; £4,887, tobacco; £13,502, salt; and of merchandize, paying 2½ per cent. duties, £1,343,728;—total, £1,855,903; these in 1,111 ships, (calculating at one voyage each)—277,480 tons, and 12,766 men. Nine of the vessels which cleared from Quebec in 1831, were built there that year.

Iron is a most important commodity, and large quantities are annually imported into the Canadas. For many purposes, Swedish iron is preferred to English; but the Canadians are, in some degree, discouraged from using it, by the penalty of £7 10s. per cent duty, while English iron is subject only to the third of that tax.

The Quebec Gazette, in its remarks on the business of the year 1834, mentions that, in consequence of the heavy stock of Pork in hand last July, prices fell half a dollar a barrel, and that "about this time an unusual quantity of Irish Pork began to arrive, which was offered at auction, and prices again fell 2s. 6d. to 3s. 9d. per barrel, leaving a large stock still in the market, from which it is expected that prices will open rather lower than usual in the spring (of 1835) say 51s. 3d. to 52s. 6d. for prime, 60s. to 62s. 6d. for prime mess, and cargo 42s. 6d. to 43s. 9d."

England has passed a law to say that Pork, Flour, Wheat, Live Stock, Ashes, Beef, and Lumber shall be imported from the United States, England, or Ireland, into Canada, duty free. Ireland thus sends Pork to Quebec, and lowers prices. Suppose the Canadian to send a cargo of Pork to Ireland or England, in order to pay for the cotton or linen manufactures he uses, he will find that by the 6th, George 4th, cap. 117, Beef, Lamb, Mutton, Pork, Sheep, and Swine, are prohibited to be imported into the Home Dominions of Great Britain, from Canada or any other places whatever. Cattle and Malt are also prohibited to be imported: Butter pays an import duty of £20 per ton; Beer, 5s. per 32 gallons; Cheese, £10 10 per ton; Apples, 5s. per bushel; Clover or Hay Seeds, 20s. per cwt.; Potatoes, 2s. per 112 lbs. The price of all these

\* Vide report of the Secretary of the Treasury, to Congress, concerning the Finances and Navigation of the United States, 1831.

† In the United States official report of the commerce of the Republic, for the year ending September 30th, 1831, it is also stated, that of the value of the products of cattle exported that year from the United States, \$307,027 was to the British North American Colonies; also to ditto \$141,725 value in snuff and tobacco manufactured; and \$298,066 value in butter, cheese, pork, hams and bacon, lard and live hogs, to ditto

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articles is thus raised to consumers for the benefit of one class, the land owners, who have an interest very distinct from the farmers and laborers.

It will be seen from the British official returns, that the quantity and declared (or nearly the real) value of the following articles exported from the United Kingdom to British North America, in 1830, was as follows :

Beef, and Pork, 10,976 barrels, £29,012 ; Beer and Ale, 397 tons, £7,294 ; Butter and Cheese, 3,958 cwts. £13,265. These articles must have chiefly gone to Newfoundland and the other lower ports.

England pursues a different course with regard to the Canadas : she declares it lawful for the United States to import into these Provinces duty free, Live Stock, Wheat, Flour, Ashes, Pork, Beef, Hams, Bacon, and other produce required by her shipping, and buys as readily the produce of Maine and Vermont, as of Upper and Lower Canada.

The United States steadily exclude the dealer in Canadian produce from a choice of markets, by duties so high, as in most cases to amount to a prohibition.

The Legislature of this Colony addressed the King in March 1833, praying that a lower duty might be charged on Cotton and Tobacco of United States growth, when imported into the United Kingdom through Montreal and Quebec, than when shipped from the countries of their growth and manufacture : the answer as to Cotton, justly declared that it would be highly inexpedient to create an artificial interest which might prevent the manufactures of Great Britain from being supplied with Cotton at the cheapest rates, and remarked that the duty on Tobacco was laid on, purely for the purposes of revenue, and that Government declined to recommend any modification of that duty which might impair its productiveness without benefitting the British consumer.

The information contained in the Appendix to the Assembly's Journal, for 1833-4, page 94 to 101, throws much light on the trade of Upper Canada, and is of a nature on which dependence may be placed.

The Secretary of the La Chine Canal's Returns shew, that the imports via the Canal, in 1826-7-8, were, of merchandize and liquors, 17,085 tons; and that in 1830-1-2, they had increased to 30,323 tons; that although no salt was imported via the Canal in 1826, it soon became an important article of trade; the number of tons in the six years ending in 1832, being, 76, 66, 365, 405, 334 and 406 tons. The average number of barrels of Ashes exported by the Canal exceeded 20,000 yearly, in the seven years: the Flour exported ranged in 1826 to 1832 from 55,000 bsrrels to 130,000 yearly; of Grain there were exported 330,379 bushels in 1826-7-8, and in 1830-1-2, upwards of 1,002,382 bushels; the Hogs sent down increased in number from 187 in 1826, to 2576 in 1832.

Mr. Simpson, Collector of Customs, at Coteau du Lac, estimates the quantity and value of Canadian produce passing downwards in 1831 and 1832, at 337,100 tons; value, £1,123,232, Sterling. He sets down 464,413 bushels of Wheat; 12,764 barrels of Pork, and 98,520 barrels of Flour, of the growth, produce, or manufacture of Upper Canada, either for sale abroad, or domestic, in Lower Canada.

In the year ending October 1st, 1832, there passed downwards through the Coteau du Lac, (according to Mr. Simpson,) of foreign exports, 12,989 barrels of Flour; 3,106 of Pork, and 3,500 barrels of Ashes. Of exports, consisting of articles the growth, produce, or manufacture of this Province (flour being such if manufactured from the U. States wheat,) there were in that year 12,160 barrels of Ashes; † 65,458 of

† Tait's Edinburgh Magazine October, 1832, has the following paragraph on Flour, and shewing that it is possible we may be supplanted in the trade carried on in Ashes :

"A new article of commerce, namely, East India Flour, is coming extensively into use for the making of Size and Starch; it is chiefly imported by the Calcutta Flour Mills Company, and is found to answer better than American Flour, which has hitherto been considered the best for this purpose. The manufacture of Soda from common Salt, for the purposes of bleaching and making Soap, is now carried on to a considerable extent in Liverpool; and this article is likely to compete with, if not to supersede, Pot and Pearl Ashes, for the above mentioned purposes, as it can be sold for about £30 a ton, whilst Ashes of equal strength cost £28 or 29, a ton. This new manufacture will be beneficial to England though injurious to the Canadas, whence we now obtain so large a quantity of Ashes."

On this statement, Mr. Niles, in his Baltimore Register, thus remarks : "The preceding states a fact of much interest to the grain growers of the United States."

"Except in years of scarcity, a large part of our exports of Flour to England was for the purpose of making size, or paste and starch; and some

Flour; 6,718 of Pork; 510 of Pease; 302,841 bushels of Wheat; 1482 boxes of Starch; 19 barrels, 725 kegs of Tobacco; 642 M. Standard and 832 M. West India Staves, &c.

In the Report of Congress by Mr. Woodbury, Secretary of the Treasury of the United States, on the finances of the country, made in December, 1834, he thus sums up the vast amount of the commerce of the Union :

"The imports during the year ending September 30th, 1834, are estimated in value at \$123,093,351; being compared with the preceding year, an increase of \$14,101,541. Those during the three past years have, on an average, been about \$11,038,142.

The exports during the same year are estimated at \$97,318,724; of which \$74,444,429, were in domestic, and \$22,874,295, in foreign products; being compared with the preceding year, an increase of \$6,655,321; of which \$3,802,399 were in articles of domestic, and \$2,852,922, in those of foreign products. The average exports, during the last three years, have been about \$91,719,690; of which \$69,407,976 are the average in articles of domestic products, and \$22,311,714 in those of foreign.

It will thus be seen that the imports of the last year varied in amount \$12,055,209 from the average of the three past years, and those paying duties are believed to have varied much less. It is, therefore, in connexion with the reasons before named, considered safe to infer, that the imports of the ensuing year may not differ materially from that average. Should they not so differ, the revenue from customs will probably correspond in substance with that of the past year, except so far as it may be changed by the whole amount of all the importations, when compared with the above average; because the classes and value of articles paying duty, for aught which is known, will probably be similar, and the rate of duties on them will not, by existing laws, be essentially altered till the 31st December, A. D. 1835."

The power of the United States may be more readily conceived when it is known that on the 1st day of January, 1835, the national debt was extinguished: an excess of half a million of dollars remained in the Treasury over all existing claims; and that seven millions of Bank Stock, on hand, with a large available balance of unexpended appropriations, were among the extraordinary features of their present financial condition.

The tariff of foreign taxation is greatly reduced; and in Tea, Coffee, Spices, and many other articles of necessity, the principle of perfect freedom of trade, has been introduced; the vexatious regulations by which an additional 10 per cent used to be added to the cost in estimating the duties on imports is done away, and instead thereof, it is provided that the actual charges on exportation, exclusive of insurance, shall be added to the invoice, in estimating the value of goods subject to ad valorem duties. In estimating British Invoice values the £1 Sterling is to be considered as being worth 480 cents, its value up to 1833, was fixed at 444 cents.

The official value of the United States exports of domestic produce and manufactures, for the year ending September 30th, 1830, was stated by the Secretary of the Treasury, as follows :

Of the Sea.....	\$1,725,270
Of the Forest.....	4,192,047
Of Agriculture.....	46,977,332
Of Manufactures.....	6,567,583
Exports of foreign produce and manufactures during same period.....	14,387,479
Exports of the Union for the consecutive year, 1829-30.....	73,849,511
The imports from foreign countries same year.....	70,876,920

The aggregate tonnage employed in exporting for the same year, was 1,105,196 tons.

The real amount of the tonnage of the United States is not easily ascertained, many United States vessels trading under foreign flags, and therefore not appearing in the account. On

flour had a fair market in that country when sweet could not be sold at all, because of the prohibitory duty upon it; the first, as a raw material, being moderately taxed. The amount of the consumption of flour for these purposes may be partially apprehended from the fact, that the Cotton manufacture of the United States, only, requires 2,070,000 lbs. starch, and 18,200 bbls. of flour. Perhaps from 80,000 to 100,000 bbls. of flour are used in the United States for sizing, and in paste and starch."

By the 4th and 5th, William 4th, chap. 82, (1834) "Census powder or Starch," the produce of any British Colony in America, may be imported therefrom into Britain, on payment of 1s. per cwt. of duty.

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the other hand, it is well known that many ships which according to American owners, are in reality the property of British Capitalists. The great improvements made of late years in ship building, has enabled the shipping of the Union to combine the advantages of large burdens and fast sailing, and thereby to do more business than could be performed by the same tonnage of any other country.

The steam-boat tonnage of the Union, is estimated at 75,000 tons; and on a rough calculation, we should be inclined to set down that of the British North American Colonies at from 12,000 to 14,000 tons. These packets effect the transfer and the exchange of merchandize with great celerity, and, with the canals and rail-roads, powerfully aid in bringing together the most distant parts.

The annual report of the Treasury department of the United States, on commerce, for the year ending 30th September, 1831, is an octavo of several hundred pages; and the following brief statement of some of the most important results, are interesting:

The imports into the United States in the above year, amounted to 103,191,124 dollars; and the exports from thence, to 81,310,583 dollars value, of which above 25 1/2 millions were cotton; 10 millions flour; 5 millions (nearly) tobacco; 2 millions rice; about 2 millions fish and oil; 1 1/2 millions staves and lumber; 1 million of ashes; 1 1/2 million pork; 3/4 of a million of skins and furs; and 1 1/4 millions domestic cotton manufactures; upwards of half the export trade of the Union appears to be made up of the products of the Southern States. Previous to 1790, the United States did not send a pound of cotton to England; now, more than half of the cotton used in Great Britain comes from the United States.

So far is war from being an effectual barrier to prevent trading, that some of the greatest importing years ever known in the American Union, were those immediately after the termination of the last contest between Great Britain and the United States; and, as usual, the greatest trade was between the two countries which had just ceased fighting.

The value of the United States imports in this year, (1830-31) from the Canadas and other British Northern Colonies, was 864,909 dollars; and of the exports of the said Northern Colonies, 4,062,838 dollars: of which latter the whole was of the domestic productions of the Union, except 35,446 dollars. A late Colonial Trade Act, by making a distinction between British American vessels, in this trade, makes it appear that a great quantity of United States goods, intended for the West Indies, are consumed in the Canadas and other Northern Provinces.

Of the tonnage which entered the United States from the Canadas and other Northern British Colonies, 92,672 tons were American, and 82,557 tons British and Colonial. Of the tonnage which departed from the United States for said Colonies, 79,364 tons were American, and 94,776 British and Colonial.

There is a valuable inland trade carried on between the Colonies and the Union; \* in some places along the imaginary dividing frontier, the traveller will see shops, or stores, as they are called, built with one door in the United States and the other door in the Canadas, and American native or imported goods on the shelves of the southern division, and British or Colonial on the northern. The principle on which they are constructed, is truly ingenious, and shews that man, when left to himself, will purchase in the cheapest market, while politicians are consuming the midnight oil to prove that it is bad policy for him to do so.

It would be very difficult to ascertain the extent of the trade of Upper Canada with the United States; the contraband commerce carried on in defiance of fiscal regulations imposed by the United Kingdom Parliament, and of the United States tariff laws, is very extensive, and can be guessed at by refer-

\* A nominal advantage is given to Canada in this—that flour ground on this side the St. Lawrence is subjected to a less duty in England than if it were ground in the United States;—to render this preference useless, it is a practice at Montreal and Quebec, to collect of Canadian flour as much as possible, for shipment to England, when the prices are high, and to import flour from the United States for consumption in the Provinces, in its stead. Thus the flour of the Western States and New-York supplies the place of that which is admitted into England on payment of the least duty, and gives to the adjoining States, in reality, the same privilege as the Canadas. United States wheat is subject to a discriminating duty in England, but may be imported into Canada, ground there, and shipped as Canadian flour to England, or consumed in the Colony. Hence no preference in price is usually given to Canadian flour in the Montreal market.

ring to the statistical information we have collected.† The trade of the Ohio Canal to and from the port of Cleveland, on Lake Erie, (opposite Upper Canada) may be seen by the following official statement made by Mr. Beardsley, the Collector at Cleveland.

Merchandise which arrived at Cleveland, in Ohio, by the way of the Ohio Canal, during the year 1834 :

Bushels.....	Wheat, .....	333,868
do. ....	do. .... Flax-seed, .....	17,291
do. ....	do. .... Corn, .....	3,653
do. ....	do. .... Mineral Coal, .....	95,694
Barrels.....	do. .... Flour, .....	105,326
do. ....	do. .... Pork, .....	33,884
do. ....	do. .... Whiskey, .....	2,481
Casks .....	do. .... Linseed Oil, .....	612
Pounds.....	do. .... Ashes, .....	65,895
do. ....	do. .... Butter, .....	342,006
do. ....	do. .... Cheese, .....	26,812
do. ....	do. .... Lard, .....	825,648
do. ....	do. .... Pig Iron, .....	1,572,687
Hogsheads .....	do. .... Tobacco, .....	2,331
Feet .....	do. .... Lumber, .....	1,037,514
Perches .....	do. .... Stone, .....	5,052

Cleared during the same period.—

Barrels.....	do. .... Salt, .....	36,803
do. ....	do. .... Fish, .....	4,204
Pounds.....	do. .... Merchandise, .....	10,127,619
do. ....	do. .... Furniture, .....	1,558,988
do. ....	do. .... Gypsum, .....	442,860
Feet .....	do. .... Lumber, .....	96,031
M. ....	do. .... Shingles, .....	987
Pairs .....	do. .... Millstones, .....	18

The excess of freight received in pounds over the preceding year, 1833, was 4,046,887. Excess cleared in 1834, 2,457,134 pounds.

The amount of tolls collected at Cleveland in 1833, was 52,055 dollars; in 1834, it was 61,660 dollars; excess, 9,605 dollars.

Passing downwards, the next source of information regarding the inland trade carried on on the great lakes, is the annual report of the Board of Directors of the Welland Canal Company, for 1834, the accuracy of which is guaranteed by the signatures of Messrs. Merritt, McDonell, Creighton, Butler, Chisholm, Elliott, and Doctor Charles Duncombe, Directors of that work.

From their report, dated at St. Catharines, on the 7th January last, we select the following particulars:—

“There has passed through the Welland Canal the present season, (meaning the year 1834) 570 schooners; 334 boats and scows; and 66 rafts; the amount of tonnage of which is, 37,927; and the following quantities of produce, merchandise, &c.

1,297,892	.....	Feet of Lumber.
307,963	.....	Pipe Staves.
84,092	.....	West India Staves.
94,380	.....	Cubic feet of square timber.
5,939	.....	Saw-logs.
264,919	.....	Bushels..... Wheat.
27,702 1/2	.....	Barrels..... Flour.
23,422 1/2	.....	do. .... Pork and Beef.
69,641	.....	do. .... Salt.
3,216	.....	Bushels..... Potatoes.
223	.....	do. .... Oats.
200	.....	do. .... Corn.
332	.....	Barrels..... Whiskey.
530 1/2	.....	do. .... Lard.
1,694	.....	do. .... do.
46	.....	do. .... Butter.
96	.....	Barrels..... Ashes.
44	.....	Hhds. .... Tobacco.
127	.....	Kegs .....
145	.....	Boxes .....
105	.....	Barrels..... Dry Fruit.
59	.....	do. .... Nuts.
201	.....	do. .... Apples.

† The American Treasury report to Congress, for the year ending September 1831, states the value of the exports from the United States to Canada, and the other British Dependencies in North America, as follows: Exports of articles, the growth, produce or manufacture of the Union, \$4,026,362; exports of articles which had been imported into the United States from other countries, \$35,446; total, as per Custom-House reports to United States Government, \$4,061,838.

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6½	do.	Fish.
93½	do.	Bacon and Hams.
2½	Tons	do. do.
399½	do.	Coal.
77	do.	Gypsum and Plaster.
117	Barrels	Ground do.
94	Tons	Pig Iron.
338	do.	Castings.
30½	do.	Grindstones.
2	do.	Millstones.
9	do.	Damaged rope.
4	do.	Hides.
2½	do.	Horns.
60,500	do.	Shingles.
65	Barrels	Onions.
16	do.	Beer.
47	do.	Cider.
30	do.	Ploughs.
25	Casks	Cheese.
1,000	do.	Rails.
1880½	Tons	Merchandise.

Coal is found in abundance adjoining the Ohio Canal; this is the first attempt to introduce it on the shores of Lake Ontario.

The amount of toll on the Welland Canal in 1832, was.....£2,432  
 In 1833, ..... 3,618  
 And in 1834, ..... 4,300

Although the income of the Canal, during the present season, does not present the same ratio of increase with the former, the difference is chiefly to be ascribed to the early close of the navigation, and decrease of business in the months of June and July, owing to the total interruption in the navigation of the Ohio Canal; notwithstanding which our staple articles have been greatly increased, viz:—

	1832.	1833.	1834.
Barrels of Pork,.....	5,422.....	9,611.....	23,422
Bushels Wheat,.....	155,170.....	229,675.....	264,919
No. of Staves,.....	146,136.....	161,792.....	392,055
Feet of square Timber,.....	75,992.....	30,942.....	94,380
Barrels of Salt,.....	34,546.....	46,552.....	59,641
Tons of Merchandise,.....	1,032.....	1,323.....	1,880
No. of Schooners passed,.....	240.....	433.....	570
do. Boats and Scows,.....	175.....	267.....	334"

The Directors, in their report, state that—

"The difficulties and expense of navigating the St. Lawrence, are far greater than is generally supposed. The amount of trade or commerce through that channel, is a mere bagatelle, compared to what is directed to the New-York market. It appears that 264,919 bushels of wheat were conveyed through the Welland Canal last season, of which only 18,464 bushels came from our ports on Lake Erie, and 22,170 from American ports, destined for Montreal market; and the remaining 224,285 were conveyed to Oswego; whereas, if the St. Lawrence were made navigable, it would be difficult prescribing bounds to the quantity which would be directed by this channel to foreign markets, or the quantity of merchandize in return for the supply of the western country. It is supposed that merchandize from London would be conveyed to Cleveland for £2 10s. per ton, which now costs £3 to £4, from Montreal to Prescott, a distance of 180 miles."

It would have been satisfactory could we have presented our readers with official details of the commerce of Oswego, in like manner as we have of Cleveland. In the absence of all such documentary evidence, however, we have had recourse to the following statement, which appears to have been compiled with care by the Editor of the *Oswego Palladium*, a respectable American Journal, and in the habit of watching the commercial movements on the Lakes.

Progress of Oswego, and Business of 1834.

"One of our principal commercial establishments has taken the trouble to prepare, from accurate statements rendered by the several flouring mills and forwarding houses, an abstract of so much of the business of our village as is in immediate connexion with the Lakes and Canals. Having been favored with a copy of the abstract, (for which we feel ourselves greatly indebted,) we are enabled, with a few facts furnished from the Custom-house, to lay before our readers, an accurate summary of the principal business of the village and of the port during the past year. The increase over the business of the preceding year is found to be very great, and considering the pecuniary distress prevailing during the early part of the year, is in some particulars most extraordinary: we are particularly gratified to observe the augmented amount of tonnage, which has increased in less than two years considerably more than 100 per cent.

Commodities received at the Port of Oswego during the year 1834.

From the Salt Works of Onondaga,—Salt,.....	barrels,	106,426
From ports on Lake Ontario,—Wheat,.....	bushels,	251,760
From ports on Lake Erie, (through the Welland Canal)—Wheat,.....	do.	219,868
From other places,.....	do.	15,601
Wheat received,.....	do.	487,229
From the Erie and Oswego canals,—Goods,.....	tons,	5,218

Commodities shipped from the same Port during 1834.

For Lake Erie, (through the Welland Canal),—		
Salt,.....	barrels,	61,604
For Lake Erie, (through the Welland Canal),—		
Goods,.....	tons,	871

For New York,—Flour,..... barrels, 26,697  
 For Montreal,..... do. 9,293  
 Whole quantity of flour manufactured,..... do. 112,000  
 Comparing the above with the exhibits of the preceding year, we find the—

Increase amount of Salt received is.....barrels, 21,622  
 Increased amount of Goods received is..... tons, 216  
 Increased amount of Goods received for Ohio,..... do. 256  
 Increased amount of flour sent to New York,..... barrels, 13,263  
 Increased amount of Wheat received,..... bushels, 60,794

The above statement, it will be perceived, does not include a quantity of flour received from Ohio, nor a considerable amount of lumber, ash, post and red cedar from Lake Ontario.

The amount of tonnage owned at the port of Oswego, in 1833, was..... tons, 1,645  
 The amount at the close of the navigation in 1834, do. 2,699  
 This is exclusive of three fine vessels on the stocks, to be launched in the Spring.

The editor adds, that six or seven years ago the whole tonnage of Oswego consisted of four schooners, three of them old and abandoned; but that now Oswego owns 34 vessels, including steam boats, and exclusive of vessels on the stocks. The Canadian ports on Lake Ontario carry on an important and increasing trade with Oswego, and through it with New York and Albany. If the Oswego report is to be depended on, the greater part of the wheat that came down the Welland Canal passed into Oswego, and thence to New York. The Oswego account of Salt shipped for Lake Erie, via the Welland Canal, exceeds the whole quantity officially reported by the Directors of that work, by 1,963 barrels.

TARIFF OF CANADA.

Specific Duties payable at the Ports of Canada.

Wine in wood from the United Kingdom,—

	Sterling.	Currency.
Madeira, per tun,.....	£ 0 10 0	per gal. £ 0 0 9
French, do, do,.....	0 0 0	.. 0 0 6
All other wines, do,.....	0 10 0	.. 0 0 6
And further, on all wines* per cent,.....	7 10 0	

In bottles.—If bottled in the United Kingdom, the same duty as in wood, but if not bottled in the United Kingdom, an additional duty† per ton,.... 7 7 0  
 And for every doz. of bottles, 0 1 0

In wood from Gibraltar or Malta, the same duty as wine in wood from the United Kingdom.

In bottles, the same duty as wine in bottles from the place of growth.

From place of growth in wood,—

	Sterling.	Currency.
Maderia, per tun,.....	£ 7 0 0	per gal. £ 0 0 9
All other wines do. (except French,).....	7 0 0	.. 0 0 6
And further,† per cent,.....	7 10 0	
In bottles, a further duty† per tun,.....	7 7 0	
And every doz. bottles,†.....	0 1 0	

Spirits from the United Kingdom or the British Colonies,—

	Sterling.	Currency.
Brandy, foreign, per gal,.....	£ 0 1 0	per gal. £ 0 0 6
Geneva, do. do,.....	0 1 0	.. 0 0 6
Cordials, foreign, per gal,.....	0 1 0	.. 0 0 6
Rum, do. do,.....	0 1 0	.. 0 0 6
Rum, B.P. do. do,.....	0 0 6	.. 0 0 3
Whiskey, British, do,.....	0 0 3	.. 0 0 6
Do. Foreign do,.....	0 1 0	.. 0 0 6
Molasses, per gallon,.....	0 0 1	.. 0 0 5
And further, if Foreign, per cwt.,.....	0 3 0	
From place of growth,—		
Brandy and all spirits per gal. 0 1 3 ..		0 0 6
Coffee from the U. Kingdom, and British Colonies, per lb.		0 0 2

\* Higher duties were formerly charged on British Plantation Coffee and Molasses, but on a representation from the Merchants of Quebec, they were repealed by the act 3rd and 4th of Wm. 4th Chap. 50.

† This further duty is only charged when its amount, if any, shall exceed the amount of the previous duties, in which case the excess is payable. 3 & 4 Wm. 4, Chap. 59, Sec. 11.; but this is not likely to occur except such very high priced articles; it may therefore be considered as merely nominal.

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If Foreign, ditto, per cwt. (additional).....	0	5	0	per lb.	0	0	*2
Cocoa, Foreign, per cwt.....	0	5	0	--	2	10	*0
Do. B. P. do.....					2	10	0
Sugar, refined, British or Colonial, per lb.....					0	0	1
Sugar refined, Foreign, per cent.*.....	20	0	0	--	0	0	1
Muscovado, B. P.....					0	0	½
Do, Foreign, per cwt.....	0	5	0	--	0	0	½
Pimento, B. P. from the Colonies, per lb.....	0	0	0½		2	10	0
From the United Kingdom, per cent.....					2	10	0
Teas, Hyson, per lb.....					0	0	6
Bohea, .....					0	0	2
All other sorts, .....					0	0	4
Tobacco, B. M.....					0	0	3
Foreign do.* per cent.....	20	0	0	--	0	0	3
Leaf,* .....	20	0	0	--	0	0	2
Snuff, B. M.....					0	0	4
Foreign, .....	20	0	0	--	0	0	4
Playing Cards, B. per pack,..					0	0	2
Salt, per minot, .....					0	0	4
All other goods, wares, or merchandise,† per cent.....					2	10	0
And upon certain goods wares, and merchandise being of foreign produce or manufacture.‡							

Specific Duties payable at the Ports of Canada.

BOTTLED WINE, if not bottled in the United Kingdom, pays an additional duty of £7. 7s. per tun, and a penny a bottle on the bottle.

MADEIRA WINE from the place of growth, in wood, per tun, £7. But if from England, the £7. per tun is reduced to 10s.

ALL OTHER WINES, except French, if from place of growth, £6. 10s. more than if from England, and a further per centage of £7. 10s. where the Colonial duty does not exceed that sum; also, if in bottles, another £7. 7s. if not from Britain.

RUM, 6d. per gallon additional, if not British plantation.

WHISKEY from the Colonies, or from Britain, duty 3d. sterling, and 3d. currency; if from any other place, 9d. additional, sterling, and 2d. additional, currency.

BRANDY, and all spirits, 3d. additional duty per gallon, if not imported from England or her Colonies.

MOLASSES. A protecting duty of 3s. per cwt. in favor of British Molasses.

COFFEE, 5s. per cwt. additional duty, if not British plantation, or imported from England.

COCOA. A discriminating duty in favor of British plantation, of 5s. per cwt.

SUGAR, refined, foreign, 20s. per cwt. more than if it were British or Colonial.

SUGAR, Muscovado, 5s. per cwt. additional duty, if not British plantation.

TEAS. Hyson, per lb. 6d.; Bohea, 2d.; all other sorts, 4d. (No duties are payable on teas imported into the United States). In 1830, £12,257. were received by the customs, Quebec, as Provincial duty on tea; in 1831, £18,267.; and during the year ending 5th January, 1833, £8,199. at Quebec, and £9,198. (currency) at Montreal.—see official return to House of Assembly.

Retailers, when importing tea from the United States into Upper Canada, many years ago, were subject to a duty of—per cent. on the value imported; this was changed into an absolute prohibition by the enforcement of Acts of the British Parliament, giving an entire monopoly to the East India Company. Their charter having expired, teas may now be im-

† This further duty will, in every case, exceed the previous duty; the excess will therefore be charged. The amount payable cannot, however, be shown by table; and it will vary in every case according to the value of the article.

‡ This duty is drawn back if the salt be shipped for the use of the fisheries, in the lower parts of the Province.

§ See the exception in the "table of free goods," under the Provincial Law of Lower Canada.

¶ Upon such of these goods as are liable to the Provincial duty of 2½ per cent., that duty is payable under the Provincial law, but its amount is deducted from the payment made, under the 3 & 4 Wm. 4, Chap. 59.

ported from the United States into these Colonies, on payment of a duty of fifteen per cent. on the true value brought in, they being under the regulations imposed by late British Acts and orders in Council.



*Duties to protect British Capital Shipping and Manufacturers, and to give British Merchants a monopoly of the Canada Market, or in other words, to prevent the Farmers of these Colonies from buying the articles hereinafter mentioned, at the best markets, unless under the disadvantages of heavier taxation.*

The articles undermentioned, if of British origin or manufacture and brought from Great Britain and Ireland, pay a duty of two and a half dollars in the hundred dollars value, on importation into Canada: but if brought from the United States, France or any other foreign country, they pay three times that duty, or seven and a half dollars for every hundred dollars value.

Alabaster; Anchovies; Argol; Anniseed; Amber; Almonds; Brimstone; Botargo; Boxwood; Currents; Cupers; Cascacoo; Coral; Cumminseed; Cork; Cinnabar; Dates; Essences of Bergamot; Lemon; Roses; Citron; Oranges; Lavender; Rosemary; Emery Stone; Fruit dry; preserved in Sugar, wet, preserved in Brandy; Figs; Honey; Juniper-Berries; Iron in bars; Unwrought and Pig Iron; Incense of Frankincense; Lentiles; Lava and Malta Stone for building; Marble rough and worked; Mosaic work; Medals; Musk; Macaroni; Nuts of all kinds; Oil of Olives, of Almonds; Orris Root; Ostrich Feathers; Ochre; Orange Buds and Peel; Olives; Pitch; Pickles in jars and bottles; Paintings; Punk; Pozzolana; Pumice-Stone; Parmesan Cheese; Pickles; Pearls; Prints; Precious Stones, (except Diamonds); Quick-silver; Raisins; Sausages; Sponges; Tar; Turpentine; Vermillion; Vermicelli, and Whet Stones.

The articles undermentioned pay twenty dollars duty on every hundred dollars value, imported into Canada, if from the United States, or any other part of the world, except the dominions of Great Britain;—but if of British produce and manufacture, and imported direct from Britain, only two and a half dollars on the hundred dollars value:

- Glass and Manufactures of Glass;
- Soap;
- Sugar Candy; Refined Sugar;
- Tobacco Manufactured, and Cotton Manufactures.

The articles named below are subject to a duty of thirty dollars on every hundred dollars value brought into the Canadas, if imported from Germany, France, Holland, China, the United States, or any other foreign country; but if of British produce and manufacture, and imported direct from Britain in British Ships, manned with three-fourths of British seamen, the duty is reduced to two and a half dollars in the hundred:

- Clocks and Watches;
- Leather Manufactures; Linen;
- Musical Instruments;
- Wires of all sorts;
- Books and Papers;
- Silk Manufactures.

All goods, wares and merchandize, being foreign (or if British, yet imported from a foreign country,) not prohibited, nor otherwise charged with duty, and not declared to be free of duty by the Imperial Act, of 3d and 4th of William 4th, chap. 59, are subject to a tax or duty, on importation into Canada, of fifteen dollars on every hundred dollars of the real value of the articles so imported. But if the same kinds of goods and merchandize are of British produce or manufacture, and imported into Canada from Britain, in British Ships, they are only subject to duty of two dollars and a half on every hundred dollars of their value.

Table of Free Goods.

[By Provincial Acts of Lower Canada.]

By the Lower Canada Acts, 53, George 3d. chap. 11, sec. 5 and 8, 55 George 3d, chap. 2d, sec. 4 and 59, George 3d, chap. 17, sec. 1.

- |                           |         |
|---------------------------|---------|
| Apparel, for private use, | Barley, |
| Beef, salted,             | Beans,  |
| Butter,*                  | Cattle, |

## APPENDIX TO THE REPORT ON TRADE.

Cheese,*	Oil, (Fish Oil,) <sup>†</sup>
Fish, salted, <sup>‡</sup>	Pork, salted,
Fish Oil, <sup>‡</sup>	Pease,
Flax,	Pitch,*
Flour,	Potatoes,
Furs,*	Packages containing Goods.
Grains of all kinds,	Rice,
Horses,	Rye,
Hogs,	Rosin,
Honey,*	Seeds,
Hemp,	Skins,*
Indian Coin,	Tar,*
Live Stock,	Turpentine,*
Oats,	Wheat.

Household goods and necessaries of all kinds which any person or persons coming into the Province, for the purpose of actually settling therein, shall import or bring with them, for their own use, and for the use of their families.

*Free Goods of Foreign Production.*

By the Act of the British Parliament, 3 and 4 William 4th chap. 59, the following articles of foreign production, may be imported into the the Canadas, duty free, (but are liable to Provincial duties, unless free by Provincial Acts.)

*Free Goods of Foreign Production.*

By Imperial Act, 3 and 4, chap. 59, (passed in Aug. 1833) but liable to Provincial duties, unless free by Provincial Acts. Coin, Bullion and Diamonds,<sup>‡</sup> Horses, Mules, Asses, Neat Cattle, and all other Live Stock; Carriages of travellers, Raw Hides, and Tallow.<sup>‡</sup>

Rice, Corn, and Grain, unground, Biscuit or Bread,<sup>‡</sup> Meal or Flour, Beef and Pork, Hams and Bacon, Wood and Lumber,<sup>‡</sup> Cabinet Maker's Wood,<sup>‡</sup> Hay,<sup>‡</sup> and Straw,<sup>‡</sup> Fruit and Vegetables,<sup>‡</sup> Salt,<sup>‡</sup> Cotton Wool,<sup>‡</sup> Drugs, Gums or Resins,<sup>‡</sup> Dye Wood,<sup>‡</sup> and hard Wood, Tortoise-shell,<sup>‡</sup> Hemp, Flax Tow,<sup>‡</sup> Fresh Meat and Fish.

Goods, the produce of places within the limits of the East India Company's Charter,<sup>‡</sup> imported from those places, or from the United Kingdom, or from some place in the British Dominions.

Lumber, the produce of, and imported from any British Possession on the West Coast of Africa.

Herrings, taken and cured by the inhabitants of the Isle of Man, and imported from thence.

Any sort of craft, food and victuals, (except spirits,) and any sort of clothing, and implements and materials, fit and necessary for the British Fisheries in America, imported into the places at, or from whence, such fishery is carried on. No exemption from duty under Provincial Acts on articles for the use of the Fisheries, unless specially free.

*Imported direct from the Warehouse in the United Kingdom.*

Seeds, Fruits,<sup>‡</sup> Pickles,<sup>‡</sup> Oakum,<sup>‡</sup> Pitch, Tar, Turpentine,<sup>‡</sup> Ochres,<sup>‡</sup> Brimstone,<sup>‡</sup> Sulphur,<sup>‡</sup> Vegetable Oils,<sup>‡</sup> Burr Stones,<sup>‡</sup> Dog Stones,<sup>‡</sup> Hops,<sup>‡</sup> Cork,<sup>‡</sup> Sago,<sup>‡</sup> Tapioca,<sup>‡</sup> Sponge, Sausages,<sup>‡</sup> Cheese, Cider,<sup>‡</sup> Wax,<sup>‡</sup> Spices,<sup>‡</sup> Tallow,<sup>‡</sup> Wheat, Flour, Wood, of all sorts.<sup>‡</sup>

All goods imported from the United Kingdom, after having there paid the duties of consumption, and being exported from thence, without drawback.

N. B. If any of the articles enumerated in the list of goods which are subjoined to the duty of 7½ per cent, should come under any of the general denominations (such as drugs or gums, &c.) of articles, duty free, such articles will, nevertheless, be free, notwithstanding their being named in that list.

§ *Table of Prohibitions, except from the United Kingdom, or some other British Possession.*

Tea,<sup>||</sup> Arms, Ammunition, or utensils of War, Gunpowder, and Fish, dried or salted, are prohibited from being imported

\* If the articles thus marked are foreign or imported from a foreign country, an Act of the Imperial Parliament repeals the Provincial law with regard to them, and subjects them to certain specific duties on importation.

† The British Parliament has repealed the law of Lower Canada relating to these Oils, if not in British Ships, and prohibited their importation.

\* If foreign—will pay the foreign duty. See "specific duties," Sterling.

† If foreign—prohibited.

‡ Liable to Provincial duty.

§ See Imperial Acts, 6th Geo. 4th, chap. 114, and 7th and 8th, Geo. 4th chap. 56, sec. 31.

|| The prohibition of Tea expires with the East Indies Company Charter.

into the Canadas, from any foreign country: this is done by authority of the British Parliament.

Also—Books, for sale, such as are prohibited to be imported into the United Kingdom, namely,—first composed or written in the United Kingdom, and printed or re-printed in any other country, and imported for sale, except Books not printed in the United Kingdom within twenty years; or being parts of collections, the greater parts of which had been composed or written abroad.

Train Oil, and Oil of all sorts, Blubber, Fins, or Skins, the produce of Fish or creatures living in the Sea, are prohibited to be imported from any foreign country, unless taken in British Ships.

Montreal and Quebec being the commercial emporiums of the Canadas: the following are memoranda of the British Laws and Orders in Council regulating the trade of British Possessions abroad, with relation to the import and export commerce of these Cities.

*Trade of Quebec and Montreal with the United Kingdom.*

Goods imported from such must appear on Cocket 6th, George 4th, chap. 114, sec. 24.

Goods exported to — being the produce of the Canadas.

Corn, Grain, Meal or Flour, a declaration of origin required, 9th George 4. chap. 60, sec. 4.

Tobacco to be on a separate manifest, shewing the nett weight and tare of each package, 6th George 4th, chap. 106, section 3.

Tobacco to be in a ship of 120 tons burthen or upwards, and in packages containing not less than 450 pounds nett, 6 George 4. chap. 107, sec. 52.

Blubber, Train Oil, Spermaceti Oil, Head matter or Whale Fins, to be certified as being of British fishery, 6th George 4. chap. 107, sec. 43.

Masts, Timber, Ashes, Staves, Wood Hoops, Shingles, Lath Wood, and Cord-Wood for fuel, imported by land or inland navigation into Canada, are deemed the produce of Canada. 7th, Geo. 4th, chap. 40, sec. 45. 7 and 8, chap. 56, sec. 32.

And Masts, Timber, Staves, Wood Hoops, Shingles, Lath Wood, and Cord-Wood for fuel, imported by sea into the United Kingdom, are deemed the produce of the British possessions in North America. 10th, George 4th, chapter 43, sec. 15. All other goods, the produce of the Canadas, appear to be without restriction, except that they must appear on the certificate of clearance. 6, George 4th, chap. 107, sec. 34.

Returned goods may be reimported into the United Kingdom, provided the property in such goods continue in the person by whom, or on whose account they were re-exported, except goods for which any bounty or drawback of excise had been received, on exportation, unless by special permission of the Commissioners of H. M. Customs, and on repayment of such bounty or such drawback, on small remnants of British goods, upon proof that the same are British, and had not been sold. 6, George 4. chap. 107, sec. 31.

Imported goods, when exported, viz: Coffee, Cocoa Nuts, Sugar, Molasses, and Rum, although of British possessions deemed foreign on importation into the United Kingdom. (from Canada,) unless exported direct from the King's Warehouse; 6, George 4. chap. 114, sec. 8—and accompanied by a certificate of production; 6, George 4. chap. 114, sec. 27, chap. 107, sec. 35.

*Trade of Quebec & Montreal with other British Possessions.*

Goods imported from other British possessions into Quebec and Montreal, must appear on cocket or clearance: 6, Geo. 4. chapter 114, sec. 24. Sugar, Coffee, Cocoa Nuts, and Spirits, of the British possessions, to be accompanied by a certificate of production; without such certificate, forfeited: 6, George 4. chap. 114, sec. 26.

Goods exported to other British possessions, the produce of the Canadas, appear to be without restriction, except that they must appear on the certificate of clearance: 6th, Geo. 4. chap. 114, sec. 24.

Sugar, Coffee, Cocoa Nuts, Spirits or Mahogany, of the British possessions, when re-exported, to be accompanied by a certificate of production: 6, Geo. 4. chap. 114, sec. 27.

All imported goods, when re-exported, the date of importation and the name of the importing ship to be given, and if liable to duty on importation, the payment of the duty to be stated.

APPENDIX TO THE REPORT ON TRADE.

*Trade of Quebec & Montreal with other countries or States.*

British ships may import from any foreign possessions any goods, not included in the "Table of Prohibitions," and they may export goods to the said foreign possessions.

**FOREIGN SHIPS.** No goods can be imported into any British possessions, in America, in any foreign ships, unless they be ships of the country of which such goods are the produce, and from which the goods are imported: see 6. Geo. 4. chap. 109, sec. 11.

No ship can be admitted to be a ship of any particular country, unless she be of the build of such country, or have been forfeited to such country, under any law of the same made for the prevention of the slave trade, and condemned as such prize or forfeiture, by a competent court of such country, or be British built, (not having been a prize of war from British subjects to any other foreign country,) nor unless she be navigated by a master who is a subject of such foreign country, and by a crew of whom three-fourths, at least, are subjects of such country, usually residing therein, or under the dominion thereof; *Provided always*, that the country of every ship shall be deemed to include all places which are under the same dominion as the place to which such ship belongs: 6. George 4. chap. 114, sec. 15.

The permission granted to foreign ships to import and export goods, is made subject to certain conditions: 6. George 4. chap. 114, sec. 4.

And these conditions are by an order of His Majesty in Council, dated July 16th, 1827, (which enumerates and confirms certain previous orders in council,) declared to be that,

French ships may import from the dominions of His Most Christian Majesty, the following goods, such goods being the produce of those dominions, that is to say,—Wheat, Flour, Biscuit, Bread, Meal, Peas, Beans, Rye, Calavances, Oats, Barley, Indian Corn, Rice, Shingles, Red Oak Staves, or Headings, White Oak Staves, or Headings, Wood, Lumber, Wood Hoops, Live Stock, Hay and Straw, Corn and Bullion, Diamonds, Salt, Fruit and Vegetables, (fresh,) Cotton Wool, and all articles subject on importation to an ad valorem, on which articles the amount of such duty should not, at the time of importation, exceed £7 10 0 for every £100 of the value of the same, (*but the importation of Wine and Brandy, in French ships, is not permitted,*) and may export goods to any foreign country whatever.

Ships of the Dominions of the King of Prussia, the Emperor of Russia, the Emperor of Austria, (order in Council, April 7th 1830.) King William the Fourth, as King of Hanover, the King of Sweden and Norway, the Duke of Oldenburgh, the republics of Lubeck Bremen, and Hamburg, the United States of America, the State of Columbia, the United Provinces of Rio-de-la-Plata, and the United States of Mexico, may respectively import from such of the dominions to which they respectively belong, goods the produce of such dominions respectively, except those mentioned in the "Table of Prohibitions;" and may export goods to be carried to any foreign country whatever.

All manufactured goods are deemed to be the produce of the country of which they are the manufacture. 6 Geo. 4, chap. 119, sec. 5.

British coals are prohibited to be exported to any foreign place, (6 Geo. 4, chap. 114, sec. 85.) except on payment of the foreign duty outwards. (2 & 3 Wm. 4, chap. 84, sec. 54.)

No goods can be carried from any British Colony in Asia, Africa, or America, to any other of such Colonies, nor from any one part of any of such Colonies to another part of it, except in British ships. 6 Geo. 4, chap. 119.

*Drawbacks.*

By the Statute of Lower Canada, 35 Geo. 3. chap. 9, sec. 4, it is enacted, "that there shall be allowed, and paid, by the Collector of the customs, out of the duties which shall be by him received under this Act, a drawback of *four pence* for every minot of salt which shall be exported from the port of Quebec, to any port or place beyond or below the limits herein before mentioned, (namely, below the limits of Lower Canada) and there shall be allowed and paid by the said Collector, *seven pence* for every tierce of salted salmon, and four pence for every barrel of beef or pork, or of salted fish of any kind, and so on, in proportion for any greater or less package exported from the port of Quebec to any port or place out of Lower Canada.

Wheat and flour exported from Quebec or Montreal to Great Britain, require declaration of production, of which the following is the form:—

I, C. D., of Montreal, do declare that I am the *shipper of 400 minots of wheat, and 400 barrels of wheat flour*, on board the *Rapid*, A. B. Master, bound for *Liverpool*, and that the said corn or flour is the produce of *Lower Canada*,—the same being a British Possession out of Europe.

*Dated this 1st day of May, 1834.*

C. D.

MEMORANDUM,

*To remain of Record in the Custom-House.*

Declaration of shipper, or owner, or proprietor of corn, meal, or flour. 9 Geo. 4th. chap. 60. sec. 4.

This declaration remains on record in the Custom-House, but a duplicate is made out to be transmitted with the ship's papers, with the following certificate at foot:—

I hereby certify, that the above is a true and accurate copy of the declaration subscribed by the said C. D.

A. B. Collector.

Certificate of Officer of Customs to copy of declaration.— 9 Geo. 4. ch. 60. sec. 4.

Besides the above *certified declaration*, a separate certificate of declaration has to be made; and which, when signed by the Collector, is also transmitted with the ship's papers. The form is as follows:—

I, A. B., Collector of the Customs at Montreal, do hereby certify, that C. D. hath declared to be shipped, four hundred minots of wheat, and four hundred barrels of wheat flour, on board the *Rapid*, A. B. Master, bound for Liverpool.

*Dated this 1st day of May, 1834.*

A. B.

Collector.

Certificate of Officer of Customs, of quantity of corn shipped under 9th Geo. 4. chap. 6. sec. 4.

In addition to the two manifests, a form is furnished by the Custom-House, to be filled up with a further specification of the cargo.

PRICES CURRENT.

NEW-YORK, FEBRUARY 14th, 1835. (*N. Y. Eng.*)

*Freights to Liverpool.*

Ashes, per ton,.....	20s. to 25s. Stg.
Flour, per barrel,.....	2s. 6d.
Ashes, Pot—1st. per 100 lbs. net,.....	\$5.25
do. Pearl—1st. do. do. ....	7.00
Bees-wax, (30s. cwt. in London).....	duty-free.
Flour—western, per barrel,.....	5.62 to \$5.87
Wheat—North River, per bushel,.....	1.08
Teas per lb.—Imperial,.....	56 to 75
Hyson,.....	40 to 60
Hyson Skiff,.....	22 to 35
Young Hyson,.....	35 to 56
Souchong,.....	22 to 35

MONTREAL, FEBRUARY 13th, 1835. (*Herald.*)

Pot Ashes, 112 lbs.	27s. 6d. to 28s.
Pearl do. do.	29s. to 29s. 6d.
Flour, superfine—Canada; Montreal brands, dull—	25s. per bbl.
do. fine, do. do. do. do.	22s. 6d. to 23s. 9d.
do. superfine—United States; dull—	25s. to 26s.
Grain.—Upper Canada white wheat, per 60 lbs.	4s. 4d. to 4s. 6d.
Mess Pork, 82s. to 85s. per bbl.	
Prime do.	52s. 6d.
Teas per pound, viz.—Young Hyson, 4s. 4½d. to 4s. 6½d.	
Souchong, 3s. 1½d.; Twankay, 2s. 8½d. to 2s. 10d.	

*Ship Canal from Lake Ontario to the Hudson River.*

An extract from a report made to the inhabitants of the City of Utica, New-York, by a committee appointed to survey the route of a contemplated ship Canal between Utica

## APPENDIX TO THE REPORT ON TRADE.

and Oswego, &c. with some of the resolutions agreed to by the meeting.

[ FROM THE ALBANY ARGUS. ]

At a meeting of the inhabitants of the City of Utica, held, pursuant to adjournment, at the Court-Room, on the evening of February 5th, 1835, the Honorable Joseph Kirkland, Mayor of the City, was appointed President; and John C. Devereux, and Alvin Stuart, Esqrs. Vice-Presidents; and William Crafts, and William C. Noyes, Esqrs. Secretaries.

Alexander B. Johnson, Esquire, Chairman of the State Central Executive Committee upon the proposed ship Canal from Lake Ontario to the Hudson, stated the objects of the meeting to be to hear the report of the Engineer appointed to survey the route of the contemplated work between Utica and Oswego, and to take such measures as should be deemed necessary in presenting the subject to the Legislature; and in behalf of the Committee, he presented and read the following report:—

About two years ago, some few enterprising and intelligent citizens of Oswego became convinced that New-York was destined to lose the great inland trade of the western lakes, unless some facility was furnished beyond that produced by the Erie Canal.

The citizens of Oswego, therefore, convened in public meetings, and extensively diffused over the State the information that the Canadian Government, and others interested in the Canadas, were proceeding rapidly in removing the obstructions which prevent vessels from descending the St. Lawrence to the Ocean.

This descent is unquestionably the natural channel for the commerce, not only of Lake Ontario, but of the chain of lakes which stretch so extensively, from east to west, across our continent. They form one continuous and immense sheet of water, and the whole is precipitated by nature down the St. Lawrence. Nature has placed some barriers against the progress of man in this descent, but the Falls of Niagara, which constitute the greatest barrier, are already surmounted by the Welland Canal.

When New York commenced the Erie Canal, the state fondly imagined it had accomplished all that was necessary to insure to itself the commerce of the Lakes. The Canadas had made no efforts to remove the obstructions which impede their participation in this commerce; and the commerce itself was but just in embryo. Now, every thing is reversed. The Canadas are not only active in removing the obstructions of nature; but the commerce is grown to a size as disproportioned to the Erie Canal, as the cradle of an infant is disproportioned to the accommodation of a man. On Lake Erie alone, are 31 American Steam-Boats, 234 American Schooners and 3 Brigs, the whole constituting a tonnage of 31,000 tons; these are only the American vessels; how many Canadian vessels navigate the lake, I have not ascertained.

But even the present commerce of the lakes, large as it may be, is nothing in comparison with the commerce which at some period (and not remote,) is there to be congregated. Experience teaches us that the enterprise of man is constantly and steadily directing itself to the full occupation of every theatre on which enterprise can be employed. The Hudson River was not made to accommodate the cities and villages on its borders, but the river is the mother which has produced those cities and villages. It has produced all the commerce which floats on its surface, and it is entitled to the honor of having produced even the noble and almost superhuman Steam-Boats which traverse it. The river stimulated Fulton's inventive powers; and had the river not existed, we should not, at this day, have possessed Steam-Boats.

Looking then at the western lakes, and at the fertile territory of which they are the centre; and at the enterprize of our citizens; we may safely predict that the lakes are to become the scenes of a mightier inland commerce than the world ever before witnessed.

In view of the efforts which were in progress at Oswego, a meeting was held last winter of the citizens of Utica. From that meeting various resolutions emanated, and also a memorial to the Legislature, praying for the survey of a Ship Canal from Lake Ontario to the Hudson. In the present position of the commerce which we desire to share, nothing short of a Ship Canal to the Hudson can enable us to compete successfully with Canada. When we can furnish to lake vessels an outlet from the lakes to New York, we may hope to direct the

commerce to that port; but while a trans-shipment must be made from lake vessels into some other, before the freight can reach New York, we may steal from the lakes a little of its trade; we may catch the crumbs that fall from the table, but we can never partake of the solid dishes that compose the feast. Even for these crumbs we must scramble with Pennsylvania, with Maryland, and with States still farther south, and they even, bid fair to surpass us in this comparatively small competition.

Providence has, however, placed within our grasp the means of producing an outlet which shall enable us, not only to leave far behind all the efforts of our sister States, but which shall enable us to furnish an outlet superior, even to that by the St. Lawrence; superior by being more accessible during a portion of the year, and by leading to, generally, a better market.

Upon motion, portions of the Report of Edwin F. Johnson, Esquire, the Engineer who had explored the route, were read, and listened to, with great interest.

The Committee appointed at a previous meeting to prepare a memorial to the Legislature, and Resolutions expressive of the views of the city relative to the work, reported, by their Chairman, a memorial, and the following Resolutions, which were unanimously adopted:

Resolved, That in view of the unparalleled increase in the population and productions of the Western States and Territories, and the consequent necessity of greatly enlarging the facilities of communication between the western portions of our country, and particularly in view of the spirited and wisely directed efforts making in our sister States and the Canadian Provinces, to divert the trade of the western country from its accustomed route, through the Erie Canal, to the City of New York, to new channels leading to the seaports of other States, it is incumbent on the State of New York, if she would secure herself from a rivalry which may cost her the inheritance purchased for her by the wisdom of her Clinton, and his coadjutors, to adopt some measures which may render available the natural advantages she possesses for furnishing the commercial outlet of the western country.

Resolved, That this meeting regard the immediate construction of a Ship or Steam-Boat communication from Lake Ontario to this City, and its extension to the City of Albany, at an early day, indispensably necessary to prevent a competition with the Canals and Rail Roads of the Canadas, Pennsylvania and Maryland, which will prove destructive to the carrying trade between the western country and the City of New York, and highly prejudicial to the interests of the whole State.

## NEW YORK CANALS.

In a Report made to the Senate of the State of New York, by the Commissioners of the Canal Fund, there are a number of tables exhibiting the trade of the Canals from 1820 to 1834.

The quantity of flour cleared from Buffalo, sent, in 1834, via the Erie Canal, was 79,324 barrels; of provisions 14,590 barrels; of tobacco, 1,009 tons; of pig iron, 1,128 tons; of staves, 2,400,000; of butter and cheese, 257 tons; of wool, 73 tons. Of merchandize, &c. destined for the west, there arrived at Buffalo, by the Erie Canal, 17,401 tons; of furniture of Emigrants, 4,144 tons; salt, 84,101 barrels.

One of the tables exhibits the quantity of property passing to Whitehall, on the Champlain Canal, from 1820 to 1834; and also the quantity of merchandize arriving at or passing Whitehall, from tide water to the north. There has been an increase in the quantity of sawed lumber cleared at Whitehall, from 22,426,067 in 1823, to 77,863,247 feet in 1834; of wool, from 9,660 to 252,000 lb.; of butter and cheese, from 27,776 to 1,954,000 pounds; of glass, from 3 to 18,000 boxes; of iron and nails, from 153 to 2,631 tons; and of marble, from 44 to 1,167 tons. The merchandize passing Whitehall north, has increased no less than 1,000 tons, comparing 1834 with 1829. Flour has increased from 5,064 barrels in 1829, to 61,247 in 1834; and during the last season, 20,406 bushels of wheat passed Whitehall to the north. The quantity of Onondaga Salt sent to Lake Champlain through the northern Canal, amounted the last season to 123,337 bushels, being more than the average amount for the four preceding years.

Among the commodities coming down the Champlain Canal, during the last season, there were 210 tons of copperas, and 304 tons of manganese. These articles came from the State of Vermont.

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The whole amount of tonnage arriving at, and passing Whitehall, on the Champlain Canal, in the season of navigation, 1835, was 198,928 tons.

The Erie Canal was finished in the fall of 1825. In 1826 this Canal was navigable from Albany to Buffalo, and the tolls for that year amounted to the sum of \$677,466 75, being less by \$602,278 22, than the amount collected in 1834. The following statement exhibits the increase in some of the principal commodities transported on the Canal, comparing 1826 with 1834, viz :

	1826.	1834.	Increase.
Flour, bbls.....	372,144	1,157,059	784,910
Wool, tons,.....	100	556	456
Sawed lumber, ft., 15,795,395	38,290,991	22,495,596	
Timber, C. feet,..	150,112	1,522,637	1,372,525
Merchandise, tons,	23,986	70,372	46,386

In 1834, the tonnage arrived at and cleared from Albany and Troy, on both Canals, was equal to 668,433 tons, of 2000 pounds each, viz :

*Passing from tide water.*

Cleared at Albany,.....	\$58,136 tons.	
" at Troy.....	56,472 "	
		114,608 tons.

*Passing towards tide water.*

Arrived at Albany,.....	316,521 tons.	
" at Troy,.....	237,354 "	
		553,825 "

Total tonnage, ascending and descending on the Erie and Champlain Canals, in 1834,	668,432 "
do do do in 1826,	337,605 "

Increase in eight years,..... 330,828 "

The down freight on the Canals has nearly doubled in eight years, and the up freight has more than doubled in the same time.

The Report contains a statement of the quantity and value in market, of the various articles which have arrived at tide water, on both Canals, in 1834. The total value is estimated at..... \$13,405,022

The value of commodities brought down the Canal to Schenectady and over the Rail-Road, is..... 545,577

Total..... \$13,950,599

If to this sum is added the value of articles arriving at the junction of the Canals and passing north, and which articles are not embraced in the statistical table kept at West Troy, the total value of the products brought down the Canals to tide water, during the last season, may be estimated at more than FOURTEEN MILLIONS OF DOLLARS.

Of the aggregate value of property coming to market, wheat, flour, and coarse grain, make up more than

Lumber and the products of the forest,.....	\$6,000,000
Butter, cheese, and provisions,.....	2,800,000
Ashes, .....	1,140,000
Wool,.....	564,000
Domestic spirits,.....	446,000
Iron, nails, &c.....	300,000
Tobacco, .....	250,000
Clover and grass seed,.....	87,000
Flax seed,.....	78,000
	56,000
	\$11,721,000

The residue of the estimate value of property coming to tide water on the Canals, is made up of cotton, woollen, and other domestic manufactures, of a great variety of non-enumerated articles, and of others which are not specified.

The sums collected upon the several Canals in New York State, for tolls, during the year ending on the 1st of January, 1835, are as follows, viz :

Tolls of the Erie Canal,.....	\$1,179,744 97
" Champlain Canal,.....	115,211 89
" Oswego Canal,.....	22,168 62
" Cayuga & Seneca Canal,..	18,130 43
" Chemung Canal,.....	3,378 05
" Crooked Lake Canal,.....	1,373 40
	\$1,340,106 76

It appears that the whole amount of monies received by the Commissioners of the New York State Canal Fund, from all sources, from the date of the organization of the board, in 1817, until the 30th of September, 1834, was upwards of twenty-three millions of dollars ; of which nearly ten millions were for Canal tolls ; upwards of three millions for duties on auctioneers, and nearly two millions for duties on salt ; upwards of \$73,000 have been also realized from a tax on Steam Boats. The payments during the same period have exceeded twenty millions, and the Commissioners have now on hand three millions loaned out to the State Banks, &c. on interest, to be applied to the payment of the Canal debt when it shall become due.

These statistical facts, obtained from the official Report of the Commissioners will, in part, explain to the Canadian reader, why it is that the amount of duties collected at the port of New York alone, on importation by sea, exceeded in 1834, ten millions of dollars.

*An Extract from the Message of Governor Hamilton, to the Legislature of South Carolina, dated at Columbia, the 22d October, 1822.*

The Tariff Act of 1832 is, in point of fact, a law by which the consumption of the manufacturing States is nearly relieved of all sort of burden on those articles which they consume and do not produce, and under the provisions of which they are secured by a bounty on an average of more than fifty per cent on the productions of their industry, whilst it taxes our consumption to an equivalent amount, and the exchangeable value of our products in a much more aggravated ratio. The law bears the impress of the Legislation of an independent Sovereignty to a feeble and distant Colony, and establishes the revolting discrimination that the labor of the South is less entitled to the paternal regard of this Government than that of a more favored section of the Union. The provisions of the act are, moreover, at war with every acknowledged principal of wise and beneficent taxation, which has ever existed among any people on the face of the earth, having the shadow of a claim to civilization or a just knowledge of finance. Articles of luxury are selected as the objects of comparative exemption from all burden, whilst those of necessity bear nearly the whole brunt of the imposts. The great staples of the industry and consumption of man, which purchase seven-tenths of our agricultural products, iron, cotton, and woolen fabrics, salt, and sugar, are burthened with a tax quite equivalent to an average of seventy-five per cent. on their prime costs ; whilst the teas, the coffee, the silks, and the wines of the rich, which are principally exchanged for the productions of manufacturing or northern labor enjoy, as it regards these articles, a most unjust discrimination in their favor. Operating thus heavily on the exchangeable value of our products, the Act provides for nothing short of the monstrous injustice of levying, at least, three-fourths of the whole amount of the federal revenue on the industry of the Southern States. Nor does the gross inequality of the law stop here. It affects, after all the subtle artifices of exaggeration, respecting a diminution of our burdens, have been dispelled, a reduction from the amount of duties levied under the Act of 1828, as modified by that of 1830, of three millions seven hundred thousand dollars on the unprotected articles, and only the pitiful sum of somewhere about eight hundred thousand dollars on the protected, (which purchase the staples of the South,) making, in all, a reduction of only four millions and a half, instead of twelve, which last reduction was essential to the accomplishment of the desirable and highly conservative object of bringing the revenue down to the standard of the legitimate wants of the Government. As it is, nine millions of surplus revenue will, in all probability, result from the imposts of this Act, over and above the necessary and constitutional expenses of the country, to be distributed by a majority responsible to us, in corrupt, largesses or unconstitutional appropriations to those States which, without possessing an interest in the tariff, are made to feel that they have an interest in high taxation, when by an unjust provision of the Government they receive more than they are made to pay.

Repugnant as this Act thus is, to every principle of justice, we cannot indulge even the humiliating consolation, that designed as it was, in some respects, to subserve the periodic struggle for the executive power of the country, it will be tem

## APPENDIX TO THE REPORT ON TRADE.

porary in its duration, and will at last yield to that returning sense of justice so long promised, and whose advent has been so long and so tardily postponed. No, we have the authentic and solemn declarations of both the great dominant parties in the union, who are now contending for its power, and who conjointly form an overwhelming majority, that the system is as fixed as fate, except in those particulars that are yet to be modified more beneficially for their interests, as cupidity may be instructed by experience. That the system, if we think proper to submit to its injustice, is the fixed and settled policy of the country, so far as the majority can will it to be such, we have much more solid reasons for believing, than even these declarations however authoritative. This belief is founded on the indisputable fact, that it is impossible for the wit or wisdom of man to have contrived a scheme for raising the revenue of the country in a mode more essentially and exclusively beneficial to their own interests; for it is a process by which taxation operates correlatively, as a bounty to their industry; and that whilst three-fourths of the public revenue is to be raised on articles in the production of which they enjoy a premium of more than fifty per cent.; all the articles necessary to perfection of their arts and manufactures, and many essential to the accommodations and luxuries of life, are comparatively untaxed. It is not a cold abstract sense of justice, or what are insultingly called the metaphysics of constitutional liberty, that will induce a people, rioting in such a high and palmy state of prosperity, to surrender these advantages, if they can find four millions of consumers, willing to submit to their exactions, who happen to be territorially separated from them, and who exercise a species of industry, in no degree competing with, but on the contrary subservient and tributary to their own. We shall, indeed, have read the history of the world to very little purpose, if we cherish so idle and senseless a conjecture. If the Southern States had been subjugated provinces, and after a war of exhausting desolation, had surrendered at discretion under the sword, I ask, what other bill "for the regulation of trade with the Colonies," our conquerors would have desired but this very tariff act of 1832? Of the ruin which this measure will bring upon us, we are not left to speculation; the signs of our decaying prosperity are around us.

Informed as you are, gentlemen, of all the details of this Act, I am conscious how unnecessary it is to press this view of the subject any further, but there is one consideration which cannot be overlooked, and that is, the solemn and abiding conviction of the good people of this state, that the right to pass a tariff of protection is not to be found in the constitution of the United States; that in the act of 1832, the principle of protection is distinctly and triumphantly recognised, and that neither in expressed terms, or by authorised implication, does any such power exist in the compact of union. To submit to an infraction of the constitution, involving the great right of human industry and property, is to acquiesce in voluntary servitude. To meet this vital truth, the lessons we have been taught by our ancestors contain an instructive and salutary moral. He must be a very ingenious casuist who can discover any difference in principle, between taxation without representation and taxation with a nominal representation, but in violation of the constitution. The result of both is, seizing and taking away money without legal right. But grievous as may be the pecuniary loss arising from this wrong, it is mere dust in the balance, in comparison with the shock which the public liberty of the country sustains, if the people, by a relaxation of public spirit through sloth, servility or cowardice, are prepared to submit to an infraction of their rights; for it overthrows, if I may so speak, that love and reverence for the authority of the general principles of liberty, so essential to the preservation of the institutions of free States.

*An extract from the speech of General Smith, of Maryland, in the Senate of the United States, January 1832, during the debate on the question, whether the nomination of Martin Van Buren, as Minister to England, should be approved.*

The senator from Kentucky (Mr. Clay) has charged Mr. McLane with having done injury to the navigating interests, by the opening of the Saint Lawrence and the northern ports, to our free intercourse, thus transferring, as he said, the carrying of the produce of Michigan, Indiana, Ohio, New York, Vermont, and Maine, to British Ships, which would otherwise have been carried by our own ships. I believe the farmers of those States do not complain. They know that their produce sold in Montreal is received there free of duty, and is carried to England, Ireland, and the West Indies, as if it were the

produce of Canada. It is of little importance to them who is the carrier, provided they get an additional market, and a better price for their produce. I regret, Mr. President, that I cannot give the credit of that important act to Mr. McLane: he, however, had nothing to do with it: it formed no part of his arrangement. The opening of that intercourse, for certain articles of our produce, had been done *gratuitously* by the British Government in 1826, prior even to the attempt at negotiation by Mr. Gallatin. Now that act must have been known: it could not fail to have been known to the senator, [Mr. Clay] then the Secretary of State. Why then does he now charge it as a fault committed by Mr. McLane, who had no more to do with it than the man in the moon? Nor had Mr. McLane any thing to do with the Act of Great Britain, passed subsequently to the arrangement made by him; by which Act, other articles of our produce are admitted free of duty into the Northern Colonies, and from thence are received in England and the West Indies, as if they were the produce of the Canadas. The senator (Mr. Clay) complains, that the produce of our farmers bordering on Canada, is received in England on equal terms with those of Canada, thus giving a new market to a part of their articles, without which other markets might be overstocked. The senator (Mr. Clay) has truly said, that the wheat of the States bordering on the Canadas, passes into Canada, is their ground, and the flour shipped to British ports, as if it were the produce of the wheat of Canada. This has been the spontaneous act of Great Britain, adopted for her *own interest*, and is most certainly highly beneficial to our farmers. An immense number of sheep, hogs, horses and cattle, are driven annually from Maine to Quebec, and New Brunswick. The farmers and graziers of Maine differ in opinion with the senator from Kentucky, (Mr. Clay) and are really *so simple* as to believe, that their free intercourse with Lower Canada and New Brunswick, is highly beneficial to them:—whether the intercourse with the British North American Colonies be beneficial, or whether it be injurious, the present administration, nor Mr. McLane had little part in it. It had been effected, in part, before the arrangement was concluded, and soon after for another part. It formed, as I have previously said, no part of the arrangement with Great Britain, and this fact must have been known too by the senator (Mr. Clay,) for he then acted as Secretary of State. We have for nearly half a century been claiming the free navigation of the Saint Lawrence, as a natural right: it has at length been gratuitously conceded to us by Great Britain; and now the senator from Kentucky, (Mr. Clay,) complains of it as a *grievance*.

The senator, (Mr. Clay,) also complains, that the instructions state, "that the late administration had *abandoned* certain pretensions." The senator admits, that these pretensions had been *waved*. The senator from Georgia, (Mr. Forsyth,) has contended that there is no difference in substance, between these words. I leave this grave question to be settled by those learned senators, and will proceed to show what those pretensions were, and which I can hardly restrain myself from pronouncing, were puerile in the extreme.

During the Session of 1822, Congress was informed, that an Act was pending in Parliament, for the opening of the Colonial Ports to the commerce of the United States. In consequence, an Act passed authorising the President, in case the Act of Parliament was satisfactory to him, to open the Ports of the United States to British vessels, by his proclamation. The Act of Parliament was deemed satisfactory, and a proclamation was accordingly issued, and the trade commenced. Unfortunately for our commerce, and I think, *contrary to justice*, a treasury circular issued, directing the Collector to charge British vessels entering our Ports, with the alien tonnage and discriminating duties; this order was remonstrated against, (I think) by Mr. Vaughan. The trade however went on uninterrupted. Congress met, and a bill was drafted in 1823, by Mr. Adams, then Secretary of State, and passed both Houses, with little, if any debate.—I voted for it, believing that it met, in a spirit of reciprocity, the Act of Parliament. This Bill contained, however, one little word, "elsewhere," which completely defeated all our expectations. It was noticed by no one. The senator from Massachusetts, (Mr. Webster,) may have understood its effect.—If he did so understand it he was silent. The effect of that word, "elsewhere," was to assume the pretensions alluded to in the instructions. What were they? "That the produce of the United States should be received in the West Indies, on payment of the same duties as were payable on the produce of the North American Colo-

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nies." The British Minister said, "as well might we ask that our sugar should be received free of duty, as is the sugar of Louisiana."

The result was, that the British Government shut their Colonial ports immediately, and thenceforward. The act of 1822, gave us a monopoly of the West India trade: it admitted, free of duty, a variety of articles, such as—Indian corn, oats, Indian meal, peas, beans, &c. &c. &c.

The British Government thought that we entertained a belief, that they could not do without our produce, and by their Acts of 27th June, and 5th July, 1825, they opened their ports to all the world, on terms far less advantageous to the United States, than those of the Act of 1822; and these are the pretensions which the instructions say had been *abandoned* by the late administration. They were abandoned, Mr. President,

by the following words in the instructions to Mr. Gallatin:—  
 "That the United States consent to *wave* the demand which they have heretofore made, of the admission of their productions into British Colonies, at the same and no higher rate of duty, as similar articles are chargeable with, when imported from one into another British Colony, with the exception of our produce descending the Saint Lawrence and the Sorel." Now, sir, whatever difference there may be between the words "*waver*" and "*abandonment*," in common parlance, it is in this case, a *complete abandonment* in diplomatic language. What a simple truth, is after all, the great ground of objection? It is this—*Mr. McLane has made an arrangement conformable to the preceding instructions from Mr. Adams to Mr. Gallatin.*  
*Hinc ille lacryma*

**R E P O R T,**

FROM THE

**S E L E C T C O M M I T T E E,**

Appointed to inquire into the state of the

TRADE AND COMMERCE,

OF THE

PROVINCE OF UPPER CANADA.

# THE SECOND REPORT of the COMMITTEE on TRADE.

To the Honourable the House of Assembly.

The Select Committee on Trade respectfully report the evidence of Mr. Markland, Inspector General; Mr. Jameson, Attorney General; Mr. Hagerman, Solicitor General; Mr. Gillespie, a Merchant of this city; Mr. Cawthra, ditto, ditto; and Messrs. Dutcher, Norton, and Charles Powers, Iron Founders; Also, a statement of the quantity of the articles seized at the several Ports in Upper Canada,—An account of the imports at the Port of Queenston in 1834,—A return of the inland imports into the Port of Montreal, from the opening to the close of the navigation, 1834,—And a letter from Mr. Savage, Collector of Customs at the Port of Toronto, to the Inspector General, in which he states his inability to furnish any detailed accounts, either of the imports or exports for the preceding year. It appears very remarkable, that at a Port so much frequented as Toronto, no regular system has been adopted for keeping an account of the exports and imports, whether dutiable or free.

Your Committee herewith report a Bill to require the Officers of the Customs to keep an accurate account of the imports and exports, quantity and value, and whether dutiable or not.

JAMES WILSON,  
CHAIRMAN.

COMMITTEE ROOM, HOUSE OF ASSEMBLY, }  
12TH MARCH, 1835. }

## EVIDENCE.

Saturday, 7th March, 1835.

The Honourable GEORGE H. MARKLAND, Inspector General of Public Accounts.

1. To what extent is smuggling carried on in Upper Canada, as far as you have been able to form an opinion?—See Return of Seizures herewith transmitted.

2. What articles are chiefly smuggled into the Colony? See idem.

3. What checks have you established to ensure correct returns from the several Collectors of Customs, seeing there are no comptrollers?—The Collectors are obliged to make oath to the accuracy of their accounts.

4. What system of checks would you propose?—I am not aware that any other checks are practicable.

5. What remuneration is made to Collectors over and above their per centages?—Fees on Reports and Permits for landing merchandize.

6. In whose hands are bonds outstanding for duties placed if not duly paid, and what bonds are now due and unpaid, the same having been given during the last year?—Collectors are not authorised in any case to accept bonds for duties. (See extract from Circular of 2nd April, 1833.)

7. May not tea be imported from the United States on payment of 15 per cent duty, under the order in Council of the 16th July 1827, and the provisions of the Imperial act of August 1833; and if not what is the ground of objection, now that the prohibition on account of the East India Company's Charter is at an end?—Reference may be had to the Attorney General.

8. By a late Act of Congress, Coffee, Cocoa, Currants, Prunes, Figs, Raisins, Black Pepper, Ginger, Mace, Nutmegs, Cassia, Pimento, Flax, (undressed) Tin (in plates and sheets,) Lemons, and Limes, Almonds, Opium, Gum Arabic, and Camphor and Dye Stuffs, and most kinds of Drugs and Medicines are imported into the Ports of the United States, free of duty, while most of these articles are subject to taxation if landed at Quebec—What was the gross quantity imported from the United States (at all the ports, or if it be inconvenient to ascertain as to them all,) at the three principal ports of each of these articles (or of such of them as an account can be obtained of) in the years ending the—

day of—1832, 1833, and 1834, respectively?—Fresh Fruits, Drugs, and Medicines, Dye Woods, are not subject to duty in either Province.

9. Are you authorised to allow any drawback on any imported article when exported to the United States?—Drawbacks are not allowed on any articles imported from the United States.

10. Should the Legislature of Upper Canada be of opinion that the interests of the Province require a reduction of the duty imposed by the Imperial Parliament on certain articles of Import from the United States, is there any legal objection to the passage of a measure in Upper Canada to appropriate, as a bounty or drawback on such articles being imported, the whole or any part of the duties imposed by any act of the United Kingdom Parliament?—See Section 49 of Imperial Act, 6th Geo. 4th, chap. 114

11. What allowances have been made to Collectors or others off the gross proceeds realized in each case of seizure which happened within the last year—state the particulars, and the authority under which any deductions or allowances were made?—Collectors are allowed one half of the nett proceeds of seizures of the value of £40 and under, and one third of the net proceeds of those above that value.

12. With respect to our trade and revenue—what disadvantages do you consider this Province laboring under, and what means would you point out to this Committee whereby the Colony would more effectually obtain her proper share of the trade of the Canadas; and by what means would the expenses on our imports and exports be lessened, and what course would you recommend for a further and more equitable adjustment of our trade with Lower Canada and the United States?—The disadvantages under which the trade of Upper Canada labors are chiefly owing to its local situation, to remedy which I am not aware of any practicable mode—I do not consider that the adjustment of the financial relations of the two Provinces could be put upon a more equitable footing except that the arbitration should take place more frequently.

Extract from a Circular to Collectors, dated 2nd April, 1833.

“It has been intimated to me that a custom has prevailed of taking bonds for the payment of duties, for the accommodation of Importers; I have to observe that such a proceeding is no where authorised in the Imperial Act of 1825, which expressly says they must be paid down within three days. However desirable it may be to afford a reasonable accommodation the power of doing so does not exist, and should only be assumed by the head of the Government, with whom alone so much responsibility should rest, unless at the risk of the party affording it.”

Tuesday, 10th March, 1835.

C. A. HAGERMAN, Esq. M. P. P. Solicitor General, called in and examined.

13. Would you not consider that the present duties imposed on articles from the United States should be abolished? Decidedly not.

14. Do you consider that the article of tea can come into this Province from the United States duty free?—I do not.

15. Do you consider the passage of a law desirable, which would direct the Collectors of Customs, to keep a register of the Imports and Exports from the United States?—I think it would be of advantage.

16. Do you think it would be of advantage to import tea from the United States duty free?—It would be of advantage to the consumer, but a disadvantage in point of revenue.

17. Should the Legislature of Upper Canada be of opinion that the interests of the Province require a reduction of the duties imposed by the Imperial Parliament on certain

articles of import from the United States—is there any legal objection to the passage of a measure in Upper Canada, to appropriate as a bounty or drawback on such articles being imported the whole or any part of the duties imposed by any act of the United Kingdom Parliament?—All duties collected by law within this Province, or to which this Province is entitled, may be disposed of in such manner as the Legislature may direct.

18. Is the present scale of the remuneration to the Collector of Customs a fair one?—I do not think it a fair one. There should be but one principal port in every District, the duties at others should be performed by deputies, under the superintendance of the principal port, and the Collectors should be paid by a stated per centage.

19. With respect to our trade and revenue, what disadvantages do you consider this Province laboring under, and what means would you point out to this Committee whereby the Colony would more effectually obtain her proper share of the trade of the Canadas; and by what means could the expenses on our imports and exports be lessened; and what course would you recommend for a further and more equitable adjustment of our trade with Lower Canada and the United States?—The only and effectual mode by which Upper Canada can obtain the controul of the revenue is, by having a sea port, and this can only be attained, in my opinion, by the annexation of the Island of Montreal to Upper Canada. I think this Province has an undeniable right to a sea port, and that such provisions for the protection of our trade may be made by our own Legislature as may be thought most beneficial, and that we should in that respect not be liable to interference or controul on the part of the sister Colony, having no greater rights than ourselves. Should the Island of Montreal be annexed to Upper Canada, the Legislature would be clothed with the power of regulation of its own trade, and collect its own revenues without the interference of any other party. The Imperial Parliament excepted. The Province ought not to be subject to any other controul.

20. Were not the interests of the Province seriously injured by the refusal of the Legislative Council at several sessions, to pass a bill appointing Commissioners to meet Commissioners appointed by act of the Lower Canada Parliament, to treat of matters of mutual interest to the two Canadas respecting their trade?—I do not feel at liberty to question the propriety of any measure of any branch of the Legislature. Commissioners appointed by the Government to meet Commissioners appointed in like manner in Lower Canada, to deliberate on specified subjects of mutual importance, would, if conducted with reference to these objects, be attended in all probability with much benefit.

21. What check would you propose against sudden, ill advised, and injurious Legislation in the Imperial Parliament on matters affecting the trade and commerce, and through them the agricultural and general interests of the Province? It would in my opinion be of advantage to the Province if a person of enlightened and dispassionate judgment, with whom the Secretary of State for the Colonies could hold free communication, were appointed as its agent to reside in London.

22. In what way can the popular branch of the Legislature influence the Government so as to secure the appointment of proper persons as Arbitrators to decide on the proportion of revenue, coming to Upper Canada from duties levied at the port of Quebec?—It can only be done by act of Parliament. The act of the Imperial Parliament points out the manner in which arbitrators are to be appointed, and until that act be repealed or altered, the course it points out must be followed.

[The witness withdrew.]

ROBERT S. JAMESON Esq. Attorney General, called in and examined.

23. May not tea be imported from the United States, on payment of 15 per cent duty, under the order in Council of the 16th July 1827, and the provisions of the Imperial Act of August, 1833—and if not, what is the ground of objections, now that the prohibition, on account of the East India Company's Charter, is at an end?—I do not consider that tea can legally be imported from the United States at all. The

cessation of the East India Company's exclusive right to the China Trade, has not in any way altered the law as to the introduction of tea into this Province, except as regards the privilege which that company or persons licensed by them enjoyed; while the charter subsisted, of importing tea direct from China. By the Imperial act 3 and 4 Wm. 4 c. 59, Tea is "prohibited to be imported except from the United Kingdom, or from some other British possession in America, unless by the East India Company, or by their licence during the continuance of their exclusive right of trade." The words "during the continuance of their exclusive right of trade," I understand to refer solely to the exception in favor of the East India Company immediately preceeding—and not to the general prohibition with regard to tea not imported from the United Kingdom &c.

24. Should the Legislature of Upper Canada, be of opinion that the interests of the Province require a reduction of the duty imposed by the Imperial Parliament on certain articles of import from the United States; is there any legal objection to the passage of a measure in Upper Canada, to appropriate as a bounty or drawback on such articles being imported, the whole or any part of the duties imposed by any act of the United Kingdom Parliament?—The duties imposed by the Imperial Act being entirely at the disposal of the Provincial Legislature, I do not know of any objection to their appropriating the proceeds, when received, in such manner as to them may seem just and expedient.

[The witness withdrew.]

ROBERT GILLESPIE Esq. Merchant, Toronto, called and examined.

25. With respect to our trade and revenue, what disadvantages do you consider this Province labouring under, and what means would you point out to this Committee whereby the Colony would more effectually obtain her proper share of the trade of the Canadas—and by what means could the expenses on our imports and exports be lessened; and what course would you recommend for a further and more equitable adjustment of our trade with Lower Canada, and the United States?—I consider that these objects would be best attained by this Province having a port of entry of its own.

26. What is your opinion as it regards the expediency of importing our tea from the United States?—I think it would be expedient because it appears that the country cannot be supplied as cheap from any other quarter—I think the quality of the teas are quite as good as those imported by the East India Company for the last two years.

27. Should the Legislature be of opinion that it was expedient to impose a duty on cattle and produce, imported from the United States, do you see any objections to that duty being immediately imposed?—I am not aware that it would effect any individual in this Province in regard to any contract.

28. What is your opinion as regards the expediency of imposing a duty on articles imported from the United States, for the purposes of a revenue, such being the staple articles of this Province?—I think it is inexpedient as being directly contrary to the principals of free trade. I am under the impression also that the country cannot in many articles raise sufficient for its own supplies—for instance—horned cattle—I think it would be better to adopt measures to get the produce of this country admitted into the United States on a reciprocal duty.

29. Do you think it would be expedient to repeal the duty now imposed on salt imported at Quebec from Europe? I think it would be expedient, because that salt is requisite for packing provisions for exportation.

30. Have you any suggestions to propose to the Committee relating to our trade?—I would suggest the expediency of an alteration in the inspection laws of Lower Canada, particularly in the article of flour.

31. You are aware of the delay and expense attending our imports and exports between Upper Canada and Quebec?—I am, particularly in the fall season of the year. They are very expensive and attended with great delay and sometimes loss.

[The witness withdrew.]

## SECOND REPORT ON TRADE.

Wednesday, 11th March, 1835.

JOSEPH CAWTHRA, Esq. Merchant, Toronto, called in and examined.

32. Whether would you prefer to purchase your teas for the Upper Canada market in New York or in Montreal?—I should most certainly give the preference to Montreal.

33. Why do you prefer that place?—Because Montreal is in a British Province, I should however think it an advantage to have the choice of the two markets, in that case the consumer would have the advantage of getting the article at the lowest rate it could be imported at.

34. Do you think that the repeal of the duty on Salt imported from the United States would benefit the Canadian Farmer?—I think it would, because the duty on that article is paid almost exclusively by the farmer, who gives large quantities of it to his cattle, and uses it in curing provisions, &c. I would at the same time remark that salt is sold at a very low rate in summer, say 10s. to 11s 3d. per barrel of 280 lbs. and that the farmers of this District think it is sold to them at as low rates as they can expect.

[The witness withdrew.]

Mr. WILLIAM A. DUCHER, Iron Founder, Toronto, called in and examined.

35. It is proposed by the Committee that Iron in Pigs, Printers Presses, Brass castings for Steam Machinery, Machinery for Grist Mills, Saw Mill Irons, Machinery for Paper Mills, Machinery for Oil Mills, Scythes, and Fanning Mill Irons, should be imported duty free from the United States; what is your opinion of the intended measure?—I think pig iron should come in free, until the Province can supply the iron founders, as yet there is not enough of Canada Pig-iron manufactured to supply more than two foundries. We manufacture all Brass castings at half a dollar per lb. which is but a small advance on the price in the United States, (\$2 or so). We have machinery for manufacturing Iron castings for Grist Mills, and Fanning, and Saw Mills, which we sell for cash at 27s 6d currency per 100 lbs. At Black Rock the price is about \$5. I think there ought to be a specific protecting duty placed on the Canada made article. In the United States, a manufacturer can always obtain whatever of capital he may require, and the cash from the farmer, which is not the case here. There is a great deal of mill gearing brought from the United States. I think that Threshing Machines should pay a duty of about \$30.

[The witness withdrew.]

Mr. AMOS NORRIS, Iron Founder, Toronto, called in and examined.

[The question was put to this witness which had been answered by Mr. Dutcher.]

Answer. As it respects Brass castings, I think that old Copper and Brass may be admitted (but not Brass castings to order,) free of duty. There are but two establishments where Pig Iron is made in Upper Canada, Van Norman of Long Point, and Field and Calhoun of Gosfield, Western District. The Marmora Works have ceased operation for a number of years, after about £60,000, as it is said, had been expended. The Gosfield Iron is the strongest I know of, I think it surpasses both the Scotch and Welsh pig iron, No. 1. We could get pig iron a little the cheapest from the United States. I would recommend that it should be allowed to come in duty free from the United States. As to mill castings, I think a better article can be furnished here than in the United States, at not more than 2s 6d. per 100 lbs. higher than they charge there. Threshing machines and ploughs and some other articles come in very cheap. We make good ploughs here. I would recommend that castings should be charged on importation, a specific duty, the same as on the other side, namely \$20 per ton, and the entries to be on oath. We sell ploughs without the wrought irons at \$6. By far the greater majority of those persons who have embarked capital in the iron trade in Upper Canada have failed. I am unable to say how many establishments there are in the

iron founding business. There are 3 here, 1 at St. Thomas, 1 at St. Cathrines, 1 at Gosfield, 1 at Prescott, 1 at Niagara, 1 at Chippawa, 1 at Grimsby, 1 at Ancaster, 2 at Long Point, 1 at Cramahe, 1 at Hallowell, 1 at Napanee, 1 at Belleville, 1 at Bath, 1 at Adolphustown, 1 at Demorestville, 1 at Kingston, 1 at Perth, and 1 at Bytown.

As an argument in favor of making instead of importing Threshing machines, I would say that very bad ones are made in the States, which break.

[The witness withdrew.]

Mr. CHARLES POWERS, Iron Founder, Colborne, called in and examined.

[Same question as the last.]

Answer. There ought to be a protecting duty to Brass and Iron castings; we cannot otherwise compete with the United States. I think it would be the best way that pig iron should come from the United States duty free. I do not think that in the end protection would have any bad tendency, it would produce a better article than that made for this market in the United States.

[The witness withdrew.]

House of Assembly 26th of February, 1835.

SIR,

The Special Committee on Trade and Commerce of Upper Canada, have requested that I should enclose to you blank forms to be filled up at your office; or if that cannot be done, at the offices of the Collectors of the several ports, shewing the imports and exports from the United States and the seizures that have taken place in the last year, for which returns have been made up. So much of that information as can be obtained from documents in your possession, will it is hoped, be transmitted as early as possible, and the other returns severally sent in as soon as they can be obtained. That for this part might perhaps be had from Mr. Savage in a day or two.

The Committee have also directed me to request answers from yourself to the questions herewith enclosed, and that you would transmit any other documentary or other evidence, which, in your opinion, would aid the labors of the Committee in ascertaining whether any, and if so, what alterations and improvements are practicable in the laws and usages by which our Commerce and productive industry are now regulated.

I am,

Sir,

Your most obedient servant,

JAMES WILSON,  
Chairman.

To Hon. GEORGE H. MARKLAND,  
Inspector General &c &c.

Toronto, 7th March, 1835.

SIR,

I have the honor of transmitting, agreeably to the wish of the Committee, such information as has been prepared.

I have the honor to be,

Sir,

Your most obedient servant,

GEORGE H. MARKLAND,  
Inspector General.

To JAMES WILSON, Esq.  
Chairman, &c. &c.

## SECOND REPORT ON TRADE.

## UPPER CANADA.

STATEMENT of the quantity and value of the Articles Seized at the several Ports of Entry in the Province, during the year 1834, as reported by the Collectors of Customs.

ARTICLES SEIZED.	PROCEEDS OF SALE.	APPRAISED VALUE.
<i>At the Port of Niagara.</i>		
52 lbs. tea 190s 8d; wagon 110s 6d; harness 6s 9d; horse 70s.....	18 17 11	
1 Ream printing paper 30s; 5 brass clocks £19 9s.....	20 19 0	
30 Wooden clocks £40 2s 6d; wagon 200s; double harness 82s 6d.....	54 5 0	
2 Horses £27 10s; sundry articles of millinery £15 18s 5d.....	43 8 5	
A quantity of stationary £29 19s 1½d; 2 barrels of whiskey £6 8s 11d.....	36 8 0½	
Boat 7l 10s; 3 barrels whiskey 7l 3s 7d.....	14 13 7	
2 Chests tea 20l 1s 8d; 6 boxes raisins 1l 17s 6d; 24 dozen cut tobacco 1l 4s.....		23 3 2
2 Kegs tobacco 4l 15s 5d; wagon 7l 10s; one pair horses 30l; harness 2l.....		44 5 5
1 Barrel of whiskey 1l 14s 6d; boat, sail oars 6l; lignumvitae 10s 9d.....	8 5 3	
12 lbs. Shoe thread 1l 16s 3d; 1797 lbs. sole leather 69l 15s 5d; 12 hog skins 2l 14s.....	74 5 0	
24 Morocco skins 2l 17s; 18 skins striped binding 2l 5s; 24 lbs. tacks 7s.....	5 9 0	
36 Sheep skins 3l 16s; 2 dozen shoe thread 3s 4d; 5 chests and one box tea 47 4s 6½d.....	51 3 10½	
Horse 12l 10s; 36 gallons whiskey 3l; 1 barrel 2s 6d; cart and harness 4l 12s 6d.....	20 5 0	
4 Chests and 8 boxes tea 115l 19s 10½d; wagon 10l 5s; harness 11s.....	126 15 10½	
2 Horses 31l 5s; 1125 lbs. cheese 20l 12s 3½d.....	51 17 3½	
<i>At the Port of Chippawa.</i>		
1252 lbs. Harness leather 62l 12s; 162 lbs. skirting 12l 3s.....		74 15 0
2 Sides collar leather 15s; 6½ pairs hames 1l.....		1 15 0
192 Clock mirrors.....	19 4 0	
6 Pairs boots; 3 pairs half boots; 9 pairs shoes; 49 sides leather; 5 calf skins; 2 reams paper; 1 canoe.....		39 10 3
<i>At the Port of Fort Erie.</i>		
730 lbs cheese 12l 7s 7½d; 56 lbs tea 10l 1s 11d; 28 lbs confectionary 1l.....	23 9 6½	
6 Hams and 6 shoulders 3l 9s 8d; 2 bags 1s 0½d; 2 boxes and whip 3s 9d.....	3 15 3½	
1 Barrel crackers 1l 9s; 9½ dozen tobacco 4s 1d; 10 boxes segars 12s 6d.....	2 5 7	
1 Pair horses 9l 12s 6d; 1 wagon 12l; 1 harness 4l; 1 buffalo robe 18s 9d.....	26 11 3	
Rope 1s 3d; 2 barrels whiskey 5l 10s; boat and oars 1l 5s; horse 1l 16s 3d.....	8 12 6	
Wagon 2l 15s; horse 2l 10s; harness 3l 17s 6d; 71½ lbs t a 9l 17s 6d.....	18 19 11	
29 lbs tea 2l 5s 3½d; oats and 13 empty bags 13s 3d; 2 horses 10 7s 6d.....	13 6 0½	
17 lbs tea 16s 10d; beam 7s 9½d; taborer 2d; lamp 1s 7d; chain 2s 6d.....	1 8 10½	
Coffee mill 3½d; 6 quires paper 2s 2d; 1 cocoa-nut 3½d; 10 lbs coffee 1s 6½d.....	7 4 3½	
Box glass 3s 11½d; whip 3s 10½d; wagon 6l 10s; harness 10s.....	7 7 10	
Oats 5d; still pipe 3½d; buffalo robe 11s 10½; 2 horses 8l 15s.....	9 7 7½	
1 Barrel whiskey 60s 3½d; 1 barrel whiskey 2l 2s 9½d; wagon 12l 10s.....	17 13 1½	
1 Barrel salt 10s 11d; harness 13s 1½d; boat 15s 3½d; boat 20s.....	2 19 4½	
<i>At the Port of Dover.</i>		
4 Boxes and 2 chests tea.....		80 15 0
<i>At the Port of Sandwich.</i>		
4 Barrels whiskey 11l 5s 3d; 1 barrel pork 2l 6s 3d; 44 lbs of tobacco 1l 8s 1d.....	14 19 7	
Household furniture.....	17 4 6½	
Household furniture.....		No appraisement
<i>At the Port of York.</i>		
15 Gun locks; 14 gun barrels; 8 dozen brass mountings.....		14 10 0
Horse, wagon and harness, with 18 clocks.....		No appraisement
<i>At the Port of Burlington Bay.</i>		
18 Wooden clocks.....	22 2 6	
Double wagon £12 10s; horse 100s; 36 wooden clocks £90.....		107 10 0
2 Wagons, harness, 598 lbs. tea and 1 rifle.....		No appraisement
<i>At the Port of Belleville.</i>		
1 Chest tea.....	7 16 4	
<i>At the Port of Kingston.</i>		
4 Barrels fish; horse; train; and harness.....	2 5 0	
A quantity of books and papers.....	310 4 6	
5 Barrels and 1 keg whiskey £16 10s; one barrel of whiskey 58s. 4d.....	19 8 4	
4 Chests tea.....	55 9 0	
1 Threshing machine.....		30 0 0
10 Chests tea, and 2 ski.fs.....		No appraisement
<i>At the Port of Brockville</i>		
1 Rifle; 7 wooden clocks £17 9s; 7 wooden clocks £13 3s.....	30 12 0	
284½ gals. whiskey; horse, wagon & harness, & sundry articles of crockery..		No appraisement
<i>At the Port of Prescott.</i>		
Harness £1 7s; boat £2 12s 6d; Books 25; 45 lbs Tobacco £1 8s 1½d.....	6 12 7½	
40 Gallons whiskey £3 3s 4d; 3 sheep, and one calf £1 1s 3d; Boat £3 5s.....	7 9 7	
Chest tea £7 15s 7½; 188 lbs. Tobacco £2 14s 10d 3 boxes segars 8s 3d.....	10 18 8½	
46½ Gallons high wines £6 11s 9d; 2 boxes herrings 9s; 10 lbs. cheese 2s 11d.....	7 3 8	
Horse £20; sleigh £10; harness £3; buffalo robe 7s 6d.....		33 7 6

SECOND REPORT ON TRADE.

STATEMENT of the quantity and value of the Articles Seized at the several Ports of Entry in the Province, during the year 1834, as reported by the Collectors of Customs.—[CONTINUED.]

ARTICLES SEIZED.

ARTICLES SEIZED.	PROCEEDS OF SALE.	APPRAISED VALUE.
<i>At the Port of Prescott.</i>		
24 yards flannel £2 2s; 16½ yards cloth £3 0s 11d; canoe 10s; 1 barrell pork £3 10s.....	.....	9 2 11
4 barrels flour £5; boat £4; 85 gallons high wines £11 13s. 9d.....	.....	20 13 9
1 Keg high wines 16s 6d; 65 lbs. cotton yarn £4 1s 3d; one dozen leather mittins £1 10d.....	.....	6 7 9
1 barrel whiskey £2 11; 1 barrel beer £1 10; 6 bags beans 10s; 1 chest tea £3 18s.....	.....	8 8 0
<i>At the Port of Cornwall.</i>		
1 barrel whiskey; 1 boat; 1 bag herring and 40lbs. tea.....	.....	14 19 4
Whiskey; tea; tobacco, and cotton yarn.....	.....	11 14 5
<i>At the Port of River Aux Raisins.</i>		
4 casks, and 2 barrels whiskey £19 9s 3d; 1 box tea £5 10s; 12 lbs. tea £1 13s.....	.....	26 12 3
1 piece of cotton 14s; 1 barrell of salt 10s; 1 boat £6.....	.....	7 4 0
<i>At Port Burwell.</i>		
16 lbs tea.....	.....	49 14 7
<i>At the Port of Amhersburgh.</i>		
62 lbs. tobacco £2 1s 4d; 19½ gallons whiskey £1 1s 1½d; 2 gallons oil 12s 6d.....	3 14 11½	
1½ barrels beer £1 10s 6d; 31½ gallons whiskey £3 2s. 2d; keg and whiskey 5s. 2d.....	4 18 10	
Box glass 13s 10d; molasses 10s; keg 9d.....	1 4 7	
<i>At Port Stanley.</i>		
5 kegs and 4 boxes tea; 5 barrels salt and dried peaches.....	No appraisalment	

INSPECTOR GENERAL'S OFFICE,  
5th March, 1835.

GEORGE H. MARKLAND, INSPECTOR GENERAL.

(FORM OF ACCOUNT KEPT WITH COLLECTORS.)

Dr. Thomas Kirkpatrick, Esquire, Collector of Port Kingston. Cr

DATE.	HAWKERS AND PEDLARS.	AUCTION DUTIES.	IMPORT DUTIES.	FINES AND SEIZURES.	TOTAL.	DATE.	HAWKERS AND PEDLARS.	AUCTION DUTIES.	IMPORT DUTIES.	FINES AND SEIZURES.	TOTAL.
1835						1834					
Mar 31 To return.....	.....	.....	.....	.....	.....	June 30 By paid R. Gen.	.....	.....	.....	.....	.....
June 30 To return.....	.....	.....	.....	.....	.....	Dec. 31 By paid R. Gen.	.....	.....	.....	.....	.....
Sept 30 To return.....	.....	.....	.....	.....	.....	By allowance.	.....	.....	.....	.....	.....
Dec 31 To return.....	.....	.....	.....	.....	.....	By balance...	.....	.....	.....	.....	.....

HOUSE OF ASSEMBLY,  
March 9th, 1835.

Sir,  
If the separate returns in the form enclosed to you cannot be obtained until after a few days have elapsed, by reason of the distance of the parties from this place, the report required from the Collector for this Port might, in the meantime, be of service, and if that can be obtained without delay, I am directed by the Committee to request that it may be enclosed to my address, and that if you cannot obtain it immediately, you would inform me—the House having fixed Thursday for the consideration of the report already made to it.

I am, Sir, &c.  
JAMES WILSON, CHAIRMAN,  
Committee on Trade & Commerce.  
To THE HON. GEORGE H. MARKLAND,  
Inspector General.

INSPECTOR GENERAL'S OFFICE,  
9th March, 1835.

Sir,  
I have the honor to enclose a communication from the Collector of the Port of Toronto, also one from the Collector

of the Port of Queenston; from the former it will appear that there is little prospect of any satisfactory returns being made, as the Collectors are not in the habit of making entries of articles which may be imported duty free.

I have the honor to be,  
Sir,

Your most obedient servant,  
GEORGE H. MARKLAND,  
Inspector General.

To James Wilson Esq.  
Chairman, &c. &c.

CUSTOM HOUSE OFFICE,  
Toronto, 5th March, 1835.

Sir,

I beg leave to acknowledge the receipt of your letter of the 3rd instant and am sorry it is not in my power to furnish the return required by a Committee of the House of Assembly.

A return of Articles not subject to duty, never having heretofore been required, no account of them has been kept for that purpose.

If it is intended that such returns as that now called for shall be furnished annually in future, it will be necessary

## SECOND REPORT ON TRADE.

that the account be kept from the commencement of the season in such a shape as to shew every article under its proper head at one view.

I have the honor to be,  
Sir,

Your most obedient humble servant,  
**GEORGE SAVAGE,**  
Collector.

To the HON. G. H. MARKLAND,  
Inspector General.

AN ACCOUNT of IMPORTS at the Port of QUEENSTON, between 1st Jan'y and 31st December, 1834, both days inclusive.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Butter, 2798 lbs.....	69	11	6
Books and papers.....	107	11	10
Buffalo robes, 1 robe.....	1	5	0
Chairmakers articles.....	12	10	0
Carriages, besides those of travellers.....	91	0	0
Cabinet-maker's ware.....	4	11	11
Corn brooms, 18 doz.....	4	10	0
Cheese, 7393 lbs.....	91	14	4
Cattle, 1125 head.....	4500	0	0
Clocks.....	78	1	3
Cotton goods.....	63	17	3
Coffee, 481 lbs.....	13	18	3
Candles, tallow.....	9	16	3
Drugs and medicines.....	92	16	1
Dry goods.....	417	15	10
Fruit.....	0	15	0
Fancy goods.....	62	12	7
Glass and glassware.....	25	1	6
Hat bodies.....	9	0	0
Hardware.....	232	12	10
Hats.....	2	10	0
Horses, belonging to travellers and movers 600 head.....			
Ink, printing presses and types.....	10	0	0
Iron, manufactures of.....	20	11	0
Leather, manufactured.....	161	0	2½
Machinery, principally threshing machines.....	472	12	0
Molasses, 116 gallons.....	6	7	7
Pork, salted, 30 barrels.....	90	0	0
Spices, cassia, nutmegs, cloves, &c.....	2	2	3
Spirits of turpentine ½ barrel.....	2	5	0
Silk goods.....	2	9	6
Segars.....	12	10	7
Sugar, raw, maple, 100 lbs.....	2	0	0
Stoves, potash kettles and castings.....	57	13	0
Snuff, 223 lbs.....	7	7	5
Sheep, 2896 head.....	543	0	0
Seeds and plants.....	78	11	7
Tobacco, manufactured, 1802 lbs.....	59	4	4
Wines, French, 2 doz.....	4	0	0

Provincial Currency, £ 7423 5 10½

E.E.

**ROBERT GRANT,**  
Collector.

Collector's Office,  
Queenston, 6th March, 1835.

PORT OF KINGSTON,  
Custom House Office, 9th March, 1835.

Sir,

I have the honor to acknowledge the receipt of your letter of the 2nd instant, inclosing me the form of a return which I have filled up as correctly as possible, and now return it. I would beg to remark that I have never required the value of articles imported into this port and not liable to duty.

I am unable therefore to fill up that part of the return, but have stated the quantities so far as they have been reported at the office. The exact value of some other articles, I am also unable to state as the importers in many cases have entered them with other goods liable to the same duty. I have, as directed, added the quantity and value of several other articles not mentioned in the return and have omitted some, of which nothing was imported during the last year. I am unable to state the value of exports, as no entries outwards are ever made at this port.

I am also desired to add my suggestions for the improvement of the system under which the custom duties are collected, on the trade carried on between Canada and the United States. To enter upon this subject as fully as it deserves, would far exceed the limits of a letter, and it would be necessary to know upon what points particularly the Committee of the House of Assembly required information. I will therefore confine myself to a few points which I think require attention.

The present method of declaring the value of imports subject to an *ad valorem* duty, is, in my opinion, liable to many objections, and numerous frauds are no doubt practised on the Collectors and their deputies, by the production of false invoices, and in most cases, the value at the place from whence the articles were imported is undervalued, and it is totally impossible to discern the truth. The method formerly practised under the Provincial Act, 2nd Geo. 4th, chap. 1st, is I think far preferable. The next point which I think deserves attention, is the establishment of a ware-housing system at the principal ports, and the re-enactment of that clause of the Provincial Customs Act, allowing importers to the amount of £20 and upwards, a short credit, on furnishing security. Warehouses or Custom-houses are, I think, absolutely necessary at some ports, for the reception of goods forwarded to persons who perhaps are temporarily absent, or who have not received the invoice, or from some cause or other are unable to make full entry at the time of importation. This happens in many cases, and it is not to be expected that the importing vessel is to be detained until the duties are paid as is at present required by law. There are also other points which I mentioned in a former communication to you and to which I beg here to refer, which I think require the immediate attention of the Legislature, the adoption of which would, I think, greatly facilitate and increase the trade between Canada and the United States.

I have the honor to be,  
Sir,

Your most obedient humble servant,  
**THOMAS KIRKPATRICK,**  
Collector.

To the HON. GEO. H. MARKLAND,  
Inspector General.

AN ACCOUNT of the IMPORTS at the Port of KINGSTON for the year ended the 31st day of December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Ashes, 7 barrels.....	0	0	0
Apples, 1545 bushels.....	0	0	0
Beef, salted, 19 barrels.....	0	0	0
Beef, fresh, 36511 lbs.....	0	0	0
Beef, smoked, 1430 lbs.....	0	0	0
Butter, 6963 lbs.....	0	0	0
Barley, 102 bushels.....	0	0	0
Beer, 62 barrels.....	0	0	0
Biscuit, 16 barrels.....	0	0	0
Books and papers.....	366	17	0
Brooms.....	36	0	9
Buffalo robes.....	3	15	0
Calf skins.....	150	10	9
Carpenters' wares.....	68	16	2
Carriages.....	90	7	0
Candles, tallow, 32 boxes.....	0	0	0

Carried over £ 716 6 8

SECOND REPORT ON TRADE.

AN ACCOUNT of IMPORTS at KINGSTON.—[CONTINUED.]

AN ACCOUNT of IMPORTS at the Port of CHIPPAWA, between the 1st Jan'y and 31st day of Dec'r, 1834, inclusive.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Bro't forward,	716	6	8
Cabinet-makers' wares,—Cherry boards 2550 ft., 121 ditto Mahogany,.....	0	0	0
Cattle, 259 head,.....	0	0	0
Cheese, 32465 lbs. ....	0	0	0
Cider, 170 barrels,.....	0	0	0
Clocks,.....	253	0	0
Clover seed, 29 bushels.....	0	0	0
Coal,.....	54	0	6
Codfish, 7850 lbs. ....	0	0	0
Coffee, 7644 lbs. ....	0	0	0
Coopers' wares,.....	39	17	1
Cordage,.....	5	10	0
Corn, 3271 bushels,.....	0	0	0
Corn meal, 8404 bushels,.....	0	0	0
Crockery,.....	206	2	6
Cotton goods,.....	210	4	1
Drugs and medicines, 27 boxes,.....	0	0	0
Eggs, 576 doz. ....	0	0	0
Flour, wheat, 1936 barrels.....	0	0	0
Fruit,.....	23	18	3
Glass and glass wares,.....	90	9	11
Hardwares,.....	328	12	2
Hats,.....	13	2	1
Hat bodies,.....	5	8	9
Horses, 75,.....	0	0	0
Hogs, alive, 218.....	0	0	0
Hams and bacon, 10 barrels, and 2000 lbs.....	0	0	0
Hops, 5819 lbs.....	0	0	0
Ink, printing presses, and types,.....	133	10	4
Iron, manufactures of,.....	83	1	4
Herrings, fresh, 310 barrels,.....	0	0	0
Leather,.....	1075	4	5
Leather, manufactured,.....	106	19	10
Lard, 8 kegs,.....	0	0	0
Machinery,.....	38	15	6
Musical instruments,.....	20	0	0
Molasses, 222 gallons,.....	0	0	0
Mutton, fresh, 372 carcasses,.....	0	0	0
Mutton ham, 1000 lbs. ....	0	0	0
Mill stones, Burr and blocks,.....	119	7	6
Oil,.....	276	0	0
Plaster, 115 barrels,.....	0	0	0
Oats, 238 bushels,.....	0	0	0
Onions, 599 bushels,.....	0	0	0
Oysters, 376 kegs,.....	0	0	0
Pork, fresh, 972 carcasses,.....	0	0	0
Ditto 33372 lbs.....	0	0	0
Pork salted, 729 barrels,.....	0	0	0
Salt, 12804 bushels,.....	0	0	0
Rosin, 2 barrels,.....	0	0	0
Potatoes, 1057 bushels.....	0	0	0
Rice, 5 casks,.....	0	0	0
Segars,.....	63	8	11
Seeds and plants,.....	50	17	6
Sheep, 882,.....	0	0	0
Silk, manufactured,.....	3	12	3
Soap,.....	2	5	2½
Spices, cassia, pepper, &c.....	56	5	2
Sauff, 12 jars,.....	5	17	5½
Stoves and castings,.....	305	19	3
Tallow, 13 barrels,.....	0	0	0
Tobacco, manufactured, 156419 lbs.....	0	0	0
Turpentine,.....	24	6	10
Geese, 559,.....	0	0	0
<b>Total declared value of dutiable Imports, £</b>	<b>7699</b>	<b>17</b>	<b>2½</b>

THOMAS KIRKPATRICK,  
Collector,  
Port of Kingston.

IMPORTED ARTICLES.	VALUE.		
	£	s	d
Ashes, 500 lbs., pearl ash.....	8	0	0
Alcohol, 180 gallons.....	54	0	0
Apples, 10 bushels, dried.....	2	10	0
Beef, smoked 100 lbs.....	2	0	0
Butter, 1 keg.....	0	10	0
Barley, 50 bushels.....	6	5	0
Books and papers.....	55	0	0
Buffalo robes, 2 bales and 3 robes.....	25	0	0
Biscuit, 5 barrels.....	5	0	0
Chair-makers articles, 317 chairs.....	65	6	3
Carriages, 1.....	37	10	0
Corn brooms, 55 doz.....	20	12	6
Crockery.....	113	5	0
Cheese, 26,000 lbs.....	300	0	0
Cooper's ware.....	20	0	0
Clocks, 12 wooden.....	10	10	0
Clock movements and parts.....	66	7	6
Cotton goods.....	50	0	0
Cotton wool.....	10	0	0
Coffee, 19 cwt.....	66	10	0
Cordage.....	10	0	0
Candles, sperin.....	10	0	0
Candles, tallow.....	40	0	0
Carpenters' tools, 25 chests.....	82	10	0
Coal, stone, 6½ tons.....	4	10	0
Drugs and medicines.....	108	0	0
Dry goods.....	53	0	0
Fruit.....	17	10	0
Fancy goods.....	341	17	0
Furniture.....	150	0	0
Feathers, 690 lbs.....	86	5	0
Glass and glassware.....	180	10	0
Hat bodies 770.....	33	0	0
Hardware.....	180	0	0
Hats, 6.....	6	0	0
Hops, 4 bales.....	30	16	3
Horses, 1.....	10	0	0
Hides, raw, 1 bale.....	37	10	0
Hams and bacon, 4000 hams.....	759	0	0
Iron manufactures.....	41	18	0
Lard, 3 kegs.....	2	12	6
Leather.....	144	10	9
Leather manufactured.....	41	18	0
Lumber, 12000 feet.....	37	10	0
Machinery, 8 lots.....	117	6	6
Molasses, 657 gallons.....	65	14	0
Musical instruments.....	16	0	0
Mutton, fresh, 300 lbs.....	3	0	0
Nuts and almonds.....	18	7	0
Oats, 150 bushels.....	9	7	6
Pig iron, 10 tons.....	52	10	0
Pork, salted, 1300 barrels.....	2600	0	0
Potatoes, 50 bushels.....	4	10	0
Rosin, 10 barrels.....	12	10	0
Rice, 1681 lbs.....	21	0	0
Spices, cassia, nutmegs, cloves, &c.....	7	0	0
Spirits of turpentine.....	28	15	0
Silk goods.....	100	0	0
Segars.....	47	12	6
Sugar, raw, 29 cwt.....	87	0	0
Stoves, potash kettles and castings.....	427	10	0
Snuff.....	10	0	0
Seeds and plants.....	5	0	0
Salt, 1220 barrels.....	610	0	0
Soap.....	12	11	0
Tallow, 200 lbs.....	5	0	0
Tobacco, manufactured.....	165	1	0
Wine, French, 8½ doz.....	10	10	0
<b>Provincial Currency, £</b>	<b>7754</b>	<b>8</b>	<b>3</b>

ALEX. KIRKPATRICK, Dep'y Collector,  
Port of Chippawa.

SECOND REPORT ON TRADE.

AN ACCOUNT of EXPORTS from the Port of CHIPPAWA, between the 1st day of January and 31st day of December, 1834, inclusive.

ARTICLES EXPORTED.	VALUE.		
	£	s	d
Apples, 300 bushels.....	18	15	0
Calicoes and fine shirtings.....	100	0	0
Cloth, broad.....	450	0	0
Cider, 50 barrels.....	25	0	0
Fancy goods, 5 bales and 1 case.....	300	0	0
Furs, shipping.....	35	0	0
Wool, for hat bodies.....	5	10	0
Provincial Currency, £	934	5	0

ALEX. KIRKPATRICK, Dep'y Collector,  
Port of Chippawa.

AN ACCOUNT of IMPORTS at the Port of COBOURG, from the 1st of January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Apples, 140 bushels.....	23	0	0
Beef, smoked 820 lbs.....	12	6	0
Butter, 425 lbs.....	10	12	6
Books and papers.....	24	6	4
Crackers, 21 barrels.....	26	5	0
Chair-makers articles.....	24	12	1
Carriages, 1 coach.....	62	10	0
Cabinet-makers ware.....	57	6	3
Corn brooms, 75 doz.....	39	5	4
Crockery, 1 lot.....	0	15	0
Cheese, 2633 lbs.....	43	5	5
Corn, 4 bushels.....	0	10	0
Cattle, 5 head.....	25	10	0
Cider, 1 barrel.....	0	5	0
Clocks, 2.....	7	0	0
Cotton goods, 4 lots.....	2	10	4
Coffee, 19 cwt. 3 qrs. 11 lbs.....	69	9	4½
Cordage, 2 pieces.....	2	5	0
Clover seed, 589 lbs.....	18	10	7
Candles, sperm 153 lbs.....	12	4	2
Candles, tallow, 1424 lbs.....	35	15	9
Drugs and medicines.....	16	17	6
Fruits, 21 boxes.....	10	11	9
Feathers, 263 lbs.....	9	5	10
Wheat, flour, 14 barrels.....	17	10	0
Glass and glazeware.....	31	0	3
Hat bodies, 200.....	6	0	0
Hardware.....	49	17	2
Hats, palm leaf, 7 doz.....	3	18	9
Hats, fur, 1 doz.....	4	10	0
Hogs, alive, 15.....	3	15	0
Horses, 15.....	212	10	0
Hops, 18 bales.....	145	5	11
Hams and bacon, 2400 lbs.....	42	0	0
Ink, printing, presses and types, 1 keg.....	2	0	0
Lard, 52½ lbs.....	1	1	0
Leather.....	47	8	2
Lumber, 12535 feet.....	31	6	8
Machinery, threshing, 5.....	97	10	0
Mills, bark, 1.....	3	15	0
Molasses, 10 cwt. 3 qrs. 18 lbs.....	14	6	10½
Musical instruments, 3.....	4	15	0
Plaster or gypsum, 187 barrels.....	60	15	6½
Pork, salted, 190 barrels.....	300	0	0
Potatoes, 2 bushels.....	0	2	0
Rosin, 5 barrels.....	6	5	0
Carried forward, £	1620	11	6½

AN ACCOUNT of IMPORTS at COBOURG.—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Bro't forward,	1620	11	6½
Rice, 978 lbs.....	9	17	5
Spices, cassia, nutmegs, cloves, &c.....	4	6	0
Spirits of turpentine, 12 barrels and 4 gallons.....	53	16	1
Silk goods.....	0	13	9
Segars, 13½ boxes.....	6	5	0
Sugar, raw, 8 cwt. 2 qrs. 18 lbs.....	16	19	6
Stoves, potash kettles and castings.....	276	18	5½
Shoes and boots, 207 pairs.....	49	1	4
Snuff, 294½ lbs.....	15	3	11½
Sheep, 189.....	141	15	0
Seeds and plants.....	17	9	5
Tallow, 21,600 lbs.....	360	0	0
Tobacco manufactured, 12,218½ lbs.....	238	5	4
Wheat, 104 bushels.....	26	0	0
Wagons, 2.....	17	10	0
Total amount of Imports, £	2854	12	9½

ALLAN McLEAN, Collector,  
Per THOMAS EVANS, Dep'y Collector.

PORT OF PRESCOTT, U. C.  
March 9th, 1835.

Sir,

As required by your circular of the 2nd inst, I have with as little delay as possible made out my return of Imports from the United States; commencing 1st January and ending 31st December, 1834, which I now hand you.

I cannot furnish you with a list of Exports, no clearances being required by the masters of American vessels, my instructions from you being such as to leave it optional with the masters of vessels to take them or not, as they see fit, the natural consequence is, that none are required. The truth is, whatever articles are exported from this port to the United States, leave here in the night and are smuggled into that country.

You request me to add my suggestions for the improvement of the system under which the Custom Duties were collected, &c, &c. &c.

It is a subject that requires a good deal of consideration, and to be well digested before giving an opinion. I will however, suggest the propriety of some definite law or instructions to the different Collectors in regard to their fees of office; their instructions and the law on that head, are conflicting; consequently there is a want of uniformity in the charges for fees at the different ports on vessels and imports from the United States, which makes it very unpleasant; the public very justly complaining.

Persons have frequently applied to me to ascertain what duty I would charge on particular articles, which they wished to import; after informing them how the law prescribed the method of ascertaining the duties to be paid on *ad valorem* goods, they have replied, they could *do better* at other ports, which generally was the last I saw of them. It has the appearance of a competition in business, on the part of the Collectors, like that of persons engaged in the mercantile business, which if possible should be avoided, as it gives one Importer an advantage over another.

I do not attach blame to any particular office; Jonathan's tact at driving a good bargain is well known.

I have the honor to be,

Sir,

Your obedient humble servant,  
A. JONES,  
Collector.

To the HON. G. H. MARKLAND,  
Inspector General.  
Toronto City.

SECOND REPORT ON TRADE.

AN ACCOUNT of IMPORTS at the Port of PRESCOTT for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Apples, barrels.....	3	0	0
Apples, dried, 138 bushels.....	19	17	6
Beef, salted, 836 barrels.....	1672	0	0
Beef, fresh, 30,000 lbs.....	300	0	0
Butter, 1,264 lbs.....	38	16	2
Books and papers.....	72	0	8
Bonnets.....	2	15	0
Brooms.....	8	9	4
Beer, 138½ barrels.....	177	8	9
Brick.....	4	0	0
Cider, 20 barrels.....	7	15	0
Chairs.....	29	12	6
Cheese, 8528 lbs.....	102	0	10
Cotton yarn, 907 lbs.....	38	2	6
Cotton batting, wicking, &c.....	5	16	0
Coal, Anthracite, 23½ tons.....	29	17	6
Cabinet-makers' ware.....	166	1	7
Copper pipe, 128 lbs.....	13	12	0
Combs, horn and wood.....	3	1	7
Crockery.....	0	7	6
Coffee, 1520 lbs.....	45	12	0
Compasses and surveyor's instruments.....	38	15	0
Clothes brushes.....	0	17	6
Clothing, ready made.....	22	9	6
Clocks, wooden.....	24	15	0
Candles, sperm, 35 lbs.....	3	5	0
Dye woods and dye stuffs.....	12	6	3
Flour, 4544 barrels.....	4544	0	0
Fish, fresh, 70 barrels.....	35	0	0
Ginger, 147 lbs.....	2	4	7
Grindstones.....	5	11	3
Glass and glassware.....	2	10	7
Hams, 35 tierces.....	260	0	0
Hats.....	11	8	9
Hardware.....	41	0	0
Joiner's planes.....	5	8	1
Iron, in pigs, 9½ tons.....	84	10	0
Iron in sheets and bars.....	21	15	7
Iron shafts for steamers.....	147	0	2
Lard, 85,640 lbs.....	1427	6	8
Leather.....	216	4	0
Leather manufactured.....	13	12	3
Lime, 50 barrels.....	12	10	0
Lead pipe, 197 lbs.....	5	0	10
Live hogs, 1394.....	1394	0	0
Machine cards, 72 feet.....	19	2	4
Molasses, 2 hhds.....	15	0	0
Marble tomb stones.....	15	15	0
Mill stones, 2 stones.....	20	0	0
Nuts.....	0	15	0
Oil, olive, 1 barrel.....	10	0	0
Oil cloth.....	2	0	0
Pipes, 1 box.....	0	9	6
Pumps.....	8	15	0
Pork, 10,927 barrels.....	32781	0	0
Pails, 571.....	44	5	6
Ploughs, 13.....	16	5	0
Pitch, 9 barrels.....	11	7	6
Quick-silver, 10 lbs.....	2	1	4
Rice, 1401 lbs.....	10	10	6
Rakes, 20 doz.....	5	0	0
Ribbons.....	1	5	0
Rope, 1144 lbs.....	50	17	2
Segars, 185 boxes.....	21	13	0
Saddle trees, 108.....	14	15	5
Spirits of turpentine, 30 gallons.....	3	15	0
Stoves, castings, &c.....	200	19	9
Salt, 691 barrels.....	259	0	0
Scythe snathes, 18 doz.....	13	14	0
Sleigh, 1.....	3	15	0
Shoe thread.....	0	6	6
Shovels, 2½ doz.....	6	0	0
Carried forward, £	44605	14	11

AN ACCOUNT of IMPORTS at PRESCOTT.—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Bro't forward,	44605	14	11
Snuff, 518 lbs.....	23	2	10
Starch, 266 lbs.....	4	4	6
Sugar candy, 55 lbs.....	2	5	0
Saddler's trimmings.....	16	15	1
Shorts, 1232 bushels.....	15	0	0
Tobacco, 820 lbs.....	174	12	10
Tackle blocks.....	1	8	2
Varnish.....	0	15	0
Woollen cloth.....	12	17	6
Whips.....	7	1	9
Wooden measures.....	5	2	6
Wheel-barrow.....	8	5	0
Whet-stones.....	4	19	11
Window sash.....	0	15	0
Horses, 250.....	4375	0	0
Heads of cattle, 50.....	375	0	0
Heads of sheep, 50.....	18	15	0
Drugs and medicines.....	25	10	7
Lumber.....	137	10	0
Provincial Currency, £	49814	5	7

A. JONES,  
Collector.

PORT OF PRESCOTT,  
March 9th, 1835.

AN ACCOUNT of the IMPORTS at the Port of PORT STANLEY, between 1st of January and 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Books and papers.....	167	9	6
Chair-maker's articles.....	7	0	0
Carriages.....	3	5	0
Cabinet-maker's ware.....	119	6	6
Corn brooms.....	9	10	3½
Crockery.....	86	16	10
Cheese.....	57	15	8
Cooper's ware.....	16	6	10½
Clocks.....	33	15	0
Cotton goods.....	164	11	8
Coffee, 1584 lbs.....	0	0	0
Candles, sperm.....	3	9	6
Candles, tallow.....	55	10	0
Drugs and medicines.....	54	10	6
Dry goods.....	0	17	9
Fruit.....	83	13	11
Furniture.....	6	12	6
Glass and glassware.....	157	6	8
Hat bodies.....	5	17	6
Hardware.....	93	19	10½
Hats.....	18	19	10
Hams and bacon.....	4	16	3
Ink (printing), presses and types.....	27	15	0
Leather.....	568	18	0
Leather manufactured.....	121	9	10
Machinery, 3 lots.....	81	5	0
Molasses, 89 gallons.....	0	0	0
Musical instruments.....	2	14	4
Pork, salted 84 barrels.....	0	0	0
Rosin.....	1	7	0
Rice, 1505 lbs.....	0	0	0
Spices, nutmegs, cloves, &c.....	7	9	1½
Spirits of turpentine.....	18	2	1½
Silk goods.....	8	18	5½
Carried over, £	1989	11	7½

Carried forward, £ 44605 14 11

Carried over, £ 1989 11 7½

SECOND REPORT ON TRADE.

AN ACCOUNT of IMPORTS at PORT STANLEY.—[CONT'D.]

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Bro't over,	1989	11	7½
Segars .....	18	16	7
Sugar, raw, 1599 lbs.....	0	0	0
Stoves, potash kettles and castings.....	98	13	1
Snuff .....	25	11	5½
Seeds and plants .....	1	15	9
Tobacco, manufactured.....	307	0	5
Total, £	2441	8	11

JOHN BOSTWICK,  
Collector.

PORT STANLEY,  
March 18th, 1835.

CUSTOM HOUSE OFFICE,  
Cornwall, March 9th, 1835.

HON. G. H. MARKLAND,  
Inspector General,

SIR,

Herewith I forward the return filled up as required in yours of the 2nd instant, which return is only made by me since the date of my commission, 13th August, 1834. I have also to state that many imports have been made of articles duty free at this port without any report being made, the persons importing, contending there was no necessity of reporting, as the article was duty free, backed by the opinion of some of the Commissioners of Customs for this Port. When my brother was in Toronto in February last, I wrote him to call on you for a Writ of Assistance;—having done so, he informs me you were pleased to say it would be ready in a few days. I beg you will forward it by the earliest convenience.

I have the honor to be,  
Sir,

Your most obedient humble servant,  
Wm. J. CRYSLER,  
Collector.

AN ACCOUNT of IMPORTS at the Port of CORNWALL for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Beef, salted, 20 barrels, 45s. ....	45	0	0
Beef, fresh, 2250 lbs.....	22	10	0
Butter, 1392 lbs. a 6d.....	34	16	0
Books and papers.....	3	8	1
Carriages, 2.....	20	0	0
Cheese, 1870 lbs. a 3d.....	23	7	6
Corn, 65 bush. a 3s.....	9	15	0
Cattle, 103, a £4 per head.....	424	0	0
Clocks, 2.....	5	0	0
Cotton goods.....	23	2	9
Cotton wool.....	0	18	9
Drugs and medicines.....	2	10	0
Fruit.....	1	18	6
Wheat flour, 332 barrels, a 25s.....	416	0	0
Hats, 10 fur.....	5	10	0
Horses, 36 head, a £10.....	360	0	0
Lard, 400 lb. a 3d.....	5	0	0
Leather.....	23	3	3
Leather, manufactured.....	15	12	6
Carried forward, £	1441	12	4

IMPORTS at CORNWALL,—[Continued.]

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Bro't forward,	1011	12	4
Lumber, boards, 120,000 feet.....	750	0	0
Machinery, 5 lots.....	22	7	6
Molasses, 28 gall.....	3	10	0
Musical instruments, 1 piano.....	40	0	0
Mutton, fresh 250 lbs. a 3d.....	3	2	6
Oats, 350 bushels, a 1s 3d.....	21	17	6
Pork, salted, 125 barrels, a 70s.....	437	10	0
Pork, fresh, 1500 lbs. a 3d.....	18	15	0
Potatoes, 450 bushels, a 1s 3d.....	28	2	6
Stoves, pot ash kettles, and other castings.....	128	10	0
Sheep, 85 head, a 7s 6d.....	31	17	6
Tobacco, manufactured, 712 lbs. a 6d.....	17	16	0
Wheat, 50 bushels.....	12	10	0
Whiskey, 847½ gallons, at 1s 8d.....	70	12	6
Total, £	3028	3	4

Wm. J. CRYSLER, Collector,

CORNWALL, 9th March, 1835.

NIAGARA, March 10th, 1835.

SIR,

In compliance with your letter of the 2nd instant, I send enclosed a return of Imports at this Port for the year 1834.

There are various articles, the value of which have not been extended. I beg to mention, that I have no means of compelling persons to furnish the value of articles not subject to duty, or to report the quantity or description of Exports. It would be very desirable, for the purpose of having a correct knowledge of the trade of our country, that Masters of vessels should be compelled to give a correct account of their cargo and destination before leaving Port; as also of imports, whether subject to duty or not.

I am under the impression that there is a loss of revenue in consequence of the want of a uniform system of valuation of Imports from the United States, which might in some measure be remedied by carrying the provisions of the Imperial Statute into effect, in providing for the appointment of appraisers at the different Ports.

It may be a matter for consideration, whether many of the articles now prohibited might not be advantageously admitted on the payment of duty, as their admission through the United States could not materially affect the shipping interest; indeed it may admit of a doubt, whether removing the prohibition would be the means of increasing the quantity introduced in the Province.

I have the honor to be,  
Sir,

Your most obedient humble servant,  
T. McCORMICK, Collector Customs.

The Hon. G. H. MARKLAND,  
Inspector General, Toronto.

AN ACCOUNT of IMPORTS at the Port of NIAGARA for the year, from 1st Jan'y to the 31st day of Dec'r, 1834

ARTICLES IMPORTED.	VALUE.		
	£	s	d
Apples, 203 barrels.....	.....	.....	.....
Beef, salted, 8 barrels.....	.....	.....	.....
Beef, smoked, 200 lbs.....	.....	.....	.....
Butter, 3000 lbs.....	.....	.....	.....
Books and papers.....	142	14	9
Carried over, £	142	14	9

SECOND REPORT ON TRADE.

IMPORTS at the Port of NIAGARA.—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.
Brought forward £	142 14 9
Buffalo robes, 12,.....	9 0 0
Carriages, 2.....	31 5 0
Cabinet-maker's ware,.....	8 18 4
Corn brooms, 616.....	19 14 6
Crockery,.....	46 5 0
Cheese, 5270,.....	63 17 0
Cattle, 39.....	0 0 0
Cider, 35½ barrels.....	16 13 9
Clocks, 42,.....	37 10 0
Cotton goods,.....	2 12 6
Cotton wool, 20 bales,.....	0 0 0
Coffee, 38 cwt. 1 qr. 18 lbs.....	0 0 0
Cordage, 673 lbs.....	18 10 0
Clover Seed, 18 bushels,.....	18 0 0
Calf skins, 30.....	7 7 6
Candles, sperm, 104 lbs.....	7 17 6
Drugs and medicines,.....	8 11 8
Dry goods,.....	30 1 11
Fruits,.....	76 10 0
Fancy goods,.....	5 15 0
Glass and glass-ware,.....	21 0 0
Hat bodies, 440.....	19 8 9
Hardware,.....	206 2 6
Hams and Bacon, 3850 lbs.....	0 0 0
Ink, printing presses, and types,.....	5 0 0
Lard, 234 lbs.....	4 13 9
Leather, 3757 lbs.....	148 16 8
Leather manufactured,.....	86 2 1
Lumber—4640 feet timber, 63000 ft. boards,.....	0 0 0
Machinery—13 threshers, 1 fire engine,.....	307 10 0
Molasses, 508 gallons,.....	0 0 0
Pork, salted, 12 barrels,.....	0 0 0
Rosin, 6 barrels,.....	0 0 0
Rice, 4050 lbs.....	0 0 0
Spices, cassia, nutmegs, cloves, &c.....	44 18 5
Spirits of turpentine, 30 gall.....	3 0 0
Segars, 73,200.....	79 14 11
Stoves, pot ash kettles, and castings,.....	34 18 9
Snuff, 380 lbs.....	47 10 0
Sheep, 274,.....	0 0 0
Tallow, 28 barrels,.....	0 0 0
Tobacco, manufactured, 17,584 lbs.....	364 4 9
Wines, French 5 doz.....	22 0 0
<b>Total, £</b>	<b>1946 5 0</b>

T. McCORMICK,  
Collector of Customs.

In the annexed Report is shown the value of such articles as are therein mentioned. The precise value of the salt imported it would be somewhat difficult to state, no value being declared on it when entered. The duty being 6d. per bushel, I have however estimated it at £550 currency. With regard to the exports from this Port, I am unable to furnish any accounts of them—the Masters of American vessels, when leaving this Port for the United States, do not apply for clearances; and there is no report made to the Collector of their outward bound cargo. I have added to the items required by the Inspector General, 45 barrels plaster of Paris, 19½ tons mineral coal, and also 1708 barrels of salt, being the only articles imported of any consequence not previously included in the Report.

HENRY BALDWIN,  
Collector.

BELLEVILLE,  
10TH MARCH, 1835.

AN ACCOUNT of IMPORTS at the Port of BELLEVILLE, between the 1st January and 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
Carriages, 1 winter carriage,.....	£ 6 5 0
Clocks,.....	15 0 0
Coffee, 14 cwt, 2 qrs. 7 lbs.....	48 0 0
Drugs and medicines,.....	33 5 6
Hat bodies,.....	5 0 0
Hardware,.....	6 5 0
Hats, palm leaf,.....	8 5 4
Horses, 1.....	7 10 0
Hops, 680 lbs.....	17 0 0
Leather,.....	33 1 0
Leather, manufactured.....	58 7 8
Molasses,.....	17 0 0
Pig Iron, 8 tons.....	24 0 0
Rice, 1199 lbs.....	9 15 0
Spices—cassia, nutmegs, &c.....	22 3 9
Spirits of turpentine,.....	7 14 1
Stoves and castings,.....	59 3 10½
Snuff, 166½ lbs.....	6 2 10
Tobacco manufactured 9252 lbs.....	134 3 11
<b>Total £</b>	<b>518 2 6½</b>
Salt, 1708 bbls. containing 8836½ bushels....	550 0 0
Plaster of Paris, 45 barrels,.....	8 8 9
Coal, 19 tons, 10 cwt.....	11 17 6
<b>£</b>	<b>1088 8 9½</b>

CUSTOM HOUSE OFFICE,  
HALLOWELL, 12th March, 1835.

SIR, I take the earliest opportunity to enclose the account of Imports agreeably to the form forwarded the 6th instant.

The following articles are not enumerated in the copy, so I did not include them in my account, viz:—

- 4 pair bur mill stones, value £145 0 0
- 6 ton grind stones, value... £ 20 5 0

I have the honour to be, Sir,  
Your most ob't. humble Serv't.

The Hon. G. H. MARKLAND,  
Inspector Gen. Toronto.

AN ACCOUNT of IMPORTS at the Port of HALLOWELL for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
Apples, dry, 76 bushels.....	£ 12 1 3
Cabinet-maker's ware,.....	6 1 3
Corn brooms, 500.....	7 3 3
Cider, 5 barrels,.....	1 10 0
Clocks, 1.....	2 0 0
Cotton goods,.....	6 15 5
Drugs and medicines,.....	4 5 8½
Fancy goods,.....	2 5 8
Glass and glass-ware,.....	0 12 6
Hats, wool, 1 doz.....	3 0 0
Ink, printing presses, and types, (ink only) ...	0 5 0
Leather, manufactured.....	25 5 0
Machinery, threshing and smutt, 8 lots.....	67 10 0
Molasses, 31 gallons,.....	3 15 0
Spirits of turpentine, 47 gallons,.....	6 8 10½
Segars, 17 boxes,.....	4 12 6
Stoves, pot ash kettles, and other castings....	170 2 5½
Snuff, 30 lbs.....	1 1 9
Tobacco, leaf.....	0 15 0
Tobacco, manufactured,.....	9 5 2
<b>£</b>	<b>334 15 9½</b>

A. DEACON, Collector.

HALLOWELL, 12th March, 1835.

SECOND REPORT ON TRADE.

PORT HOPE,  
March 13th, 1835.

SIR,  
In compliance with the requisition of the House of Assembly, conveyed to me through you, I have the honour to transmit an account of imports at the port of Port Hope, from the 1st of January to the 31st December, 1834.

I have added Salt and Plaster, articles which come from the United States in large quantities.

I beg to suggest the necessity of a Custom House being provided at this Port, as extreme inconvenience arises from the want of a place to deposit goods when found necessary to detain them.

I have the honour to be,

Sir,

Your obedient Servant,

W. KINGSMILL,  
Collector of Customs.

To the Inspector General, &c.

AN ACCOUNT of IMPORTS at the Port of PORT HOPE for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Books and Papers, .....	21 0 7
Cabinet-maker's ware, .....	13 16 0
Corn brooms, .....	4 10 0
Cheese, 3254 lbs. ....	35 19 0
Cattle, .....	22 10 0
Cotton goods, .....	58 11 8
Coffee, .....	8 7 6
Drugs and medicines, .....	8 9 6
Dry goods, .....	43 0 0
Fruit, .....	6 14 6
Glass and glass-ware, .....	1 12 6
Hat bodies, .....	4 0 0
Hardware, .....	40 12 6
Hat-halter's stuffs .....	5 5 10
Horses, .....	150 0 0
Hops, .....	31 17 0
Leather, .....	19 11 3
Leather, manufactured .....	64 8 5
Machinery 6 lots. ....	96 5 0
Pork, salted. ....	45 0 0
Spices, cassia, nutmegs, cloves, &c. ....	2 12 6
Spirits of turpentine, .....	1 17 6
Silk goods, .....	1 2 6
Segars, .....	28 6 0
Stoves, pot ash kettles, and other castings, ....	44 6 4
Snuff, .....	2 0 0
Tobacco, manufactured .....	51 18 0
	£ 813 14 1

Salt, 5175 bushels, .....	517 10 0
Add 47 barrels of plaster, .....	31 9 0
Add oil and sulaculus, .....	17 14 0

Total £ 1380 7 1

W. KINGSMILL, Collector of Customs.

AN ACCOUNT of IMPORTS at the Port of FORT ERIE, commencing the 12th September, and ending the 31st December, 1834 inclusive.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Butter, 245 lbs. ....	4 18 0
Books and papers, .....	62 7 11
Buffalo robes, .....	11 5 0
Carried forward, £	78 10 11

IMPORTS at FORT ERIE,—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Brought forward, £	78 10 11
Chair-maker's articles, .....	11 10 0
Carriages, .....	75 0 0
Cabinet-maker's ware, .....	4 15 0
Corn brooms, .....	4 10 0
Crockery, .....	22 5 7
Cheese, .....	254 6 3
Cooper's ware, .....	0 3 9
Cattle, 840 head, .....	0 0 0
Clocks, .....	146 13 4
Cotton goods, .....	17 5 5
Coffee, 1204 lbs. ....	40 2 8
Cordage, .....	1 6 3
Candles, tallow, 1100 lbs. ....	27 10 0
Drugs and medicines, .....	37 15 9
Dry goods, .....	180 12 10
Fruit, .....	28 10 9
Fancy goods, .....	28 17 0
Furniture, .....	1 0 0
Glass and glass-ware, .....	34 17 9
Hat bodies, .....	17 2 6
Hardware, .....	57 19 8
Hats, .....	17 15 0
Horses, 90 .....	0 0 0
Hops, .....	26 2 6
Iron, manufactures of .....	153 3 0
Leather, .....	371 17 6
Leather, manufactured, .....	54 16 3
Machinery, .....	140 15 0
Musical instruments, .....	6 11 3
Spices, .....	2 0 3
Spirits of turpentine, .....	0 15 6
Soap, .....	11 18 0
Silk goods, .....	5 3 9
Segars, .....	29 6 2
Sugar, raw. ....	12 5 0
Stoves and castings, .....	102 2 6
Snuff, .....	5 12 7
Sheep, 1010 .....	0 0 0
Seeds and plants, .....	2 0 0
Tin ware, .....	2 17 6
Tobacco, manufactured .....	50 12 4
Whiskey, 5 gallons, .....	0 6 3
	£ 2066 15 9

E.E.

JAMES KIRBY,

Collector of Customs.

PORT of FORT ERIE, }  
20th MARCH, 1835. }

AN ACCOUNT of IMPORTS at the Port of BROCKVILLE, for the year ending 31st December, 1834.

BROCKVILLE, 24th MARCH, 1835.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Ashes, 2688 barrels a £4 10s. ....	12096 0 0
Apples, 6 barrels, a 5s. ....	1 10 0
Butter, 366 kegs and barrels, a £1 15s. ....	440 10 0
Books and papers, 48 volumes, .....	10 0 0
Biscuit, 396 bags, a 10s .....	198 0 0
Barley, 74 bushels, a 2s 6d. ....	9 5 0
Bees wax, 2 boxes 100 lbs. a 1s 3d. ....	6 5 0
Carriages, 1 .....	10 0 0
Cooper's ware, pails and tubs, .....	2 10 0
Carried forward, £	12774 0 0

SECOND REPORT ON TRADE.

AN ACCOUNT of EXPORTS at BROCKVILLE—[CONTINUED]

ARTICLES EXPORTED.	VALUE.
Brought forward, £	12774 0 0
Cider, 9 barrels, a 5s.	2 5 0
Furs, 1 box.	10 5 0
Hogs, alive, 248, a 20s.	248 0 0
Lard, 3 barrels, a £2 15s.	8 5 0
Leather, 3 rolls, a £4.	12 0 0
Lumber, 25,169 staves, 3,858 spikes.	600 0 0
Mittens, 5 boxes, manufactured here.	125 0 0
Oats, 772 bushels, a 1s.	38 12 0
Pork, salted, 7,753 barrels, a 60s.	23259 0 0
Peas, 2,276 bushels, a 4s.	455 4 0
Seeds, hay, 8 tierces, a £10	80 0 0
Tobacco leaf, 74 bhds. a £12 10s	925 0 0
Wheat flour, 45,830 barrels, a 20s.	45830 0 0
Wheat, 116,840 bushels, a 4s 6d	23664 0 0
Whisky, 164 tierces and barrels	656 0 0
Total amount of Exports, £	108687 11 0

R. D. FRASER, Collector.

AN ACCOUNT of IMPORTS at BROCKVILLE—[CONTINUED]

ARTICLES IMPORTED.	VALUE.
Bro't forward,	£ s d 37852 7 1
Pork, fresh, 675 lbs.	11 5 0
Rosin, 1 barrel.	2 0 0
Rice, 6 tierces and casks.	24 10 0
Spices, cassia, nutmegs, cloves, &c.	35 6 2
Spirits of turpentine 3 barrels.	4 2 6
Silk goods.	123 17 8
Segurs 280 boxes.	35 0 0
Stoves, potash kettles and other castings.	98 17 5
Suuff.	37 5 0
Sheep, 321 at 5s.	80 1 0
Seeds and plants.	2 0 0
Tallow, 596lbs.	8 15 3
Tobacco manufactured 5062lbs. 88kegs.	210 5 0
Wheat, bushels 42 at 3s. 9d.	7 17 6
Whisky 910 gallons high wines 2s.	91 0 0
Total £	38624 9 7

R. D. FRASER, Collector.

BROCKVILLE,  
25th March, 1835.

AN ACCOUNT of IMPORTS at the Port of BROCKVILLE,  
for the year ending 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
Apples, 73 bushels.	£ s. d. 7 2 6
Beef, salted, 427 barrels, a 40s	854 0 0
Beef, fresh, 2,500 a 1½d.	15 12 6
Barley, 276 bushels, a 1s.	13 16 0
Books and papers.	148 7 9
Biscuit, 67 barrels a 20s.	67 0 0
Chairmaker's articles.	3 2 6
Carriages, 10	90 0 0
Cabinet-maker's wood and ware.	43 7 8
Corn brooms, 12 doz. a 5s	3 0 0
Crockery, 63 jars and tea pots	7 12 6
Cheese, 910 lbs. a 25s per cwt.	11 6 6
Cooper's ware.	4 10 0
Corn meal 23 barrels.	11 10 0
Cattle, 98 head, a 80s.	392 0 0
Cider, 15 barrels, a 5s.	3 15 0
Clocks, wooden, 1.	1 10 0
Cotton goods.	21 3 0
Cotton wool, 29 bales, a 20s	29 0 0
Coffee, 2576 lbs	29 11 0
Calf skins, 148	15 2 6
Candles, sperm. 380 lbs. a 1s.	19 0 0
Drugs and medicines.	48 15 11
Dry goods.	98 4 2
Fruit.	56 0 0
Fancy goods.	148 12 11
Furniture.	22 10 0
Wheat flour, 11684 barrels, a 20s.	11684 0 0
Glass and glass ware.	5 0 0
Hardware.	52 5 0
Hogs, alive, 248, a 20s.	248 0 0
Horses, 25.	250 0 0
Hides, raw, 75	3 15 0
Hams and bacon, 1649 lbs a 3d	20 16 1
(Ink, printing) presses, and types.	4 2 6
Iron, manufactured.	147 18 0
Lumber, 20,000 shingles, 40,000 feet.	65 0 0
Lard, leather, and leather manufactured.	692 14 2
Machinery, 13 lots.	130 0 0
Molasses, 80 gallons.	4 0 0
Mutton fresh, 987 lbs.	8 4 3
Pork salted, 7457 barrels, a 60s.	22371 0 0
Carried forward, £	37852 7 1

AN ACCOUNT of IMPORTS at the Port of PORT BURWELL  
for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
Cabinet-maker's ware.	£ s d 46 15 0
Corn brooms.	1 0 0
Cheese, 100 lbs.	1 15 0
Cotton goods.	10 12 6
Coffee.	5 0 0
Candles, tallow.	1 8 1½
Drugs and medicines.	1 5 0
Dry goods.	24 4 7½
Fancy goods.	1 3 9
Glass and glassware.	2 3 1½
Hardware	39 14 1
Hats.	0 12 6
Lard.	9 0 0
Leather.	222 11 5
Leather manufactured.	1 2 6
Machinery, 2 lots.	37 10 0
Mutton, fresh.	13 2 6
Spices, cassia, nutmegs, cloves, &c.	4 5 9
Segars.	1 3 9
Stoves, pot ash kettles, and other castings.	30 12 6
Suuff.	1 16 11
Tobacco, manufactured	18 14 2½
Total, £	475 13 3

JOHN BURWELL, Collector.

COLLECTOR'S OFFICE,  
PORT OF PORT BURWELL, 25TH MARCH, 1835.

COLLECTOR'S OFFICE, PORT OF PORT BURWELL,  
25TH MARCH, 1835.

The Collector of the Port of Port Burwell has no remarks to make on the manner of collecting duties on imports; but in being enabled to ascertain any thing of the export trade, which from this port is very considerable in the valuable article of lumber, no estimate can be accurately made, unless the masters of vessels are required, in taking an export cargo, to

SECOND REPORT ON TRADE.

call at the Custom House, make *entry outwards*, and take a clearance, the same as is required by the Canada Trade Act on the sea coast, which is said not to apply to the lakes.

The value of property exported from Port Burwell in the year 1834, in lumber, spars, masts, shingles, and shingle bolts, cannot fall short of £5000; on which is paid a duty in the States of not less than £1500, contrary to the received opinion of the treaty of commercial reciprocity—American produce and lumber being admitted *free* of duty in Canada. This sum extracted from His Majesty's subjects in this part of the country, which lessened the profits of their labour to that extent; and greater, in fact, from the circumstances, that these duties being to be paid down, great sacrifices is the consequence of being obliged to raise the duties on landing the articles at an American port; while the American trader can come to this country with lumber, beef, pork, hams, flour, corn, rice, biscuit, bread, and live stock, *free* of all duties, which operates much against the inhabitants dealing in the export of lumber; and the farmer, who can be met at home with foreign flour, pork, beef, &c. without any duty whatever, in support of his own government.

All which is respectfully submitted.

JOHN BURWELL, *Collector*.

The Hon.

The INSPECTOR GENERAL,  
&c. &c. &c.  
Toronto.

AN ACCOUNT of IMPORTS at the Port of The City of TORONTO for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Butter, . . . . .	115 2 6
Books and papers, . . . . .	412 16 2
Buffalo robes, . . . . .	96 0 0
Chairmaker's articles, . . . . .	10 2 6
Carriages, . . . . .	74 10 0
Corn brooms, . . . . .	255 3 9
Cheese, . . . . .	374 15 0
Cider, . . . . .	18 15 0
Clocks, . . . . .	54 12 6
Cotton goods, yarn, and batting, . . . . .	161 15 0
Clover seed, . . . . .	9 12 6
Candles, sperm, . . . . .	71 5 0
Candles, tallow, . . . . .	355 10 6
Furniture, . . . . .	66 15 0
Feathers, . . . . .	121 0 0
Glass, . . . . .	116 0 0
Hat bodies, . . . . .	74 15 0
Hardware and Ironmongery, . . . . .	814 0 0
Hops, . . . . .	940 2 0
(Ink printing) presses, and types, . . . . .	54 0 0
Leather, . . . . .	376 12 6
Leather, manufactured, . . . . .	192 15 0
Musical instruments, . . . . .	4 12 6
Spirits of turpentine, (for some time duty free)	15 10 6
Silk goods, . . . . .	78 6 4
Stoves, castings, and machinery, . . . . .	679 10 4
Snuff, . . . . .	222 5 0
Seeds and plants, (garden seeds free), . . . . .	33 17 6
Tobacco, manufactured . . . . .	2808 5 0
Wines, . . . . .	15 2 6
Stone and glass ware, light groceries, nuts, currants, raisins, pickles, preserves, medicines, (drugs free) fancy articles, toys, trinkets, and a great variety of miscellaneous articles, . . . . .	5367 12 4
Total value, £	13991 1 11

Goods paying Duties by Weights and Measures.

Coffee, . . . . .	278c. 3qr 12lb.
Alcohol and spirits, . . . . .	469 gallons.
Molasses, . . . . .	1706 do.
Salt, . . . . .	19658 bushels.

EXPORTS.

The exports from this port chiefly consist of passengers and baggage: during the past year there have been a few packages of sheep skins to Rochester.

The value of IMPORTS is reported by the Importer.

N. B. I am not competent to suggest any general improvement of the system under which Custom duties are collected, having no means of knowing in what manner it is done out of this port.

GEORGE SAVAGE,  
*Collector Port of Toronto.*  
1st April, 1835.

To  
The COMMITTEE OF TRADE  
Of the Hon. the House of Assembly.

Custom House Office,  
TORONTO, 21st March, 1835.

SIR,

In reply to the enclosed Letter from the Chairman of the Committee on Trade, I beg leave to state, that from the great variety of articles imported hither from the United States, it is impossible at once to furnish a statement in the form required, unless the articles were classed under some head at the time the entry is made, and such must necessarily form a separate account from that now kept for the Collector of the duties. With reference to the enquiry, whether I have preserved a statement of the value and qualities of the imports of dutiable articles, I beg leave to inform the Committee, that I have a copy of every invoice of dutiable articles entered during the past year, as also a copy of the returns sent to your office.

I have the honour to be,  
Sir,

Your most obed't humble serv't.  
GEORGE SAVAGE,  
*Collector.*

To  
The Hon. G. H. MARKLAND,  
Inspector General, &c. &c. &c.

AN ACCOUNT of the IMPORTS at the Port of RIVER AUX RAISINS, for the year ended the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Carriages, one old wagon, . . . . .	2 10 0
Cheese, 1015 lbs. . . . .	13 3 4
Hats, 532 common napt hats, . . . . .	75 17 6
Leather, 53 lbs. sole leather, . . . . .	3 6 3
Stoves, potash kettles and castings, . . . . .	5 10 0
Tobacco, manufactured, 48 lbs. . . . .	2 0 0
Whiskey, 273½ gallons, . . . . .no valuation.	0 0 0
Total, £	102 7 1

AN ACCOUNT of IMPORTS at the Port of BURLINGTON for the year ended 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Beef, dried, 511 lbs . . . . .	9 15 6
Stationary, . . . . .	311 8 0
Carriages, 1, . . . . .	35 0 0
Corn brooms, . . . . .	81 19 6
Crockery, stone ware, . . . . .	86 15 0
Cheese, 7677 lbs. . . . .	116 0 5
Carried over, £	640 18 5

SECOND REPORT ON TRADE.

IMPORTS at BURLINGTON,—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.
Brought forward £	640 18 5
Clocks, 240.....	210 0 0
Cotton goods, .....	144 3 11
Coffee, 9352 lbs.....	280 10 0
Candles, tallow.....	49 5 3
Drugs and medicines.....	10 0 0
Dry goods,.....	150 19 0
Fruit,.....	19 4 8
Fancy goods.....	258 15 5
Feathers, 20 lbs.....	2 0 0
Glassware.....	128 4 3
Hardware,.....	346 6 6
Hats,.....	79 9 8
Hogs, alive, 114.....	0 0 0
Printing presses and types,.....	158 5 0
Leather,.....	204 19 3
Leather, manufactured.....	132 2 8
Molasses, 1090½ gallons.....	81 15 0
Musical instruments,.....	2 11 3
Pork, 40 barrels.....	0 0 0
Rosin, 10 barrels.....	10 0 0
Rice, 60,000 lbs.....	45 0 0
Spices, cassia, nutmegs, cloves,.....	45 1 3
Spirits of turpentine,.....	41 17 6
Silk goods,.....	62 17 6
Segars,.....	107 13 2
Stoves, potash kettles, and other castings.....	310 11 7
Snuff,.....	148 1 2
Tobacco, manufactured.....	952 13 2
Wines, French.....	41 0 0
Total, £	1664 5 7
Gross amount of imports, value, £	3249 6 10

JOHN CHISHOLM, Collector.

An account of Salt imported at the Port of Newcastle between the 1st January and 31st December, 1834, it being the most considerable article of importation within the year.

Salt, 1330 barrels, .....£ 99 15 0

Declared value of all imports within the above year, gross amount, .....£414 6 3

As to the Exports from this Port during the last year, they have been very trifling, being only a few thousand shingles.

AN ACCOUNT of IMPORTS at the Port of NEWCASTLE, between the 1st of January and 31st December, 1834.

ARTICLES IMPORTED.	VALUE.
Apples, 13 bushels,.....	£ 1 6 0
Beef, smoked, 15 lbs.....	0 5 0
Books and papers,.....	2 1 5
Biscuit, 9 barrels,.....	9 11 3
Corn brooms,.....	5 5 0
Crockery,.....	0 3 2
Cheese,.....	1 19 7
Cooper's ware,.....	5 5 0
Cotton goods,.....	4 10 11½
Cotton wool,.....	3 0 0
Clover seed, 96 lbs.....	3 10 0
Candles, tallow, 81½ lbs.....	2 7 4
Carried forward, £	39 4 8½

IMPORTS at the Port of NEWCASTLE.[CONTINUED.]

ARTICLES IMPORTED.	VALUE.
Bro't forward, £	39 4 8½
Fruit,.....	0 3 9
Wheat flour,.....	2 5 0
Glass and glassware,.....	1 18 1½
Hat bodies,.....	6 10 3½
Hardware,.....	15 7 6
Horses,.....	90 0 0
Leather,.....	4 12 11
Leather, manufactured.....	0 7 2½
Lumber,.....	3 15 0
Molasses, 42 gallons,.....	5 5 0
Pork, salted, 5 barrels.....	15 0 0
Spirits of turpentine,.....	1 9 7½
Silk goods,.....	0 1 10
Stoves, pot ash kettles, and castings,.....	18 5 9
Snuff,.....	2 3 7½
Tobacco, manufactured.....	27 2 0
Total, £	233 12 4

AN ACCOUNT of IMPORTS at the Port of COLBORNE and MAITLAND, from 12th April to the 31st December, 1834, inclusive.

ARTICLES IMPORTED.	VALUE.
Apples, dried, 13 bushels,.....	£ 3 5 0
Arnotto, 2 lbs.....	0 1 3
Almonds, 95 lbs.....	1 18 0
Ashes, pearl, 46 lbs.....	0 10 6
Butter, 50 lbs.....	1 5 0
Books and papers, 10 reams, 4 doz. books,...	3 0 0
Beer, 40 barrels.....	40 0 0
Bread stuff, 15 barrels,.....	9 7 6
Brooms, 8 doz.....	2 10 0
Barley, 6 lbs.....	0 4 10
Chairs, 4½ doz.....	12 0 0
Cabinet wares, (makers).....	6 16 0
Crockery,.....	9 9 4
Cheese, 3307 lbs.....	41 5 0
Cooper's ware,.....	3 14 4
Cotton goods,.....	6 6 0
Coffee, 425 lbs.....	10 2 6
Cordage,.....	18 9 0
Candles, tallow, 661 lbs.....	12 10 0
Drugs and medicines,.....	0 13 3
Dry goods,.....	9 18 6
Fruit,.....	5 12 6
Glass and glassware.....	12 2 6
Hardware,.....	11 10 0
Hats,.....	12 17 6
Hops,.....	0 4 6
Iron manufactures,.....	35 0 0
Leather,.....	22 2 0
Leather, manufactured.....	6 4 0
Molasses,.....	17 13 4
Pork, salted, 40 barrels.....	120 0 0
Potatoes, 60 bushels.....	5 12 6
Rosin,.....	0 11 6
Rice, 150 lbs.....	1 10 0
Spices, cassia, nutmegs, cloves, &c.....	2 1 0
Salt, 342 barrels.....	128 5 0
Spirits of turpentine,.....	0 13 1½
Silk goods,.....	0 17 4
Segars, 12 boxes,.....	0 16 8½
Sugar, raw, 419 lbs.....	10 0 0
Stoves, pot ash kettles, and castings,.....	101 8 4
Snuff,.....	0 18 5
Tobacco, manufactured 898 lbs.....	15 8 8
Whiskey, 32 gallons.....	1 12 0
Total, £	706 5 9

## SECOND REPORT ON TRADE.

AN ACCOUNT of IMPORTS at the Port of BATH, between the 1st of January and the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s.	d.
Corn Brooms, 4 doz.....	1	0	0
Cattle, 3 head.....	15	0	0
Cider, 3 barrels.....	1	6	3
Clocks, 158 pieces.....	125	0	0
Cotton Goods, 10 half bales, .....	50	0	0
Coffee, 3,360 lbs.....	84	0	0
Drugs and medicines, .....	50	0	0
Leather manufactured, harness,.....	7	10	0
Spices, cassia, nutmegs, &c.....	18	2	6
Stoves, pot ash kettles, and other castings....	68	4	4½
Tobacco, manufactured, 3876 lbs.....	43	9	6
Whiskey, 148 gallons.....	11	2	0
Total, £	474	14	7½

COLIN MCKENZIE, Collector.

AN ACCOUNT of IMPORTS at the Port of JOHNSTOWN for the year, from the 1st January to the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s.	d.
Wheat flour, 400 barrels, .....	400	0	0
Wheat, 200 bushels,.....	40	0	0
Oats, 400 bushels,.....	16	13	4
Pork, salted, 100 barrels, .....	250	0	0
Rye, 74 bushels, .....	8	2	6
Sheep, 74.....	22	4	0
Corn, 130 bushels, .....	14	1	8
Horses, 10.....	140	0	0
Oxen, 4.....	30	0	0
Cows, 6.....	24	0	0
Cheese, .....	0	12	6
Raisins,.....	0	16	11
Paper,.....	1	2	6
Coffee,.....	1	0	10
Tobacco, .....	1	2	6
Soap,.....	1	0	0
Snuff, .....	0	17	6
Glass, .....	0	17	6
Candles, tallow.....	1	5	0
1100 Castings,.....	13	5	0
Sole leather,.....	25	0	0
Upper leather,.....	7	10	0
Total, £	953	16	11

AN ACCOUNT of IMPORTS at the Port of OAKVILLE for the year ending the 31st December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s.	d.
Corn brooms,.....	6	0	8
Coffee,.....	1	7	8
Candles, sperm. 12 lbs.....	1	2	6
Leather,.....	50	3	3
Leather, manufactured .....	25	0	0
Pork, salted, 15 barrels .....	37	10	0
Rice, 1751 lbs.....	18	12	1
Segars, .....	10	11	4
Snuff,.....	4	16	0
Tobacco, manufactured.....	71	2	7
Currency, Total £	226	6	1

AN ACCOUNT of IMPORTS at the Port of SANDWICH, for the year from the 1st day of January, to the 31st day of December, 1834.

ARTICLES IMPORTED.	VALUE.		
	£	s.	d.
Butter 51lbs.....	0	15	3
Book and papers.....	3	19	5
Buffaloe robes.....	2	10	0
Chairmakers articles.....	11	2	6
Carriages.....	178	19	5
Cabinet makers ware.....	30	6	3
Corn brooms.....	1	5	0
Cheese.....	18	4	6
Clocks.....	3	15	0
Coffee.....	1	2	8
Candles, tallow.....	12	15	0
Fruit.....	9	18	5
Feathers.....	11	8	3
Glass and glass ware.....	18	11	8
Hardware.....	18	6	10
Lard.....	16	18	1
Leather.....	50	4	10
Leather manufactured.....	43	3	9
Machinery.....	15	0	0
Molasses 2 galls.....	0	8	9
Musical instruments.....	25	0	0
Spices, cassia, nutmegs, &c.....	0	0	11½
Segars.....	0	3	9
Sugar, raw 276lbs.....	8	1	0
Stoves, potash kettles and castings.....	68	9	4
Snuff.....	0	17	0
Seeds and plants.....	2	10	0
Tallow.....	0	12	6
Tobacco manufactured.....	2	6	0
Total £	556	16	1½
Gross amount of value of all imports £	957	16	5

I am of opinion that if, instead of the duty of one shilling sterling, a duty of 15 per cent advalorem was imposed upon whiskey that the revenue would be increased, as merchants could then import and sell it at a reasonable profit, after paying the duties; whereas at present the duty amounts to nearly the value of that article.

WILLIAM HANDS, Collector of Customs.  
Port of Sandwich.

AN ACCOUNT of IMPORTS at the Port of DOVER, for the year from the 1st January, to the 31st December, 1834 inclusive.

ARTICLES IMPORTED.	VALUE.		
	£	s.	d.
Books none, paper.....	2	19	9
Chair makers articles.....	9	15	0
Cabinet makers ware.....	1	7	3
Corn brooms.....	1	15	0
Crockery, .....	33	14	2½
Cooper's ware, .....	1	17	6
Clocks, wooden.....	12	0	0
Cotton goods, .....	11	1	3
Coffee 419lbs cost unknown duties 5s. stg pr.ct.	0	0	0
Cordage,.....	10	14	11
Candles, tallow .....	9	2	10½
Fancy goods,.....	28	3	3½
Glass and glassware, .....	11	5	8
Hardware.....	30	11	6
Hats, .....	28	0	0
Hops, 120 lbs.....	3	15	0
Iron, manufactures of .....	71	11	5
Leather,.....	156	14	3½
Carried over, £	424	7	2½

SECOND REPORT ON TRADE.

IMPORTS at the Port of DOVER.—[CONTINUED.]

ARTICLES IMPORTED.	VALUE.
Bro't forward, £	424 7 2½
Leather manufactured,.....	55 5 4
Molasses, (cost unknown) 8 cwt. 1 qr. 12 lbs. at 3s. sterling duties per cwt.....	0 0 0
Spirits of turpentine, 55 gallons,.....	7 3 11
Segars,.....	1 7 6
Stoves, pot ash kettles, and other castings . . .	13 8 0
Snuff,.....	0 16 10½
Tobacco manufactured, .....	43 9 9
Gum, copal .....	2 10 0
Gum, shallac.....	1 16 10½
Linseed oil, 34 gallons.....	7 8 9
Grindstones, 2.....	0 16 3
Salt, 468 barrels .....	0 0 0
Soap, .....	2 7 6
Gun barrels, 8.....	3 0 0
Putty,.....	0 7 8
Oakum.....	1 1 10½
Pitch and tar .....	2 17 6
Glue, .....	1 5 0
Raisins, 11 boxes,.....	5 12 6
<b>Total, £</b>	<b>572 4 1½</b>

EXPLANATION.

Under the head Fancy Goods, is included a variety of small articles, and some perhaps that might be called Dry Goods, &c. Under the head of Hardware, is included Carpenters' tools, &c. Under the head of "Iron, manufactures of" is included wire, bar iron, tin, &c.

From and to our own Ports.

EXPORTS.—Flour, 7257 barrels; whiskey, 945 barrels.

IMPORTS.—Goods, 263 barrels bulk; Plaister of Paris, 242 barrels, as near as I can get information.

GEORGE J. RYERSE,  
Collector.

SUGGESTIONS for the improvement of the system under which Custom Duties are collected.

As every means is generally used by Importers to evade paying the full amount of duties required by the spirit of the law, they evidently contrive to have almost everything greatly undervalued, and it often becomes very difficult, sometimes hazardous, delicate, and, under some circumstances, impossible to detect fraud. I believe it is the general practice to obtain false bills. I would therefore suggest that a severe punishment be the consequence of any one's presenting a false bill; also, that duties be exacted on the pound, measure, or price of articles, (and not according to invoice price, &c.) as far as can be, which will obviate the chance of deception in that way, and would be the means of better articles being imported. I would also recommend, that Masters of vessels should be obliged to make out a report of all articles on board, particularizing where and when shipped, and specifying what and where any thing has been landed both from our own ports as well as from foreign ports, to be presented to the Collector at each port, where she may land any thing, under oath that it is correct, and nothing more or otherwise on board than therein stated. This would prevent a great deal of smuggling; for any vessel may now say she is from one of our own ports; she may have the chief of her cargo from hence; she may touch at an American port or have a boat sent on board with foreign goods; as the law now stands, we cannot oblige him to report; the only way to detect the fraud is for the Collector to go on board and search, and examine articles, and take

a great responsibility to himself to judge between home or foreign goods, which renders the course very impracticable and almost impossible to be enforced along the shores of the lakes. It is certain, that for the want of something of this kind, smuggling is greatly promoted. The fact is, that as the British Act of Parliament now stands, it is the next thing to impossible to be strictly complied with, and Collectors have greatly to be governed by instructions from the Inspector General.

GEORGE J. RYERSE,  
Collector Port of Dover.

AN ACCOUNT of IMPORTS at the Port of AMHERSTBURGH,  
between the 1st January and 31st December, 1834, inclusive.

ARTICLES IMPORTED.	VALUE.
	£ s. d.
Butter, 78 lbs .....	2 15 7½
Books and papers,.....	4 16 10½
Beer, 1 barrel, .....	1 10 0
Bricks, 50000,.....	43 15 0
Carriages, .....	6 0 0
Corn brooms,.....	2 3 9
Crockery, .....	18 11 1½
Cheese, 200 lbs.....	3 0 0
Cooper's ware, .....	0 1 3
Clocks .....	13 10 0
Cotton goods, .....	32 4 3½
Coffee, 333 lbs. ....	13 3 7½
Candles, tallow, 25 lbs .....	0 15 7½
Drugs and medicines,.....	2 4 9
Dry goods, .....	53 4 8½
Fancy Goods, .....	21 12 0½
Furniture, .....	24 15 0
Glass and glassware.....	1 18 9
Hardware,.....	24 7 7½
Hats, .....	7 0 0
Lard, 434 lbs. ....	7 11 11
Leather,.....	12 5 9
Leather, manufactured .....	74 18 9
Molasses, 10 galls. ....	1 5 0
Oil, 6 gallons.....	1 17 6
Silk goods.....	17 14 6½
Sugar (raw and refined).....	32 3 6
Stoves, potash kettles and other castings.....	16 18 9
Salt, 937½ bushels.....	93 15 0
Soap.....	2 10 6½
Tobacco 189 lbs.....	6 3 5½
Whiskey, 136½ gallons.....	8 10 7½
<b>Total, £</b>	<b>553 5 4½</b>

TORONTO, 11TH MARCH, 1835.

SIR,

I have the honour to enclose, for the information of the Committee on Trade, a copy of a statement of the Inland Imports at the Port of Montreal, during the season of 1834.

I am, respectfully,  
Sir,  
Your most obedient servant,

R. GILLESPIE, JR.

JAMES WILSON, Esq.  
Chairman,  
&c. &c. &c.

## THIRD REPORT ON TRADE.

INLAND IMPORTS TO MONTREAL from the opening to the close of the Navigation.—1834.

ARTICLES.	CANADA PRODUCE per St. Lawrence, fm-15 April to 3 Dec	CANADA PRODUCE per Rideau, from 16th June to 22 Dec	AMERICAN PRODUCE per St. Lawrence, fm 15th April to 4th Dec
Barrels Ashes,.....	6633	2805	1751
Barrels Flour,.....	93388	8589	20169
Barrels Pork,.....	711	44	22519
Barrels Beef,.....	23		904
Barrels Lard,.....	9		483
Kegs Lard,.....	40		1685
Barrels Butter,.....	54	9	1
Kegs Butter,.....	557	806	190
Bushels Wheat,.....	285980	2746	333
Bags Wheat,.....	1591	2	
Bushels Peas,.....	14441	36	
Bushels Rye,.....	62		
Bushels Indian Corn,.....	270		650
Barrels Whiskey,.....	501	2	
Hogsheads leaf Tobacco,.....	353		
Kegs manufactured Tobacco,.....	11		
Barrels Barley,.....		115	
Live Hogs,.....			2852

[ Copied from the Montreal Herald of the 21st January 1835.

## THIRD REPORT OF THE COMMITTEE ON TRADE.

To the Honourable the House of Assembly.

The Select Committee on Trade beg leave to report some information received from the Honourable James Buchanan, British Consul at New York, relative to the trade at the port of New York with the British West Indies and the British North American Colonies.

COMMITTEE ROOM,  
HOUSE OF ASSEMBLY.  
4TH APRIL, 1835.

JAMES WILSON,  
Chairman.

TORONTO, U. C. HOUSE OF ASSEMBLY,  
MARCH 10TH, 1835.

SIR,

I beg you would endeavour at your earliest convenience to inform the Committee on Trade what are the quantities and value of United States' produce which have been shipped from the port of New York during the last year for the British North American Colonies and West Indies respectively, distinguishing the part shipped in American ships from that shipped in British vessels, and stating the duties payable on such produce in the said Colonies under Imperial Acts; as also, that you would give the committee any other information or suggestions which may be in your power relative to the intercourse between the United States and Canada, and concerning the mode to be taken to remove the restrictions which exist to the importation of Canada wheat, lumber, flour, &c. into the United States.

I am, Sir,  
Your Obedient Humble Servant,  
(Signed) JAMES WILSON,  
Chairman.

HIS MAJESTY'S CONSULATE,  
NEW YORK, 23RD MARCH, 1835.

SIR,

I have the honour to acknowledge your letter of the 10th instant, requiring certain returns in relation to the trade of this port with His Majesty's possessions therein mentioned, as also further observations bearing on trade.

## THIRD REPORT ON TRADE.

I regret your letter was so long on the way, lest you should attribute the delay to inattention to the wishes of the Committee on Trade. I have put clerks to work, and hope in a few days to forward an answer, as far as practicable, in accordance with your letter.

I have the honour to be,

Sir,

Your Obedient Servant,

JAMES BUCHANAN.

To

JAMES WILSON,  
Chairman Committee of Trade,  
&c. &c. &c.

HIS MAJESTY'S CONSULATE,  
NEW YORK, 31st MARCH, 1835.

SIR,

I have the honour, in reply to your communication as Chairman of the Committee of Trade of the Parliament of Upper Canada now assembled, to inclose herewith a return of the quantities and value of United States' produce which have been shipped from this port during the last year; as also for the years 1826 and 1832 for the British North American Colonies and West Indies, respectively distinguished; but what proportion thereof was carried in British vessels, or those of the United States, I have no means of ascertaining that important information, for want of authority to require it. The duties payable thereon, upon being imported into New Brunswick, Nova Scotia, and Prince Edward's Island, is, on flour, five shillings, and on salted provisions, twelve shillings the cwt., which duties are a premium in favour of Canada, as exporting from thence these articles are free. The small amount of provisions exported was quite unexpected by me.

As to my views concerning the means to be adopted to remove restrictions which exist as to the exportation of Canada wheat, lumber, flour, &c. into the United States, the answer is obvious, namely, to allow the wheat, flour, &c. of the United States to pass into our colonies, and there is little doubt a measure so much to the advantage of the United States would lead Congress to remove the obstructions; but I speak without authority, and offer no opinion thereon.

In your letter, you have done me the honour to require any other information as to intercourse with the United States, bearing on the interests of Canada. The committee will pardon my observing, that above twenty of my family are settled in the Canadas, and several of my children in the Upper Province, since I have adopted it as my country, and we are all identified with the agricultural interests; at the same time I deem the propriety of the agricultural, commercial, and mechanical, so united, that whatever efforts are pursued to benefit the one, or to injure the one, must bear upon all; therefore I lament the disposition (no doubt well meant) of those who aim at leading the agriculturist to think restrictions essential to their prosperity, as a long and intimate acquaintance with the bearing of commercial regulations has convinced me, all measures of restraint recoil on those who adopt them; and of all countries, Canada is adapted to benefit by unfettered trade, abounding with capabilities beyond that of any part of the great American continent. If the enterprise of these adjoining States should tend to rouse Canada to exertion, we shall have occasion to rejoice at the prosperity of our neighbours. Pardon my asking what effects would result to Canada did the same spirit of enterprise prevail as is manifested by the States of Maryland, Pennsylvania and New York, in expending millions of dollars to draw the trade of the great Western Lakes, or inland seas, to their shores, from the natural outlet which Canada possesses? I hesitate not upon the present occasion to submit the view I took in relation to this subject, in answer to queries submitted to me two years ago, among which was the following:

“What measures would you recommend to extend British commerce?”

After offering various measures for consideration, I observed, in relation to the St. Lawrence, “There are other considerations peculiarly connected with the St. Lawrence, which, with its tributary rivers and lakes, washes above four thousand miles of boatable shores, all of which may be rendered subservient to promote British commerce, while no other part of the earth furnishes so

## THIRD REPORT ON TRADE.

many real advantages as may be derived from the cultivation of those arising from that mighty river."

Sir, while I contemplate the blessings and important advantages arising to Canada in forming a part of the British Empire, I would strongly urge the adoption of all the means calculated to call forth the vast capabilities of the Province, so as by one great river to send forth food to supply the wants of the Parent State and the British Colonies, and this will be but promoted by an encrease of working agriculturists, and the creation of capital to effect the drawing forth the unlimited but stagnant resources of wealth and prosperity with which your country abounds. Look at your enterprising neighbours; what, I may ask, has pushed on Buffalo and many other places I might name?—has it not been the erection of a circulating medium? I have, in a report in relation to the banking institutions of the State of New York, collected data to shew that previous to 1828, the State Legislature had authorised, by various acts of incorporation, the issue of above one hundred millions of dollars; yet the state, if called on, could not have paid two millions without resorting to neighbouring States. I confess, previous to such investigation I had viewed all capital based on any other source than such as was convertible into cash, ruinous; but my ignorance was corrected by viewing the prosperity of the State, founded upon such acts of legislation. I beg leave to forward a copy of such my report, and to which I beg leave to refer: in fact, the energy of a community is, as it were, dead, until animated by the vivifying influence of a circulating medium. While speaking of money, I beg leave to bear my testimony against the baneful influence of limiting the rate of interest any man is disposed to pay for money. In this state, seven per cent is allowed; in Canada, only six; yet here it is abundant, and in Canada scarce. To limit the sale of money, while the disposal of all other property is free, and that such constraint should be continued, is one of the most extraordinary proofs of the influence of ancient opinions, which continue to chain down the march of enlightened principles which so universally prevails in this our day. I therefore, sir, venture to submit, that the prosperity of Canada will be accelerated by increasing monied incorporations, based upon property, promoting the freedom of trade by the great outlets, and cherishing every effort to open communications by rail-ways, which are found preferable to canals; at the same time aiding the improving of the various natural communications which the numerous chains of lakes and rivers point out, in connecting Lake Huron, Lake Simcoe, and Ontario. So strongly am I impressed with the importance of drawing the trade of the west by the St. Lawrence, that were the two provinces united, the Welland Canal should be purchased and thrown open, save such charges as alone would sustain repairs and superintendance; and while my son is a farmer in Adelaide, I feel I promote his prosperity by that of Quebec, Montreal and all the forwarding craft on the lakes and rivers. I see the germ of a mighty empire, more within the grasp of a few years and with less expenditure, than any portion of the earth can furnish, compared with Canada; keeping in view, in addition to its soil, climate, and capabilities, the adaptation of the climate to the people of the United Kingdom. I have the most confident anticipation of the unexampled prosperity of our country, seconded as all your measures for the general benefit of the Province has been by His Majesty's government, and devoted as the present and now justly appreciated Governor is, with untiring solicitude, to forward all measures deemed beneficial, the fault must rest with the people if they do not profit by His Excellency's zeal for the prosperity of the Province.

I fear I have gone much further than was looked for, and certainly beyond what I proposed, but my interests are so identified with Canada, that I conclude with observing, poor laws, state prisons and universal suffrage, stand so in array against all the many advantages the state of New York possesses, (being wens which the citizens in their legislative and individual capacity know not how to cut off) that I earnestly entreat these evils may not be entailed on the land of my adoption.

In conclusion, Sir, permit me to observe that I shall feel honoured to adduce data in support of every sentiment I have advanced, to all who may favour me with their views in opposition to the various suggestions I have had the honour to submit, but to all anonymous writers I shall pay no attention. My views are open: I may be mistaken; and those who think differently should not be ashamed or afraid to avow their opinion, and set forth the ground on which it rests. I am truly anxious the community would reflect and think, and not be

THIRD REPORT ON TRADE.

led by declamation. I charge no man who may differ with me with dishonesty of purpose; and whether I am so charged, or otherwise, I shall not feel I merit the charge, and therefore shall bear it. I pray you, sir, to assure the Committee, that they may at all times command my sincere services in all matters bearing on the prosperity of Canada.

I have the honour to be,  
Sir,  
Your Obedient Humble Servant,  
JAMES BUCHANAN.

To  
JAMES WILSON, ESQR.  
Chairman Committee of Trade,  
&c. &c. &c.  
PARLIAMENT HOUSE TORONTO.

RETURN of the amount of Domestic Articles exported to the British West Indies and the British North American Colonies, from the District of New York, during the years 1826, 1832, 1834. Prepared for His Britannic Majesty's Consul.

To the British West Indies.		To British North American Colonies.		TOTAL.
1826.....	\$491,161	1826.....	\$214,832	\$705,993
1832.....	\$342,963	1832.....	\$604,733	\$957,696
1834.....	\$312,694	1834.....	\$432,933	\$755,627
				\$2,419,316

RETURN of PORK and FLOUR exported.

To the British West Indies.			To the British North American Colonies.		
	PORK.	FLOUR.		PORK.	FLOUR.
1826.....	11	25,705	1826.....	1691	23,250
1832.....	1190	18,328	1832.....	13760	36,180
1834.....	365	24,316	1834.....	8047	29,025
		\$1,566			\$88,435
		\$68,349			\$23,498

The following Letter was addressed, by the Chairman of the Committee, to Churchill C. Cambreling, Esqr. a Member of Congress for New York, who takes an active part in the public business in matters relating to trade and commerce:—

TORONTO, U. C. HOUSE OF ASSEMBLY,  
MARCH 10TH, 1835.

SIR,

I am directed by this Committee to enquire, whether it is probable that any measure will be introduced into Congress this season for conferring reciprocal advantages on both sides of the St. Lawrence? We have hitherto allowed the importation of United States produce duty free; but the opportunity of taking the advantage of a favourable market for our overplus lumber, &c. is denied us, owing to the heavy protecting duties imposed by congress. The precise amount and nature of the duties you impose on grain, flour, lumber, &c. we are not aware of, nor whether the importation of grain and flour would receive a draw back on its being conveyed to the sea-board for exportation. To allow the Canadians to sell their lumber, if cheap and good, in the United States, would be enabling them to buy other articles of which you have in the union enough and to spare. Is there a hope that a relaxation of the present system may take place ere long, or is the peculiar local situation in which we stand to the United states to continue as hitherto, an obstacle to the introduction of a principle that would make our roads and rivers free channels of commerce?

Any information you can convey, relative to the improvement of the commercial relations in which this country and the United States are mutually connected, will be thankfully received by this Committee.

I am, Sir,  
Your Obedient Servant,  
JAMES WILSON,  
Chairman Committee of Trade,  
&c. &c. &c.  
PARLIAMENT HOUSE TORONTO.

CHURCHILL C. CAMBRELING, Esq.  
Member of Congress,  
WASHINGTON, D. C.

## THIRD REPORT ON TRADE.

NEW YORK, 8th APRIL, 1835.

SIR,

An answer to your esteemed letter of the 10th ult. has been delayed by my absence in Carolina.

No measure of the character referred to was adopted at our late Session. Those who favour liberal views have been trying for some years past to remove the restrictions on our intercourse with Canada. We have, however, only succeeded so far as it respects the reciprocal duties on navigation. Under an Act passed in 1833, our duties on merchandize are under a gradual (triennial) process of reduction; and in 1842 we shall retain no heavy or prohibitory rates. We have endeavoured to obtain for the benefit of the interior commerce of both countries, the right of drawback on one whole frontier for merchandize in transitu for the consumption of Canada, and on the produce of the latter, when exported from our ports, on the Atlantic; but although this policy is manifestly for the interest of this Country and of Upper Canada, it has been, hitherto, opposed, from an idle apprehension that it would facilitate frauds on the revenue. When our duties are reduced this argument will have less weight, and I am not without hope that our drawback system will be extended to all cases of transportation of foreign produce by land to be exported for foreign consumption. There never should have been any distinction between these cases and those of transportation coastwise. We have also made many attempts to remove our vexatious frontier restrictions on travellers, and on the daily intercourse across our rivers affecting small quantities of produce for our Mills or Market, &c.; but it has been found so difficult to frame a law, our officers have been compelled from necessity to give a liberal construction to existing laws, which were originally designed for the Atlantic border, and are wholly inapplicable to the small traffic on rivers. It is to be hoped that the manifest interest of both countries, and the evident necessity of the case, will induce both governments to adopt, at no distant day, more liberal measures for facilitating our mutual intercourse.

I am,

With great respect,  
Your Obedient Servant,

C. C. CAMBRELLING.

To

JAMES WILSON, Esq.  
Chairman of the Committee of Trade,  
HOUSE OF ASSEMBLY UPPER CANADA.

THURSDAY, 12TH MARCH, 1835.

MR. JOHN EASTWOOD, of the firm of EASTWOOD and SKINNER, PAPER MAKERS,—EXAMINED.

Does your establishment receive that assistance by way of discounts from the Bank of Upper Canada, which would facilitate your operations as a Manufacturer.—Do they invariably discount good paper? The Banks do not invariably discount good paper. It has frequently happened, at a certain season of the year, in summer, that the Banks stopped discounting good paper; and when this happens, Manufacturers, whose business paper is refused, are unable to pay their hands; this throws their affairs into confusion. The following is a case of frequent occurrence in both the Banks: Paper, for which we have given value in the regular course of manufacturing, and which is well and fully secured, has been refused to be discounted, on the ground that the Banks were not discounting at the time, notwithstanding this, the Banks would at these times discount to friends and favourites as I have understood. I would not augment the monopolies of the present Banks, but would leave Banking open, like all other trades, to find its own level. the paper-makers in the United States, in general, do not labour under the same difficulties as we labour under. There, a paper-maker can easily find Banks who will be glad to discount all business paper known to be good. I think we never owed all the Banks at any one time for paper drawn by us, £200.

What extent of business have you done in any one year?—We manufactured paper last year to the value of 9000 dollars and upwards.

## THIRD REPORT ON TRADE.

## COMMITTEE ON TRADE.

PRESENT,—MESSRS. JAMES WILSON, (*Chairman*) DURAND, McMICKING, MACKENZIE and SHAVER.

SATURDAY, 14TH MARCH, 1835.

James E. Small, Esquire, Member of the House of Assembly, called in and examined.

You brought in this bill for extending the stock of the bank of Upper Canada from £200,000 to £500,000?—I did.

By whom was you requested to introduce this bill?—By the Cashier, Thomas G. Ridout, Esq. who more than twice spoke to me to do so. I perfectly understood him to say that it was the desire of the President and Directors that I should bring in the bill.

There was a petition?—Yes, last session; and Mr Ridout said I could refer to it and see what was done on it last session. On this by the leave of the House, I brought in the bill.

J. COLBORNE.

The Lieutenant Governor transmits to the House of Assembly the accompanying copy of a despatch from His Majesty's Secretary of the State for the Colonies, with reference to an address to the King from the House of Assembly, praying that the duty now imposed on wheat, grain, and flour, the growth and produce of the Province, may be remitted.

GOVERNMENT HOUSE,  
26th January, 1835.

(COPY No. 22)

DOWNING STREET,  
6TH AUGUST, 1835.

SIR,

I have had the honour to receive your despatch, No. 20, of the 4th of April last, accompanied by an address to the King from the House of Assembly of Upper Canada, praying, that His Majesty would be pleased to recommend to Parliament, that the duty now imposed on wheat, grain and flour, the growth and produce of the Province be remitted. In reply I have to inform you, that his Majesty's government does not think it adviseable to make any change upon the duties of Canadian corn apart from the consideration of a general change of the duties of corn.

I have Honour to be, &c.

T. SPRING RICE.

*To His Excellency SIR JOHN COLBORNE, Knight Commander  
of the Most Honorable Military Order of the Bath,  
Lieutenant Governor of the Province of Upper Canada,  
and Major General, commanding His Majesty's Forces  
therein, &c. &c. &c.*

THE Trustees appointed by an Act of the Legislature passed in 1833 to make and improve the three principal approaches to the then Town of York, now the City of Toronto, considering it desirable that the whole of their proceedings, embracing 1833, as well as 1834, should, at one view, be brought before the notice of the Legislature, for the purpose of exhibiting the necessity for, and nature of, the undertaking, the authority given the Trustees, their proceedings under it, together with details of their principal difficulties, and also of their ultimate success :

RESPECTFULLY REPORT,—

THAT at the period when the Act was passed, Yonge Street was in an almost impassable state, while many thousands were principally dependent upon it as their road to Market, and that it could not have remained much longer in use without Legislative interference into which state the Eastern and Western Roads are at present hastening.

The Trustees, for many reasons, determined that Yonge Street should be the first one commenced, a principal one being that stone was abundant. The Act granted £10,000 to the Trustees to enable them to Macadamize, or otherwise improve the three principal approaches to the Town, and which authorised them to establish Toll Gates thereon respectively, as fast as one mile should be perfected on each. They very soon encountered a difficulty not anticipated, which was that of obtaining the means; for although the Receiver General was authorised to issue Debentures, which he did as fast as the Trustees required them, they were, according to the terms of the Act, secured only by the tolls to be raised at such gate or gates as the Trustees might erect on such roads after the completion of the mile; and as not only strangers, but inhabitants also, were in doubt as to the adequacy of the security, the Debentures could not be sold until the Trustees entered into Bonds, which they did to secure the holders against every contingency, being well assured that the risk could not be a serious one in any event, while the certain benefit to the country was undoubtedly great.

The anticipations of the Trustees have been more than realized, for although they have expended nearly £6,000 completing two and one half miles only, including about £600 for the expense of lowering and otherwise improving two very bad hills, and further sums on several small ones, together with drains and culverts, &c., including also the toll house, gates, &c., their receipts, which at this time amount to between £700 and £800 per annum, is sufficient to enable them to pay the interest of £10,000—the expense of keeping the gate, and also enough for the probable amount of repairs. The tolls have also proved far beyond the anticipations of the Legislature, which, when the Act was passed, prudently set apart one-fourth of the grant of £10,000 to guard against contingencies, and secure the interest to the public creditor, until the tolls should prove adequate to the charge, not one shilling of which appropriation has been found necessary for that purpose.

The Trustees have annexed to their report for the information of the Legislature a statement of their receipts and expenditures from the commencement in 1833 to the end of 1834, by which it will appear that their liabilities for services of different kinds, outstanding, amount to £316 7s 2d.

They also drew upon the North Toll Gate fund to the amount of £317 7s 10d., which sum will be paid out of the next Debenture sold; amount in all to £634 5s., their total expenditure having amounted to £5,866 13s 10d., the above sums inclusive.

The Act only allotted £3,500 for that road; but when the Trustees knew that the £2,500, set apart for the payment of interest, would not be required for that purpose, they did not hesitate to employ such part of it as was necessary to enable them to effect so important a service to the surrounding country as they have done, having passed beyond the greatest obstacles in the way near town, and which has been completed in a manner most satisfactory to themselves, and they believe to the public also. They considered that they would undoubtedly be justified in expending for the public good all that could be saved out of the public grant.

Exhibit No. 2, is a statement of the amount of what they have been compelled to pay to a contractor, who had engaged to perform one mile for £1,500, (and that for laying about two-fifths of the mile only,) £1,780 6s. 4d. which exceeds £4,000, the mile. The Trustees regret exceedingly that they should have been compelled so to do; but, having had an award, a Report of the House of Assembly, and a verdict on the award rendered against them, they were under the necessity of complying, although they are still most perfectly convinced of the injustice that has been done to the public by the award and report also.

The details of the transaction follows:—

In the spring of 1833 the Trustees met; and from the labors of John McAulay, Esq., of Kingston, (whose long report on road making had been published,) together with the aid of Macadam's work on the same subject, they soon became tolerably acquainted with the nature of the work. The first person who, after public notice, made application to them for employment was Mr. James Cull, who professed to be a Civil Engineer, and to

understand Macadamizing both scientifically and practically; and, moreover, brought a letter of recommendation from John Wilson, Esquire, then a Member of the House of Assembly, which stated Mr. Cull to be in advance of any pretensions he made of himself. Mr. Cull laid before the Trustees a minute detail of the expense of Macadamizing one mile of Yonge Street next the Town, estimating it at less than £1,250, or 13s. 3d. the yard, running measure. He shortly after proposed to the Trustees to undertake it by contract, for £1,500, or about 16s. 6d. the yard. The Trustees cautioned him as to the undertaking, and after his professions of knowledge, reluctantly contracted with him; none of the Trustees having much faith either in his knowledge or success.

They entered into the contract with him however, considering themselves bound to accept the lowest tender.

Early in September, when by his contract 1,200 yards should have been done, he had only laid 737; and even that small proportion was never finished by him; had it been, that quantity would have entitled him to a little more than £600, and including two culverts, and materials, &c. delivered over to the Trustees, to £770, at a period when he had received from the Trustees £1,200. He then required to be paid what he asserted he had expended upon the work, being no less than £1,532 9s. 7d., in which were included several items of charge too exceptionable for serious consideration; among them the following:

£170 for tools, which the Trustees credited as they were valued by judges at £17 16s. 6d. before the Committee when he said they were overrated;—£40 for stone, supplied for two culverts, built by him when 10½ toise only were used, the value of which was 50s. the toise;—overcharge £13 15s.;—£25 for hauling 21 toise of Kingston stone from the wharf, being 24s. the toise, when 5s. and 7s. 6d. were the extreme charges;—overcharge £17;—Whiskey for men, £20; and others equally exceptionable. The Trustees could not therefore comply with his demand.

On the 20th September, Bonds were executed, in order that Arbitrators might investigate the matter fairly.

The agreement, although recited in the bonds, the Arbitrators seem to have lost sight of, for on the 20th October they made an award, allowing him £1675, or, nearly £150 more than he had asked of the Trustees, when he gave up the work, being at the rate of £4'000 the mile, or 44s. 2d. the yard, instead of £1,500 or 16s. 6d. the yard. His charge before the Arbitrators amounted to £1738, but the Trustees have not been able to obtain a copy of that account to the present day, although often asked for, they cannot therefore comment upon its contents.

The matter was afterwards brought before a committee of the House of Assembly, of which committee Mr. John Wilson was Chairman. The Trustees being conscious of the great injustice of the award, as also of the report of the Committee (and which report was not allowed to be placed upon the Journals, by the House,) suffered an action to be brought against them, by the contractor, being aware that upon a verdict being given for the sum awarded, the Arbitrators would not obtain the £25, which they were liberal enough to allow themselves for so trifling a service—and which, together with the interest on the sum awarded, would amount to about the same as the costs of the prosecution; they therefore decided that they would not comply with the award unless compelled.

Exhibit No. 2. will also shew, that it gives the contractor several hundred pounds beyond his fair deserts, and above £1,000, more than double beyond his contract.

The Trustees conceive that they only do justice to themselves, when they beg, which they most earnestly do, that a fair enquiry into the whole matter may still be made, particularly, as some gross and unjust remarks have appeared in one or two of the public prints, which upon enquiry will prove to have been without foundation. Considering it important that the public should know the actual necessary expense, the Trustees can most easily and satisfactorily shew, before any impartial tribunal, the great injustice done to the public by the decision of the Arbitrators—obvious from the testimony of Benjamin Thorne, Esquire, of Yonge-street, recorded in the report of the House of Assembly, which proves that 737 yards only, were claimed, as finished by Mr. Cull, whose Arbitrator he was, notwithstanding which himself, and Mr. Chisholm, the umpire, thought the whole demand made before them, of £1,738, should have been given him, being £238, beyond his contract for the whole; but they consented, for the sake of unanimity, to give him £1,675, only—beyond which the Committee recommended allowing him 22s. 6d. a day or £92 in all, for his services, although he was a contractor, and not an overseer.

(Exhibit No. 8, will shew the impossibility of their conclusions being just.)

Delicacy alone, prevented the trustees from laying the whole matter before the public until after the trial of the cause; and they still feel unwilling to do so, as long as there is any probability of its being investigated by dispassionate individuals, but, if that fails, they must do themselves justice.

They will now turn to a more pleasant part of their duty, the representation of facts, more satisfactory to themselves, because, in their consequences they will prove more beneficial to the public.

Watson and Bell, two plain unassuming men, were employed, on Mr. Cull's surrender, to proceed with the work, and between 7th. September, 1833, and the 1st. May, 1834, (the worst season of the year both on account of the shortness of the days, and state of the weather,) they completed the mile, being 1,023 yards, at an outlay, as per exhibit No. 3 of £1,400 only, excluding the Toll House Gate &c. or £1,547 including them, being at the rate of 27s. 6d. the yard, instead of 44s. Mr. Cull's average—and exhibit No. 5, will shew most plainly, that the charge of 27s. 6d. the yard, is far more than is necessary when the whole season is occupied in the progress of the work, instead of merely the spring and fall months.

Exhibit No. 4, shews that 2640 yards 16 feet wide, instead of 20, with the same depth of metal, have been perfected with advantage to all concerned, for 15s. instead of 44s, Mr. Cull's average, and, that, notwithstanding the known prevalence of Cholera during the last season.

The following recapitulation will shew at one view, the total expenditure, what it was made for, and to whom made—the average expense of doing each separate part per mile and yard; which the Trustees hope will be found perfectly plain, intelligible, and satisfactory to all.

The total expenditure upon macadamizing 5,550 yards, but called only 4,400 yards, above 2½ miles, paid the following persons : .....

James Cull, for laying 737 yards at an average of 44s. 2d. the yard, .....	£1,763	6	4
Watson and Bell, for 1,023 yards, .....	1,450	9	6
Watson and Bell, for 2,640 yards, .....	2,652	18	0

£5,866 13 10

Cull's Estimate per yard, 13s. 3d.—per mile, .....	£1,250	0	0
Cull's Contract, per yard, 16s. 6d.—per mile, .....	1,500	0	0
Cull's demand of Trustees, per yard, 41s. 6d.—per mile, .....	3,652	0	0
Cull's demand, before Arbitrators, per yard, 47s. 6d.—per mile, .....	4,345	0	0
Arbitrators allow Cull, per yard, 44s.—per mile, .....	3,960	0	0
Watson and Bell, under the disadvantage of the season, have cost per yard, 27s. 6d.—per mile, .....	2,420	0	0
Watson and Bell, 16 feet wide, per yard, 15s.—per mile, .....	1,320	0	0
Add one quarter for 20 feet wide, per yard, 18s. 9d.—per mile, .....	1,650	0	0
Watson and Bell, per mile, 16 feet wide, .....	1,320	0	0
Half a mile, do. ....	660	0	0
Expense of Blue Hill, .....	500	0	0
Gallows Hill, .....	100	0	0
Small Culverts, .....	45	0	0
Tools, Stones, &c. on hand, .....	45	12	4

£2,670 12 4

Brought down, .....	Watson, .....	£2,652	18	0
Stones over last mile, .....		12	0	0
Credit from Bank, .....		5	14	4

£2,670 12 4

The Trustees have also the satisfaction of reporting a statement of their daily receipts from the first until now, as per exhibit No 5, and the yearly statement in exhibit No 6, which will enable an attentive observer to judge as to the certainty of the security, and of its being sufficient to justify the Parliament in authorising the Receiver General to borrow on the security of the Province, particularly when it is taken into consideration that the Trustees have the power to increase the Tolls, should it ever become necessary so to do; at present the Receipts are most ample notwithstanding the very low rate at which they are established.

(See same Exhibit.)

The present Tolls, after paying the keeper of the Gate, will discharge the interest of £10,000, and also the expense of the annual repairs, which for the past year, amounted to less than £20, the repairs will however, in all probability, be provided for by the statute labour collectable from those living on the road, in case the Parliament should authorise its collection in money, and its payment to be made to the Trustees.

Should the Parliament see fit to authorise the Receiver General to borrow from time to time such sums as the Trustees may require of him, to be limited in amount as they may deem necessary and prudent, either on the general credit of the Province, or under the security of an Act which might be passed, to authorise the Justices in Quarter Sessions assembled, to add an increased rate on the Inhabitants of the District, to make up any sum that the Tolls might fall short in paying—for although there is not the slightest reason for supposing that it will be required, except for the purpose of satisfying strangers as to their security, the present Tolls being more than adequate to their present charge, and there is no doubt but that the other roads will pay as well in proportion to what is laid out upon them as the North road—yet strangers require an unlimited security for their advances—a second sum of £10,000, will be sufficient to complete the road to Hogg's Mills, on Yonge-street, Small's Mills on Dundas-street East, and a good distance Westward, during the ensuing season; and when all the benefits which proceed from the work is taken into consideration, it will be recollected how vast the benefit has already proved, and will continue to be, to those Emigrants who are not possessed of farms of their own, and who find it difficult for the first few months to support their families. The Trustees confidently hope and believe that the Parliament will see the propriety of authorising further loans. The Trustees have little doubt but that a toll of 2s. 6d. upon each team would suffice to pay the interest of money that would be sufficient to macadamize Yonge street, as fast as necessary, from time to time, from Toronto to Lake Simcoe, and that would enable the farmer and teamster to bring double the weight they do at present with far less wear and tear both to their cattle and carriages, materially advancing the value of all the adjacent country, and also bringing more distant lands nearer market, as the facilities of approach increase.

All which is respectfully submitted,

D. BOULTON, CHAIRMAN,  
 JESSE KETCHUM,  
 G. T. DENISON,  
 CHARLES THOMPSON,  
 CHARLES C. SMALL.

CITY OF TORONTO,  
 12th day of March, 1835.

*Statement of Receipts and Expenditures on the North Road from Toronto, up Yonge Street, by the Trustees appointed by Parliament, during the years of 1833 and 1834, upon two miles and one half of Road now finished.*

**EXHIBIT No. 1.**

Debentures sold in 1833, .....	£2,000	0	0
Same in 1834, .....	3,200	0	0
Interest that had accrued on one when sold, .....	32	8	10
			<hr/>
	£5,232	8	10
Borrowed from the North Toll Gate, to be returned out of the next Debenture sold, .....	267	17	10
Advanced by the Bank of Upper Canada, .....	5	14	4
Sums due for services performed, .....	360	12	10
			<hr/>
	£5,866	13	10
			<hr/>
Advanced to James Cull, .....	£1,200	0	0
do. to his Attorney for Verdict, .....	504	18	2
Costs, £31 10s.; do. for defence, £10, .....	41	10	0
Paid Bell for overseeing, £10 10s.; printing, £6 8s. 2d. ....	16	18	2
			<hr/>
	£1,763	6	4
Advanced Watson and Bell for 1,023 yards, £994 16s. 9d. less, £10 10s. and £6 8s. 2d. printing,—(they paid Bell,) ....	£977	18	7
Paid for Kingston stone, .....	50	12	6
Watson and Bell for materials, &c. ....	263	4	3
do. do. do. ....	158	14	2
			<hr/>
	£1,450	9	6
Advanced Watson and Bell for last mile and a half through Bank, .....	£2,302	5	2
Due to several, .....	350	12	10
			<hr/>
	£2,652	18	0
			<hr/>
	£5,866	13	10

**EXHIBIT No. 2.**

The Trustees paid James Cull, who contracted to complete one mile on Yonge Street for £1,500, the sum of £1,206 8s. 2d. before he surrendered the contract in 1833, at which period he had only laid 737 yards, about two-fifths of the whole; the rate per yard at the contract price, 16s. 6d.

Paid J. Cull in 1833, .....	£1,200	0	0
Paid his Attorney, amount of verdict, .....	504	18	2
Paid Mossop for stones Cull used, .....	16	12	6
Cost of suit £31 10s., witness 7s. 6d. ....	31	17	6
Cost of Defence, .....	10	0	0
Bell for overseeing £10 10s., Sheriff Jarvis £6 8s. 2d. ....	16	18	2
			<hr/>
	£1,780	6	4
£1,763 6 4 paid by Trustees.			
16 12 6 paid by Watson.			
0 7 6			
	<hr/>		
£1,780 6 4			
737 yards at 44s. 2d. ....	£1,627	10	0
Culverts were valued at .....	55	0	0
Articles delivered over, &c. &c. &c. ....	97	0	0
			<hr/>
	£1,779	10	0
			<hr/>
737 yards at contract price, 16s. 5d. ....	£605	0	0
2 culverts, estimated for much less valued at, .....	55	0	0
Articles delivered over, .....	97	0	0
			<hr/>
	£757	0	0
Over contract price as awarded, .....	1,023	6	4
			<hr/>
	£1,780	6	4

**EXHIBIT No. 3.**

The Trustees have paid Watson and Bell, to complete the 1,023 yards left by Cull of the first mile, and for finishing the 737 yards laid by him:—

Paid Watson and Bell in 1833, .....	£977	18	7
Paid for Kingston stone and wharfage, .....	50	12	6
Paid in April, 1834, .....	263	4	3
Paid early in July, .....	158	14	2
	<hr/>		
	£1,450	9	6

Stone they used of Cull's, .....	£24	16	-
do. blasted in fields, .....	15	-	-
Hawling Kingston stone, .....	7	17	6
Tools delivered over, .....	17	16	6
Cull paid breaking Kingston stone, .....	31	10	-
	<hr/>		
		97	- -
	<hr/>		
	£1,547	9	6

Deduct payments made thereout for the following items not used for the road, although paid for by them:—

Toll-gate house, &c. ....	£87	16	2
Paid for repairs in spring, .....	19	16	5
Paid Mossop for stone Cull used, .....	16	12	6
Paid Bell for superintending Cull, .....	10	10	-
Stone left over the mile, .....	12	-	-
Paid witness, .....	-	7	6
	<hr/>		
		147	2 7
	<hr/>		
	£1,400	6	11
1,023 yards, at 27s. 6d. per yard, .....	1,406	5	-

**EXHIBIT No. 4.**

The Trustees have paid Watson and Bell, to complete one mile and one half beyond the first mile Macadamized on Yonge Street, 16 feet wide only:

Advances made to Watson and Bell, .....	£2,302	5	2
Stones left from last mile, .....	12	-	-
Demands of several outstanding, as per Exhibit No. 5, .....	350	12	10
Balance overdrawn, Bank of Upper Canada, .....	5	14	4
	<hr/>		
	£2,670	12	4

Watson and Bell's estimate of the expense of the Blue Hill, .....	£500	-	-
Same of Gallows Hill, .....	100	-	-
Same of small culverts, .....	45	-	-
Tools, &c. on hand, .....	45	12	4
2,640 yards of Macadamizing performed by them, at 15s. per y'rd. 1,980	1,980	-	-
	<hr/>		
	£2,670	12	4

## EXHIBIT No. 5.

## Report of daily Receipts for eight and a half months.

	MAY.	JUNE.	JULY.	AUGUST.	SEPT'R.	OCTOBER.	NOV'R.	DEC'R.	JANUARY.	FEBRUARY
1	£0 0 0	£2 10 0	£2 0 0	£2 0 0	£2 0 0	£1 15 0	£3 10 0	£3 0 0	£0 0 0	£1 10 0
2	2 15 0	2 15 0	1 15 0	1 15 0	1 10 0	1 0 0	0 0 0	1 15 0	4 0 0	0 0 0
3	3 0 0	4 0 0	0 0 0	0 0 0	1 15 0	1 15 0	3 0 0	1 15 0	2 15 0	2 15 0
4	3 0 0	3 0 0	2 5 0	2 15 0	2 10 0	2 0 0	2 0 0	2 0 0	0 0 0	3 0 0
5	2 10 0	3 0 0	1 10 0	1 10 0	0 0 0	2 10 0	1 10 0	2 15 0	3 0 0	3 0 0
6	1 15 0	0 0 0	2 10 0	1 10 0	0 0 0	2 10 0	2 0 0	2 15 0	2 15 0	2 15 0
7	2 10 0	3 10 0	1 15 0	0 0 0	4 15 0	5 0 0	0 0 0	2 15 0	2 15 0	2 15 0
8	0 0 0	2 10 0	1 10 0	1 15 0	2 0 0	1 10 0	1 10 0	2 15 0	0 0 0	0 0 0
9	3 0 0	3 0 0	1 5 0	1 10 0	2 10 0	0 0 0	0 0 0	2 15 0	2 0 0	2 0 0
10	3 0 0	2 10 0	0 0 0	1 5 0	1 0 0	3 0 0	2 10 0	2 10 0	2 10 0	2 10 0
11	3 0 0	2 10 0	1 15 0	1 15 0	0 0 0	2 5 0	1 15 0	0 0 0	3 0 0	3 0 0
12	2 10 0	2 10 0	1 5 0	1 15 0	0 0 0	2 15 0	2 10 0	3 0 0	3 15 0	3 15 0
13	2 10 0	0 0 0	1 5 0	1 10 0	4 10 0	2 0 0	2 10 0	2 10 0	3 0 0	3 0 0
14	12 10 0	1 10 0	3 10 0	1 5 0	0 0 0	2 5 0	1 15 0	0 0 0	3 0 0	3 0 0
15	2 10 0	0 0 0	2 5 0	1 10 0	2 0 0	3 0 0	1 15 0	2 15 0	3 0 0	0 0 0
16	2 0 0	7 0 0	2 10 0	1 5 0	1 15 0	2 10 0	2 5 0	1 5 0	2 15 0	3 0 0
17	3 0 0	0 0 0	2 5 0	0 0 0	1 15 0	2 10 0	2 5 0	2 5 0	2 10 0	2 15 0
18	0 0 0	2 10 0	2 10 0	1 15 0	1 15 0	2 5 0	1 10 0	2 10 0	0 0 0	3 0 0
19	3 0 0	2 0 0	2 10 0	1 5 0	1 10 0	0 0 0	1 0 0	2 15 0	2 15 0	3 5 0
20	2 10 0	2 0 0	0 0 0	1 10 0	1 10 0	2 10 0	0 0 0	3 0 0	2 15 0	3 0 0
21	2 0 0	2 5 0	2 15 0	1 10 0	0 0 0	2 0 0	4 0 0	0 0 0	3 0 0	3 0 0
22	2 15 0	0 0 0	2 5 0	1 15 0	2 0 0	2 0 0	0 0 0	4 0 0	2 0 0	0 0 0
23	2 15 0	3 10 0	2 0 0	1 5 0	1 10 0	2 5 0	0 0 0	3 0 0	2 5 0	3 0 0
24	3 0 0	2 10 0	2 5 0	0 0 0	1 0 0	2 5 0	2 15 0	3 10 0	3 0 0	2 10 0
25	0 0 0	2 10 0	1 15 0	1 15 0	2 0 0	2 10 0	1 5 0	0 0 0	0 0 0	3 0 0
26	2 10 0	3 5 0	1 15 0	1 10 0	1 15 0	0 0 0	1 10 0	3 10 0	2 15 0	2 10 0
27	2 10 0	3 0 0	0 0 0	1 10 0	2 0 0	2 10 0	1 10 0	2 10 0	3 0 0	2 0 0
28	0 0 0	3 0 0	2 10 0	1 10 0	0 0 0	1 10 0	2 0 0	0 0 0	3 10 0	2 5 0
29	5 0 0	0 0 0	2 10 0	1 10 0	1 15 0	2 0 0	0 0 0	3 5 0	2 0 0	
30	1 10 0	2 15 0	2 5 0	1 10 0	3 0 0	3 0 0	2 0 0	2 15 0	0 0 0	
31	3 10 0	2 0 0	2 0 0					3 10 0	3 5 0	
£	51 0 0	67 5 0	68 5 0	41 0 0	45 15 0	56 15 0	49 15 0	63 5 0	67 0 0	65 5 0

## EXHIBIT No. 6.

The tolls charged, are as follows:—

4 Horse teams,.....	6d.	} Teams going through twice a day, pay 2d. only, the second trip.
2 do. do.....	4	
1 do. do.....	3	
1 Horse,.....	2	
Cattle, per head,.....	1	
Sheep and swine,.....	0½	
Sleighs,.....	4	

## Monthly Receipts brought down.

May 7th to 31st, .....	£51	-	-
Add one-third for remainder, .....	17	-	-
June, .....	67	5	-
July, .....	68	5	-
1834.....	41	-	-
August, .....	45	15	-
September, .....	56	15	-
October, .....	49	15	-
November, .....	63	5	-
December, .....	67	-	-
1835.....	65	5	-
January, .....	45	-	-
March estimate,.....	55	-	-
April, .....	12	2	9
Mr. Thompson, who pays at stated seasons, .....	45	12	3
Add for August and September, short during Cholera, .....			

£750 - -

EXHIBIT No. 7.

Dr.	Bank of Upper Canada,	To North Toll Gate,—Toll.	Cr.
		1834.	
1834.	Cash between May and this date, £78 - -	May 24,—Dale jobbing at house, . . . . .	£5 - -
June 30,	“ since the 30th of June, 360 10 -	Aug. 6,—Receiver General, for interest,	169 - -
Dec. 31,	“ since the 31st December, 100 5 0	Gate keeper, for nine months,	75 - -
1835.		Interest on money borrowed from	
Feb. 13,		the Bank, . . . . .	6 5 6
	£538 15 0	Paid Watson and Bell, per order	
	Due from Mr. Thompson, 12 2 9	of the Trustees, . . . . .	167 17 10
	£550 17 9	Dec. 29,—Receiver General, for interest,	8 - -
Add one third of the above for the		Watson and Bell, . . . . .	100 - -
last three months of the year, 183 12 7		Printing Tickets, &c., . . . . .	6 2 5
	£734 10 4		£537 6 10
Add for lack from Cholera, 15 9 8		Balance on hand, . . . . .	1 9 2
	£750 - -		£538 15 -

EXHIBIT No. 8.

STATEMENT which will shew the total expense of Macadamizing one mile, according to Mr. Cull's claim, as upheld by the Committee also, and which proves the impossibility of Mr. Cull having done one-half instead of two-thirds of a mile.

His statement (taken from his books) made it appear that all the labor he had performed (breaking stone only excepted) came at the close of the work to £321, that being £93 9s. more than he had estimated the labor on the whole mile at . . . . . £321 - -

Plank, £68; carpenter laying, £16 2s. . . . .	84 2 -
Bridges estimated by workmen at (with 10 per cent profit) . . . . .	55 - -
Drawing Kingston stone, . . . . .	7 17 6
Stone blasted, &c. in fields, . . . . .	15 - -
Tools delivered over, . . . . .	17 16 6
Breaking Kingston stone, . . . . .	31 10 -
	£532 6 -

Committee allow 440 toise the mile, which, at 42s. 6d. for the stone, and 35s. for breaking, is 1,705 - -  
Laying the 1,015 yards, that Mr. Cull did not lay, at 3s. the allowance they approved of, . . . 152 5 -

Shewing the value of the whole mile, . . . . .	£2,869 11 -
Mr. Cull claimed having done two-thirds of the whole, being . . . . .	1,593 1 -
Watson and Bell did half the labor, at least, but give Mr. Cull credit for what he says he did,—	} 532 6 -
allow Watson and Bell nothing, and Mr. Cull could not have done more than all; which, call,	
Allow Mr. Cull for 192 toise, being the quantity necessary for 737 yds, and the 8 toise which Cull	} 744 - -
stated was left by him broken on the road when he left the work, at the price the Committee set,	
being 42s. 6d. and 35s.—77s. 6d., although Watson & Bell, at the worst season, only paid 67s. }	
	£1,276 6 -

The remainder of the 2-3rds. Watson and Bell must have performed, as Mr. Cull did not do it, 316 15 -  
£1,593 1 -

Watson & Bell did all Mr. Cull left undone, being 1015 yards, which required 248 toise, a 77s. 6d.	961 - -
They laid the 1015 yards, which, at the allowance of the Committee of 3s. make . . . . .	152 5 -
They must have performed all Mr. Cull did not perform, and brought over, is . . . . .	316 15 -
	£1,430 - -

Which shows they must have done more than half without the labor of shaping and preparing Road and making side paths, which probably cost them . . . . . 170 - -

The amount thus would come to Mr. Cull's rate of charge, . . . . .	£1,600 - -
They only expended upon the same 1015 yards, . . . . .	1,400 - -

This balance shews his expense unreasonable, . . . . . £200 - -

Mr. Cull's part is proved, at the most exorbitant rate, not to come to more than	£1,276 15 -
What can the Arbitrators and Committee have allowed the difference for, . . . . .	553 5 -
	£1,830 - -

The Arbitrators and Committee both approved of allowing his whole claim, as	
laid before the Arbitrators of . . . . .	£1,738 - -
The Committee recommend an addition for his services, of . . . . .	92 - -
	£1,830 - -

It should have been remarked, that Watson and Bell did all Mr. Cull left undone whether it was  $\frac{1}{2}$ ,  $\frac{1}{3}$ , or  $\frac{2}{3}$ , and shaped all they did or nearly so; they furnished and laid down a great deal of plank, they levelled a great deal, and they formed and perfected all the side paths, for the whole of which no charge is made in stating the expense of the mile, which militates so much in Mr. Cull's favor, and against Watson and Bell.

A STATEMENT shewing the discrepancy between all Mr. Cull's statements, on asserted facts, by those who have stated, reported, or proved their assertions, shewing that they all differ.

The only one that is apparently worthy of credit, is that of Watson and Bell's, which has been acted upon without any change from the first, and has given satisfaction to all parties:—the following is made to caution other persons engaged in superintending other public works of the same kind, how they proceed.

First, as to the quantity of stone for a mile.

Mr. Cull professed to understand macadamizing, both scientifically and practically, and estimated the quantity at 407 toise per mile, for 20 feet wide, and ten inches in depth, proof that he considered that it held out measure.

The Engineer Officer who reported upon his work stated in his report that Mr. Cull had used 93 toise on quarter of a mile, being at the rate of 372 toise the mile—proof of bulk increasing.

The Arbitrators had no proof of what was used, except Mr. Cull's statement, which shewed it took at the rate of 528 toise the mile, or upwards.

Watson and Bell have always paid for it as measured in the road, all parties being satisfied that it held out measure.

### Price of stone per toise.

Mr. Cull estimated them at 20s.

Watson and Bell, have generally given 30s. they paid 35s. for a few only, when the roads were at the worst.

Mr. Cull stated to the Trustees, that his cost on an average 37s. 8d.

The Committee state Mr. Cull's average to be from 8 to 9 dollars, say 42s. 6d.

### Breaking Stone.

Price given in the States, 15s.

Mr. Cull's estimate, 20s.

Mr. Cull stated to the Trustees that it cost him 32s.

The Committee state, that from Mr. Cull's evidence, it cost him 34s. to 36s.; say 35s.

Watson and Bell have paid 32s.

### Labor for Shaping, Laying, &c.

Mr. Cull's estimate was for taking up stumps, . . . . .	£2 8 -
For digging for draining, . . . . .	37 10 -
For levelling and forming, . . . . .	80 - -
For spreading, . . . . .	82 10 -
For filling up holes, . . . . .	26 - -
	£228 8 -
Total for labor, . . . . .	£228 8 -

The above makes the spreading exceed in expense, the leveling and forming, can that be correct.

At the close of Mr. Cull's labor, he shews by his books that the labor cost as follows, for the part he did: (possibly one half of the labor.)

Labor for preparing, forming, leveling, taking up old cross-way, backing up bridges, removing earth, cutting drains, and laying down metal, . . . . .	£228 7 -
Carts and wagons, removing and drawing earth, stone for the bridges, &c. . . . .	93 2 -
	£321 9 -

The report of the committee states, that they agree with the arbitrators, that no charge attaches to Mr. Cull for extravagance or want of skill, but recommended he should be remunerated beyond the award, for his trouble, particularly when it is recollected that the country will have derived the benefit of his experience.

The Trustees submit the following remarks:—

Should not an Engineer who professed to understand macadamizing, practically as well as scientifically, when reporting or stating facts that were to guide a body authorised to perform such service for the public good have known whether stone, the principal material used would cost 20s. or 42s. 6d.

Should he not have known whether the breaking would cost 20s. or 35s, the toise.

Should he not have known whether the metal would increase or fall short of measure on being broken.

Should he not have known whether the expense of preparing the road for the metal, including the laying down would cost £228 8s. for the whole mile or £321 9s. for one half or less.

Should he not have known whether the Culverts when finished, were worth £55 or £200.

Should he not have known whether the hawling 21 toise of stone, was worth £7 17s. 6d. or £25

Should he not have known whether the stone for the bridges were worth £26 5s. or £40.

Should he not have known, whether the tools delivered over, were worth £17 16s. 6d. or £170.

Must he not have known that his most exceptionable charges were such when he made them, when in his first rendered account, he did not make them. His first rendered account was £1,200—his next 1,500—and his last, 1,738? All rendered, after he had closed his work, from his books.

His experience, the Trustees will not remark upon, but they must, in justice to Watson and Bell, declare that their part has been equally well done at a much worse season of the year, at two-thirds of the expense,—they being plain laboring mechanics only.

It is also worthy of remark, that their part has been vastly more difficult to perform than Mr. Cull's.

## No. 13.

**WHEREAS** His late Majesty, George the Fourth, was graciously pleased, by letters patent at Westminster, on the 15th day of March, in the eighth year of his reign, to establish at or near the Town of York, now City of Toronto, a College, with the style and privileges of an University, for the education and instruction of youth, and students in arts and faculties, to be called "King's College;" which Charter is in the following words:—

**"GEORGE THE FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.**

**"To all to whom these Presents shall come—GREETING :**

**"WHEREAS** the establishment of a College within our Province of Upper Canada, in North America, for the education of youth in the principles of the Christian religion, and for their instruction in the various branches of science and literature which are taught in our Universities in this Kingdom, would greatly conduce to the welfare of our said Province: **AND WHEREAS** humble application has been made to us by many of our loving subjects in our said Province, that we would be pleased to grant our Royal Charter for the more perfect establishment of a College therein, and for incorporating the members thereof for the purposes aforesaid. **NOW KNOW YE,** That we, having taken the premises into our Royal consideration, and duly weighing the great utility and importance of such an institution, have, of our special grace, certain knowledge, and mere motion, ordained and granted, and do by these presents, for us, our heirs and successors, ordain and grant, that there shall be established at or near our Town of York in our said Province of Upper Canada, from this time, one College, with the style and privileges of an University as hereinafter directed, for the education and instruction of youth and students in arts and faculties, to continue for ever, to be called 'King's College.'

"And we do hereby declare and grant, that our trusty and well beloved the Right Reverend Father in God, Charles James, Bishop of the Diocese of Quebec, or the Bishop for the time being of the Diocese in which the said Town of York may be situate, or any future division or alteration of the said present Diocese of Quebec, shall for us and in our behalf be the Visitor of the said College; and that our trusty and well beloved Sir Peregrine Maitland, our Lieutenant Governor of our said Province, or the Governor, Lieutenant Governor, or other person administering the Government of our said Province for the time being, shall be Chancellor of our said College.

"And we do hereby declare, ordain, and grant, that there shall at all times be one President of our said College, who shall be a Clergyman in Holy Orders of the United Church of England and Ireland; and that there shall be such and so many Professors in different arts and faculties within our said College as from time to time shall be deemed necessary or expedient, and as shall be appointed by us or by the said Chancellor of our said College on our behalf, and during our pleasure.

"And we do hereby grant and ordain that the Reverend John Strachan, Doctor in divinity, Archdeacon of York, in our said Province of Upper Canada, be the first President of our said College, and the Archdeacon of York in our said Province, for the time being, shall, by virtue of such his office, be at all times the President of the College.

"And we do hereby, for us our heirs and successors, will ordain and grant that the said Chancellor and President, and the said professors of our said College, and all persons who shall be duly matriculated into and admitted as scholars of our said College, and their successors for ever shall be one distinct and separate body, politic and corporate in deed and in name, by the name and style of "the Chancellor, President, and Scholars of King's College at York, in the Province of Upper Canada," and that by the same name they shall have perpetual succession and a common seal; and that they and their successors shall from time to time, have full power to alter, renew, or change such common seal at their will and pleasure, and as shall be found convenient and that by the same name they the said Chancellor, President, and Scholars, and their successors from time to time and at all times hereafter shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments of what kind, nature, or quality soever, situate and being within our said Province of Upper Canada, so as the same do not exceed in yearly value the sum of £15,000 above all charges; and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever.

"And we do hereby declare and grant that the said Chancellor, President, and scholars and their successors by the same name shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any court or courts of record within our United Kingdom of Great Britain and

Ireland, and our said Province of Upper Canada and other our dominions ; in all and singular actions, causes, pleas, suits, matters and demands whatsoever of what nature or kind soever in as large, ample, and beneficial a manner and form as any other body politic or corporate, or any other our liege subjects, being persons able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered, in any manner whatsoever.

“And we do hereby declare ordain, and grant that there shall be within our said college or corporation, a council, to be called and known by the name of “The College Council ;” and we do will and ordain that the said Council shall consist of the Chancellor, President for the time being, and of seven of the professors in arts and faculties of our said College, and that such seven professors shall be members of the Established United Church of England and Ireland, and shall previously to their admission into the said College Council, severally sign and subscribe the thirty nine articles of religion, as declared and set forth in the book of common prayer. And in case at any time there should not be within our said college seven professors of arts and faculties, being members of the Established Church aforesaid, then our will and pleasure is, and we do hereby grant and ordain that the said College Council shall be filled up to the requisite number of seven exclusive of the Chancellor and President for the time being, by such persons, being graduates of our said college and being members of the Established Church aforesaid, as shall for that purpose be appointed by the Chancellor for the time being of our said College ; and which members of Council shall in like manner subscribe the thirty nine articles aforesaid, previously to their admission into the said College Council.

“And whereas it is necessary to make provision for the completion and filling up of the said council at the first institution of our said College, and previously to the appointment of any professors or the conferring of any degrees therein. Now we do further ordain and declare that the Chancellor of our said College for the time being shall upon or immediately after the first institution thereof, by warrant under his hand, nominate and appoint seven discreet and proper persons, resident within our said Province of Upper Canada, to constitute jointly with him the said Chancellor, and the President of our said College for the time being, the first or original council of our said College, which first or original members of the said council shall in like manner respectively subscribe the thirty-nine Articles aforesaid previously to their admission into the said council.

“And we do further declare and grant that the members of the said College Council, holding within our said College the offices of Chancellor, President or Professor in any art or faculty, shall respectively hold their seats in the said Council so long as they and each of them shall retain such other offices as aforesaid and no longer ; and that the members of the said Council not holding offices in our said College, shall from time to time vacate their seats in the said Council when and as soon as there shall be an adequate number of Professors in our said College, being members of the Established Church aforesaid to fill up the said council to the requisite number before mentioned.

“And we do hereby authorise and empower the Chancellor for the time being of our said College, to decide in each case what particular member of the said council not holding any such office as aforesaid shall vacate his seat in the said Council upon the admission of any new member of Council holding any such office.

“And we do hereby declare and grant that the Chancellor, for the time being of our said College, shall preside at all meetings of the said College Council, when he may deem it proper or convenient to attend, and that in his absence, the President of our said College shall preside at all such meetings ; and that in the absence of the said President the senior member of the said Council present at any such meeting shall preside thereat, and that the seniority of the members of the said Council, other than the Chancellor and President shall be regulated according to the date of their respective appointments : *Provided always* that the members of the said Council being Professors in our said College, shall in the said Council take precedence over and be considered as seniors to the members thereof, not being Professors in our said college.

“And we do ordain and declare that no meeting of the said Council shall be, or be held to be a lawful meeting thereof, unless five members at the least, be present during the whole of every such meeting ; and that all questions and resolutions proposed for the decision of the said College Council, shall be determined by the majority of the votes of the members of Council present, including the vote of the presiding member ; and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

“ And we further declare that if any member of the said Council shall die or resign his seat in the said Council, or shall be suspended or removed from the same, or shall, by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for three calendar months or upwards, of attending the meetings of the said council, then and in every such case, a fit and proper person shall be appointed by the said Chancellor to act as, and be a member of the said Council in the place or stead of the member so dying or resigning or so suspended or removed, or incapacitated as aforesaid ; and such new member succeeding to any member so suspended or incapacitated shall vacate such his office on the removal of any such suspension or at the termination of any such incapability as aforesaid, of his immediate predecessor in the said council.

“And we do further ordain and grant, that it shall and may be competent to and for the Chancellor for the time being of our said college, to suspend from his seat in the said Council, any member thereof, for any just

and reasonable cause to the said Chancellor appearing ; provided that the ground of every such suspension shall be entered and recorded at length by the said Chancellor in the books of the said Council, and signed by him ; and every person so suspended shall thereupon cease to be a member of the said Council, unless and until he shall be restored to and re-established in such his station therein, by any order to be made in the premises by us or by the said visitor of our said College, acting on our behalf, and in pursuance of any special reference from us.

“And we do further declare that any member of the said Council who, without sufficient cause to be allowed by the said Chancellor by an order entered for that purpose on the books of the said Council, shall absent himself from all the meetings thereof which may be held within any six successive calendar months, shall thereon vacate such his seat, in the said council.

“And we do by these presents, for us, our heirs and successors, will, ordain, and grant that the said Council of our said College shall have power and authority to frame and make statutes, rules and ordinances, touching and concerning the good government of the said College, the performance of Divine service therein, the studies, lectures, exercises, degrees in arts and faculties, and all matters regarding the same, the residence and duties of the President of our said College, the number, residence, and duties of the Professors thereof, the management of the revenues and property of the said College, the salaries, stipends, provisions and emoluments, of and for the President, Professors, Scholars, Officers, and Servants thereof; the number and duties of such Officers and Servants, and also touching and concerning any other matter or thing which to them shall seem good, fit, and useful for the well-being and advancement of our said College, and agreeable to this our Charter. And also from time to time, by any new statutes, rules or ordinances, to revoke, renew, augment, or alter all, every, or any of the said statutes, rules and ordinances, as to them shall seem meet and expedient: *Provided always*, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of our said Province of Upper Canada, or to this our Charter. *Provided also*, that the said statutes, rules and ordinances, shall be subject to the approbation of the said Visitor of the said College for the time being, and shall be forthwith transmitted to the said Visitor for that purpose, and that in case the said Visitor shall for us and in our behalf, in writing, signify his disapprobation thereof within two years of the time of their being so made and framed, the same or such part thereof as shall be so disapproved by the said Visitor, shall, from the time of such disapprobation being made known to the said Chancellor of our said College, be utterly void and of no effect, but otherwise shall be and remain in full force and virtue.

“*Provided nevertheless*, and we do hereby expressly save and reserve to us, our heirs and successors, the power of reviving, confirming, or reversing, by any order or orders to be by us or them made in our or their Privy Council, all or any of the decisions, sentences, or orders so to be made as aforesaid by the said Visitor, for us and on our behalf in reference to the said statutes, rules and ordinances, or any of them.

“And we do further ordain and declare that no statute, rule or ordinance, shall be framed or made by the said College Council, touching the matters aforesaid, or any of them, excepting only such as shall be proposed for the consideration of the said Council by the Chancellor for the time being of our said College.

“And we do require and enjoin the said Chancellor thereof to consult with the President of our said College, and the next senior member of the said College Council, respecting all statutes, rules and ordinances, to be proposed by him to the said Council for their consideration.

“And we do hereby, for us, our heirs and successors, charge and command, that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time in full vigor and effect, under the penalties to be thereby or therein imposed or contained.

“And we do further will, ordain and grant, that the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by our Universities of our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had or enjoyed by virtue of these our letters patent; and that the students in the said College shall have liberty and facility of taking the degrees of Bachelor, Master and Doctor in the several arts and faculties at the appointed times, and shall have liberty within themselves of performing all scholastic exercises for the conferring such degrees, in such manner as shall be directed by the statutes, rules, and ordinances of the said College.

“And we do further will, ordain and appoint, that no religious test or qualification shall be required of or appointed for any persons admitted or matriculated as scholars within our said College, or of persons admitted to any degree in any art or faculty therein, save only that all persons admitted within our said College to any degree in divinity, shall make such and the same declarations and subscriptions, and take such and the same oaths as are required of persons admitted to any degree in Divinity, in our University of Oxford.

“And we do further will, direct and ordain, that the Chancellor, President, and Professors of our said College, and all persons admitted therein to the degree of Master of Arts, or to any degree in Divinity, Law or Medicine, and who from the time of such their admission to such degree, shall pay the annual sum of Twenty Shillings, sterling money, for and towards the support and maintenance of the said College, shall be and be deemed, taken, and reputed to be the members of the Convocation of the said University, and as such members of the said

Convocation, shall have, exercise, and enjoy all such and the like privileges as are enjoyed by the members of the Convocation of our University of Oxford, so far as the same are capable of being had and enjoyed by virtue of these our letters patent and consistently with the provisions thereof.

“And we will, and by these presents, for us, our heirs and successors, do grant and declare, that these, our letters patent, or the enrolment or exemplification thereof, shall and may be good, firm, valid, sufficient, and effectual in the Law, according to the true intent and meaning of the same; and shall be taken, construed, and adjudged in the most favorable and beneficial sense for the best advantage of the said Chancellor, President, and Scholars of our said College, as well in our Courts of Record as elsewhere, and by all and singular Judges, Justices, Officers, Ministers, and other subjects whatsoever, of us, our heirs, and successors, any mis-recital, non-recital, omission, imperfection, defect, matter, cause, or thing whatsoever to the contrary thereof in any wise notwithstanding.”

AND WHEREAS his present Majesty, WILLIAM THE FOURTH, has been graciously pleased to signify through His Majesty's Principal Secretary of State for the Colonies, Earl Ripon, by his despatch of the 8th of November, 1832, communicated to the Legislature by His Excellency, by message, that so far from any anxiety having been felt by His Majesty's Government to maintain the said Charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their representatives the decision of the question in what form and upon what principles the said College should be founded.

*Be it, &c.*, That from and after the passing of this Act the said University shall be upon the principle and in the form hereinafter provided, any thing in the said charter to the contrary notwithstanding: *Provided always*, That the said Charter shall be and continue in force except so far as it is altered and varied by the provisions of this Act.

2. *And be it, &c.*, That from and after the passing of this Act, it shall not be necessary for the President of the said University to be a Clergyman in holy orders of the United Church of England and Ireland, any thing in the said Charter to the contrary notwithstanding.

2. *And be it, &c.*, That from and after the passing of this Act, the Archdeacon of York, now City of Toronto, for the time being, shall not by virtue of his office of Archdeacon, be at all times President of the said University, any thing in the said Charter to the contrary notwithstanding.

4. *And be it, &c.*, That from and after the passing of this Act, the Professors of the said College and the Council thereof, shall not be required to be members of the said Established United Church, or to subscribe the thirty nine articles thereof, any thing in the Charter to the contrary notwithstanding.

5. *And be it, &c.*, That there be at all times as many Professors, Tutors, and Lecturers in the different arts and faculties in the said College as from time to time shall be deemed necessary or expedient, and as shall be appointed in the manner herein after provided and in no other manner, any thing in the said charter to the contrary notwithstanding.

6. *And be it, &c.*, That there shall be within the said College in the place and stead of the Council in the said Charter mentioned, a Council to be called and known by the name of the Council of King's College, which Council shall consist of twelve persons, one half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly, which persons so nominated shall be certified by the respective Houses to the Governor, Lieutenant Governor, or person administering the Government, for the time being, and shall hold their offices for four years from the day of such nomination and thence until the then next Session of the Provincial Parliament, and no longer.

7. *And be it, &c.*, That if any member of the said Council shall die or shall be suspended or removed from his said office, or shall by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for six calendar months or upwards, of attending the meetings of the said Council then and in every such case, a fit and proper person shall be appointed by the rest of the said Council to act and be as a member of the said Council in the place and stead of the member so dying or so suspended or removed or incapacitated as aforesaid, and the appointment of such new member of the said Council shall be communicated to the Provincial Legislature through the Governor Lieutenant Governor or person administering the Government for the time being, at their next Session, and it shall and may be lawful for that branch of the Legislature by which the person so dying or suspended or removed or incapacitated as aforesaid was appointed either to confirm the said temporary appointment made by the said Council as aforesaid, or to appoint another, as such branch of the Legislature shall think fit.

8. *And be it, &c.*, That no meeting of the Council shall be taken or held to be a lawful meeting thereof nor any question to be taken except to adjourn, unless nine members at the least be present during the whole of every such meeting and that all questions and resolutions proposed for the decision of such College Council, shall be determined by the majority of the members of the Council present, including the vote of the presiding member, and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

9. *And be it, &c.*, That any member of the said council may at any time be suspended or removed by a joint resolution of the two branches of the Provincial Legislature.

10. *And be it, &c.*, That it shall and may be lawful for the said Council of the said College from time to time to nominate and elect so many Professors, Tutors, and Lecturers in the several arts, sciences, and matters of learning, as shall to them seem fit and necessary for the system of education in the said College.

11. *And be it, &c.*, That the President, Professors, Tutors, Lecturers Graduates, under Graduates, Scholars, Officers, and Servants of the said College, and every person holding any situation of honor or trust in the same, shall be subject to all and every of the rules and ordinances of the said College, made and provided according to this Act.

12. *And be it, &c.*, That the said Council of the said College shall have power and authority to propose, frame, and make rules and ordinances touching and concerning the peace, welfare, and good government of the said College, the studies, lectures, exercises, and degrees in arts and faculties, and all matters regarding the same; the duties of the President of the said College, the number, remuneration, and duties of the Professors, Tutors and Lecturers thereof, the management of the revenues and property of the said College, the salaries, stipends, provision and emoluments of and for the President, Professors, Tutors, Lecturers, Scholars, Officers, and Servants thereof, the number and duties of such Officers and Servants; and also touching and concerning any other matter or thing which to them shall seem good, fit, and useful for the well-being and advancement of the said College, and also from time to time by any new rules or ordinances to revoke, renew, augment, or alter all, every or any of the said rules and ordinances as to them shall seem meet and expedient: *Provided always*, that the said rules and ordinances, or any of them, shall not be repugnant to the Laws and Statutes of the said Province of Upper Canada or to this Act: *Provided also*, that the said rules and ordinances shall be subject to the approbation of the Chancellor of the said College for the time being, and shall be forthwith transmitted to the said Chancellor for that purpose, any thing in the said Charter to the contrary notwithstanding.

13. *And be it, &c.*, That no religious test or qualification whatever shall be required of or appointed for any persons admitted or matriculated as scholars within the said College, or of persons admitted to any degree in any art or faculty therein, whether such degree be conferred in Law, Physic, or other art or science, any thing in the said Charter to the contrary notwithstanding.

14. *And be it, &c.*, That the members of the said Council and their successors for ever shall be one distinct and separate body politic and corporate in deed and in name by the name and style of King's College, and that by the same name they shall have perpetual succession and a common seal; and that they and their successors shall from time to time have full power to alter, renew, or change such common seal at their will and pleasure, as shall be found convenient; and that by the same name they, the said Council, and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy, and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments of what kind, nature or quality soever, situate and being within the said Province of Upper Canada, so as that the same do not exceed in yearly value the sum of Ten Thousand Pounds lawful money of Upper Canada above all charges and over and above all scholarships, and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess, and retain all or any goods, chattels, charities, or other contributions, gifts, or benefactions whatsoever; and that the said Council and their successors, by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any Court or Courts of Record with the said Province of Upper Canada in all and singular actions, causes, pleas, suits, matters, and demands whatsoever, of what nature or kind soever, in as large, ample, and beneficial a manner and form as any other body politic and corporate, or any other persons able and capable in Law may or can sue, implead, or answer, or be sued, impleaded, or answered in any manner whatsoever; any thing in the said Charter to the contrary notwithstanding.

15. *And be it, &c.*, That it shall and may be lawful for the Council of the said University to suspend from his Office the President, or any of the Professors, Tutors or Lecturers, or any member of the said Council, who shall be incapacitated by bodily infirmity, or for any other just and reasonable cause to the said Council appearing: *Provided* that the grounds of every such suspension shall be recorded in writing, and verified on oath of two or more credible and disinterested witnesses, and be entered and recorded at length on the Journals of the said Council, and be signed by the Chancellor or President of the said Council.

16. *And be it, &c.*, That every person so suspended shall thereupon cease to be a member of such Council, or President of the said University, or a Professor, Tutor or Lecturer within the same, as the case may be, unless and until he shall be restored to and re-established in such his station therein, by any order to be made in the premises by that Branch of the Legislature by which such member was appointed.

17. *And be it, &c.*, That it shall and may be lawful for the said Council of the said College from time to time to establish scholarships in the said College, for the benefit of the pupils of the District Schools in this Province: *Provided* that the amount of each scholarship shall not exceed the annual value of Fifty Pounds per annum.

18. *And be it, &c.*, That it shall and may be lawful for the said College Council, and all persons whatsoever attached to the said College, and they are hereby required at all times without reserve to lay before the several branches of the Legislature of this Province whatever information shall be by them, or either of them, from time to time required relating in any way whatever to the said College and the concerns thereof.

19. *And be it, &c.*, That whenever any rule or rules, ordinance or ordinances, shall be passed by the said Council as aforesaid containing any provisions which shall in any manner relate to or affect the enjoyment or

exercise by the Professors, Tutors, Lecturers, Scholars, Graduates, under Graduates, Students, Servants, or others whomsoever connected with the said College, of any religious form or mode of worship, or in any way whatever prevent or restrain them or any of them from attending on the Sabbath or other days whatever place of religious worship they choose, or shall impose or create any penalties, burthens, disabilities or disqualifications, or confer any peculiar or exclusive favors or privileges in respect of the same; or shall in any manner relate to or affect the observance of any rules or discipline appertaining to any church or society of Christians to which any of the persons aforesaid may belong; every such rule or rules, ordinance or ordinances, shall not have any force or effect whatever till the same shall have been laid before the three branches of the Provincial Legislature, and shall, after having been so laid before them and each of them for the space of ten days, receive the sanction thereof.

20. *And be it, &c.*, That it shall and may be lawful for the said Council, and they are hereby required to meet in the said College at Toronto, and for the periods following namely, commencing on the first Monday in February, in each and every year and ending on the Saturday of the week next following: at which stated time and at no other, it shall and may be lawful for the said Council to do, perform, and execute all the duties and trusts imposed by this act, or by any rule or ordinance of the said College made under and by virtue of this act.

21. *And be it, &c.*, That it shall and may be lawful for each of the members of the said Council while in the active discharge of his said duties at the periods aforesaid to have and receive from and out of the funds of the said College, the sum of ten shillings lawful money of Upper Canada and no more for every day's actual attendance during the said weeks, and the like sum for every twenty miles in travelling to the said College and returning therefrom to his place of residence.

22. *And be it, &c.*, That it shall and may be lawful for any member of the said Council to tender his resignation during any Session of the Provincial Legislature, to that branch thereof by which he was nominated and appointed, and upon the acceptance of such resignation, such person shall cease to be a member of such Council and it shall thereupon be lawful for the said branch of the Provincial Legislature accepting such resignation forthwith to nominate and appoint another person to be a member of the said Council in the place and stead of the person so resigning as aforesaid.

23. *And be it, &c.*, That if any Professor Tutor Lecturer, or other person elected by the said Council, to any Professorship, Tutorship, Lectureship or other station in the said College shall die in the interval between the annual meetings of the said Council, it shall and may be lawful for the various Professors, Tutors, and Lecturers, who have been elected by the said Council, to appoint a fit and proper person to discharge the duties of the said Professor, Tutor or Lecturer, so deceased, till the next meeting of the said Council, and no longer.

24. *And be it, &c.*, That it shall and may be lawful for the said Council, at their appointed meetings and they are hereby required to keep, at every such meeting, a Journal of their proceedings, specifying the day and hour of assembling, the names of the members of the Council in attendance, the resolutions and matters proposed, with the names of the members voting for and against each resolution and matter whether the same be rejected or adopted by the said Council, which record or journal of the said proceedings of the said Council shall at all reasonable times be open at the said College, to the inspection of the visitor, Chancellor, and other members of the said College, and be laid before the several branches of the Provincial Legislature whenever by them or either of them required so to do.

25. *And be it, &c.*, That no religious test or qualification whatever shall be required of any Chancellor, President, Professor, Tutor, Lecturer, Scholar or other Person being a candidate for any situation or honor in the said College, nor shall the eligibility of any person to any of the aforesaid stations in the said College, or to any other station that may hereafter be created, be in any way or degree dependent upon or regulated, affected or prejudiced by the particular christian faith of any such candidate, any thing in said Charter to the contrary notwithstanding.

26. *And be it, &c.* That from and after the passing of this act, there shall not, at any time, be, or be allowed to be within the said College any public professor, lecturer, or teacher of doctrinal divinity according to the articles of faith professed by the United Church of England and Ireland or according to the creed or faith of any other christian, or other religious church whatever, any thing in the said Charter to the contrary in any wise notwithstanding; and it shall not be lawful for the said Council to apply any of the funds now or at any time hereafter belonging to the said University, to the support of any public Professor, Lecturer, or Teacher, of such divinity: *Provided always*, that nothing in this act shall extend or be construed to extend, to prevent the students and members of the said University by themselves or their Parents, Guardians, or friends, from engaging private tutors for their private instruction in divinity or in any other art or science.

27. *And be it, &c.*, That it shall and may be lawful for any member of the said Council to administer any oath required by this act, and any person convicted before any court of competent jurisdiction in this Province, of wilful and corrupt false swearing under any oath administered as aforesaid, shall be deemed and taken to be guilty of perjury, and shall be liable to the like punishment as can be inflicted by the laws of this Province for perjury.

28. *And be it, &c.*, That upon a vacancy occurring in the office of the President of the said College, by the death or resignation of the present President thereof, the said situation shall be filled in all times to come by the Council of the said College any thing in the Charter of the said College to the contrary thereof, in any wise notwithstanding.

29. *And be it, &c.*, That the visitor of said College shall be appointed by the Council thereof, any thing in the said Charter to the contrary notwithstanding.



PAYMENTS FROM REVENUES UNDER 14 GEO. III.

PAYMENTS from Fund A.—CONTINUED.

SERVICE.	1830	1831	1832	1833	1834	1835
Amount brought forward, . . . £	2882 10 0	4895 5 3	2675 0 0	102 10 0		
Salary to Arthur Gifford Esquire, as Clerk in the Government Office, for the year ending 30th June 1830, . . . . .	150 0 0	150 0 0	91 5 0			
Salary to James A. Smith Esquire, as Clerk in ditto, for year ending 30th June, 1831, . . . . .		150 0 0	75 0 0			
Salary to John McDonnell Esquire, as Clerk in ditto, 3 months ending 31st Dec. 1831, . . . . .	182 10 0	182 10 0	24 0 11½			
Salary to John Reikie Esquire, chief Clerk Executive Council Office, for the year ending 30th June 1830, . . . . .			8 18 6½			
Salary to ditto as Clerk of the Executive Council, from 19th July to 31st Dec. 1831, . . . . .			90 4 4½			
Salary to William H. Lee, second Clerk in the Executive Council Office, for the year ending 30th June 1830, . . . . .	150 0 0	150 0 0	7 6 8½			
Salary to ditto as chief Clerk in ditto, from 19th July to 31st December 1831, . . . . .			82 6 5½			
Pay and allowances to James G. Chewett Esquire, as senior Surveyor and Draftsman in the Surveyor General's Department, for the year ending 30th January 1831, . . . . .	185 5 9	185 5 9	93 3 0			
Salary to John Radenhurst Esquire, principal Clerk in the Surveyor General's Office, for the year ending ditto, . . . . .	182 10 0	182 10 0	91 5 0			
Salary to George C. Ridout second Clerk in ditto, for 6 months ending ditto 1831, . . . . .		75 0 0	75 0 0			
Salary to Samuel P. Jarvis Esquire, Deputy Secretary and Registrar, for the year ending 30th June 1830, . . . . .	150 0 0	150 0 0	75 0 0			
Salary to Charles C. Small Esquire, Clerk of the Crown and Pleas, 6 months ending 30th June 1830, . . . . .	50 0 0	100 0 0	50 0 0			
Salary to William B. Jarvis Esquire, Sheriff of the Home District, from January to June 1830, 6 months, . . . . .	50 0 0	100 0 0	50 0 0			
Salary to John McLean Esquire, Sheriff of the Midland District, for the like period, . . . . .	50 0 0	100 0 0	50 0 1			
Allowance to Mr. James Bridgland as Keeper of the Courts, for 12 months ending 30th June 1830, per recommendation of the Honorable Executive Council of 7th December 1825, . . . . .	18 0 0	18 0 0	9 0 0			
Salary to Mr. John Bird as Usher of the Court of King's Bench for the period from 1st January to 14th September 1830, . . . . .	18 0 0	3 5 6½				
Salary to Mr. Thomas Phipps as Usher of the Court of King's Bench, from 15th September 1830, to 30th June 1831, . . . . .		14 5 7½	9 0 0			
Pension to the Honorable Sir William Campbell Kt. being with a warrant of this date 15th January 1830, on fund C., the amount of his pension from 13th July to 31st December 1829, inclusive, upon his retirement from the office of Chief Justice of the Province, authorised by Secretary Sir George Murray's Despatch of the 25th April 1829, . . . . . £ 50 16 10						
Pension to ditto being with a warrant on fund G, the amount of his pension from 1st January to 30th June, . . . . .						
	210 16 10	A portion of 836 6 10½	600 0 0			
Pension to D'Arcy Boulton Esquire, upon his retirement from the office of Judge of the Court of King's Bench, for the 12 months ending 30th June 1830, per Lord Bathurst's Despatch 9th April 1827, . . . . .	500 0 0	500 0 0	250 0 0			

PAYMENTS FROM REVENUES UNDER 14 GEO. III.

Postage of letters on the Public service, to and from the Government Office for the 12 months ending 30th June 1830, audited and authorised by the Executive Council,	148 8 10	291 12 2½	401 16 10½	98 18 6		
Insurance of the Government House for 1830, .....	23 12 6	17 8 11¼	23 12 6			
Special Messengers with Despatches to and from New York for the Government, authorised by the Colonial Department, .....		23 7 9½				
Repairs to the Government House for the year ending 30th June 1830, authorised by the Executive Council, .....	212 1 0½	112 14 4½	140 1 7½	40 13 5½		
Repairs for the years 1827, 1828, and 1829, paid Mr. Ewart per ditto, .....	15 4 0½					
Ordinary and incidental expenses of the Government Office for the year ending 30th June 1830, audited ditto, .....	295 10 5¾	314 14 9½	97 10 4½			
Ditto of the Surveyor General's Department, ditto ditto, .....	593 19 0	629 3 10¾	697 15 3			
Ditto of the Receiver General's Department, ditto ditto, .....	459 6 3	443 18 3¾	216 19 10½			
Ditto of the Executive Council Office, ditto ditto, .....	285 10 9¾	137 7 3	302 0 0¾			
Ditto of the Inspector General's Department, ditto ditto, .....	474 5 5½	413 19 10¾	275 15 0½			
Paid the Honourable Duncan Cameron, Secretary and Registrar of the Province, his account for fees on divers public Instruments, printing, and an allowance for an Office servant, ditto ditto, .....	203 5 1½	269 3 1	58 18 1½			
Paid the Hon. John B. Robinson, his account against Government as late Attorney General, ditto ditto, .....	183 12 2½					
Paid Henry John Boulton, Esquire, Attorney General, his account against Government for the year ending 30th June 1830, audited, ditto, .....	735 15 4½	993 3 3½	651 19 0			
Paid Christopher A. Hegerman, Esquire, Solicitor General, his account against Government for do. period, audited, ditto, .....	423 4 6	383 12 6	355 17 6			
Paid Charles C. Small, Esquire, Clerk of the Crown and Pleas, his account against Government for ditto ditto, .....	57 13 2½	38 16 6	241 18 2½			
Paid Robert Stanton, Esquire, Government Printer, his account against Government for the like period, ditto ditto, .....	215 19 3½	247 12 1½	100 0 8½			
Paid Robert Stanton, Esquire, for printing and stitching the Provincial Statutes, &c. audited in Council, ditto, .....	224 6 0¾	350 7 7½	444 12 5½			
Paid Samuel P. Jarvis, Esquire, Clerk of the Crown in Chancery, amount of his account of Fees, &c. on the issue of two Writs of Elections for the town of York in Nov. 1829 and January 1830, and on account for certain expenses attending the issue of Writs for the ensuing General Election, .....	101 0 6	218 8 7½				
Paid D'Arcy Boulton, Esquire, Auditor General of Land Patents, for the purchase of a Book for the use of his Office, audited in Council, .....	5 8 0					
Paid Mahlon Burwell, Esquire, Chairman Quarter Sessions for the London District, to enable him to pay the reward offered by Government for the apprehension of Cornelius Burley, convicted of the murder of Timothy Pomeroy, .....		90 0 0				
Paid Henry J. Boulton, Attorney General, to enable him to pay the reward offered by Government for the apprehension of Francis Morgan, charged with feloniously shooting at the Sheriff of the Bathurst District in the execution of his duty, .....		90 0 0				
Paid William Campbell, Clerk of Assize, amount of his account, audited in Council, .....	63 9 5½	59 16 1½	89 12 10			
Paid George Sherwood, Clerk of Assize, amount of his account, audited in Council, .....	65 5 0	35 16 5	30 12 5½			
Paid Clark Gamble, Esquire, Clerk of Assize, amount of his account, audited in Council, .....	38 15 4½	55 10 7½	19 11 11½			
	9605 5 0¾	12389 3 5½	8554 4 11½	242 1 11½	0 0 0	0 0 0
Carried over, £						

PAYMENTS FROM REVENUES UNDER 14 GEO. III.

PAYMENTS from Fund A.—CONTINUED.

SERVICE.	1830	1831	1832	1833	1834	1835
Brought forward, £						
Paid the Honorable J. B. Robinson, Chief Justice, his allowance for travelling expenses as Judge of Assize	9605 5 0	12999 3 5	8554 4 11	242 1 11	0 0 0	0 0 0
Paid the Honorable John B. Macaulay, Judge of the Court of King's Bench, his allowance for travelling expenses on the circuit	100 0 0	133 6 8				
Paid the Honorable L. P. Sherwood, Judge of the Court of King's Bench, his allowance for ditto	133 6 8	66 13 4				
Paid H. J. Boulton, Attorney General's allowance for ditto	66 13 4	100 0 0				
Paid Solicitor General's allowance for travelling expenses on the Circuit	83 6 8	66 13 4				
Paid Mr. George Baird, late Deputy Sheriff of the Home District, for attendance on the Court of King's Bench during Hilary and Easter terms in 1826 and 1827—78 days at 11s. 8d. per diem, audited in Council	66 13 4	83 6 8				
Paid W. B. Jarvis, Esquire, Sheriff of the Home District, for his attendance on the Court of King's Bench, approved of by Mr. Chief Justice Robinson	37 16 0					
Paid W. B. Jarvis, Esquire, Sheriff of the Home District to reimburse him so much on account of the public administration of justice in the Court of King's Bench, approved by Mr. Chief Justice Robinson	27 0 0	6 15 0	27 0 0			
Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada to discharge the interest of a sum borrowed and expended in providing accommodation for the office of Commissioner of Crown Lands, Attorney General, Clerk of the Council, and Inspector General, from January to June 1831, per minute in Council 30th June 1831	14 4 4	10 13 2	13 18 4	209 13 9	107 14 4	
Paid Mrs. Margaret Powell her Salary as Housekeeper of the Public Offices from January to June 1831, per recommendation of the Honorable Executive Council		72 0 0				
Paid James Nation, Esquire, for contingencies of the Public Offices, per recommendation of ditto		28 6 5	28 6 5			
Paid Thomas G. Ridout, Esquire, Cashier of the Bank of Upper Canada being the amount of a sum advanced by the said Bank and balance of interest thereon, for constructing Public Offices for the Government, as authorized by Lord Goderich's Despatch 25th June 1832			320 8 0			
Paid H. J. Boulton, Esquire, His Majesty's Attorney General, his commutation in lieu of fees as an Officer of the Land Granting Department, for the half year ending 31st June 1831		171 9 3				
Paid William Chewett, Esquire, late Acting Surveyor General, being a sum equal to the pay of his former situation of principal Clerk and senior Surveyor and draftsman in the Surveyor General's Department, from 1st November 1829 to 31st December 1831, he having paid over to his successor, agreeably to Mr. Secretary Hay's Despatch of 20th December 1831, the one half of his salary and emoluments as Acting Surveyor General for the above period			2906 17 11			
Paid ditto, being a sum equal to the salaries of the situations above mentioned from 1st January to 22d May 1832 inclusive, formerly held by him, in consideration of one half of his Salary &c. as above, having been in like manner paid his successor			795 18 10			
			143 13 11			

PAYMENTS FROM REVENUES UNDER 14 GEO. III.

*Paid the Honourable Peter Robinson, Commissioner for erecting the Police Office, being on account of the sum authorised for the erection of the said buildings, by Lord Goderich's Despatch of 25th January, 1832, .....*  
*Paid Edward McMahon, Esquire, being the amount of salary due to the estate of the late Lieut. Z. Mudge, for his services as Civil Secretary, from 1st January to 9th June 1831, .....*  
*Paid the Receiver General's Agent at Quebec, being the allowance of 1 per cent. for receiving duties due to this Province on imports at Quebec, under the Imperial Statute 14th Geo. 3, chap. 88, .....*  
*Paid Robert Stanton, Esquire, Government Printer, being an advance to cover a balance due to him over the appropriation for Printing the Provincial Statutes, passed in the 4th Session of the 11th Parliament, until the Legislature shall make provision for the same, .....*  
*Paid Robert S. Jameson, Esquire, His Majesty's Attorney General, being the amount of expenses incurred by him in defending two suits with costs, in reference to the Military Reserve near the Falls of Niagara, .....*

Total, £ 10177 17 2½ 13764 12 9½ 14313 19 6¼ 1395 9 8½ 1272 0 11¼ 1378 2 0¼

RECAPITULATION.

PAYMENTS

(AS ABOVE)

During the year 1830, .....	£10177 17 2½
do 1831, .....	13764 12 9½
do 1832, .....	14313 19 6¼
do 1833, .....	1395 9 8½
do 1834, .....	1272 0 11¼
do 1835, .....	1378 2 0¼
	£42302 2 2

RECEIPTS

(AS PER ACCOMPANYING STATEMENT)

During the year 1830, .....	£10995 7 8½
do 1831, .....	12853 1 7½
do 1832, .....	9704 19 3¼
do 1833, .....	957 7 1¼
do 1834, .....	5 11 4¼
do 1835, .....	0 0 0
Together with the balance which remained on hand the 31st Dec. 1829	8984 11 11¼
	4350 19 2

On hand 15th January, 1835, .....£ 1198 17 0

RECEIVER GENERAL'S OFFICE, }  
 9TH FEBRUARY, 1835.

JOHN H. DUNN, R. G.



## Report of the Select Committee on the subject of War Losses.

*The Committee to whom was referred His Excellency's Message of the 26th January 1835, upon the subject of the Losses sustained by certain inhabitants of this Province during the late War with the United States of America, find, that*

His Excellency "the Lieutenant Governor acquaints the House of Assembly, with reference to an Address on the subject of the War Losses, that as the payment of £57,412, contemplated by the Provincial Act, passed in the 3rd Session of the last Parliament, has been actually made, His Majesty's Government has directed that £20,000 may be reserved out of the Casual and Territorial Revenue, to be applied to the liquidation of the War claims; and that he is authorised to appropriate this sum of £20,000, provided a similar sum shall be raised and appropriated in like manner by the Legislature to the satisfaction of the War claims; and that if such joint payment of £40,000 be made in the Province, application will be made to the Imperial Parliament for the means of discharging the amount of £17910, requisite in order to effect the complete satisfaction of the whole of the War claims.

"His Majesty's Government trusts that the Assembly will be disposed to receive favourably a plan of which, instead of adhering to the original scheme of equal contributions by the Provincial Legislature and by the Parent State, it is proposed, that out of a sum of £57,910, twenty thousand pounds only shall be raised by the Province, and that on that condition the remaining amount of £17,910 shall be provided either from the Crown Revenues or from a grant by the British Parliament."

Your Committee beg leave respectfully further to report that they are of the opinion that the long deferred time of payment of the losses sustained by the persons herein described is a subject worthy the consideration of your Honorable House. They find that at the close of the late war with the United States of America, in which the sufferers complained that they sustained the losses for which they claim relief: that the whole male population of Upper Canada able to bear arms did not exceed ten thousand men, and that they were scattered over a frontier of at least eight hundred miles in extent; nearly half of these men were embodied for the whole of the first, and a very considerable portion of them for the greater part of the last campaign, and that they composed the principal part of the force which successively captured the fortresses of Machilimackanac and Detroit, with the army of General Hull; which carried by assault the batteries of Ogdensburg; which fought and gained the battles of Queenston, River Raisin, and Fort Mifflin; and which repulsed the enemy under General Smith, near Fort Erie; and in the disastrous affair near Fort George, they were warmly engaged with the enemy, and actually suffered as severely as His Majesty's regular forces. The provisioning and transporting the Forces in Upper Canada fell upon the Militia, and wherever they were visited by the enemy, desolation, waste and ruin marked their path; their property was plundered and destroyed, and themselves and families driven from home often in beggary and want, or made prisoners. Still they persevered in their attachment to their King and Country, and their services contributed largely to the security of this Province. Numbers died by the sword of the enemy, others from fatigue and sickness induced by their privations while in the field; their properties have been destroyed, and hundreds reduced to beggary and want without ever a murmur; animated with the hope and firm belief that their exertions, their fidelity, and their sufferings, would be considered by their King and Country, and duly appreciated. Twenty

years have elapsed since these losses have been sustained and yet they have not received a sum much exceeding the interest of their claims. In 1815, a joint address of both Houses of Parliament was presented to the Prince Regent, earnestly praying His Royal Highness to grant them relief. In August 1815, His Excellency Sir Frederick P. Robinson, K. C. B., Major General commanding His Majesty's Forces in Upper Canada, directed a Board to assemble at York for the purpose of investigating and reporting upon all claims that might be submitted to them for investigation for damages done by our troops or the enemy, during and in consequence of the war.—The investigation took place but the money was not paid, excepting so much as was received from the sales of confiscated estates. In April 1821, both Houses of Parliament addressed His Majesty, representing that in answer to their address to His Majesty, then Prince Regent, in 1815, that he had been graciously pleased to direct that the proceeds of the sales of certain forfeited estates in this Province should be appropriated towards the remuneration of the sufferers during the late war, but as the amount of those sales was but about fifteen thousand pounds, that would not meet the necessities of the case, they therefore humbly prayed His Majesty to lay their claims before the Imperial Parliament.

In answer to this address, Earl Bathurst caused a new commission to be appointed, and those claims to be again investigated, and which last Commissioners reduced the claims at their pleasure, so that the whole amount of losses admitted by them to be just did not exceed £200,000.

His Majesty was pleased to propose the payment of half the interest on £100,000 upon condition that the Province would pay the other half of the amount, and both Houses of the Legislature passed a Bill providing for the payment of the interest in the manner recommended by His Majesty's principal Secretary of State for the Colonies. This Bill was reserved for the Royal Assent, and in the February following, 1823, the Lieutenant Governor received another Despatch from Earl Bathurst, authorizing His Excellency to cause Bills to be drawn upon the Lords of His Majesty's Treasury, for £57,412 10s., at the same time desiring His Excellency to communicate to the Legislature of Upper Canada, that according to the spirit of the proposition of the original Loan which was assented to by His Majesty's government, it must be distinctly understood that no further payment would be made by the Lords of the Treasury until this Province shall have raised an equal sum of £57,412 10s. exclusively on its own security, applicable to the further liquidation of claims which may be awarded by a second commission, and directing him also to explain to the Provincial Legislature that should an additional sum be still found necessary after the payment on the part of Upper Canada of a like sum of £57,412 10s. the British Government will consent to contribute towards the sum in the same proportion as the Legislature of Upper Canada agree to advance upon the exclusive security of the Colony.

In 1826, a joint Address of both Houses of the Legislature was again sent Home, praying for aid from the British Government; and in 1827 and 1828, in answer to Addresses from the House of Assembly to His Excellency, requiring information upon the subject, they received for answer, that he had received no communication from His

Majesty's Government on the subject,—thus, according to the last report or award of the Commissioners, after the payment of the grant of the British Government of £57,412 10s., and the avails of the sales of forfeited estates, there still remains due £131,575, of which £57,512 10s. have been provided, which, together with the duty on salt, leaves a balance due of £57,919 to be provided for.

The Despatch accompanying His Excellency's Message, before recited, says, that if this House will provide for the payment of £20,000 of the £57,910, the remainder of the principal will be paid by £20,000 out of the Casual and Territorial Revenues, and £17,910 to be provided either from the Crown Revenues or from a grant by the British Government.

Your Committee therefore respectfully represent to your Honourable House, that in their opinion the War was a war of principle, to establish certain maritime rights—a war professedly waged by a jealous enemy with the hope of establishing certain principles of national policy affecting the whole empire, in defence of which, on all occasions, His Majesty's Colony of Upper Canada will ever aspire to participate with sentiments of proud devotion to the interests of the Parent State;—at the same time, the sacrifices made, and the loyalty evinced, by the inhabitants of this Province during that war, saved to His Majesty a Province of which His Majesty is justly proud, and which will long afford an asylum to our fellow subjects of Great Britain, whose circumstances may induce them to emigrate hither. The reports of the Commissioners appointed to investigate the claims for losses during the late war, are satisfactory proof that the claims are just, and that they ought to be liquidated; but your Committee are of opinion that they ought to recommend the payment of the interest of these claims out of some other fund or source of revenue than that of the Provincial Treasury, while the revenue is small and the debts of the Province large; especially as those debts have been incurred, in a great measure, in consequence of the liberal expenditure from the public funds for payment of pensions to those of the Militia of this Province who, during the war, suffered such injuries as to incapacitate them from earning a livelihood by their labour, and the families of those who died or were killed on service, and in the construction of internal improvements, as canals, roads, and bridges.

Your Committee therefore humbly beg leave to recommend to your Honourable House, to Address His Majesty, representing the facts as they are, and praying His Majesty to place at the disposal of the Provincial Legislature a portion of the waste lands of the Crown, sufficient to pay the interest on the same. If debts due from one indi-

vidual to another should be entitled to draw interest after the claimant is ready to receive the money, or rather after the money has become due; and if a debt due to the Government is upon interest against the subject after it becomes due, ought not a debt due from the Government to individuals to draw interest in the same manner?

Your Committee are of opinion that the claims should draw interest from the time the losses were sustained—they find there will still remain, unprovided for, £57,910 principal, and upwards of £100,000 interest. For the payment of the sum of £57,910 they recommend your Honourable House to provide by a grant of £20,000 for that purpose, under the authority of the Despatch accompanying His Excellency's message of the 26th ult. and the interest will still remain unprovided for; but as your Committee are of opinion that this claim of the sufferers is just, they respectfully recommend to your Honourable House to address His Majesty to place such a portion of the waste lands of the Crown at the disposal of the Provincial Legislature as shall be sufficient to meet the payment of the said sum of £100,000 to be applied to the liquidation of the interest of the said losses, which should be divided among the several claimants in proportion to the amount of principal awarded to them by the last arbitrators upon the subject of War Losses.

Your Committee most respectfully submit that the British Government, upon being reminded of the real loss, utter ruin, and total destruction of many of His Majesty's loyal subjects who have, in many instances, voluntarily came forward, sacrificed their time, their health and substance in support of the defence of this portion of His Majesty's Dominions, by the long deferred payment of their just claims, by which means they have been reduced from affluence, peace and comfort, to beggary, imprisonment, want and death, will grant a portion of the waste lands of the Crown sufficient to meet the payment of the interest of the sum due the said sufferers. Thus will be perpetuated the devotion and attachment of His Majesty's loyal subjects of this Province; and if unfortunate circumstances should require them again to sacrifice their all for their love of King and Country, they will glory in being among the foremost to evince their gratitude to their Most Gracious Sovereign for his munificence on this occasion.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
CHAIRMAN.

COMMITTEE ROOM, }  
House of Assembly, }  
27th February, 1835. }

U P P E R C A N A D A .

COMMITTEE ROOM, HOUSE OF ASSEMBLY, }  
2nd March, 1835.

F I R S T R E P O R T

Of the Committee appointed to examine and report upon the PUBLIC ACCOUNTS.

COMMITTEE.

MESSRS. C. DUNCOMBE,  
MORRIS,  
PERRY,  
MACKENZIE,  
MORRISON,  
NORTON,  
THORBURN,

Nos. 1, 2, and 3, contain a statement of monies paid into the hands of the Receiver General of Lower Canada, between the first of July, 1833, and the 1st of January, 1835, arising from duties on importations by sea, of which this Province is entitled to one third.

For the 1st half year, £33,192 4 5½	} Amounting to £87,585 8 4¼, Provincial Currency.
For the 2nd do. 31,588 19 0	
For the 3rd do. 22,804 4 10¾	

Although there appears to be a gradual falling off in this branch of the Revenue, yet if the whole amount received from duties on importations by sea into Lower Canada, in 1833, be compared with the receipts in 1834, from the same source, it will be found that there is an increase in 1834, of £925.

Revenue paid into the Receiver General's hands, as the proportion due to Upper Canada of duties collected in Lower Canada in the year ending 1st January, 1833, .....	£53,468 0 0
do. do. in 1834, .....	54,393 0 0
Increase paid to Upper Canada in 1834,.....£925 0 0	

No. 4. Abstract of warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under the several Provincial enactments, from the 6th of October to the 31st of December, 1833, inclusive, amounting to the sum of £9,928 0 10.

No. 5. Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 6th October to the 31st December, 1833, inclusive, amounting to—Receipts, .....	£20,704 3 11¼
Payments,.....	10,605 15 2¼
Leaving a balance in the Receiver General's hands, and carried to No. 10, of £10,098 8 9, and included in payments No. 10.	

No. 6. Account of Revenue arising from duties imposed on Goods, Wares, and Merchandize, imported into this Province from the United States of America from the 1st of October to the 31st of December, 1833, inclusive, as reported by the Collectors of Customs, amounting to £5,461 10 11¾—cost of collection £264 14 4¾,—leaving a nett revenue of £5,196 16 7.

No. 7. Account of Revenue arising from duties on licenses issued to Shop-keepers, Inn-keepers, Distillers, &c., from the 6th October, 1833, to the 5th January, 1834, inclusive, as reported by the several Inspectors,—	
Amounting to .....	£826 15 0
Allowance to Inspectors, .....	82 13 6
Nett Revenue, .....£744 1 6	

No. 8. Account of Revenue arising from duties upon Licenses issued to Hawkers and Pedlars, from the 1st October to the 31st December, 1833, inclusive, as reported by the Collectors of Customs,—	
Amounting to .....	£65 0 0
Collectors' allowances, 5 per cent., .....	3 5 0
Nett Revenue, Cur'y.....£61 15 0	

No. 9. Abstract of Warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under the several enactments of the Provincial Legislature, from the 1st of January to the 30th June, 1834, inclusive, amounting to £92,695 10 1½.

No. 10. Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st January to the 30th June, 1834, inclusive, amounting to £92,861 9 4.

No. 11. Abstract of Warrants issued by His Excellency the Lieutenant Governor on the Receiver General of the Province, under enactments of the Provincial Legislature, from the 1st July to the 31st December, 1834, inclusive, amounting to £185,033 4 2.

No. 12. Statement of the Receiver General's Receipts and Payments of the Provincial Revenue, from the 1st of July, to the 31st of December, 1834, inclusive, amounting to £216,310 0 4½ 3.9ths.

No. 13. Account of Revenue arising from duties on licenses issued to Shop-keepers, Inn-keepers, Distillers, &c., from the 5th January 1834 to the 5th January 1835, as reported by the several Inspectors, amounting to, .....

	£7,883	3	11½
Inspectors allowance, .....	688	17	7½

Nett Revenue,..... £7,194 6 4

No. 14. Account of Revenue arising from duties upon goods, wares, and merchandize, imported into this Province from the United States of America, from the 1st January to the 31st December 1834, as reported by the Collectors of Customs, amounting to,.....

	£12,736	12	11½
Expense of collection, .....	2,068	4	4

Nett Revenue in currency,.... £10,668 8 6½

No. 15. Account of Revenue arising from the duty upon licenses to Hawkers and Pedlars, from the 1st Jan. to the 31st of Dec. 1834, inclusive, as reported by the Collectors of Customs, amounting to £395 0 0

Allowance 5 per cent. ....	19	15	0
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Nett Revenue, ..... £375 5 0

No. 16. Account of Revenue arising from duties upon licences to Auctioneers and on sales at auction, from 1st Jan. to 31st Dec. 1834, inclusive, as reported by the Collectors of Customs, amounting to £581 17 1¼

Collectors allowance, 5 per cent. ....	29	1	10½
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Nett Revenue, . . . . £552 15 3

No. 17. Statement of Monies outstanding in the hands of Collectors and Inspectors, on account of Provincial duties, on the 1st of January 1835, amounting to, .....

Henry Baldwin, Collector, .....	£12,138	1	3
	145	11	10

Leaving a nett revenue of, .....

	£12,283	13	1
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No. 18. Statement of Monies paid to the Receiver General by Collectors and Inspectors, since the 1st of January 1835, in liquidation of balances then outstanding, or on account of duties subsequently collected, amounting to £6968 18s. 6d., which deducted from the balance outstanding at that date, leaves still outstanding £5,314 14s. 7d., which is less than the sum outstanding last year; but which it would be desirable to have collected as early as practicable.

No. 19. Estimate of the Civil Expenditure for the year 1835, and so much of the same as remains unprovided for by the Legislature for the years 1832, 1833, and 1834, exclusive of the appropriation by Statute 1st Wm. 4th, cap. 14, amounting to £13,271. It is to be observed, however, that the following items form part of the above sum:—

Travelling expenses of the Judges of Assizes and Crown Officers,...	£500	0	0	
do. for 1832, 1833, and 1834, .....	1,500	0	0	
				£2,000 0 0
Salaries of the Sheriffs of the Home and Midland Districts,.....	222	0	0	
do. for 1832, 1833, and 1834, .....	666	0	0	
				888 0 0
Attendance of the Sheriff of the Home District in the Court of King's Bench,.....	30	0	0	
do. 1832, 1833, and 1834, .....	90	0	0	
				120 0 0
Clerks of Assizes,.....	150	0	0	
do. for 1832, 1833, and 1834,.....	450	0	0	
				600 0 0
Salary of the Clerk of the Crown, and contingencies of his office,...	125	0	0	
do. for 1832, 1833, and 1834,.....	375	0	0	
				500 0 0
				£4,308 0 0

Your Committee cannot but express their surprise that these items, after having been repeatedly rejected by your Honorable House, should again be included in the estimate. An error is noticed in the estimate of the Surveyor General's Department, in the salary of Mr. Ridout, one of the Clerks, being £50 less than the amount voted last year. By a supplementary estimate, addressed to the Chairman of the Committee of Finance, from the Inspector General, the following should be added:—

For the Attorney General's salary,.....	£866	13	4
For the Solicitor General's salary, .....	377	15	7

Making the whole amount required by the Government,..... £10,257 8 11

No. 20. General estimate of the expenditure and resources of the Province for the year 1835, amounting to £212,818 currency.

The total amount which this Province has received from Lower Canada, between the 1st of July 1833 and the 1st January 1835,.....	£87,585 8 4½
The following sums have come into the Receiver General's hands since the 6th October 1833. On imports from the United States,.....	13,379 4 5
From duty on Hawkers and Pedlars licenses,.....	634 0 0
Duty on distilled liquors and distilling,.....	6,335 15 11½
Duty on salt imported from United States of America,.....	749 8 8½
Duty on Auctioneers licenses and sales at auction,.....	538 10 3½
Tolls on inland waters, Newcastle District,.....	120 0 0
Duty on ale and beer licenses,.....	8 10 0
Bank stock dividend,.....	2,000 0 0
Tolls from Kettle Creek Harbour,.....	584 1 9
Tolls from Burlington Bay Canal,.....	1,091 5 0
Interest on loan, Port Hope Harbour Company,.....	58 15 0
do. Cobourg, do. ....	176 5 0
Tolls on York roads,.....	177 0 0
Oakville Harbour,.....	75 0 0
For weights and measures, from Ottawa and Eastern Districts,.....	69 10 0
Receipts from 1st January to 1st February 1835,.....	6,968 18 6

Whole amount of monies received since 1st January 1833,.... £120,551 12 11½

The following items—part of the general estimate for 1835, are chargeable on the public revenue by authority of Acts of the Provincial Parliament:—

District Schools,.....	£1,100 0 0
Officers of the Legislature,.....	890 0 0
Receiver General, Adjutant General, and other heads of departments,.....	1,909 0 0
Six Pensioners,.....	120 0 0
Maintenance of Light-Houses,.....	1,000 0 0
Permanent salaries of 1 Wm. 4, cap. 14,.....	7,228 0 0
Interest on the Public Debt,.....	

To which should be added the following:—

Roads and Bridges,.....	£
Support of Common Schools,.....	8,550 0 0
Militia Pensions,.....	900 0 0
Agricultural Societies,.....	1,100 0 0
Improvement of the St. Lawrence,.....	

Your Committee beg leave to call the attention of your Honorable House to the present state of the Revenue of the Province; for although there has been a falling off in the Revenue collected at the Port of Quebec during the last half year, which is added to the current year, yet the year ending July, 1834, is £64,781 3 5½, which, being compared with that of the year ending July 1833, £55,213 18 7, shews an increase of £9,567 4 10½.

The Committee beg leave to call the attention of your Honorable House to the subject of borrowing money in England to meet the demands upon the Revenue for former grants, and for the sums that may be granted during this session. They are convinced that the system of borrowing money in England is a saving to the Province, and one that it would be expedient to follow for the purpose of raising all future loans. They find that with the £200,000 sterling borrowed in England, all the public debt has been redeemed that is now due, and all the grants to the various objects made the last session, viz: £46,000 to the Roads, £35,000 to the St. Lawrence Navigation, £1,500 to the Paris Bridge, £1,240 to the Dunnville Bridge, &c., saving the sum granted to the Welland Canal Company for the purchase of stock, no other debentures were issued during the last year in this country. There remains still to be raised upwards of £300,000 for the St. Lawrence improvement, and which the act authorizing the issuing the debentures redeemable in 20 and 40 years, puts it out of the power of Parliament to take advantage of any favorable change in the monied market either in this Province, in England, or any where else, to raise, on favorable terms. Your Committee find that the debentures issued in London are quoted at 5 per cent. premium. One per cent. was paid for negotiating this loan, so that Messrs. Wilson and Company must have made a profit of six per cent., and this six per cent may be saved to the Province by sending to London a competent Agent. It is therefore earnestly urged upon your Honorable House to authorize some person to proceed to England to raise all the money they may require. They are decidedly of opinion that it is in vain to carry on a negotiation by correspondence from this country, (vide Messrs. Baring & Co's. letter addressed to the Receiver General.) An Agent is required to be on the spot to consult the merchants, to exhibit documents and to answer questions, as well as to take advantage of the money market. The Agent could take with him the debentures, which might be prepared and made out at once; and he lodging the debentures in some safe place of deposit in London, they could be issued to whoever might contract for the loan, as money may be required in this Province. It appears from the public accounts, that the Province saved, after paying one per cent. and all the other charges, on the single transaction of the £200,000, more than pays the whole expense of the Receiver General's department, including his own salary, contingencies, &c. It is presumed that instead of paying a premium, a handsome one might now be got to the Province which will greatly increase the advantages of the recommended loan over that of last year. No time should be lost, as the St. Lawrence improvement will require money very soon if the work proceeds; and your Committee recommend that no debentures should be issued here, either for that or any other purpose. If any of the St. Lawrence debentures are issued, the period of redemption is so far distant that the Province will be precluded from taking advantage of the benefit and gain of transferring this debt, the period being fixed by law at 20 and 40 years. Your Committee would therefore recommend the altering and amending the St. Lawrence improvement debenture Act, so as to make the debentures redeemable by giving six months' notice at any time, so that in case the monies are required for that work before the loan can be arranged in London, the debentures may be issued here and afterwards redeemed when the loan shall have been made. Your Committee beg to remark that British Sovereigns have been made a legal tender in the United States at about 24s. 3d. currency, which makes the exchange something more than 8 per cent.; and as the exchange market in Canada is ruled entirely by that of New York, it is presumed that future negotiations in London will average about that rate. Every advantage should be embraced to turn the transaction to the

best possible account; and it might occur that the value of gold in the United States were such as to make it more advantageous to import a sum in Sovereigns than drawing bills of exchange, in which case the Agent might avail himself of it or any other circumstance likely to produce a good and profitable result. The London money market is at this moment most cheering to the borrower. On the 28th January last consols for account 91½ to 91 7/8ths, Exchequer Bills 41 shillings to 42 shillings premium, accompanied with the following remark: that "the abundance of unemployed capital seems, if any thing, to be on the increase, from day to day; some of the leading brokers who were accommodated with loans at the rate of 2½ per cent. having difficulty in placing the money well at such a rate above that as would compensate for the trouble of management. This state of things gives a support to all public securities, which almost makes their value for the time independent of political events, at least of the common incidents of the day which, under other circumstances, would not fail to make some impression. The affair of the mutiny of the Spanish troops at Madrid is a case in point; it made but a very slight and very temporary impression." The next day, January 29th, the following is the report of the money market: "The unusual abundance of money, and the difficulty of placing it out, has caused the different securities, both English and foreign, to improve. Consols for account are now 92½." With this prospect before them, your Committee feel that they ought to recommend to your Honorable House to lose no time in authorizing the sale of Provincial debentures in London for Four Hundred Thousand Pounds, and to send an agent to London to transact the business. To illustrate the advantages of the measure before mentioned, they beg leave to call the attention of your Honorable House to the following synopsis of that transaction:

"Statement of the actual saving to the Province of Upper Canada by the loan contracted for in London at 5 per cent. per annum.

£176,000 sterling has been drawn from London at a fraction of premium above 6 per cent. producing in currency £208,466 4 11.

To the above sum of . . . . .	£176,600	0	0
Add premium of 1 per cent. to Messrs. Thos. Wilson & Co. . . . .	1,766	0	0

£178,366 0 0 sterling.

Interest paid in London on £178,366 sterling, at the rate of 5 per cent. per annum, amounts to £8,918 sterling annually.

To remit this sum of £8,918 sterling to London at the same premium as above, say 6 per cent., will cost the Province . . . . .	£10,503	0	0	C'y.
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To which add 1 per cent. agency on the £8,918 sterling to Messrs. Thomas Wilson & Co. for paying the half yearly interest by commission, . . .	99	0	0
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£10,602 0 0 C'y.

£208,466 4 11 c'y. if raised in this Province at 6 per cent. interest, would cost £12,508, making an actual and positive saving to the Province of £1,906 currency.

Admitting that the premium on the annual interest of £8,918 sterling were to be remitted to London at 8 per cent. instead of 6, there would still be a saving of £1,708 currency annually on the transaction as it now stands in reference to the £176,600 sterling.

To exhibit at compound interest on the annual saving £1,906 similar to a sinking fund for twenty years, at which time the principal is payable, will produce the sum of £74,320 c'y., and admitting the sum of £178,366 sterling to be returned at the expiration of twenty years at an advanced premium of 2 per cent.; i. e. 8 per cent. instead of 6 per cent. it will still leave the Province a gainer of £70,357 c'y. Taking into consideration the saving of £74,320 c'y. will reduce the interest on the original sum of £178,366 sterling to about 3½ per cent. per annum, and on the latter saving of £70,357 c'y. to something less than 3½ per cent. per annum.

The credit of the Province is now established in London, where any amount of money may be got in future, it is supposed that 5 per cent. may be obtained as a premium instead of paying one per cent. to Messrs. Thomas Wilson & Co., which, of course, will greatly add to the advantages.

It has been urged, that sending so large a sum as the interest on this loan annually out of the Province is a strong objection to borrowing money in London, but let it be borne in mind that by these means a large foreign capital is brought into it at a much cheaper rate than it could be got on this continent, and it leaves the capital already in the Province, and that which may be introduced by emigrants, &c. for private purposes. It is well known that a very considerable portion of debentures issued here at 6 per cent. are held by and belong to persons in London, to whom the interest is remitted.

It has also been urged, that negotiating loans in London, however favourable the terms may be, is detrimental to the interest of the Province, by deterring individuals from emigrating with capital for investment in public stock; but it would be absurd to suppose that any individual would come to Upper Canada expressly for the mere object of investing in public debentures. If persons of capital do come, they will find as advantageous security can always be had on real estate.

Public loans within this Province absorb all its disposable capital, or, all that is likely to be brought into it. Let the public then in future, by the example of the United States, contract loans in London, and leave the domestic capital to individual enterprise, particularly as private securities are not available in a foreign market.

Debentures issued in Upper Canada, bearing an interest of 5 per cent per annum, are at a discount.

Your Committee beg leave to submit, that they have recently been favoured by the Honorable the Receiver General, with the following extract of a letter from Messrs. Thomas Wilson & Co. to him, dated London, 30th January 1835.

"I observe that you expect further loans will be required by Upper Canada.

"You may take it for granted, if necessary, without further reference to us, that we will take any amount not exceeding £200,000 at par (100) the debentures the same as before, and allowing for accrued interest, though we have no commission. The market for debentures is however very dull—the last sale that was made was about 5 per cent premium, exclusive of interest, accrued since October, should any new circumstances arise through which others are enabled to offer more than the above, give us an opportunity of considering them, the chance is, that we shall be able to do for you at least as well as others."

All which is respectfully submitted.

CHARLES DUNCOMBE, *Chairman.*

*Committee Room, House of Assembly, }  
27th day of March, 1835. }*

GUARDIAN OFFICE PRINT.

GOVERNMENT DEBENTURES.

SCHEDULE of GOVERNMENT DEBENTURES redeemed and outstanding, issued under authority of Acts of the Provincial Legislature.

- A.** £25,000 C'y. "Militia., 1st Session, 8th Parliament, Chapter 5. Redeemed.
- B.** £16,000 C'y. "Public Service of 1824., 4th Sess. 8th Parl. Chap. 24. Redeemed.
- C.** £ 8,000 C'y. "Burlington Bay Canal., 3 & 4 Sess. 8th Parl. Ch. 8 & 16. Redeemed.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount of Debenture.	REMARKS.
					£ s. d.	
22nd January, 1824	Messrs. Clark & Street.	16	22nd June 1826	19 December 1831	1000 0 0	} £ 5,000 Redeemed.
.....	..... do .....	17	..... 1828	17 October 1832	1000 0 0	
.....	..... do .....	18	..... 1830	..... do .....	1000 0 0	
.....	..... do .....	19	..... 1832	10 October 1834	1000 0 0	
.....	..... do .....	20	..... 1834	..... do .....	1000 0 0	
.....	..... do .....	21	..... 1835	..... do .....	1000 0 0	
.....	..... do .....	22	..... 1838	..... do .....	1000 0 0	
.....	..... do .....	23	..... 1840	..... do .....	1000 0 0	
Total C'y.—In't. at 6 per cent. £					8000 0 0	

- D.** £25,000 C'y. "Welland Canal., 2nd Session, 9th Parliament, Chapter 20.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount of Debenture.	REMARKS.	
					£ s. d.		
8th April, 1826	Bank of Upper Canada.	24	8th April, 1828	17th October, 1832	1666 13 4	} The whole redeemed.	
.....	..... do .....	25	..... 1830	..... do .....	1666 13 4		
.....	..... do .....	26	..... 1832	10th October, 1834	1666 13 4		
8th May, 1826	..... do .....	27	8th May, 1828	17th October, 1832	2666 13 4		
.....	..... do .....	28	..... 1830	..... do .....	2666 13 4		
.....	..... do .....	29	..... 1832	10th October, 1834	2666 13 4		
8th June 1826	..... do .....	30	8th June, 1828	..... do .....	4000 0 0		
.....	..... do .....	31	..... 1830	..... do .....	4000 0 0		
.....	..... do .....	32	..... 1832	..... do .....	4000 0 0		
Total C'y.—In't. at 6 per cent. £					25000 0 0		

- E.** £8000 C'y. "Burlington Bay Canal., 3d Session, 9th Parliament, Chapter 19.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount of Debenture.	REMARKS.
					£ s. d.	
3rd March, 1827	President, Directors and Company of the	33	3rd March 1830	10th October, 1834	666 13 4	} Redeemed.
.....	Bank of Upper Canada.	34	..... 1833	..... do .....	666 13 4	
.....	..... do .....	35	..... 1836	..... do .....	666 13 4	
15 November, 1827	..... do .....	96	15 November 1830	10th October, 1834	833 6 8	} Redeemed.
.....	..... do .....	97	..... 1833	..... do .....	833 6 8	
.....	..... do .....	98	..... 1836	..... do .....	833 6 8	
Total C'y.—In't. at 6 per cent. £					4500 0 0	£3000redeem'd

GOVERNMENT DEBENTURES.

F. £50,000 Cy. "Welland Canal., 3rd. Session, 9th. Parliament, Chapter 17.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of redemption.	When redeemed.	Amount of Debenture.			REMARKS.	
					£	s	d		
16th June, 1827	Bank of Upper Canada.	36	6th June 1829	10th October 1834	1000	0	0	The whole £50,000 Redeemed.	
....	.... do ....	37	.....1831	.... do ....	1000	0	0		
....	.... do ....	38	.....1833	.... do ....	1000	0	0		
....	.... do ....	39	.....1829	.... do ....	1000	0	0		
....	.... do ....	40	.....1831	22nd Nov'r. 1834	1000	0	0		
....	.... do ....	41	.....1833	.... do ....	1000	0	0		
....	.... do ....	42	.....1829	.... do ....	1000	0	0		
....	.... do ....	43	.....1831	.... do ....	1000	0	0		
....	.... do ....	44	.....1833	.... do ....	1000	0	0		
....	.... do ....	45	.....1829	.... do ....	500	0	0		
....	.... do ....	46	.....1831	22nd April 1834	500	0	0		
....	.... do ....	47	.....1833	22nd Nov. 1834	500	0	0		
....	.... do ....	48	.....1829	.... do ....	500	0	0		
....	.... do ....	49	.....1831	.... do ....	500	0	0		
....	.... do ....	50	.....1833	.... do ....	500	0	0		
....	.... do ....	51	.....1829	.... do ....	333	6	8		
....	.... do ....	52	.....1831	.... do ....	333	6	8		
....	.... do ....	53	.....1833	.... do ....	333	6	8		
1st August, 1827	.... do ....	54	1st Aug. 1829	22nd April 1834	3000	0	0		
....	.... do ....	55	.....1831	22nd Nov. 1834	3000	0	0		
....	.... do ....	56	.....1833	.... do ....	3000	0	0		
....	.... do ....	57	.....1829	.... do ....	1000	0	0		
....	.... do ....	58	.....1831	.... do ....	1000	0	0		
....	.... do ....	59	.....1833	.... do ....	1000	0	0		
....	.... do ....	60	.....1829	.... do ....	500	0	0		
....	.... do ....	61	.....1831	.... do ....	500	0	0		
....	.... do ....	62	.....1833	.... do ....	500	0	0		
....	.... do ....	63	.....1829	.... do ....	100	0	0		
....	.... do ....	64	.....1831	.... do ....	100	0	0		
....	.... do ....	65	.....1833	.... do ....	100	0	0		
....	.... do ....	66	.....1829	.... do ....	100	0	0		
....	.... do ....	67	.....1831	.... do ....	100	0	0		
....	.... do ....	68	.....1833	.... do ....	100	0	0		
....	.... do ....	69	.....1829	.... do ....	100	0	0		
....	.... do ....	70	.....1831	.... do ....	100	0	0		
....	.... do ....	71	.....1833	.... do ....	100	0	0		
....	.... do ....	72	.....1829	.... do ....	100	0	0		
....	.... do ....	73	.....1831	.... do ....	100	0	0		
....	.... do ....	74	.....1833	.... do ....	100	0	0		
....	.... do ....	75	.....1829	.... do ....	100	0	0		
....	.... do ....	76	.....1831	.... do ....	100	0	0		
....	.... do ....	77	.....1833	.... do ....	100	0	0		
12th Sept. 1827	Canada Company.	78	12th Sept. 1829	.... do ....	1000	0	0		
....	.... do ....	79	.....1831	.... do ....	1000	0	0		
....	.... do ....	80	.....1833	.... do ....	1000	0	0		
....	.... do ....	81	.....1829	.... do ....	1000	0	0		
....	.... do ....	82	.....1831	.... do ....	1000	0	0		
....	.... do ....	83	.....1833	26th Dec. 1834	1000	0	0		
....	.... do ....	84	.....1829	.... do ....	1000	0	0		
....	.... do ....	85	.....1831	.... do ....	1000	0	0		
....	.... do ....	86	.....1833	.... do ....	1000	0	0		
....	.... do ....	87	.....1829	.... do ....	1000	0	0		
....	.... do ....	88	.....1831	.... do ....	1000	0	0		
....	.... do ....	89	.....1833	.... do ....	1000	0	0		
....	.... do ....	90	.....1829	.... do ....	1000	0	0		
....	.... do ....	91	.....1831	.... do ....	1000	0	0		
....	.... do ....	92	.....1833	.... do ....	1000	0	0		
26th Oct. 1827	Messrs. Clark & Street.	93	27th Oct. 1829	.... do ....	2333	6	8		
....	Merchants.	94	.....1831	.... do ....	2333	6	8		
....	.... do ....	95	.....1833	.... do ....	2333	6	8		
Total. Cy. £					50000	0	0		Int. 6 pr. cen

G. L.3,900 c'y. "Kettle Creek Harbour., 3rd Sess. 9th Parl. Chap. 18.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When redeemed.	Amount of Debenture.	REMARKS.
24th Nov. 1827	President, Directors and Company of the Bank of Upper Canada.	99	24th Nov. 1847	Total Cy.	£ s d. 3000 0 0	Int. 6 per. cent.

GOVERNMENT DEBENTURES.

H. L.25,000. "Welland Canal Company,, 2nd Session, 10th Parliament, Chapter 11.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount Of Debenture.			REMARKS.
					£	s.	d.	
11th May, 1830	President. Directors and Comp'y. of the chartered Bank of Upper Canada.	100	11 May, 1837	26 December, 1834	1000	0	0	} Redeemed.
.....	.....	101	.....1839	.... do ....	1000	0	0	
.....	.....	102	.....1841	.... do ....	1000	0	0	
.....	.....	103	.....1837	.... do ....	1000	0	0	
.....	.....	104	.....1839	.... do ....	1000	0	0	
.....	.....	105	.....1841	.... do ....	1000	0	0	
.....	.....	106	.....1837	.... do ....	1000	0	0	
.....	.....	107	.....1839	.... do ....	1000	0	0	
.....	.....	108	.....1841	.... do ....	1000	0	0	
.....	.....	109	.....1837	.... do ....	1000	0	0	
.....	.....	110	.....1839	.... do ....	1000	0	0	
.....	.....	111	.....1841	.... do ....	1000	0	0	
.....	.....	112	.....1837	.... do ....	1000	0	0	
.....	.....	113	.....1839	.... do ....	1000	0	0	
.....	.....	114	.....1841	.... do ....	1000	0	0	
.....	.....	115	.....1837	.... do ....	1000	0	0	
.....	.....	116	.....1839	.... do ....	1000	0	0	
.....	.....	117	.....1841	.... do ....	1000	0	0	
.....	.....	118	.....1837	.... do ....	500	0	0	
.....	.....	119	.....1839	.... do ....	500	0	0	
.....	.....	120	.....1841	.... do ....	500	0	0	
.....	.....	121	.....1837	.... do ....	133	6	8	
.....	.....	122	.....1839	.... do ....	133	6	8	
.....	.....	123	.....1841	.... do ....	133	6	8	
.....	.....	124	.....1837	.... do ....	100	0	0	
.....	.....	125	.....1839	.... do ....	100	0	0	
.....	.....	126	.....1841	.... do ....	100	0	0	
.....	.....	127	.....1837	.... do ....	100	0	0	
.....	.....	128	.....1839	.... do ....	100	0	0	
.....	.....	129	.....1841	.... do ....	100	0	0	
.....	.....	130	.....1837	.... do ....	100	0	0	
.....	.....	131	.....1839	.... do ....	100	0	0	
.....	.....	132	.....1841	.... do ....	100	0	0	
.....	.....	133	.....1837	.... do ....	100	0	0	
.....	.....	134	.....1839	.... do ....	100	0	0	
.....	.....	135	.....1841	.... do ....	100	0	0	
.....	.....	136	.....1837	.... do ....	100	0	0	
.....	.....	137	.....1839	.... do ....	109	0	0	
.....	.....	138	.....1841	.... do ....	100	0	0	
.....	.....	139	.....1837	.... do ....	100	0	0	
.....	.....	140	.....1839	.... do ....	100	0	0	
.....	.....	141	.....1841	.... do ....	100	0	0	
.....	.....	142	.....1837	.... do ....	100	0	0	
.....	.....	143	.....1839	.... do ....	100	0	0	
.....	.....	144	.....1841	.... do ....	100	0	0	
.....	.....	145	.....1837	.... do ....	100	0	0	
.....	.....	146	.....1839	.... do ....	100	0	0	
.....	.....	147	.....1841	.... do ....	100	0	0	
.....	.....	148	.....1837	.... do ....	100	0	0	
.....	.....	149	.....1839	.... do ....	100	0	0	
.....	.....	150	.....1841	.... do ....	100	0	0	
.....	.....	151	.....1837	.... do ....	100	0	0	
.....	.....	152	.....1839	.... do ....	100	0	0	
.....	.....	153	.....1841	.... do ....	100	0	0	
.....	.....	154	.....1837	.... do ....	100	0	0	
.....	.....	155	.....1839	.... do ....	100	0	0	
.....	.....	156	.....1841	.... do ....	100	0	0	
.....	.....	157	.....1837	.... do ....	100	0	0	
.....	.....	158	.....1839	.... do ....	100	0	0	
.....	.....	159	.....1841	.... do ....	100	0	0	
.....	.....	160	.....1837	.... do ....	100	0	0	
.....	.....	161	.....1839	.... do ....	100	0	0	
.....	.....	162	.....1841	.... do ....	100	0	0	
.....	.....	163	.....1837	.... do ....	100	0	0	
.....	.....	164	.....1839	.... do ....	100	0	0	
.....	.....	165	.....1841	.... do ....	100	0	0	
.....	.....	166	.....1837	.... do ....	100	0	0	
.....	.....	167	.....1839	.... do ....	100	0	0	
.....	.....	168	.....1841	.... do ....	100	0	0	
.....	.....	169	.....1837	.... do ....	25	0	0	
.....	.....	170	.....1839	.... do ....	25	0	0	
.....	.....	171	.....1841	.... do ....	25	0	0	

Carried over, £ 24475 0 0

## GOVERNMENT DEBENTURES.

## WELLAND CANAL DEBENTURES,—CONTINUED.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount		REMARKS.
					Of Debenture.		
				Brought over, £	24475	0 0	
11th May, 1830	President, Directors and	172	11 May, 1837	.....	25	0 0	
.....	Comp'y. of the chartered	173	.....1839	.....	25	0 0	
.....	Bank of Upper Canada.	174	.....1841	.....	25	0 0	
.....	.....	175	.....1837	.....	25	0 0	
.....	.....	176	.....1839	.....	25	0 0	
.....	.....	177	.....1841	.....	25	0 0	
.....	.....	178	.....1837	.....	25	0 0	
.....	.....	179	.....1839	.....	25	0 0	
.....	.....	180	.....1841	.....	25	0 0	
.....	.....	181	.....1837	.....	25	0 0	
.....	.....	182	.....1839	.....	25	0 0	
.....	.....	183	.....1841	.....	25	0 0	
.....	.....	184	.....1837	.....	25	0 0	
.....	.....	185	.....1839	.....	25	0 0	
.....	.....	186	.....1841	.....	25	0 0	
.....	.....	187	.....1837	.....	25	0 0	
.....	.....	188	.....1839	.....	25	0 0	
.....	.....	189	.....1841	.....	25	0 0	
.....	.....	190	.....1837	.....	25	0 0	
.....	.....	191	.....1839	.....	25	0 0	
.....	.....	192	.....1841	.....	25	0 0	
Total C'y.—In't. at 6 per cent. £					25000	0 0	

## L. 5000. "Burlington Bay Canal., 2nd Session, 10th Parliament, Chapter 12.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount			REMARKS.
					Of Debenture.			
					£	s.	d.	
28th May 1830	President, Directors and	193	28th May 1833	.....	666	13	4	
....	Comp'y. of the chartered	194	.... 1835	.....	636	13	4	
....	Bank of Upper Canada.	195	.... 1837	.....	666	13	4	
29th July 1830	.....	196	29th July 1833	.....	333	6	8	
....	.....	197	.... 1835	.....	333	6	8	
....	.....	198	.... 1837	.....	333	6	8	
23 November 1830	.....	199	23 November 1833	.....	333	6	8	
....	.....	200	.... 1835	.....	333	6	8	
....	.....	201	.... 1837	.....	333	6	8	
2nd August 1831	.....	249	2nd August 1834	.....	250	0	0	
....	.....	250	.... 1836	.....	250	0	0	
....	.....	251	.... 1838	.....	250	0	0	
4th February 1832	.....	253	4 February, 1835	.....	83	6	8	
....	.....	254	.... 1837	.....	83	6	8	
....	.....	255	.... 1839	.....	83	6	8	
Total, currency,—interest at 6 per cent. £					5000	0	0	

## K. L.2,500. "Oakville Harbour,, Loan to William Chisholm, Esq. 1 Sess. 11 Parl. Chapter 25.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount.	REMARKS.
4th May, 1831,	Hon. Wm. Allen,.....	202	4th May, 1841.....	Total, C'y.£	2500 0 0	In't. at 6 pr. ct.

No. 17.

GOVERNMENT DEBENTURES.

L. L.20,000. "Roads and Bridges., 1st Session, 11th Parliament, Chapter 7.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount Of Debenture.			REMARKS.
					£	s.	d.	
16th May, 1831	President, Directors & Comp'y. of the Bank of Upper Canada.	203	16 May, 1851		1000	0	0	
		204			1000	0	0	
		205			200	0	0	
17th May, 1831	Trustees York Hospital President, Directors and Company of the Bank of Upper Canada.	206	17 May, 1851		500	0	0	
.....		207	.....		500	0	0	
.....		208	.....		500	0	0	
.....		209	.....		400	0	0	
.....		210	.....		500	0	0	
18th May, 1831	.....	211	18 May, 1851		500	0	0	
.....		212	.....		500	0	0	
.....		213	.....		400	0	0	
.....		214	.....		400	0	0	
.....		215	.....		400	0	0	
26th May, 1831	.....	216	26 May, 1851		400	0	0	
.....		217	.....		400	0	0	
.....		218	.....		400	0	0	
.....		219	.....		100	0	0	
.....		220	.....		100	0	0	
27th May, 1831	.....	221	27 May, 1851		100	0	0	
.....		222	.....		100	0	0	
.....		223	.....		100	0	0	
.....		224	.....		100	0	0	
.....		225	.....		100	0	0	
.....		226	.....		100	0	0	
.....		227	.....		100	0	0	
.....		228	.....		100	0	0	
.....		229	.....		100	0	0	
.....		230	.....		100	0	0	
.....	231	.....		100	0	0		
.....	232	.....		100	0	0		
.....	233	.....		100	0	0		
.....	234	.....		100	0	0		
16th June, 1831	.....	235	16 June 1851		1000	0	0	
.....		236	.....		1000	0	0	
11th July, 1831	.....	237	11 July, 1851		1000	0	0	
.....		238	.....		1000	0	0	
.....		239	.....		1000	0	0	
.....		240	.....		1000	0	0	
.....		241	.....		1000	0	0	
.....		242	.....		1000	0	0	
.....		243	.....		700	0	0	
.....		244	.....		500	0	0	
19th July, 1831	.....	245	19 July, 1851		500	0	0	
.....		246	.....		500	0	0	
.....		247	.....		500	0	0	
.....		248	.....		500	0	0	

£ 20000 0 0 Int. 6 pr. cent.

M. £50,000 Cy. "Welland Canal., 1st Session, 11th Parliament, Chapter 18.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of redemption.	When redeemed.	Amount of Debenture.			REMARKS.
					£	s.	d.	
20 May, 1831 16 August 1831 and 10 November, 1831	Order of the Welland Canal Company.	1 to 200 inclus.	At £250 each	7th October, 1834.	50000	0	0	Redeemed by Prov. Act 4 Wm 4th, ch. 53, the interest having been paid by the Wel. Canal Co.
				In't. at 5 pr. ct. £	50000	0	0	

N. L.3,500 Cy. "Kettle Creek Harbour., 1st Sess. 11th Parl. Chap. 26.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When redeemed.	Amount of Debenture.			REMARKS.
					£	s.	d.	
11th July 1831	President, Directors and Company of the Bank of Upper Canada.	244	11th July 1851		1000	0	0	
6th Jan. 1832	William Campbell,.....	252	6th Jan. 1852		500	0	0	
22nd Mar. 1832	..... do .....	256	22nd Mar. 1852		500	0	0	
7th July 1832	President, Directors and Company of the Bank of Upper Canada.	259	7th July 1852		500	0	0	

Total, Cy. £ 2500 0 0 Int. 6 pr. cent.

## GOVERNMENT DEBENTURES.

**O.** L.2,000. C'y. "Port Hope Harbour and Wharf Company Loan., 2 Sess. 11 Parl. Chap. 23.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount of Debenture.	REMARKS.
28th April 1832	Messrs. Clark & Street.	257	28th April, 1842	Total, C'y. £	2000 0 0	In't at 5½ pr. et.

**P.** L.3000. C'y. "Cobourg Harbour Loan., 2nd Session, 11th Parliament, Chapter 22.

4th May 1832	Messrs. Clark & Street.	258	4th May 1842	C'y. £	3000 0 0	Int. at 5½ pr. et.
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**Q.** £70,000 C'y. "Improvement of St. Lawrence Navigation., 3rd Sess. 11th Parl. Chap. 18.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount of Debenture.	REMARKS.
16th May 1833	Jonas Jones, Esq. President of the board of Commissioners under the said Act.....	260	16th May, 1841		£ 333 6 8	
....	.....	261	.....1842		333 6 8	
....	.....	262	.....1843		333 6 8	
9th Aug. 1833	.....	274	9th Aug. 1841		333 6 8	
....	..... do .....	275	.....1842		333 6 8	
....	..... do .....	276	.....1843		333 6 8	
....	..... do .....	278	.....1842		166 13 4	
....	..... do .....	279	.....1843		166 13 4	
....	..... do .....	280	.....1841		166 13 4	
....	..... do .....	281	.....1842		166 13 4	
....	..... do .....	282	.....1843		166 13 4	
....	..... do .....	277	.....1841		166 13 4	
Total, C'y. £					3000 0 0	Int. at 5 pr. et.

**R.** £7,500 C'y. "Welland Canal., 3rd Session, 11th Parliament, Chapter 55.

2nd May 1833	George Jacob,	263	2 May, 1843		£ 1000 0 0	
23rd May 1833	.... do .....	264	23 .....		250 0 0	
Total, C'y. £					1250 0 0	Int. at 5 per. et.

**S.** L.2000 C'y. "Inland waters District of Newcastle., 3 Sess, 11th Parl. Chap. 33.

3rd June, 1833	James G. Bethune, Esq.	265	2rd June 1836		£ 500 0 0	Interest & principal payable from the tolls only.
....	.... do .....	266	.....1838		500 0 0	
....	.... do .....	267	.....1840		500 0 0	
....	.... do .....	268	.....1843		500 0 0	
Total C'y. £					2000 0 0	In't. at 6 per et.

**T** 4050l. C'y. "River Trent bridge., 3rd Sess. 11 Parliament, Chap. 34.

3rd June, 1833	James G. Bethune Esq.	269	3rd June 1841		£ 166 13 4	Int. at 6 per et.
....	.... do .....	270	.....1842		166 13 4	
....	.... do .....	271	.....1843		166 13 4	
20th Aug. 1833	.... do .....	283	20th Aug. 1841		333 6 8	
....	.... do .....	284	.....1842		333 6 8	
....	.... do .....	285	.....1843		333 6 8	
5th Nov. 1833	.... do .....	291	5th Nov. 1841		166 13 4	
....	.... do .....	292	.....1842		166 13 4	
....	.... do .....	293	.....1843		166 13 4	
Total C'y. £					2000 0 0	

**U.** L. 1,500 C'y. "Brantford Bridge., 3rd Session, 11th Parliament, Chapter 31.

28th Sept. 1833	Andrew Drew,	286	28th Sept. 1841		£ 333 6 8	Int. at 6 per et.
....	.... do .....	287	.....1842		333 6 8	
....	.... do .....	288	.....1843		333 6 8	
21st Nov. 1833	.... do .....	294	21st Nov. 1841		166 13 4	
....	.... do .....	295	.....1842		166 13 4	
....	.... do .....	296	.....1843		166 13 4	
Total, C'y. £					1500 0 0	

GOVERNMENT DEBENTURES.

V. £1000 C'y. "Roads in the vicinity of York., 3d Session, 11th Parliament, Chapter 38.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount			REMARKS.	
					Of Debenture.				
					£	s.	d.		
1 July 1833	President, Directors and	272	1 July 1863	.....	500	0	0	Principal and interest payable from the tolls.	
27 July ....	Company of the	273	27 ....	.....	500	0	0		
28 Sept. ....	Bank of Upper Canada.	289	28 Sept. ....	.....	500	0	0		
26 Oct. ....	.... do ....	290	26 Oct. ....	.....	500	0	0		
4 Jan'y 1834	.... do ....	297	4 Jan'y. 1864	.....	500	0	0		
29 March ....	.... do ....	298	29 March ....	.....	500	0	0		
6 May ....	.... do ....	306	6 May 1854	.....	400	0	0		
25 July ....	.... do ....	343	25 July ....	.....	300	0	0		
4 Aug. ....	.... do ....	344	4 Aug. ....	.....	300	0	0		
30 ....	.... do ....	345	30 ....	.....	400	0	0		
....	.... do ....	346	.....	.....	400	0	0		
....	.... do ....	347	.....	.....	400	0	0		
Total £					5200	0	0		In't. at 6 per ct.

W. £5,000 C'y. "Desjardins Canal., 2nd Sess. 11th Parl. Chap. 24.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount	REMARKS.			
					£	s.	d.		
30 May 1832	Desjardins Canal Co'y.	1	28 January, 1842	.....	1000	0	0	Interest payable by the Co'y.	
11 June ....	.....	2	.....	.....	1000	0	0		
25 ....	.....	3	.....	.....	1000	0	0		
16 July ....	.....	4	.....	.....	1000	0	0		
11 Aug. ....	.....	5	.....	.....	1000	0	0		
Total £					5000	0	0	In't. at 6 per ct.	

X. £50,000 C'y. "Welland Canal., 4th Session, 8th Parliament, Chapter 39.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount	REMARKS.			
					£	s.	d.		
8th March 1834	President of the Welland Canal Company.	299	8 March 1874	.....	5000	0	0		
.....	.... do ....	300	.....	.....	1000	0	0		
.....	.... do ....	301	.....	.....	1000	0	0		
.....	.... do ....	302	.....	.....	1000	0	0		
.....	.... do ....	303	.....	.....	1000	0	0		
.....	.... do ....	304	.....	.....	500	0	0		
.....	.... do ....	305	.....	.....	5000	0	0		
.....	.... do ....	307	.....	.....	100	0	0		
.....	.... do ....	308	.....	.....	100	0	0		
.....	.... do ....	309	.....	.....	100	0	0		
.....	.... do ....	310	.....	.....	100	0	0		
.....	.... do ....	311	.....	.....	100	0	0		
.....	.... do ....	312	.....	.....	100	0	0		
.....	.... do ....	313	.....	.....	100	0	0		
.....	.... do ....	314	.....	.....	100	0	0		
.....	.... do ....	315	.....	.....	100	0	0		
.....	.... do ....	316	.....	.....	100	0	0		
.....	.... do ....	317	.....	.....	500	0	0		
.....	.... do ....	318	.....	.....	500	0	0		
.....	.... do ....	319	.....	.....	500	0	0		
.....	.... do ....	320	.....	.....	500	0	0		
.....	.... do ....	321	.....	.....	500	0	0		
.....	.... do ....	322	.....	.....	500	0	0		
.....	.... do ....	323	.....	.....	500	0	0		
.....	.... do ....	324	.....	.....	500	0	0		
.....	.... do ....	325	.....	.....	500	0	0		
.....	.... do ....	326	.....	.....	500	0	0		
.....	.... do ....	327	.....	.....	500	0	0		
.....	.... do ....	328	.....	.....	1000	0	0		
.....	.... do ....	329	.....	.....	1000	0	0		
.....	.... do ....	330	.....	.....	1000	0	0		
.....	.... do ....	331	.....	.....	1000	0	0		
.....	.... do ....	332	.....	.....	1000	0	0		
.....	.... do ....	333	.....	.....	1000	0	0		
.....	.... do ....	334	.....	.....	1000	0	0		
.....	.... do ....	335	.....	.....	1000	0	0		
.....	.... do ....	336	.....	.....	1000	0	0		
.....	.... do ....	337	.....	.....	1000	0	0		
.....	.... do ....	338	.....	.....	1000	0	0		
.....	.... do ....	339	.....	.....	1000	0	0		
Carried over, £					33000	0	0		

GOVERNMENT DEBENTURES.

WELLAND CANAL DEBENTURES,—CONTINUED.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When Redeemed.	Amount Of Debenture.	REMARKS.
8th March 1834	President of the Welland Canal Company.	340	8 March 1874	Brought over, £	33000 0 0	
.....	.....	341	.....	.....	1000 0 0	
.....	.....	342	.....	.....	1000 0 0	
9th Sept. ....	.....	348	9th Sep. ....	.....	500 0 0	
.....	.....	349	.....	.....	1000 0 0	
.....	.....	350	.....	.....	1000 0 0	
.....	.....	351	.....	.....	1000 0 0	
.....	.....	352	.....	.....	1000 0 0	
.....	.....	353	.....	.....	1000 0 0	
.....	.....	354	.....	.....	1000 0 0	
Total £					42500 0 0	In't.

Y° L.58,291 13s. 4d. "War Losses.," 3rd Sess. 11th Parliament, Chapter 27.

					£	s.	d.
13 May 1833	Granted to sundry claimants or their agents.	1	13 May 1853		110	0	0
.....	.....	2	.....		50	0	0
.....	.....	3	.....		430	0	0
.....	.....	4	.....		340	0	0
.....	.....	5	.....		200	0	0
.....	.....	6	.....		50	0	0
14.....	.....	7 to 12	14.....	at £ 85 each.	510	0	0
.....	.....	13	.....		350	0	0
.....	.....	14 & 15	.....	at £150	300	0	0
.....	.....	16	.....		60	0	0
.....	.....	17	.....		70	0	0
.....	.....	18	.....		240	0	0
15.....	.....	19	15.....		3000	0	0
.....	.....	20	.....		500	0	0
.....	.....	21	.....		160	0	0
.....	.....	22	.....		300	0	0
.....	.....	23	.....		100	0	0
.....	.....	24	.....		70	0	0
16.....	.....	25	16.....		210	0	0
.....	.....	26 & 27	.....	at £170	340	0	0
.....	.....	28	.....		100	0	0
.....	.....	29	.....		50	0	0
.....	.....	30	.....		1400	0	0
13.....	.....	31 to 127	13.....	at £ 50	4850	0	0
.....	.....	128 to 175	.....	at £ 60	2880	0	0
.....	.....	176 to 207	.....	at £ 70	2240	0	0
.....	.....	208 to 233	.....	at £ 80	2080	0	0
.....	.....	234 to 248	.....	at £ 90	1350	0	0
.....	.....	249 to 299	.....	at £100	5100	0	0
.....	.....	300 to 314	.....	at £200	3000	0	0
.....	.....	315 to 319	.....	at £500	2500	0	0
.....	.....	320 to 327	.....	at £1000	8000	0	0
.....	.....	323	.....		200	0	0
.....	.....	329 & 330	.....	at £50	100	0	0
17.....	.....	331 to 333	17.....	at £50	150	0	0
.....	.....	334	.....		90	0	0
.....	.....	335	.....		1200	0	0
.....	.....	336	.....		300	0	0
.....	.....	337	.....		50	0	0
.....	.....	338	.....		240	0	0
.....	.....	339	.....		70	0	0
.....	.....	340 to 342	.....	at £100	300	0	0
.....	.....	343	.....		140	0	0
20.....	.....	344	20.....		50	0	0
21.....	.....	345	21.....		100	0	0
.....	.....	346	.....		230	0	0
22.....	.....	347	22.....		280	0	0
24.....	.....	348	24.....		560	0	0
.....	.....	349	.....		100	0	0
25.....	.....	350	25.....		70	0	0
27.....	.....	351	27.....		150	0	0
13.....	.....	352	13.....		220	0	0
29.....	.....	353	29.....		150	0	0
1 June ..	.....	354	1 June ..		50	0	0
.....	.....	355	.....		300	0	0
Carried over £					46040	0	0

## GOVERNMENT DEBENTURES.

## WAR LOSSES DEBENTURES,—CONTINUED.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption	When redeemed.	Amount Of Debenture.	REMARKS.
5th June 1833	Granted to sundry claimants or their agents.	356	5 June 1853	Bro't forward, £	46040 0 0	
.....	.....	357	.....	.....	50 0 0	
6.....	.....	358	6.....	.....	70 0 0	
.....	.....	359	.....	.....	110 0 0	
.....	.....	360	.....	.....	100 0 0	
.....	.....	361	.....	.....	50 0 0	
.....	.....	362	.....	.....	400 0 0	
.....	.....	363	.....	.....	90 0 0	
10.....	.....	364	10.....	.....	100 0 0	
11.....	.....	365	11.....	.....	120 0 0	
.....	.....	366	.....	.....	380 0 0	
12.....	.....	367	12.....	.....	50 0 0	
.....	.....	368	.....	.....	50 0 0	
13.....	.....	369	13.....	.....	80 0 0	
.....	.....	370	.....	.....	50 0 0	
14.....	.....	371	14.....	.....	100 0 0	
15.....	.....	372 to 375	15.....	at £50 each	50 0 0	
17.....	.....	376	17.....	.....	200 0 0	
.....	.....	377	.....	.....	130 0 0	
20.....	.....	378	20.....	.....	100 0 0	
22.....	.....	379	22.....	.....	70 0 0	
.....	.....	380	.....	.....	50 0 0	
25.....	.....	381	25.....	.....	150 0 0	
.....	.....	382	.....	.....	60 0 0	
26.....	.....	383	26.....	.....	50 0 0	
28.....	.....	384	28.....	.....	50 0 0	
.....	.....	385	.....	.....	90 0 0	
.....	.....	386	.....	.....	250 0 0	
29.....	.....	387	29.....	.....	520 0 0	
3rd July..	.....	388	3 July...	.....	190 0 0	
.....	.....	389	.....	.....	200 0 0	
.....	.....	390 to 392	.....	at £50	60 0 0	
.....	.....	393	.....	.....	150 0 0	
4.....	.....	394	4.....	.....	80 0 0	
5.....	.....	395	5.....	.....	80 0 0	
13.....	.....	396	13.....	.....	230 0 0	
.....	.....	397	.....	.....	50 0 0	
15.....	.....	398	15.....	.....	50 0 0	
16.....	.....	399	16.....	.....	180 0 0	
17.....	.....	400	17.....	.....	180 0 0	
19.....	.....	401	19.....	.....	50 0 0	
20.....	.....	402	20.....	.....	480 0 0	
.....	.....	403	.....	.....	60 0 0	
22.....	.....	404	22.....	.....	50 0 0	
9 August..	.....	405	9 Aug....	.....	50 0 0	
12.....	.....	406	12.....	.....	180 0 0	
.....	.....	407	.....	.....	120 0 0	
30.....	.....	408	30.....	.....	50 0 0	
12 Sept....	.....	409	12 Sept....	.....	70 0 0	
13.....	.....	410	13.....	.....	50 0 0	
.....	.....	411	.....	.....	70 0 0	
17.....	.....	412	17.....	.....	50 0 0	
.....	.....	413	.....	.....	50 0 0	
1 Oct....	.....	414	1 Oct....	.....	50 0 0	
10.....	.....	415	10.....	.....	150 0 0	
14.....	.....	416	14.....	.....	50 0 0	
.....	.....	417	.....	.....	50 0 0	
15.....	.....	418	15.....	.....	50 0 0	
8 Nov....	.....	419	8 Nov....	.....	150 0 0	
11.....	.....	420	11.....	.....	80 0 0	
23.....	.....	421	23.....	.....	100 0 0	
17 Dec....	.....	422	17 Dec....	.....	50 0 0	
19.....	.....	423	19.....	.....	80 0 0	
18 May....	.....	424	18 May....	.....	50 0 0	
3 Jan'y. 1834	.....	425	3 Jan'y. 1834	.....	1300 0 0	
9.....	.....	426	9.....	.....	70 0 0	
.....	.....	427	.....	.....	50 0 0	
.....	.....	428	.....	.....	50 0 0	
14.....	.....	429	14.....	.....	70 0 0	
.....	.....	430	.....	.....	180 0 0	
20.....	.....	431	20.....	.....	100 0 0	
22.....	.....	432	22.....	.....	50 0 0	
.....	.....	.....	.....	.....	140 0 0	
Carried for'd. £					55260 0 0	

GOVERNMENT DEBENTURES.

WAR LOSSES DEBENTURES,—CONTINUED.

Date of Debenture.	To whom granted.	No. of Debenture.	Date of Redemption.	When Redeemed.	Amount Of Debenture.	REMARKS.
24th Jan'y. 1834	Granted to sundry claimants or their agents.	433	4 Jan'y. 1854	Brought over, £	55250 0 0	
22nd Feb...		434	22 Feb. ....	.....	50 0 0	
7th March.		435	7 March....	.....	70 0 0	
14th April..		436	14 April....	.....	50 0 0	
21st.....		437	21 .....	.....	150 0 0	
20th May...		438	20 May.....	.....	70 0 0	
30th June...		439	30 June.....	.....	800 0 0	
16th Oct....		440	16 Oct'r.....	.....	50 0 0	
Total C'y. £					56550 0 0	In't. at 5 per cent.

**Z.** L.200,000 St'g. "To cancel part of the Public Debt, &c., 4th Sess. 11th Parl. Chap. 53.

Date of Debenture.	In what manner issued.	Numbers and particulars of Debentures issued.	Amount of Debenture. Sterling.
1st April 1834	To the order of the Honourable George H. Markland, Inspector General of this Province.	A 1 to A 500 inclusive a £ 100 each	50000 0 0
		B 1 to B 200 ..... a £ 500 "	100000 0 0
		C 1 to C 50 ..... a £1000 "	50000 0 0
		Redeemable in 20 years from date.	
£			200000 0 0

Interest at 5 per centum per annum, payable half-yearly, at the Counting House of Messrs. Tho's. Wilson & Co. London.

The Debentures for the whole amount of £200,000 Sterling, have been transmitted to Messrs. Tho's. Wilson & Co. in London. The sum of £176,600 has been drawn on account thereof as shewn in the following statement, and on which the interest commences from the day the Receiver General's Bills of Exchange are paid in London. Viz,

**GENERAL STATEMENT of Bills of Exchange drawn by the Receiver General on Messrs Thomas Wilson & Co. of London, on account of the foregoing Debentures, shewing the dates of acceptances, &c. as far as have been advised.**

When drawn.	To Whom Sold.	D's BIL	Nos. of the Bills.	Am't. Ste'g	pre'm. p cent	Proceeds in Prov. Currency.	ACCEPTANCES as far as have been advised by T. Wilson & Co				
				£		L. s. d.	Date of Sight.	Particulars of Bill.	Am't of Bills Ste'g.		when due being the day on which the int' is to commen.
1834											
22 Ap'l	Forsyth, Richardson & Co.	30	1	5000	4	5777 15 6½	1834				
.....	Benjamin Holmes, Esq		2 to 41, at £500 each	20909	4½	23111 2 2½	23 May	Fav. Gillespie, Jameson, & Co	5000		24 Jun '34
.....	Gillespie, Jamieson & Co		42	5000	4½	5805 11 1½	5 June	Forsyth, Richardson & Co	5000		7 July -
1 July	John S. Cartwright, esq		43 to 48 at £5000 each	30000	3½	34500 0 0	9	Benjamin Holmes, Esq	5000		
10 Oct.	Wm. H. Merritt, esq. Pt. W. C. Co.		49 to 68, at £1000 each	20000	*	24013 17 9½	11	do	4 a L. 500 each	2000	13
.....	Truscott, Green, & co.		69	1000	8½		13	do	3 a L. 500 each	1500	15
.....			70	1500		6006 18 10¼	16	do	4 a L. 500 each	2000	17
.....			71	2500			17	do	4 a L. 500 each	2000	19
.....	John S. Cartwright, esq		72 to 74, at £5000 each	15000	*	18010 8 4	19	do	9 a L. 500 each	4500	21
.....	Wm. H Merritt, Esq. Pt. W. C. C.		75 to 94, at £1000 each	20000	*	24013 17 9½	20	do	1 a L. 500 each	2000	22
.....	do		95	1600	..	1921 2 2½	21	do	4 a L. 500 each	2000	23
3 Nov.	Thos. G. Ridout, Esq		96	10000	7½	11972 4 5½	23	do	2 a L. 500 each	1000	24
.....	do		97 to 106 at £1000 each	10000	7		28	do	5 a L. 500 each	2500	30
.....	do		107 to 110 at £5000 each	20000	..	35666 13 4	6 Aug.	John S. Cartwright, Esq	6 a L. 5000 ea	30000	8 Sep.
26	do		111 to 115 at £1000 ea	5000	6		19 Nov	Truscott, Green, & Co.	1000		21 Dec.
.....	do		116 to 130 at L. 500 ea	7500	..						
.....	do		131 & 132 at L. 400 each.	800	..	17666 13 4					
.....	do		133 to 138 at L. 200 ea	1200	..						
.....	do		139 to 143 at L. 100 ea	500	..						
						208466 4 11½					

\* The rate of premium per centum to these amounts is 8 1-16

GOVERNMENT DEBENTURES.

RECAPITULATION.

Debentures issued as per Returns undermentioned.	SERVICE.	Amount respectively.		Rate of int. per annum.	REMARKS.	
		C'y.	Ste'g.			
		£	£			
A	Militia.....	25000	.....	} 6	Redeemed.	
B	Public Service of 1824.....	16000	.....		Redeemed.	
C	Burlington Bay Canal.....	8000	.....		£5000 redeemed	
D	Welland Canal.....	25000	.....		Redeemed.	
E	Burlington Bay Canal.....	4500	.....		£3000 redeemed	
F	Welland Canal.....	50000	.....		Redeemed.	
G	Kettle Creek Harbour.....	3000	.....		} 6	£6000 redeemed.
H	Welland Canal.....	25000	.....			
I	Burlington Bay Canal.....	5000	.....			
K	Oakville Harbour Loan to William Chisholm...	2500	.....		} 5	Prin. & In't. pay'bl. by the Com'y
L	Roads and Bridges.....	20000	.....			
M	Welland Canal.....	50000	.....		5	Redeemed.
N	Kettle Creek Harbour.....	2500	.....		6	Prin. & In't. pay'bl. by the Com'y
O	Port Hope Harbour and Wharf Company Loan,	2000	.....		5½	
P	Cobourg Harbour Loan.....	3000	.....		5½	
Q	Improvement of Saint Lawrence navigation....	3000	.....	5	} 5	Prin. & In't. pay'bl. from tolls only
R	Welland Canal.....	1250	.....			
S	Inland Waters, District of Newcastle, Loan....	2000	.....	} 6	Prin. & In't. pay'bl. from tolls only	
T	River Trent Bridge.....	2000	.....			
U	Brantford Bridge.....	1500	.....			
V	Roads in the vicinity of York.....	5200	.....	} 6	..... do .....	
W	Desjardins Canal.....	5000	.....			
X	Welland Canal.....	42500	.....	} 5 in London	Interest payable by the Company.	
Y	War Losses.....	56550	.....			
Z	To borrow certain moneys in London to cancel part of the public debt of this Province .....	.....	176600			
	Total amount of Debentures issued.....	360500	176600			
	Amount of Debentures redeemed.....	180000				
	Amount outstanding up to this date....£	180500	176600			

The Interest has been paid on the foregoing Debentures, at the half yearly periods on which it became due respectively. The Government holds 2000 shares of the capital stock in the Bank of Upper Canada, amounting to £25,000 currency, the whole of which has been paid in.

The whole of the Debentures that are due and that can be called in, are advertised for redemption.

JOHN H. DUNN, R. G.

RECEIVER GENERAL'S Office, Toronto, 15th January, 1835.



REPORT OF COMMISSIONERS ON TORONTO HARB UR.

ACCOUNT OF MATERIALS AND EXPENSES,—CONTINUED.

		Brought forward, £		254 9 8½
1833		<b>MR. JOHN MERCHISON.</b>		
August 5	721 feet pine timber			
..... 10	141 ..... do .....			
.....	535 ..... do .....			
..... 26	1377 ..... do .....			
	..... 2774 ft. a 18s 9d .....			26 0 2
		<b>MR. CHARLES FILER.</b>		
..... 17	1000 ..... do .....			
..... 31	365 ..... do .....			
September 6	744 ..... do .....			
..... 11	1323 ..... do .....			
..... 20	1151 ..... do .....			
	..... 4584 ft. a 18s 9d .....			42 19 6
		<b>MR. DUNCAN MERRIGOLD.</b>		
..... 7	Pine timber, ..... 2735 ft. a 18s 9d .....			25 12 6
		<b>MR. WM. BELL.</b>		
August 24	618 ..... do .....			
September 16	448 ..... do .....			
	..... 1066 ft. a 18s 9d .....			9 19 9½
August 29	5579 ..... do .....			
1834	..... a 15s .....	41 16 10½		
May 21	4534 ..... do .....			
1833	..... a 13s 9d .....	31 3 6		
August 27	1048 ..... do .....			
..... 31	619 ..... do .....			
	..... 1667 ft. a 18s 9d .....	15 2 8		
.....	Pin timber, ..... 0 5 0 .....			
September 10	..... do .....	0 12 6		
.....	505 ..... do .....	5 6 3		
				21 16 5
		<b>MR. JOHN THOMAS.</b>		
November 19	2374 ..... do .....			
	..... a 18s 9d .....			24 15 2
		<b>MR. SMYTH GLASS,</b>		
	.....			0 13 0
		<b>MR. JAMES POLLY.</b>		
1834	1974 ..... do .....			
April 1	..... a 18s 9d .....			14 16 3
		<b>MR. JAMES BOWDEN.</b>		
October 31	2288 ..... do .....			
.....	333 ..... do .....			
Jan. 3, 1834	2273 ..... do .....			
February 3	1005 ..... do .....			
	..... 5899 a 17s 6d .....	55 6 1		
March 18	3461 ..... do .....	27 13 9		
June 9	1250 ..... do .....	9 7 6		
July 7	2338 ..... do .....	19 0 0		
..... 25	2869 ..... do .....	21 10 0		
August 16	937 ..... do .....	9 6 9		
.....	403 ..... do .....	3 5 8		
1834				145 9 9
October 3	..... <b>MR. RICHARD TINING.</b> .....			0 15 0
March 29	..... <b>MR. REISINGBURGH.</b> .....			2 10 0
July 24	..... <b>MR. WM. WHITESIDES.</b> .....			1 7 0
1833		<b>MR. HENRY H. STONE.</b>		
July 3	3 schooner loads slabs, 50 M. a 6s 3d .....	15 12 6		
	Freight of ditto .....	13 10 0		
				29 2 6
		<b>MR. G. K. CHISHOLM.</b>		
August 13	3 schooner loads slabs, delivered, a £10 per load, .....			30 0 0
		<b>MR. JOHN HARRISON.</b>		
.....	20,000 ft. 3 inch plank			
September 14	4,000 ..... do .....			
November 1	36,900 ..... do .....			
1834	..... 60,900 ft. a 25 .....	76 2 6		
April 16	1,950 ..... do .....	3 8 3		
				79 10 4
		<b>MR. JOHN RICHEY.</b>		
	Sawing plank .....			1 19 4
		Carried over, £		784 17 2½

REPORT OF COMMISSIONERS ON TORONTO HARBOUR.

ACCOUNT OF MATERIALS AND EXPENSES,—CONTINUED.

		Amount brought forward, £	
			784 17 2½
1834	MR. HUNVEY:		
	Sawing Plank.....	3 15 6	
	.... do .....	11 17 9	15 3 3
	MR. JOHN NICOLSON.		
	48 toise of stone..... a 40s	86 0 0	
	Account for the use of boats and labour,.....	27 0 0	
	Pin timber,.....	0 15 0	113 10 0
	MR. JAMES FOLEY.		
	2 toise stone,..... a 40	4 0 0	
	Account for the use of boat and labour,.....	15 0 0	19 0 0
	MR. DANIEL SULLIVAN.		
Feb'y. 24	33½ toise stone,..... a 32s. 6d.	54 8 9	
1834	Removing do.....	3 3 0	
July 8	6 toise stone,..... a 32s. 6d.	9 15 0	67 6 9
1833	MR. ABRAHAM SUMMERS.		
Aug. 29	6 1.5 toise stone,..... a 32s 6d		10 1 3
	MR. JOHN WIGGINS.		
July 1	12 toise stone..... a 32s 6d	18 10 0	
Sept. 5	5.... do .....	8 2 6	
.... 14	3.... do .....	4 17 6	
Nov'r. 26	7.... do .....	13 2 6	44 12 6
	MR. T. S. CRONKRITE.		
	7 toise stone,..... a 32s 6d	11 7 6	
	1½.... do .....	1 17 6	13 5 0
July 13	MR. M. CONDON,.....		0 15 0
	MR. M. ANTHONY.		
Nov'r. 18	4 toise 63 feet stone..... a 32s 6		7 4 3
1834	MR. HENRY HANHAM.		
Jan'y. 10	2 toise and 143 feet stone,..... a 32s 6d		4 13 4
	MR. DONOHOE.		
Nov'r. 28	1 1-12 toise stone,..... a 32s 6d		1 15 0
Aug. 30	.....MR. THOMAS WILLSON.....		0 10 0
Nov'r. 19	.....MR. ARMSTRONG.....		0 10 0
	COLONIAL ADVOCATE & COURIER.		
	For Advertisements.....		0 15 2
	MESSRS. RIDOUT & BROTHERS.		
Jan'y. 8	Account for iron,.....	7 8 5	
.... 28	.... do .....	4 4 5	11 12 10
1833	MESSRS. SHELDON & DUTCHER.		
July 26	Account of sundries,.....	8 0 5	
Oct'r. 21	..... Kent Hook,.....	0 6 6	
1834 Feb. 24	..... large tongs,.....	6 12 0	
March 25	..... sundries,.....	7 3 4½	22 2 3½
	MESSRS. WARE, SMITH, & STEGMAN.		
	Accounts for sundries,.....		1 2 4
	.....Messrs. WRAGG & Co.—For iron,.....		2 4 6
1833	MESSRS. WATKINS & HARRIS.		
May 1	Account for sundries,.....	1 17 2	
July 23	..... use of chain cable,.....	2 10 0	
	..... sundries,.....	6 12 5½	10 19 7½
	MR. HAMSON, WEEKLY ACCOUNT OF LABOUR.		
July 20	Account of labour from 5th to 8th June, inclusive,.....	5 7 8	
	.... do ....10 15 .....	18 9 5½	
	.... do ....17 22 .....	20 11 11½	
	.... do ....24 29 .....	21 1 0½	
	.... do .... 1 6 July,.....	20 6 1½	
	Carried over, £	85 16 3	

No. 18.

REPORT OF COMMISSIONERS ON TORONTO HARBOUR.

Mr. HAMSON, weekly account of Labour,—CONTINUED.

						Bro't over, £		
1833	July 20	Account of labour from 8th to 13th July, inclusive, .....				85 16 3		
	.....	do	.....15	20	.....do.....	18 18 11		
	.....	do	.....22	27	.....do.....	24 11 6		
August	3	do	.....29	3	August.....	19 12 6½		
	.....	do	.....5	10	.....do.....	18 10 4		
	.....	do	.....12	17	.....do.....	22 19 6		
	.....	do	.....19	24	.....do.....	24 7 5		
	.....	do	.....26	31	.....do.....	25 10 4		
September	7	do	.....2	7	September.....	31 16 3		
	.....	do	.....9	14	.....do.....	33 10 3		
	.....	do	.....16	21	.....do.....	33 15 4	339	8 7½
	.....	do	.....23	28	.....do.....	28 0 3		
October	12	do	.....30	5	October.....	23 19 1		
	.....	do	.....7	12	.....do.....	26 2 5		
	.....	do	.....14	19	.....do.....	23 16 3½		
November	2	do	.....21	26	.....do.....	20 9 6		
	.....	do	.....28	2	November.....	26 1 9½		
	.....	do	.....4	9	.....do.....	28 8 3	176	17 7
	.....	do	.....11	16	.....do.....	31 7 0		
	.....	do	.....18	23	.....do.....	26 8 10½		
December	7	do	.....25	30	.....do.....	26 11 0		
	.....	do	.....2	7	December.....	24 19 8		
	.....	do	.....9	14	.....do.....	24 19 4½	134	5 11
	.....	do	.....16	21	.....do.....	25 2 10½		
1834	January 13	do	.....23	28	.....do.....	20 16 0		
	.....	do	.....30	4	January.....	23 15 1½		
	.....	do	.....6	11	.....do.....	17 0 8½		
	.....	do	.....13	18	.....do.....	29 7 9½	116	2 6
	.....	do	.....20	25	.....do.....	29 9 5½		
February	10	do	.....27	31	.....do.....	26 1 3		
	.....	do	.....3	8	February.....	24 7 6		
	.....	do	.....10	15	.....do.....	24 18 9		
April	2	do	.....17	22	.....do.....	21 16 4		
	.....	do	.....24	29	.....do.....	24 8 11	151	2 2½
	.....	do	removing stone,		.....do.....	20 0 1½		
	.....	do	sundries, and attending to removing stone		.....do.....	11 18 1		
	.....	do	from 31 March to 5 April.....		.....do.....	3 16 3		
	.....	do	.....7	12	.....do.....	21 7 9		
	.....	do	.....14	15	.....do.....	18 2 6		
June	23	do	.....14	17	May.....	8 6 3		
	.....	do	.....19	24	.....do.....	10 0 0		
	.....	do	.....26	31	.....do.....	16 0 0	109	10 11½
	.....	do	.....2	7	June.....	19 10 0		
	.....	do	.....9	14	.....do.....	19 10 0		
July	14	do	.....16	21	.....do.....	18 18 9		
	.....	do	.....27	28	.....do.....	9 10 0		
	.....	do	.....30	5	July.....	7 5 0		
	.....	do	.....7	12	.....do.....	21 3 4		
	.....	do	.....14	19	.....do.....	21 5 0	117	2 1
	.....	do	.....21	26	.....do.....	19 19 2		
September	8	do	.....23	2	August.....	19 16 8		
1835	January 6	do	.....11	16	.....do.....	20 7 6		
	.....	do	.....18	23	.....do.....	12 9 3		
	.....	do	.....29	September to 4 October	.....do.....	14 5 0		
	.....	do	.....6	to 11 do.	.....do.....	11 15 0	110	7 7
						7 14 10½	2387 2 8½	
Making Lamp for Wharf, .....						1 17 6		
Glazing and painting, .....						0 12 6		
Tin and Lead for do. ....						2 5 0		
150 lbs. Iron weights, .....						0 19 6		
Iron bolts, hasps, &c. ....							13 9 4½	
Hamson's account for attending and lighting lamp, and sundries furnished, .....						29 9 4		
Ware's account for Oil, after 14th August, 1834. ....						3 6 0	22 15 4	
						2433 7 4½		
Deduct 1152 feet timber not used at Wharf, .....						8 12 6		
						2424 14 10½		

HUGH RICHARDSON, }  
J. G. CHEWITT. } COMMISSIONERS.

GRIEVANCE REPROT.

*ABSTRACT ACCOUNT of MATERIALS and EXPENSES attending the construction of works to improve and preserve the Harbour of York, now Toronto, by authority of an Act of the Legislature of this Province, passed 13th February, 1833.*

72,500 feet of Timber .....	£	644	4	7½
6 schooner loads of slabs, .....		59	2	6
60,900 feet of plank, .....		79	10	9
Sawing plank, .....		17	2	7
134 toise stone .....		228	5	0
Boat hire, sinking cribs, .....		45	3	0
Sundry accounts for chains, iron, &c. ....		48	16	9
Labour constructing Wharf .....		1254	17	5½
Expense attending Light, and constructing a Lantern, .....		46	4	8½
		2423	7	4½
Deduct 1152 ft. timber not used, £		8	12	6
		£	24	4 14 10½

HUGH RICHARDSON, }  
J. G. CHEWITT, } COMMISSIONERS.

NO. 19.

FIRST REPORT of Select Committee on Grievances.

To the Honourable the House of Assembly,

The Select Committee on Grievances, respectfully submit the following Report :

In the course of their enquiries they find it necessary to refer to the documents enumerated in the addresses herewith presented, for the consideration of the House.

In Lord Viscount Goderich's Despatch, reference is made to the annual official returns of the Civil Establishment of the Colony, commonly called "The Blue Book," and from those returns inferences are made which appear to be erroneous. The committee are desirous to compare the originals in the Secretary's office, with the statements made to this House.

In reply to a communication from the agent to the petitioners, to whose complaints Viscount Goderich's despatch was in part an answer, Lord Howick's letter annexed to this Report, promises that the consideration of His Majesty's

Government would be given to the state of the Jury laws. No information has since been sent to this House on that important subject.

Several witnesses examined before your committee complain of the appointments of Commissioners of the Peace—we report an address requesting information on that subject.

In a return to an address to the House of Commons, moved by Mr. Stewart McKenzie, printed by that House, and herewith reported, a balance is shown of £32,139 St'g, as being in the hands of a public accountant in June 1833, from the Canada Company's payments. This committee is desirous to ascertain the amount of the balances in the hands of the several public accountants in this city—the Banks where such balances are deposited and whether any interest is accruing to the Province for the use of the public money so deposited.

W. L. MACKENZIE,  
Chairman.

UPPER CANADA COMPANY.

RETURN to an Address to His Majesty, dated 22nd May, 1833, for

A RETURN of all Monies received from the Canada Company, and the application thereof.

R. W. HAY.

COLONIAL DEPARTMENT,  
DOWNING STREET, 4TH MARCH, 1834.

[COPY.]

DESPATCH and enclosures from SIR J. COLBORNE, to the Right Honourable E. G. STANLEY, dated Upper Canada, York, 20th September, 1833.

SIR,

I have the honour to transmit to you the accompanying Return of all Monies received from the Canada Company, and the application thereof, in conformity to the directions contained in your Despatch of the 31st May last.

I have, &c.

(Signed)

J. COLBORNE.



GRIEVANCE REPORT.

RECEIPTS AND EXPENDITURE.

RECEIPTS.		£	s	d	Sterling.		
		£	s	d	£	s	d
From the Commissioners of the Canada Company, being the balance remaining of the First Instalment of £20,000 due to His Majesty's Government on 1st July 1827, after deducting certain sums therefrom, as directed by the Lord's Commissioners of His Majesty's Treasury,*		7042	14	3*			
From do. being the Instalment due for the year ending 1st July, 1828.		15000	0	0			
..... do ..... do ..... 1st July 1829.		15000	0	0			
..... do ..... do ..... 1st July 1830.		15000	0	0			
..... do ..... de ..... 1st July 1831.		16000	0	0			
..... do ..... do ..... 1st July 1832.		17000	0	0			
..... do ..... do ..... 1st July 1833.		18000	0	0			
From the Officers of the Land Granting Department for Fees received by them in 1827, and paid over to the Receiver General, on receiving their commutation in lieu thereof,					103042	14	3
From sundry Officers, being for their salaries drawn for and paid in London, as has been subsequently paid to them in Upper Canada out of this Fund, for 1827, together with the premium received on their bills,					291	9	11½
Refunded, being so much overcharged on a remittance to England of Mrs. Campbell's pension					1483	16	1
Refunded, being so much overpaid on salary to the Sheriff of the Home District,					1	2	5
					0	8	2
	Total, £				104819	10	11½
PAYMENTS.							
Paid for the service of the year 1827.		16213	3	8			
..... do ..... 1828.		14320	4	9½			
..... do ..... 1829.		13934	7	10¼			
..... do ..... 1830.		12104	17	5			
..... do ..... 1831.		8552	2	9¼			
..... dd ..... 1832.		7554	19	2¾			
					72679	15	8¼
Balance on hand the 30th June 1833,	£				32139	15	2¼

The accounts of the Territorial Revenue are classed and kept in two divisions, viz. All warrants marked (K) are charged against that part of the Casual and Territorial Revenue (independent of the Canada Company Instalments;) and the warrants marked (D) are charged against the Canada Company Instalments.

Thus many salaries and charges, although authorised by His Majesty's Government to be paid out of any funds under the control of His Majesty, have been charged on fund (K), amounting together to £12674 13 3 more than actually received into that fund; and which together with the sum of £10487 10 4½ expended from funds (D) and (K) since the 30th June, for the service of the last six months, must be deducted from the above balance, leaving the true balance therefore but £8977 11 6 sterling; viz. from balance as above,

..... £	32139	15	2¼
Deduct advance in (K).....	12674	13	3
Expenditure for the Public Service, from January to June 1833, from (D) and (K).....	10487	10	4½
	23162	3	7¼
	£	8977	11 6

\* The balance of £12,957 5 9, above referred to, was applied as follows:

	£	s	d
Half expense of Commission to Canada, (the other half defrayed by the Company).....	4473	3	0
Expenses arising out of detention of Commissioners after completion of Commission.....	1907	14	0
Cash paid Sir G. Willson (Arbitrator).....	287	8	9
Cash to pay bills on Treasury for sums advanced to defray charge of Civil Establishment of Upper Canada for 1826,.....	5425	0	0
Cash to Dr. Strachan for services in settling the terms of the agreement with the Company,.....	324	0	0
Ditto. do. to defray expenses connected with the establishment of an University at York, Upper Canada,.....	540	0	0
	£	12957	5 9

RECEIVER GENERAL'S OFFICE,  
York, U. C. 29th August, 1833. }

(Signed)

B. TURQUAND,  
First Clerk.

DOWNING STREET, 6TH FEBRUARY, 1833.

Sir,

I am directed by Viscount Goderich to acknowledge the receipt of your letter, styled "Observations on the proposed amendments of the laws now in force, regulating the appointment of Grand and Petty Jurors in Upper Canada," and I am to acquaint you that His Lordship will take this letter into consideration, and address such a communication on it, as it shall seem to him to require, to the Lieutenant Governor of the Province.

I am

Sir,

Your obedient

Humble servant

HOWICK.

W. L. Mackenzie, Esq.  
2 Poland Street.

## REPORT ON PROVINCIAL PENITENTIARY.

*REPORT of the Commissioners on the Provincial Penitentiary.*

To His Excellency Sir JOHN COLBORNE, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major-General commanding His Majesty's Forces therein, &c. &c. &c.

The Commissioners appointed by an Act passed in the 3rd year of His Majesty's reign, entitled, "An Act granting to His Majesty a sum of money to defray the expense of erecting a Penitentiary in this Province," most respectfully beg leave to submit the undermentioned papers and documents, namely:

- A. General statement of receipts and disbursements.
- B. Abstract of disbursements for labour since last report, with pay lists No. 18 to 64, inclusive and supplementary, pay lists from a to k.
- C. Abstract of disbursements for materials purchased since last report, with vouchers.
- D. Abstract of contingent disbursements, with vouchers.
- E. Set of drawings, representing the plan of the whole prison, workshops, yard, &c. as at present designed, with explanations of the same.
- F. A particular and complete inventory of the property in the hands of the Commissioners, consisting of land, buildings, tools, materials, &c.
- G. Abstract of the work done at the Penitentiary, from the 13th July to the 2nd November, 1833, inclusive, under distinct heads.
- H. Abstract of the work performed at the Penitentiary, from the 4th November, 1833, to the 1st December, 1834, inclusive, exhibiting the various kinds of labour under distinct heads.
- I. Statement, classifying sundry expenditures since the commencement of the building, under the head of contingencies, which, when deducted from the gross amount of the appropriation, exhibits the net cost of materials and labor applied to the construction of the prison, and also of the cottage occupied by the Superintendent and Master Builder.
- K. Estimate of probable disbursements for the support of the prison by the Board of Inspectors in the year 1835, calculated for 50 convicts, exclusive of the salaries already provided for by statute.
- L. Estimate of the sum required to prosecute the building of the north wing of the prison, and for enclosing a temporary yard.

The Legislature, at its last Session, having considered it expedient to place at the immediate disposal of the Commissioners the remainder of the grant for the Penitentiary, which was in the first instance designed to be advanced them by equal instalments, they have thus been enabled to prosecute the work during the past summer with increased activity and advantage.

Early in the month of September, the south wing was carried up to its proper height, covered with a shingle roof, and rendered fit for the reception of prisoners by the preparation of two galleries in the eastern block or division. These cells, amounting to forty-four in number, are plastered and fitted with grated doors and locks, and are in all respects completed. The bedding and other furniture, still to be supplied, it is no part of the duty enjoined on the Commissioners to provide.

The south wing is considered capable of accommodating as many convicts as will probably be sentenced to the Penitentiary during the next ensuing six or seven years. It contains two blocks or divisions of cells, five stories in height, each story contains twenty-two cells, making one hundred and ten cells in each block, and a total in both blocks of two hundred and twenty. This number is independent of fifty cells belonging to this section of the prison, which, being within the proposed central building, have not yet been begun, but which make up the full number of two hundred and seventy, stated in last year's report, as contained in the south wing. When the time shall arrive for providing more accommodation, it may be obtained by constructing one hun-

dred and fifty cells in the centre part of the building, according to the manner set forth in the plans. There will thus be room in the prison for three hundred and seventy convicts, a number that it is hoped the Province will not very speedily furnish. When crime shall unhappily increase to such an extent as to demand still further space for the confinement of prisoners, the east and west wings, as specified in the plans may be successively erected. These additions when wanted, may be undertaken and completed by means of the prison labour, without any outlay of public money or any other cost to the Province, except the application of the surplus earnings of the convicts to the purchase of materials.

A reference to the document marked F. will show the exact condition and quantity of the building materials on hand at the present time. Sixty-seven locks have been manufactured, besides those already placed on the finished cells, and a quantity of iron has been purchased on advantageous terms, nearly sufficient for all the grated doors, fastenings, and other iron-work of the wing. There is also on hand a considerable supply of lumber. Such progress has in fact been made in providing and preparing materials, that the whole wing may be finished with very little additional delay or expense. It is probable that the unfinished cells in the eastern range or division (sixty-six in number) could be fitted up in the course of a few weeks by labour solely of the criminals convicted at the first general circuit of the Judges. Indeed, the object of the Commissioners in hastening the progress of the work, was to ensure accommodation for such culprits as it was supposed would have been sent to the Penitentiary during the recent assizes. Impressed with a belief that the prison would be wanted this year, they spared no effort to provide as many cells as would probably be occupied. It, however, appeared that no provision had been made at the last session of the Legislature for the maintenance of convicts at the prison. Its cells have consequently been untenanted, and they must remain so until the Legislature shall make the needful appropriations. In order to facilitate the consideration of this matter in Parliament, the Commissioners have prepared the paper marked K.

It is proper to state, that the Superintendent, Master Builder, and Clerk, are still retained in their service by the Commissioners, until the pleasure of Parliament shall be declared respecting their ulterior proceedings. Mr. Mills, who was first employed as Master Builder and Foreman, having resigned in consequence of differences which had arisen between him and the Superintendent; an English mechanic (Mr. Wm. Coverdale) was engaged in his place, who has afforded great satisfaction, and to whom a salary has been assigned, less in amount by one-fifth than that which the Commissioners had been under the necessity of giving to his predecessor. The plans accompanying this Report (marked E.) which have been executed by Mr. Coverdale, will perhaps be regarded as exhibiting no unfavourable evidence of the qualifications which he possesses for his present situation.

Upon those plans it is here necessary to offer a few remarks. In order to contract the public expenditure within the narrowest compass, it is proposed to make sundry alterations in the original plan of the north wing. By the present plan, excellent accommodation is provided in that wing for the Deputy Warden, whose residence it was at first proposed to build in a line with that intended for the Warden in front of the prison. It, however, is unnecessary to erect either of those buildings at present. The Deputy Warden may be for many years, if not permanently, accommodated (and that notwithstanding an eye to his convenience and comfort merely, but also to the better enforcement of discipline) within the walls of the Penitentiary, while the cottage built last year for the temporary use of the Superintendent and Master Builder employed by the Commissioners, and for the subsequent use of the keepers employed at the prison, may answer as the dwelling-house of the Warden until it shall become convenient to construct a house for him on a better plan, by means of convict labour; and when this is done, the cottage may be turned to account according to the original design.

Since the date of their former report, the undersigned have been deprived of the assistance of their late associate in the commission, Hugh C. Thomson, Esq., whose premature death has been generally lamented. It is believed that the Commissioners were led to introduce the Penitentiary system into

PENITENTIARY DOCUMENTS.

the Province, in a very great measure, by the zealous and persevering exertions of that gentleman; and that if it should prove highly useful, (which few can doubt) in the punishment and repression of crime, no slight share of the honour of its adoption will rest upon his name.

The names of the undersigned having been included in the recent appointment of a Board of Inspectors, and of a Warden made by your Excellency, in conformity to the sta-

tute passed for the maintenance and government of the Penitentiary, the expediency of transferring to those officers the further prosecution of the work assigned the Commissioners, is now suggested and respectfully submitted.

JOHN MACAULAY,  
HENRY SMITH,  
COMMISSIONERS.

Kingston, 1st December, 1834.

A. GENERAL STATEMENTS OF RECEIPTS AND DISBURSEMENTS.

1834	£	s	d	1833	£	s	d
To amount of weekly payments as per abstract B. and vouchers, . . . . .	4504	11	9½	Nov. 19	By balance of cash on hand, as per last year's statement, . . . . .	33	8 11
To amount paid for materials as per abstract C. and vouchers, . . . . .	3220	9	0½	1834	By sale of 305 bushels of lime to the Kingston Board of Health, at 3d. . . . .	3	16 3
To amount paid on contingent accounts, including salary, stationary, &c. as per abstract D. and vouchers, . . . . .	631	4	3		By amount of sundry tools made and repaired at the Penitentiary for Stone cutters, . . . . .	9	9 9
To balance of cash on hand, . . . . .	23	16	6		By amount received from the Provincial treasury, . . . . .	8333	6 8
	£	8380	1 7			£	8380 1 7

Kingston, 1st December, 1834.

JOHN MACAULAY, } Commissioners.  
H. SMITH, }  
F. BICKERTON, Clerk.

B. ABSTRACT of Disbursements by the Commissioners in payment for labour at the Penitentiary, since the date of No. 17, the last pay list submitted to the Legislature, as per pay lists herewith.

No.	DATE.	AMOUNT.	No.	DATE.	AMOUNT.
18	9 November 1833. . . . .	£ 47 6 7	52	5 July, 1834. . . . .	179 9 2
19	16 . . . . . do . . . . .	48 19 2½	53	12 . . . . . do . . . . .	210 15 5
20	23 . . . . . do . . . . .	48 8 10½	54	19 . . . . . do . . . . .	212 16 2
21	30 . . . . . do . . . . .	55 0 6½	55	26 . . . . . do . . . . .	86 3 8
22	7 December. . . . .	53 6 7	56	2 August . . . . .	35 15 10
23	14 . . . . . do . . . . .	48 0 9½	57	9 . . . . . do . . . . .	46 7 9
24	21 . . . . . do . . . . .	50 13 7½	58	16 . . . . . do . . . . .	46 10 0
25	28 . . . . . do . . . . .	38 3 2½	59	23 . . . . . do . . . . .	61 11 10
26	4 January 1834. . . . .	43 11 0	60	30 . . . . . do . . . . .	30 6 11
27	11 . . . . . do . . . . .	56 5 11	61	13 September, . . . . .	19 10 7
28	18 . . . . . do . . . . .	49 11 11	62	30 . . . . . do . . . . .	4 11 0
29	26 . . . . . do . . . . .	46 17 6½	63	31 October, . . . . .	6 1 0
30	1 February . . . . .	36 17 7½	64	30 November, . . . . .	3 2 6
31	8 . . . . . do . . . . .	40 5 10½			
32	15 . . . . . do . . . . .	36 12 3½		Supp'ry. Pay List for cutting stone.	
33	22 . . . . . do . . . . .	26 6 4½	Vouch.		
34	1 March . . . . .	30 12 0½	a	5 March, 1834, . . . . . £ 46 13 4	
35	8 . . . . . do . . . . .	32 10 0½	b	25 . . . . . do . . . . . 326 9 6	
36	15 . . . . . do . . . . .	36 5 6	c	27 . . . . . do . . . . . 297 10 1	
37	22 . . . . . do . . . . .	28 5 10	d	29 . . . . . do . . . . . 378 11 6½	
38	29 . . . . . do . . . . .	29 3 6½			1049 4 5½
39	5 April. . . . .	36 2 9		Contract Work.	
40	12 . . . . . do . . . . .	95 11 3	e	23 July, 1834, Plast. cells, £ 9 18 0	
41	19 . . . . . do . . . . .	107 3 3	f	6 Aug. . . . . Bricklaying, 68 15 6	
42	26 . . . . . do . . . . .	45 17 5	g	7 . . . . . do . . . . . do . . . . . 69 5 3	
43	3 May. . . . .	108 9 6½	h	30 do. Glazing windows, 11 5 0	
44	10 . . . . . do . . . . .	97 15 7	i	16 Oct. Fixing Locks. . . . . 21 10 0	
45	17 . . . . . do . . . . .	103 18 10½	k	20 June, mak. window lights, 28 4 0	208 17 9
46	24 . . . . . do . . . . .	125 17 4			4504 11 9½
47	31 . . . . . do . . . . .	130 19 7			
48	7 June. . . . .	111 12 7			
49	14 . . . . . do . . . . .	135 14 10			
50	21 . . . . . do . . . . .	135 7 1			
51	29 . . . . . do . . . . .	185 13 1			

JOHN MACAULAY, } COMMISSIONERS.  
H. SMITH, }  
T. Bickerton, CLERK.

PENITENTIARY DOCUMENTS.

**C.** *ABSTRACT of Vouchers for Building Materials, &c. purchased by the Commissioners for building the Provincial Penitentiary since the 19th November, 1833, when the last abstract was drawn up.*

DATE.	No. of Vouch.	NAME.	FOR WHAT.	AMOUNT.
1833				
22 November, . . . . .	1	Thomas Graham . . . . .	Sand . . . . .	£ s. d. 16 13 4
5 December, . . . . .	2	Austin Cadwell . . . . .	Iron castings . . . . .	85 9 1
16 . . . . .	3	Daniel Lynch . . . . .	Wood for lunc kiln . . . . .	54 7 6
26 . . . . .	4	Bernard Peltra . . . . .	Fire wood . . . . .	0 18 0
27 . . . . .	5	Patrick Fleming . . . . .	Glazing windows . . . . .	2 0 0
15 January, 1834.	6	H. M. Naval Establishment . . . . .	Old bell metal . . . . .	7 11 3
21 March . . . . .	7	John Watkins . . . . .	Ironmongery . . . . .	148 4 11½
22 . . . . .	8	Charles Heath . . . . .	Seal Oil . . . . .	1 17 0
27 . . . . .	9	Thomas Hardy . . . . .	Screws, nails, gunpowder, &c . . . . .	20 6 0½
1 April . . . . .	10	Rose and Cameron . . . . .	Lumber . . . . .	13 7 0
1 . . . . .	11	John Alberson . . . . .	Coal . . . . .	22 14 5½
1 . . . . .	12	Thomas Hardy . . . . .	Nails, Paints, gunpowder, &c . . . . .	29 16 1
3 . . . . .	13	Geo. Baker . . . . .	Borax, &c . . . . .	1 13 7½
2 . . . . .	14	George W. Yarker . . . . .	Castings, files, &c . . . . .	243 2 10½
14 . . . . .	15	Alexander Ross . . . . .	Tin ware . . . . .	4 1 6
28 . . . . .	16	John Alberson . . . . .	Coal . . . . .	7 3 5
3 May, . . . . .	17	John Dawson . . . . .	Bricks . . . . .	119 2 4
15 . . . . .	18	James Livingston . . . . .	Hair for plastering . . . . .	4 10 0
21 . . . . .	19	Barton Phillips . . . . .	Old copper . . . . .	10 5 0
27 . . . . .	20	Daniel Lynch . . . . .	Sand . . . . .	26 13 2
5 June, . . . . .	21	Henry Smith . . . . .	Rope, canvass, &c . . . . .	9 5 1
5 . . . . .	22	John Alberson . . . . .	Coal . . . . .	12 0 10
5 . . . . .	23	G. W. Yarker . . . . .	Solder . . . . .	37 0 0
6 . . . . .	24	John Watkins . . . . .	Iron, &c . . . . .	14 2 6
6 . . . . .	25	John Watkins & Co. . . . .	Iron, steel, and lead . . . . .	31 11 10
7 . . . . .	26	Rose & Cameron . . . . .	Lumber . . . . .	657 0 4
20 . . . . .	27	Daniel Lynch . . . . .	Sand . . . . .	18 18 6
28 . . . . .	28	G. W. Yarker . . . . .	Castings . . . . .	400 5 0
2 July . . . . .	29	Thomas Hardy . . . . .	Iron, lead, and nails . . . . .	60 0 2
8 . . . . .	30	John Watkins & Co . . . . .	Iron . . . . .	1029 8 8
24 . . . . .	31	Hugh Scanlan . . . . .	Glass . . . . .	18 14 0
29 . . . . .	32	John Dawson . . . . .	Bricks . . . . .	217 3 7
1 August . . . . .	33	Daniel Lynch . . . . .	Sand and Fire wood . . . . .	47 16 4
12 . . . . .	34	G. W. Yarker . . . . .	Castings, rope, and hardware . . . . .	47 2 2
23 . . . . .	35	Wm. Kennedy . . . . .	Lumber . . . . .	3 8 6
26 . . . . .	36	John Watkins & Co. . . . .	Lead, spikes, &c . . . . .	27 17 11
27 . . . . .	37	John Dawson . . . . .	Bricks . . . . .	23 16 7
5 September . . . . .	38	Daniel Lynch . . . . .	Pine wood, and boating of Iron . . . . .	8 6 6
3 October, . . . . .	39	Thomas Hardy . . . . .	Nails, screws, &c . . . . .	15 18 5
14 . . . . .	40	Patrick Madaghan . . . . .	Hair for plastering . . . . .	2 10 0
14 . . . . .	41	Arthur Foster . . . . .	Gunpowder . . . . .	1 0 0
21 . . . . .	42	G. W. Yarker . . . . .	Lead and nails . . . . .	4 9 5
29 . . . . .	43	Rose & Cameron . . . . .	Lath . . . . .	6 16 1
				£ 3220 9 0½

F. BICKERTON,  
Clerk.

JOHN MACAULAY, }  
H. SMITH, } COMMISSIONERS.

**D** *Contingent Account of Expenses incurred at the Provincial Penitentiary, including Salaries, Stationery, &c. &c.*

DATE.	TO WHOM PAID AND FOR WHAT SERVICE.		£ s. d.	£ s. d.
1834				
April 1, . . . . .	William Powers, Superintendent, Salary . . . . .	1	130 4 2	
July 1, . . . . .	do . . . . .	2	78 2 6	
October 1, . . . . .	do . . . . .	3	78 2 6	286 9' 2
June 1, . . . . .	John Mills, Master Builder, do . . . . .	4		152 18 4
October 1, . . . . .	Wm. Coverdale, do. do . . . . .	5		65 0 5
May 29, . . . . .	Robert Richardson, Clerk, do . . . . .	6		32 10 0
July 1, . . . . .	Francis Bickerton, do. do . . . . .	7	31 10 7	
December 1, . . . . .	do . . . . .	8	41 13 4	73 3 11
January 12 . . . . .	Expenses, bridge fare, &c . . . . .	9	0 7 7	
June 5, . . . . .	James Macfarlane & Co. stationery . . . . .	10	4 10 9	
July 22, . . . . .	Henry Smith, Esq. travelling expenses . . . . .	11	4 7 7	
August 28 . . . . .	The estate of H. C. Thomson, paper and printing . . . . .	12	6 5 0	
October 21 . . . . .	Mrs. E. Thomson, printing . . . . .	13	1 5 0	
do . . . . .	James Macfarlane & Co. stationery . . . . .	14	4 6 6	21 2 5
			£ . . . . .	631 4 3

F. BICKERTON, Clerk.

JNO. MACAULAY & H. SMITH, Comm'rs.

## PENITENTIARY DOCUMENTS.

**F. Inventory of the property in the hands of the Commissioners, consisting of Land, Buildings, Tools, Materials, &c.**

		Amount brought over, £		1887 14 4
<b>English Bar Iron.</b>				
336 lbs. of 1¼ inch by ¼	£	s.	d.	
47311 ..... 1½ ..... ¾				
73927 ..... 2¾ ..... ½				
7854 ..... 2 ..... ½				
492 ..... 2½ ..... ½ tons ct. qr. lb.				
129920 lbs. or..... 58 0 0 0				
2550 ..... ¾ inch round iron.				
5394 ..... ¾ ..... ¾				
7848 ..... 1 ..... ¾				
15792 ..... or..... 7 1 0 0				
at £ 15 15s per ton. 65 1 0 0	1024 10 9			
6720 lbs. ½ inch do. or 3 tons—at £17 10s.	52 10 0			
<b>Swedes Bar Iron.</b>				
275 lbs. of 1¼ by ¼				
783 ..... 2 ..... ½				
2157 ..... 2½ ..... ½				
769 ..... 2½ ..... ¾ tons ct. qr. lbs.				
3984 ..... or..... 1 15 2 8				
at £ 26 per ton...	46 4 8			
<b>Lumber.</b>				
28121 feet 1 inch Boards.				
747½ ..... 1¼ ..... ¾				
3952½ ..... 1½ ..... ¾				
23688 ..... 1½ Flooring.				
64986 ..... 2 Plank.				
121495 ft board measure at 37s 6d.				
per 1000..... £227 16 2				
4960 ft 4x4 scantling at ½d pr. ft. 10 6 8				
<b>Timber.</b>				
22146 ft from 4x6 to 10x10 at 2½d				
per foot..... 230 13 9				
Shingles.	458 16 7			
33000 at 7s 6d. per 1000..... 12 7 6				
Lath.				
30250 at 5s..... 7 11 3	19 18 9			
3 cords fire-wood at 7s 3d..... 1 1 9				
<b>In preparation for the building.</b>				
691 lbs. Cell door gratings, at 5d..... 14 7 11				
614 ..... gratings for outside windows at 5d	12 15 10			
156 ..... caps for wrought anchors, at 12d.	7 16 0			
61 ..... outside door fastening, at 7½d..... 1 18 1				
50 ..... rivets, 5d..... 1 0 10				
260 ..... castings for stairs drilling 10s a3½d	4 5 10			
110 ..... cast anchors for gallery, 20s. cwt.	0 19 7			
2093 ..... cast sills (23) for outside window gratings, 18cwt. 2qrs. 21lbs. 20s..... 18 13 9				
34 ..... start holdfast, 5d..... 0 14 2				
28 ..... Hammock stachers, 7½d..... 0 17 6				
363 ..... 2 cell doors (iron) 7d..... 10 11 9				
190 ..... Hammock irons, 5d..... 3 19 2				
53 ..... Hinges for cell doors, 7½d..... 1 13 1				
135 ..... Cell window gratings, 5d..... 2 16 3				
230 ..... Hinges for outside doors, 7½d..... 8 15 0				
373 ..... corner or gutter holdfast, 6d..... 9 6 6				
528 ..... Door levers, 8d..... 17 12 0				
707 ..... sheet iron for lock cases 6 1 7				
at 27s 6d. per cwt..... 8 13 7				
300 ..... side studs and screws for locks, 9d	11 5 0			
74 ..... brass mountings for do. 2s..... 0 15 0				
67 Door locks for Cells, 20s..... 67 0 0				
7 ornamental cut stones for entrance doors at 10s..... 3 10 0				
56 feet stone columns, 2s..... 5 12 0				
830 feet cut stone, 1s 3d..... 51 17 6				
Quarrying do. 622 feet, 3d..... 7 15 6				
<b>30 toise of stone quarried and drawn, 9s.... 13 10 0</b>				
<b>15 do. quarried only, 6s..... 4 10 0</b>				
<b>21000 brick at 23s. 3d per 1000..... 24 8 3</b>				
<b>1600 bushels lime, at 3d. per bushel..... 20 1 0</b>				
<b>200 bushels of sand at 2d..... 1 13 4</b>				
<b>131 yards excavation for foundation of North wing, and carting, at 1s 3d. per yard..... 8 3 9</b>				
<b>1 keg White Lead, 13s..... 0 13 0</b>				
<b>2½ boxes window glass 7x9 at 34s..... 4 5 0</b>				
<b>½ box 8x10 at 37s 6d..... 0 18 9</b>				
<b>BLACKSMITH'S SHOP.</b>				
<b>A pair of small bellows..... £4</b>				
<b>A pair larger bellows..... £5</b>				
<b>cwt. qrs. lbs. — 9 0 0</b>				
<b>One anvil, 1 3 2</b>				
<b>One do. 2 0 0 422lbs at 8d..... 14 1 4</b>				
<b>One turning lathe and requisites..... 5 0 0</b>				
<b>50 lbs. hammers, swedges and pinchers at 7½d</b>				
<b>36 lbs. steel tools, at 2s..... 3 12 0</b>				
<b>48 files at 1s. each..... 2 8 0</b>				
<b>48 lbs anchor moulds, at 5d..... 1 0 0</b>				
<b>1 hand vice..... £ 0 7 6</b>				
<b>1 pair spring steel compasses..... 0 5 6</b>				
<b>1 do. callipers..... 0 5 0</b>				
<b>1 do. plyers..... 0 6 0</b>				
<b>1 do. do. .... 0 3 6</b>				
<b>1 bow saw frame..... 0 4 0</b>				
<b>1 steel square..... 0 4 0</b>				
<b>1 bow drill..... 0 5 0</b>				
<b>1 square frame..... 0 2 6</b>				
<b>1 screw key..... 0 3 0</b>				
<b>1 brace..... 0 5 0</b>				
<b>2 10 6</b>				
<b>1 screw plate taps and dies..... 3 10 6</b>				
<b>1 ..... do ..... 0 15 0</b>				
<b>1 ..... do ..... 0 5 0</b>				
<b>4 10 0</b>				
<b>3 hammers at 2s 6d. 2s 6d. &amp; 3s 6d..... 0 8 6</b>				
<b>2 braces and bits; 40s. each..... 4 0 0</b>				
<b>12 pairs tongs (5lbs each) 3s 6d..... 2 2 0</b>				
<b>Lock pincher 35 lbs. 1s 3d..... 2 3 9</b>				
<b>1 pair steelyards 20s. 1 do. 10s..... 1 10 0</b>				
<b>1 vice 30s. 1 small do. 12s. 6d..... 2 2 6</b>				
<b>Figures and letters for stamping..... 0 15 0</b>				
<b>2 smith's slacking tubs, 5s. each..... 0 10 0</b>				
<b>Machine for punching window and door gratings..... 10 0 0</b>				
<b>2 pair of shears for cutting iron, 40s. each... 4 0 0</b>				
<b>3 drilling machines, 10s..... 1 10 0</b>				
<b>3 ladles for melting lead, 3s. each..... 0 9 0</b>				
<b>535 lbs. of odd pieces of iron, 3d..... 6 13 9</b>				
<b>CARPENTER'S SHOP.</b>				
<b>4 small window frames, 7s. each..... 1 8 0</b>				
<b>8 large do 12s. 6d..... 5 0 0</b>				
<b>304 lights of cash, 5d..... 7 11 8</b>				
<b>Stairs prepared for two strong outside doors.. 1 0 0</b>				
<b>Do. for ballustrade ..... 2 0 0</b>				
<b>Co. for stairs..... 3 10 0</b>				
<b>4 carpenter's benches, 10s, each..... 2 0 0</b>				
<b>QUARRYING DEPARTMENT.</b>				
<b>Crow bars, 305 lbs. 5d..... 6 7 1</b>				
<b>3 Pickaxes, 9s, each..... 1 7 0</b>				
<b>3 Sledge hammers, 7s 6d. each 1 do. 5s..... 1 7 6</b>				
<b>Needle and stemming iron for blasting..... 0 2 6</b>				
<b>3 stone cutter's hammers, 5s. each..... 0 15 0</b>				
<b>10 shovels 3s. each. 7 quarry drills 9s. each 4 13 0</b>				
<b>12 lbs. stone cutter's tools, 2s..... 1 4 0</b>				
<b>½ keg Gunpowder, 21s..... 0 10 6</b>				
<b>Carried forward £</b>		<b>1887 14 4</b>	<b>Amount carried over, £</b>	
			<b>2084 10 2</b>	

PENITENTIARY DOCUMENTS.

INVENTORY OF PROPERTY, &c.—CONTINUED.

Brought over, £		2084 10 2	Brought forward, £		2123 3 5
<b>SUNDRIES.</b>					
Pump and apparatus,.....		5 0 0	1 glass do. 5s.....		0 5 0
1 stone truck.....£4 0 0			A pair scales and weights, 7s 6d.....		0 7 6
1 do. .... 1 5 0			2 grind stones and cranks, 25s.....		2 10 0
		5 5 0	2 water puccheons, 5s.....		0 10 0
Office desk, 25s. stool, andirons and tongs 10s		1 15 0	2 large bells with iron mountings, 140s each.		14 0 0
Office stationery, &c.....		2 0 0	1 small (hand) do.....		0 7 6
2 levels, 7s 6d each.....		0 15 0	14 coils tarred rope for scaffolding.....		14 17 3
2 oil jars, 3s 6d each, 2 oil kegs, 2s 6d each..		0 12 0	108 scaffold horses, 2s 6d. each.....		13 10 0
1 paint brush, 2s 6d. 1 axe 6s, 1 oil can 5s . .		0 13 6	250 do. poles, 6d. each.....		6 5 0
2 brass latches, 3s 6d each 2 small oil cans, 2s		0 11 0	10 hand barrows, 2s. each.....		1 0 0
3 gallons oil, 5s.....		0 15 0	14 wheel do. 10s. each.....		7 0 0
180 lbs 4 inch spikes, at 30s per cwt.....		2 8 3	10 hods, 2s. 6d.....		1 5 0
83 lbs 7 inch do. at 32s 6d.....		4 7 11	2 lime sieves, 50s. each.....		5 0 0
116 lbs wrought nails, 4½d.....		2 3 6	Value of lime kiln,.....£ 50 0 0		
50 do. 5d.....		1 0 10	Stone Cottage,..... 450 0 0		
258 do. shingle nails, 4d.....		4 6 0	Temporary office and store house 25 0 0		
1 gross screws 5s. 2 do. 6s.....		0 17 0	Stone cutter's sheds..... 10 0 0		
117 lbs sheet lead, 4d.....		1 19 0	Carpenter's shop,..... 10 0 0		
44 . . . . old copper, 10d.....		1 16 8	Blacksmith's shop and iron house, 30 0 0		
2 stoves and pipes, 20s each.....		2 0 0	Cost of Land,.....1000 0 0		
8 common japanned lamps, 2s 6d.....		0 7 6	Cost of Deed and survey,..... 11 5 3		
					1586 5 3
					£ 3776 5 11
Carried forward, £		2123 3 5			

WILLIAM POWERS, Superintendent.  
F. BICKERTON, Clerk.

JOHN MACAULAY, }  
H. SMITH, } Commissioners.



**G** ABSTRACT of the Work performed at the Penitentiary, from the 13th July to the 2nd November, 1833, inclusive, exhibiting the various kinds of labour under distinct heads.

	Labourers.			Quarrymen.			Carters.			Carpenters.			Stonecutters.			Stonemas'ns			Blacksm'hs			
	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	£	s	d	
1	12	13	1½																			
2	16	16	10½																			
3	22	8	9	10	14	3	11	1	10½	2	19	4½										
4	22	1	2	13	6	11½	10	5	6	3	2	6½	0	9	4½							
5	21	15	1	12	2	0	11	11	0	6	6	6½	36	4	6	1	16	0				
6	23	5	8	17	10	3	14	10	3	11	17	6½	40	10	0	4	4	0	4	13	6	
7	23	10	4	13	18	0	12	12	0	12	15	0	44	12	6	25	5	6	7	17	0	
8	20	5	0	11	12	4½	11	17	0	12	16	3	44	13	8½	26	9	6	10	17	0	
9	34	3	1½	14	14	3	13	19	0	13	15	0	46	16	0	32	0	6	11	10	1½	
10	29	11	3	17	0	4½	13	13	0	13	8	1½	46	10	0	34	14	6	11	14	0	
11	26	2	6	13	5	3	13	8	0	10	15	7½	48	9	9	31	8	6	11	17	0	
12	30	11	0	13	19	6	14	0	0	11	9	4½	42	3	0	30	15	0	11	15	9	
13	29	15	5½	13	9	3	10	14	6	13	5	11	48	0	0	35	4	1½	12	2	0	
14	17	19	10½	12	18	10½	6	2	0	12	13	1½	48	0	6	36	16	0	12	4	6	
15	19	2	3	14	1	0	6	12	0	12	18	1½	49	16	6	23	19	10	13	12	0	
16	15	14	2	9	2	8	4	16	0	8	19	8	33	13	6	15	5	3	11	14	1½	
17	13	7	10	10	1	9	4	17	6	9	4	4½	32	8	6	19	6	9	12	4	6	
	379	3	5½	197	16	9	168	2	0	156	6	7	562	7	10	332	5	5½	132	1	6	

AN ABSTRACT of the foregoing.  
 Labourers.....£397 3 5½  
 Quarrymen .... 197 16 9  
 Carters..... 168 2 0  
 Carpenters .... 156 6 7  
 Stone Cutters .. 562 7 10  
 Stone Masons .. 332 5 5½  
 Blacksmiths.... 132 1 6  
 £1928 3 7

W. POWERS, SUPERINTENDENT.  
F. BICKERTON, CLERK.

JNO. MACAULAY, }  
H. SMITH, } COMMISS'RS.

PENITENTIARY DOCUMENTS.

**H** ABSTRACT of the Work performed at the Penitentiary, from the 4th November, 1833, to the 1st December, 1834, inclusive, exhibiting the various kinds of labour under distinct heads.

	Labourers.	Blacksmiths	Carpenters.	Cartmen.	Quarrymen.	Stonemas'ns	Stonecutters	Bick-layers.	Saw'rs.	Plaste-rers.	Fix'g. Locks	Glaz'rs.									
	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s d	£ s	£ s									
18	6 11 6	11 3 10½	7 10 0	5 5 0	9 6 2½	7 10 0															
19	7 3 6	10 13 1½	9 1 3	5 5 0	8 4 2	8 12 2															
20	7 3 4½	10 10 6	8 13 5	5 5 0	9 4 9	7 11 10															
21	7 13 0	12 15 9	9 1 3	5 18 6	9 17 0	7 10 0	2 5 0														
22	5 5 0	14 17 11	7 10 0	5 11 0	10 13 11	7 6 9	2 2 0														
23	4 14 11½	15 7 11	7 15 2	4 9 0	9 10 6	6 3 3															
24	5 3 9	15 5 5	8 6 3	5 7 7	10 4 7½	6 6 0															
25	4 1 10	11 3 3	4 15 0	4 8 9	9 0 4	4 14 0															
26	5 6 3	12 10 6	6 8 9	3 13 6	9 14 0	5 18 0															
27	7 5 0	15 2 0	7 10 0	5 15 2	13 5 0	7 8 9															
28	6 17 6	15 0 2	7 8 9	3 18 3	10 14 6	.....	5 12 9														
29	6 1 3	13 19 8	7 0 0	5 19 7½	13 6 6	.....	0 10 6														
30	2 8 3	14 14 4½	6 12 6	3 3 0	9 10 9	.....	1 4 0														
31	3 0 0	15 0 9	7 10 0	3 12 0	10 17 6	.....	0 12 0														
32	2 6 3	7 9 3	7 7 6	2 15 10	8 11 5½	.....	0 10 6														
33	2 1 3	13 19 1½	5 13 9	2 11 10½	8 10 3																
34	1 13 9	10 8 6	6 0 0	2 18 9½	9 6 0																
35	2 2 6	10 4 1½	9 5 11	2 14 0	8 3 6																
36	2 5 0	10 3 6	9 7 6	3 12 0	0 17 6																
37	2 5 0	10 4 1	8 11 10	1 7 1	5 17 10																
38	1 14 3	9 9 7	7 19 3	2 9 6	7 10 10																
39	3 9 10½	8 12 4½	8 2 6	6 1 6	9 16 6																
40	16 2 6	6 19 6	9 7 6	9 15 9	7 19 6	26 11 0	18 15 6														
41	21 10 10	6 6 1	8 18 1	10 16 6	8 19 10	32 5 8	18 6 0														
42	8 9 4	5 11 1	3 18 1	2 6 3	4 3 1	13 15 7	7 19 5														
43	19 15 10½	6 12 11	9 7 6	5 16 3	8 10 9	44 5 9	14 0 6														
44	15 18 10	6 15 4	9 7 6	4 1 3	7 2 3	38 13 1	15 11 11														
45	18 3 7	6 15 1	9 7 6	3 8 9	7 4 4	43 0 2	15 19 6														
46	28 1 10½	6 19 6	7 10 0	4 12 6	9 3 6	52 5 3½	17 4 8														
47	23 10 3	6 12 11	13 2 6	5 7 6	9 5 11	52 10 0	15 10 6														
48	30 2 4	4 3 5	8 8 9	3 13 9	7 11 3	44 1 10	13 11 3														
49	32 4 0	5 0 1	17 14 4	4 11 3	9 7 4	50 6 10	16 13 0														
50	30 3 2	6 0 9	16 2 3	4 15 0	9 15 11	51 18 10	14 17 0	1 14 2													
51	53 2 3	6 6 3	9 7 6	7 15 0	12 1 0	76 16 1	16 10 0	3 15 0													
52	51 14 8	6 5 6	8 15 0	6 18 9	11 18 1	74 1 8	16 13 0	3 2 6													
53	64 4 0	8 3 3	12 7 8	8 15 7	12 15 6	87 15 5	16 14 0														
54	59 19 1	10 12 3	12 0 3	6 10 0	9 5 0	97 6 7	15 18 0	1 5 0													
55	26 18 5	4 4 0	12 3 7	4 1 3	0 18 3	31 5 8	6 12 6														
56	13 2 9	2 2 1	12 12 2	0 18 9	0 0 0	3 19 0	3 1 1														
57	13 8 11	1 19 4	20 5 4	0 15 0	.....	7 18 7	2 0 3														
58	10 12 3	1 17 6	20 1 2	1 5 0	1 12 0	9 10 10	1 11 3														
59	13 18 3	3 7 6	27 8 5	.....	3 15 0	12 3 11	0 18 9														
60	10 4 6	1 7 1	10 19 1	2 11 3	0 15 0	4 10 0															
61	8 2 6	3 6 0	7 15 10	.....	.....	0 6 3															
62	1 15 0		2 16 0																		
63	3 5 0		2 16 0																		
64	3 2 6																				
contract work see voucher												28 4 0									
679	8 10½	356 3 5	468 6 7	190 17 3½	354 7 1½	924 8 9½															

Contract work, voucher f. Johnson & Co .....												
..... do..... g. W. Milner .....												68 15 6
..... do..... e. Joseph Anderson .....												69 5 3
..... do..... i. W. Hoverton, fixing locks .....												9 18 0
..... do..... h. James Kerr, glazing windows .....												21 10
Supplementary pay list for stone-cutting, done by special agreement, during the winter of 1833 & 4 .....												11 5
	d						46 13 4					
	b						326 9 6					
	c						297 10 1					
	d						378 11 6½					
							1310 9 3½	9 16 8	138 0 99	18 0 21	10 11 5	

Abstract of the above.

Labourers, £	679 8 10½
Blacksmiths,	386 3 5
Carpenters,	468 6 7
Cartmen	190 17 3½
Quarrymen	354 7 1½
Stone Masons	924 8 9
Stone Cutters	1310 9 3½
Sawyers	9 16 8
Bricklayers	138 0 9
Plasterers	9 18 0
Fixing Locks	21 10 0
Glazing	11 5 0
	£4504 11 9½

JOHN MACAULAY, } COMMISSIONERS.  
H. SMITH, }

WM. POWERS, Superintendent.  
F. Bickerton, Clerk.

PENITENTIARY DOCUMENTS.

**I** Statement classifying sundry Expenditures since the commencement of the Building under the head of Contingences, which when deducted from the gross amount of the appropriation, exhibits the nett cost of materials and labour applied to the construction of the Prison, &c. also of the Cottage occupied by the Superintendent and Master Builder.

1833 Vouch.		£	s	d	1833 Vouch.		Brought forward, £	1248	18	9
1 & 2	Land, .....	1000	0	0	57	Printing, .....		7	9	4
9	Stationary, .....	6	16	8	59	Master Builder, .....		3	15	0
10	Office Cannister and lock, .....	0	17	6						
13	Surveying, .....	9	2	9						
32	Superintendent, .....	105	0	0	1834	Included in account of 1833, ..	1260	3	1	
33	Master Builder, .....	53	0	0		Contingent account 1834, .....	614	10	11	
50	Clerk .....	41	13	4		Inventory of materials on hand, ..	3776	5	11	
53	Master Builder, .....	10	0	0		Cash in the Bank, .....	23	16	6	
55	Engrossing Deed, .....	4	2	6		Actual cost of the Building as it stands, .....	6825	3	7	
56	Commissioners travelling expenses, ..	18	6	0						
	Carried forward, £	1248	18	9				£12500	0	0

JOHN MACAULAY, }  
H. SMITH, } COMMISSIONERS.

F. BICKERTON, CLERK.

**K** Estimate of the probable disbursements for the support of the Provincial Penitentiary by the Inspectors in the year 1835, calculated for 50 Convicts, exclusive of the salaries already provided for by statute.

Kitchen Furniture.	£	s	d	£	s	d	Brought forward, £	20	7	0	85	15	6
3 large kettles for boiling, viz. 1 for meat, one for potatoes, &c. pudding or mush, and one for washing, at 7l. 14s. each .....				23	2	0	Making, 3s .....	0	3				
Setting the kettles with iron doors and grates, .....	16	0	0				18 pairs sheets, 5s .....				4	10	0
12 pails about kitchen and to carry drink to the shop, 3s 6d. ....				2	2	0	18 pairs blankets, 10s .....				9	0	0
6 tubs 15 gallons each, 7s 6d. ....				2	5	0	Medicine and Surgical Instruments, ..				50	0	0
1 small lamp for cook in the morning, 1s 6d. ....				0	1	6	Furniture for the south wing, containing cells.						
50 tin dishes 8 inches at bottom, 10 do. at top, 2 do. deep, 2s .....				5	0	0	2 stoves, £6 5s .....				12	10	0
50 iron spoons, 6d 50 knives and forks, 9d .....				3	2	6	200 lengths of pipe, at 2s .....				20	0	0
3 ladles, 5s .....				0	15	0	1 fire shovel, 2s 6d, 2 poker, 1s ea... ..	0	4	6			
3 cutting knives, 2s 6d. ....				0	7	6	12 lamps, 1s 6d each .....				0	18	0
Meat axe, .....	0	7	6				Bed & bedding for Keepers on duty ..				6	10	0
6 cans for waiters at meals, 3s 6d. ....				1	1	0	12 pair moccasins or socks, for Keepers on night duty, 2s 6d .....				1	10	0
80 tin cups for drinking at meals and in the shops, 1s .....				4	0	0	1 wash basin and towels for Keepers, ..				0	5	0
4 washing tubs, 6s .....				1	4	0	50 hammock frames, 5s .....	12	10	0			
1 meal seive, 2s 6d. ....				0	2	6	Canvass for do. 5s .....				12	10	0
1 meat fork, 2s .....	0	2	0				Making do. 6d .....	1	5	0			
1 coffee mill, 20s .....				1	0	0	100 prs cotton sheets, 750 yds, 6d. ....				18	15	0
Shovel and tongs, 10s .....	0	10	0				100 do. pillow cases, 150 yds, 6d. ....				3	15	0
Scales and steelyards to weigh rations (on hand)							140 yds linen for pillows 1s .....				7	0	0
12 boxes soap, 1200 lbs. at 5d. ....				25	0	0	50 bed ticking, 4 yds 1s, mak'g 6d, 4s 6d ..				11	5	0
80 brooms, 1s .....				4	0	0	200 bundles straw, 2d .....				1	13	4
Hospital Furniture.							100 prs blankets, 10s .....				50	0	0
1 Cooking stove with pipes, .....				15	0	0	50 wash basins for cells, 6d .....				1	5	0
Shovel and tongs, 7s 6d. ....	0	7	6				Ash Kettle 5s .....	0	5	0			
10 tin dishes, 2s .....				1	0	0	80 combs, 6d .....				2	0	0
10 spoons, 6d. ....				0	5	0	50 bibles, 3s 6d .....				8	15	0
10 knives and forks, 9d. ....				0	7	6	50 night tubs, 3 gal. churn shape, with covers, 10 in. across at top, 12 in. deep, 12 in. across at bottom, 3s 6d. ....				8	15	0
10 tin cups, 1s .....				0	10	0	136 gal. lamp oil, at 6s, being a gill. for each lamp per night .....				40	16	0
10 tin plates, 1s .....				0	10	0	100 yds towelling for shops & cells, 1s ..				5	0	0
Tea-pot, coffee-pot, jars, cannisters, coffee mill, &c. ....				3	5	0	Tools for Convicts.						
6 cots, 10s. each .....	3	0	0				25 shovels, 5s .....				6	5	0
5 Bed-sacking, 5s 6d. ....				1	13	0	10 picks, 7s 6d .....	3	15	0			
							15 wheel-barrows, 15s .....	11	5	0			
Carried forward, £	20	7	0	85	15	6	20 hand do. 2s 6d .....	2	10	0			
							12 hods, good ones, 4s .....	2	8	0			
							6 chopping axes, 10s .....	3	0	0			
							20 setts stone cutters tools, 30s each ..	30	0	0			
							Carried over, £	87	12	6	376	10	10

## PENITENTIARY DOCUMENTS.

## ESTIMATE OF PROBABLE DISBURSEMENTS—CONTINUED.

	Bro't over, £	87 12 6	378 10 10	Bro't. forward. £	118 12 0	486 5 10
Quarrying tools.....	5 0 0					
3 sets bench tools for carpenters, consisting of planes, saws, augars, &c 70s	....		10 10 0			
3 sets shoemaker's tools, with benches, 30s.....	....		4 10 0			
6 woodsaws, 7s6d.....	....		2 5 0			
Steel for tools, 100 lbs. at 1s .....	....		5 0 0			
<b>Furniture for the Keeper's Hall.</b>						
Stove .....	....		6 5 0			
Bed and bedding for night watch....	....		6 10 0			
Bedstead and laths, 12s.....	12 0 0					
12 chairs, 5s .....	....		3 0 0			
Fire shovel and poker, 5s .....	0 5 0					
Wash bowl 1s, towels 5s. pail, 3s 6d. and cup for drink, 1s.....	....		0 10 6			
Table 12s6d .....	0 12 6					
3 lamps, 1s6d.....	....		0 4 6			
6 lanterns for use of Warden, Deputy Clerk, Keeper, and Watchman, 5s.	....		1 10 0			
100 length of stove pipe for Keeper's Hall and Offices, 2s.....	....		10 0 0			
<b>Furniture for Clerk's Office.</b>						
1 Clock .....	....		10 0 0			
1 Desk.....	3 0 0					
12 chairs, 5s .....	....		3 0 0			
A long table.....	1 10 0					
A stove.....	....		6 5 0			
Shovel and tongs.....	....		0 10 0			
Book case.....	5 0 0					
Books and stationery, .....	....		25 0 0			
<b>Furniture for the Warden and Inspector's Office.</b>						
Stove .....	....		6 5 0			
12 chairs, 12s .....	....		6 0 0			
Desk and table .....	10 0 0					
Book case .....	5 0 0					
Shovel and tongs.....	....		0 10 0			
Carried forward, £	118 12 0		486 5 10		£ 118 12 0	1389 0 7
				<b>Furniture for Shops.</b>		
				12 tubs, or large pails, for privies, 6s3d	....	3 15 0
				6 tubs for washing, 5s. ....	....	1 10 0
				Razors and brushes.....	....	1 0 0
				<b>Clothing.</b>		
				50 cloth jackets, 1½ yds, 5s, trimmings 1s 6d, making 5s.....14s	....	35 0 0
				50 do. waistcoats, ¾ yds, 3s, trimmings, 1s3d, making 2s.....5s6d	....	13 15 0
				50 do. trowsers, 1½ at 5s. trimming 1s making, 3s 6d..... 12s	....	30 0 0
				50 cotton jackets, ¾, at 1s, trimmings 9d, making 2s .....	....	15 0 0
				50 do. trowsers, 2½. 1s, trimming 6d. making 1s .....	....	10 0 0
				100 do. shirts, ¾, at 7½d, trimmings 2d, making 7½d .....	....	15 0 0
				50 woollen caps, 1s 3d.....	....	3 2 6
				100 Guernsey frocks, 2s6d.....	....	12 10 0
				100 pairs worsted socks, 1s6d.....	....	7 10 0
				100 pairs shoes, 5s.....	....	25 0 0
				40 pairs mittens, 2s9d .....	....	5 10 0
				100 lbs leather, 1s6d .....	....	7 10 0
				<b>Provisions, Fuel, Candles, &amp;c.</b>		
				18250 Rations, at 7½d .....	....	570 0 3
				150 cords fire-wood 10s .....	....	75 0 0
				10 boxes candles, 600 lbs, at 8d.....	....	20 0 0
				<b>Estimate of the expenses of stable.</b>		
				1 horse, L20 .....	....	20 0 0
				1 cart L8.....	....	8 0 0
				1 set of harness for cart L6 .....	....	6 0 0
				90 bushels oats, 1s 6d.....	....	6 15 0
				5 tons hay, 40s .....	....	10 0 0
				Brush and combs.....	....	0 3 6
				Pitch fork 2s6d, Shovel 5s.....	....	0 7 6

W. POWERS,  
F. BICKERTON, CLERK.

JOHN MACAULAY,  
H. SMITH, } COMMISSIONERS.

N. B.—The articles estimated in the left hand column can be furnished at the Penitentiary by convict labour.

**L. Estimate of the sum required to prosecute the building of the North Wing of the Penitentiary, and for enclosing a temporary yard.**

	£	s	d	Bro't forward, £	2657 0 0
1714 yds excavation for foundations, 1s3d....	107	2	6		
1304 toises rubble work, 25s.....	1630	0	0		
7752 feet axed ashler, 1s .....	387	12	0		
504 do super. window sills, 1s9d .....	44	2	0		
504 do do caps, 1s9d .....	44	2	0		
623 do do starts, 1s6d.....	46	14	6		
488 do belt coursers, 1s6d.....	36	12	0		
248 do cut angles, 1s8d.....	20	13	4		
400 do cut stone for base in Kitchen and Dining Hall, 1s6d .....	30	0	0		
351 do do columns thro' kitchen and Dining Hall, 3s.....	127	13	0		
Building the above .....	6	1	5		
1512 feet cut stone for front, 2s .....	151	4	0		
126 do super window sills do. 2s .....	12	12	0		
126 do do caps, do. 2s .....	12	12	0		
Carried forward, £	2357	0	9		
				144 do run of rabbits, 2s6d .....	18 0 0
				1848 do cut stones super. col. in Portico, 3s6d	323 8 0
				6 capitals for the above columns, 100s....	30 0 0
				1440 feet cut stone super. for cornice, 3s .....	216 0 0
				448 do do do pediment, 2s ...	4 16 0
				12½ toises building, 14s.....	8 15 0
				1440 feet cornice quarrying and drawing, 6d..	36 0 0
				640 do super. cut stone platform of Portico, 2s	64 0 0
				Labour setting the above, per foot 4d.....	10 13 4
				1120 super cut stone for steps in front 2s3d...	126 0 0
				32 ps. ornamental stone around front door, 20s	32 0 0
				6380 feet flagging, 1s .....	319 0 0
				24600 ft. brick wall between Dining Hall and Kitchen and avenue, through kitchen, per 1000 feet, 5s .....	61 10 0
				Carried over, £	3947 3 1

PENITENTIARY DOCUMENTS.

ESTIMATE FOR BUILDING NORTH WING, — CONTINUED.

	Brought over, £ 3947 3 1		
320 feet run brick flues, 5s.....	80	0	0
350 do cut stone for chimney heads, 1s10d...	32	1	8
10000 brick for oven and labour 55s .....	27	10	0
5000 do. for boilers and do, 55s .....	13	15	0
334 yards filling in under front steps, 1s6d...	25	1	0
3252 do, plastering, 1s6d.....	243	18	0
2667 do. do. 1s 10d.....	244	9	6
216 feet run cornice in principal entrance, 5s	54	0	0
2 centre pieces in Hall and vestibule, 60s.....	6	0	0
<b>CARPENTER'S WORK.</b>			
225 feet oak timber, 8d.....	7	10	0
Labour for do. 6d.....	5	12	6
14508 feet run of joist at 2½d .....	151	2	6
Labour for do. 1d .....	60	9	0
85 feet run of oak ribbing, 5d.....	8	0	5
Labour for the above, 2d .....	3	4	2
5568 feet scantling, in board measure, pr M. 40s	11	2	4
Labour for the above, 21 square, 6s.....	6	6	0
18918 ft, scantling, in board measure, pr M. 40s	37	16	8
Labour for the above, 123 squares, 6s.....	37	6	0
880 feet scantling, board measure, at 40s .....	1	15	2
Labour, 440 feet run, 2d .....	3	13	4
81 do square roofing, 4s .....	194	8	0
82 do sheeting for roof, 16s.....	65	12	0
87 do tinning, 77s6d.....	337	2	6
67 do deafening, 18s .....	60	6	0
134 do 2 inch flooring, 23s .....	187	12	0
1440 feet run bond timber, 11½d.....	9	0	0
168 square furring, 7s.....	58	16	0
3300 feet bond timber for angles, 1d .....	15	0	0
14 windows in basement story, 67s6d .....	47	5	0
29 do. 2nd and 3rd do. 60s.....	84	0	0
Window boards & stuff beads, 23 windows 7s6d	8	12	6
9 windows in front, 77s6d.....	34	17	6
Board linings and pilasters, 14 windows, £6 1 3	84	17	6
4 plain doors for cellars, 33s .....	6	12	0
8 strong do. 64s.....	25	12	0
34 pannel do. with frames, hinges, & locks 38s6d	65	9	0
23 pairs architraves for doors, 10s.....	11	10	0
27 do. pilasters do, 16s8d.....	22	10	0
Carried forward, £	6327	8	4

	Brought forward, £ 6327 8 4		
4 strong doors, £8 each.....	23	9	0
2 pairs cellar stairs, £8 .....	16	0	0
2 do. stairs for kitchen to Hospital, £10.....	20	0	0
2 do. do. in Keeper's department, £25.....	50	0	0
2 front and vestibule doors with fan and side lights, £20.....	40	0	0
4 Ionic columns in Keeper's Hall £5.....	20	0	0
4 do. pilasters, £3.....	12	0	0
992 feet base, 1s .....	49	12	0
1641 do. plain, 8d.....	54	14	0
2 arches in all, £12.....	24	0	0
Wood grating in 20 apartments in Hospital, doors, locks, &c. 70s .....	70	0	0

SMITH'S WORK.

1150 lbs. iron grating, for 2 doors, 5d.....	24	0	0
2448 do do barrier in Keeper's Hall, 6d.....	61	4	0
5880 do do for windows in basement, 5d .....	122	10	0
14448 do do 2nd and 3rd stories, 5d .....	301	0	0
33 cwt. 3 qrs. casting for window sills, 20s...	33	15	0
213 lbs nails and spikes, 4½d.....	39	19	10

PAINTING.

1200 yards painting, 1s.....	60	0	0
430 cedar pickets for temporary yard, 2s.....	43	0	0
330 do do do 6d .....	8	5	0
31008 feet plank, 75s per M.....	116	5	8
1290 lbs spikes, 4d.....	21	10	0
Superintendent's salary, .....	350	0	0
Master Builder's do.....	200	0	0

8097 3 10

Deduct materials on hand applicable to the foregoing:—

14508 ft. run of joists, at 2½d... £151 2 6			
82 square sheeting, for roof,.... 24 12 0			
31008 ft. plank, 75s per M..... 116 5 8			
9 tons, & 2 qrs iron, £15 15s... 142 2 10½			

434 3 0½

£ 7663 0 9½

N. B.—It is not thought requisite to make any estimate of the expense of completing the South Wing, because the greater part of that work may be done at leisure by means of convict labour.

JOHN MACAULAY, }  
H. SMITH, } Commissioners.

WILLIAM POWERS, Superintendent.

KINGSTON DECEMBER 17th, 1824.

To the Commissioners for erecting the Penitentiary

GENTLEMEN,

In answer to your note of enquiry respecting the number of Keepers and Watchmen, beside the head Watchman, that will be required at the Penitentiary when there are 25, 50, or 100 convicts, I would remark, that if a yard should be enclosed with plank 12 feet high (which would serve very well a number of years and till a wall could be built by the labor of convicts) I think for 25 convicts, three keepers will be necessary; four for 50, and six for 100. Of Watchmen (exclusive of the head or chief Watchman) I think seven will be required to commence with, and the same number will answer for any number of convicts. The Commissioners are aware that the number of keepers required for few convicts will be much greater in proportion than for many. The

necessary increase of keepers will bear no proportion to the increase of convicts. When there are only twenty-five convicts, it would not be proper there should be less than two keepers present at all times when the prison is open.

The keepers require to be relieved twice every day to get their meals; by taking their meals at different hours, one keeper can get his own meal and relieve two others. One third of the keepers will be necessarily absent at a time during the hours they take their meals. In case of sickness or necessary absence of a keeper, the head watchman might be called to relieve. The number of Watchmen I have stated will be necessary to attend to the different posts and duties; to wit, one at the gate, one to attend the doors in keeper's hall, two as sentinel, and four including the head watchman, to relieve the others, wait on visitors, send on errands, &c. After the discipline becomes established, the wall made around the yard and keepers increased, I think one watchman on duty as sentinel will be sufficient. I believe eight watchmen will be as few as will answer, considering the night duty which they

## PENITENTIARY DOCUMENTS.

will have to perform. If it would not be deemed officious and impertinent in me, I would beg leave to make a few remarks in regard to the wages of the keepers. It will be admitted that the duties of keepers are arduous. They are obliged to attend at the prison as soon in the morning as there is day light sufficient to commence work, and to remain there while the day light lasts, except in the longest days; and during the long days the prison will still have to be opened at an early hour.

They are necessarily confined to the shops the whole day, except barely time sufficient to get their breakfasts and dinners. Such constant confinement is not only very irksome; but the perpetual unabatable vigilance and watchfulness required while on duty in the shops, to see that the convicts have no intercourse with each other by word or sign, that they are industrious and perform their work well, and that they have no opportunity (if they should be so inclined) to injure or destroy any tools, stock or materials belonging to the prison or contractors, is indeed very arduous. It will be readily perceived that the qualifications necessary to perform the various important and responsible duties of Keeper, in maintaining that system of discipline essential to that security, economy and reformation contemplated and certainly attainable under the management of proper officers, are of no mean or ordinary stamp. The Keeper must not only have sufficient learning to keep the books and accounts of the shops, but it is also necessary that he should be a mechanic, and a man of undoubted integrity—a man of courage, presence of mind, and equanimity of temper, possessing that weight of character and dignity of mien and deportment, that shall be calculated to inspire fear and respect in the convicts under his charge. As the law has given to Keepers the power of chastisement, it is indispensably requisite that they should be men of sound judgment and discrimination to direct them when and what amount of punishment to inflict; they should be persons of ready discernment and observation, quick to see and detect any disorder or deception, committed or attempted by the art, invention, shrewdness and perseverance which generally characterize that description or class of men they have in charge.

In a word Keepers should be smart men, intelligent, discreet, prudent, courageous, humane, faithful, prompt, vigilant, and efficient, possessing that peculiar tact which is necessary for commanding and governing men, a qualification perhaps more rare than is generally supposed. A strict enforcement of the rules adopted by the board of inspectors for the government of the Penitentiary, is indispensably necessary to the prosperity of the Institution, not only as it respects its financial concerns but more especially as it regards the reformation of convicts which next to the public peace and safety is the grand object of the institution. To insure the enforcement of these rules, faithful and competent officers must be

employed. It will be impossible for the Warden, let his own personal abilities and exertions be ever so well adapted and active without the aid of competent subordinate officers, to commence establish and maintain that system of discipline from which such important results (as the maintenance of convicts by their own labour and the reformation of many) are anticipated.

It is not to be expected that the permanent services of men possessing these rare and necessary qualifications can be obtained without the allowance of a liberal salary—such a salary as will not only enable a Keeper, with proper frugality, to support his family and lay in store something for future exigences after his hard services, but such as also shall confer proper dignity and respectability on the office. The duties of the Watchmen, although not so arduous, nor requiring qualifications so important as those of Keepers, are by no means slight. They will have to be on constant and active duty the whole of the day; they will also be required, each in his turn, to remain at the prison on night duty, in the areas around the cells, constantly traversing the galleries and inspection avenues, to discover any disorder or communication that may be attempted by the convicts in their cells during the night. It is necessary that they should be perfectly trustworthy; for although they are not to have any intercourse with the convicts through the day, they will have access to their cell doors while on watch in the night when they can (should they be so inclined) hold improper communication with them.

When the prison at Auburn first commenced operations, the salary allowed Keepers was only \$350 per annum, and the Watchmen \$18 per month. These allowances were found to be inadequate to command the services of proper officers; accordingly, the salary of Keepers was raised to \$450 a-year, and the wages of Watchmen of guard to \$25 per month. After several years experience with this allowance, it was thought the salary of Keepers was still too low. It was found that this sum was barely sufficient with prudence and economy to support a family, and that Keepers (those, too, generally who were most competent) finding they were saving little or nothing, and growing weary of the confinement, and the rigid and strict watchfulness and attention which their duty required, frequently resigned their places, which had to be supplied with others not acquainted with the service, and less competent. Accordingly, a petition was presented to the Legislature at its last session, by the Inspectors and Agent of the prison, to allow the Keepers a still more liberal salary. I believe, however, this has not yet been done, and the Keeper's salary still remains at \$450.

Yours very respectfully,

WM. POWERS.

To JN. MACAULAY AND  
HENRY SMITH ESQES. &c. &c.

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**I N D E X**  
TO THE  
**Seventh Report**  
OF THE  
**COMMITTEE ON GRIEVANCES;**  
AND REPORT ON THE CASE OF  
**WILLIAM FORSYTH.**

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# I N D E X

## TO THE SEVERAL MATTERS CONTAINED IN THE SEVENTH REPORT OF THE COMMITTEE ON GRIEVANCES: AND REPORT IN THE CASE OF *William Forsyth.*

—♦♦♦♦♦—

N. B.—The Figures following the Names of the Witnesses refer to the numbers of the questions in the evidence; where p. is prefixed, (thus, p. 141,) to the paging generally. A star added to the page, (thus 26\*), shews that the report and evidence on William Forsyth's petition are referred to.

- Accounts.*—Audit of the Public Accounts, 6—Returns delayed by the Government, 6—Ought to be periodically required in many cases by statute, 6—All Public accounts go to the Inspector General's Office for inspection, *Turquand* 429—List of Accounts or Funds kept by Receiver General, p. 54—Pension Account, p. 58—Account of payments made to the Clergy, p. 61 & p. 63—Account of Expenditure in building Scotch Churches, p. 69—Account of Expenditure by Crown Land Commissioner and his Agents on Emigration, 1831 to 1834, p. 73—Roswell Mount's Accounts, p. 73—Accounts of the Colleges withheld, p. 78
- Accountants, Public.*—Their bonds are kept in the Receiver General's Office, and are sent to the Attorney General's Office for prosecution in cases of defalcation. *Turquand* 431.
- Acts, Colonial,* proceedings with, by the Secretary of State, Law Counsel, and King in Council, p. 108.
- Adamson, Hon. Peter.*—Offices and public lands held by him, p. 100.
- Addresses to the King.*—The Methodists request the Lieutenant Governor to convey their address to His Majesty, p. 67—Extract from an Address against disallowing the Bank Charters, p. 76—The Address of the Inhabitants of the Niagara District laid before His Majesty by Lord Goderich, p. 80—Addresses of Inhabitants of Lenox and Addington and of Cohourg returning thanks for Lord Goderich's Despatch, p. 96—The Address of the House of Assembly, praying that F. Collins may be liberated from jail, p. 138.
- Addresses to the Lieutenant Governor.*—An Address from the Methodists 8th Sept. 1831, with his reply, page 67—Address reported by Com. on Grievances for information relative to King's College, p. 78—his answer, p. 78—Address of Legislative Council in answer to Lord Goderich's despatch, p. 94 [for contents see "Legislative Council"]—Address of House of Assembly in answer to the same, p. 96—Address of do. on Post Office, p. 127—Address of do. earnestly entreating that F Collins might be restored to his family, p. 133—Address in favor of remuneration being given to Wm. Forsyth for the injury sustained by him during the Niagara Falls outrages, p. 19\*.
- Adelaide.*—expenditure by government in the settlement of, p. 74—the House of Commons address the King for information relative to the Niagara Falls outrages, p. 2\*.
- Adjutant General of Militia.*—The principal and the assistant paid salaries—one of them might be dispensed with, p. 4—their salaries, p. 58.
- Administration of Justice.* See *Justice, Administration of.*
- Advocate, The.*—Lord Goderich considers this newspaper a proof that the freedom of the press in its utmost latitude exists in Upper Canada, p. 90.
- Agent.*—A Provincial agent in England would be beneficial to the agricultural and commercial interests of Canada, *Moore*, 77—would be advantageous as a check on hasty legislation, *Wilson*, 98—might check improvident legislation affecting colonial interests, *Dunlop*, 167.
- Alien Question,* Lord Goderich's remarks relative to the, p. 91.
- Allan, Hon. Wm.*—Official income, and public lands granted to, p. 99.
- Althorp, Lord Viscount,* thanks Mr. Mackenzie for the information contained in his letter of 22nd August, on Canadian affairs, p. 115.
- Appleton, Thomas.*—Archdeacon Strachan has no recollection of an unfavorable report emanating from the Executive Council on his petition for his proportion of the public money as the teacher of a common school in York, 541—his petition to the King, forwarded per the July mail to Sir J. Colborne, *Hewick*, p. 81.
- Arbitration Bill.*—A Bill to provide good understanding among neighbours, and to lessen the number of expensive lawsuits by establishing courts of Pacification, passed in the Assembly and rejected by the Legislative Council, 1830, p. 104.
- Archdeacons of the Church of England.*—two were saddled on the Colonial Revenue, 1827—£147 paid by Adam Gordon for their patent, p. 71.
- Ashburton, Lord,* condemns the doctrine that persons accused of libel may be held to bail, with security for good behaviour, before trial, p. 137.
- Assembly, House of.* See *House of Assembly.*
- Attorney General;* the bonds of public accountants sent to his office for prosecution by the Receiver General in cases of defalcation, *Turquand* 431—Fees, p. 78—See also *Henry J. Boulton, Chief Justice Robinson, and Robert S. Jameson.*
- Audit, Board of.* See *Board of Audit.*

B A B

*Baby, Hon. James.*—Sheds tears when obliged to vote against his conscience, 12. Income and lands granted to, p. 99.

*Baldwin, Hon. Augustus.*—Lands granted to him, p. 100.

*Baldwin, W. W.*, examined:—Some years ago a committee of the inhabitants of the Home District, held a correspondence, through witness, as the chairman of a general meeting, and petitions were sent home, 606—witness delivered to the committee, three autograph letters addressed to him, one from the Right Hon. E. G. Stanley, another from Lord Goderich, and the third from Mr. Hume; also an attested copy of the petition to His Majesty to which these letters had reference, 607. See letters and petition, page 49 to page 52.

⚡ *Ballot Bill, Leeds Election.*—A Bill passed by the House of Assembly and rejected by the Legislative Council, to promote the freedom of Election in the County of Leeds, by introducing the vote by Ballot, with the votes of the members of the House of Assembly thereon. No. 25.

*Ballot, the vote by.*—Does not know a better way to cheat the public, *Brown* 350—nobody would ask for it but by gross ignorance, *Strachan* 556—is opposed to it, *Robinson* 585—Bill to establish in elections, rejected by Legislative Council, 1835, p. 107.

*Banks and Banking.*—The system in use injurious, *Wilson*, 104—Serjeant Spankie and Sir John Campbell are of opinion that the Canada Company's Charter does not include Banking powers, *Dunlop* 192—a private Bank kept at Goderich, *Van Egmond* 215—there are many actions at the instance of Banks, three actions and three bills of costs often for one debt, *Brown* 338—Banks are safe places for public deposits, *Dunn* 406—Lower Canada Bank Notes circulate generally in Glengarry, *Chisholm* 237—thinks the Commercial Bank Notes circulate most as he gets most of them, *Dunn* 420—Commercial Bank Notes circulate most in Gore, *Durand* 469—three lawsuits and £30 costs charged to a Waterloo Farmer on the balance of a note of £50 discounted by the Bank of Upper Canada, *Pannebacker* 598—Extract from an address of the House of Assembly to the King, on the anticipated disallowance of the Bank Acts, p. 76—The influence of the Bank of Upper Canada; its refusal to submit its accounts to the House of Assembly, *Mackenzie*, p. 82—Bill to enable the Receiver General to issue Bank Notes chargeable on the public rejected by the Legislative Council, 1833, p. 103—Bill to incorporate the Commercial Bank at Kingston, rejected in the Legislative Council, 1830, p. 104—Again rejected by the same, 1831, p. 105—Bill to incorporate the Bank of the Niagara District (St. Catharines), rejected by the Legislative Council, 1833, p. 106—again rejected by the same, 1835, p. 107—Bill to incorporate the Gore District Bank, rejected by the Legislative Council, 1833, p. 106.

*Baptists*, receive no money from government for their religious services, p. 5.

*Baring, F. T., M. P.*, report by, on management of the public revenue, p. 75.

*Bath Academy.* The Legislative Council throw out a bill for a grant of money to encourage Education at the—Sess. 1835, p. 107.

*Bathurst District.* List of Justices of the Peace, p. 120, and of Commissioners of the Courts of Requests, p. 122.

*Baynes, Thomas*, explains an omission in the Blue Book with regard to his office and income, 597. See page 56 and note.

*Beikie, John*, Salary, &c. p. 56.

*Bell, Rev. Wm.*, salary, p. 61—do. p. 63.

*Berczy, William*, votes for returning Lord Goderich's Despatch, p. 14—office held by, p. 100—2400 acres of the public lands granted to, p. 100.

*Bethune, J. G.* Expenditure on Emigrants, p. 73.

*Bills*, passed by several Assemblies for the redress of grievances but rejected by the government and its officers, p. 110.

*Bills, Titles of*—rejected by the Legislative Council during the last twelve years, p. 102 to p. 107.

B R I

⚡ *BILLS Nos. 23, 24, and 25*, which the House of Assembly passed, and the Legislative Council rejected, viz :

1. A Bill to amend the Charter of King's College, with the votes of the House of Assembly thereon.
2. A Bill to promote Education, with the votes of the House of Assembly thereon.
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Page 21, line 16, .....	2nd column, for "people" .....	read "people."
" 38, " 4, .....	1st " for "uo" .....	read "to."
" 45, " 34, .....	1st " for "226" .....	read "526."
" 48, " 3, from the bottom, 1st	" for "lat" .....	read "late."
" 51, " 4, from the bottom, 2nd	" for "persons" .....	read "a person."
" 56, " 49, .....	1st " for "£11" .....	read "£111."
" 57, " 9, .....	2nd " for "minster" .....	read "minister."
" 58, " 48, .....	2nd " for "£1,355" .....	read "£1,333."
" 66, " 21, from the bottom, 1st	" for "Steetsville" .....	read "Streetsville."
" 73, " 41, .....	1st " for "1331" .....	read "1831."
" " 34, .....	2nd " for "Corner" .....	read "Comcr."
" " 40, .....	2nd " for "Wiskins" .....	read "Wickens."
" " 43, .....	2nd " for "Corner" .....	read "Comer."
" " 45, .....	2nd " for "coniderable" .....	read "considerable."
" 91, " 47, .....	1st " for "Jutsice" .....	read "Justice."
" 106, " 10, .....	1st " for "directers" .....	read "directors."
" 107, " 21, .....	1st " for "(1834)" .....	read "(1835)."
" 111, " 18, .....	1st " for "spoilation" .....	read "spoliation."
" " 60, .....	2nd " for "slaves" .....	read "slave."
" " 63, .....	2nd " for "trades" .....	read "trade."
" 112, " 5, .....	1st " for "grievously" .....	read "graciously."
" " 9, .....	1st " for "spoilation" .....	read "spoliation."
" 113, " 5, from the bottom, 1st	" for "officer" .....	read "office."
" " 29, from the bottom, 2nd	" for "serviees" .....	read "services."
" 114, " 21, .....	1st " for "abseence" .....	read "absence."
" " 23, .....	1st " for "respeetive" .....	read "respective"
" " 19, from the bottom, 1st	" for "heresay" .....	read "hearsay"
" 131, " 14, .....	1st " for "exemple" .....	read "exempla"
" 132, " 18, from the bottom, 2nd	" after "General" .....	insert "of."
" 133, " 24, from the bottom, 2nd	" for "deserve" .....	read "deserves."
" 134, " 33, .....	1st " for "petion" .....	read "petition."
In Index, " 10, " 30, .....	2nd " expunge "do. p. 246."	
" " 11, " 9, from the bottom, 1st	" for "96" .....	read "49."

**REPORTS**

ON

**GRIEVANCES.**

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**HOUSE OF ASSEMBLY,**

*Upper Canada.*

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1835.

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## Report of Committee on Grievances.

## SEVENTH REPORT

FROM THE

## COMMITTEE

ON

## GRIEVANCES.

*To the Honorable the Commons House of Assembly.*

The Select Committee on Grievances, to whom were referred the Despatch of Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, of date the 8th of November, 1832, with the Message of His Excellency the Lieutenant Governor, and several letters, petitions, and other Documents which had been addressed by William Lyon Mackenzie, Esquire, to the Secretary of State, accompanying the same—the Message of His Excellency the Lieutenant Governor in reply to the address of the House of Assembly for information concerning the dismissal and re-appointment to office of Mr. Solicitor General Hagerman, the appointment of Mr. Jameson as Att'y General in the room of Mr. Bolton, and relative to the expulsion of the said William Lyon Mackenzie from the House of Assembly in a former Parliament—and certain other messages, petitions and documents on various subjects of grievance and public and private wrong—have, in obedience to the orders of the House, made some enquiry on the several subjects referred to them, and agreed to the following Report :

In 1828, a Select Committee of the House of Commons enquired into the causes of those embarrassments and discontents which had for many years prevailed in the Canadas. This Committee conclude their report by stating their anxiety “to record their complete conviction that “neither the suggestions they have presumed to “make, nor any other improvement in the Laws “and Constitutions of the Canadas, will be attended with the desired effect, unless an impartial, conciliatory and constitutional system “of government be observed in these loyal and “important Colonies.”

Last summer another Committee of the House of Commons entered upon an investigation of the causes of Canadian discontents, but confined their enquiries to the Lower Province, the Right Honorable E. G. Stanley having under great misapprehension assured the House that the utmost harmony prevailed between the Lieutenant Governor and the Council and Assembly of this Colony.

Your Committee respectfully submit the results of their enquiry, together with the evidence. If it shall appear to the House that there is just

cause of complaint, and that the government has not exerted its Constitutional powers to remedy the evils from which the people desire relief, the course to be pursued is to address the Throne, stating their grievances and praying redress. If, on the other hand, the House shall be of opinion that the government is administered impartially, with sound discretion and a single eye to the general welfare; that its officers and ministers enjoy the public confidence and worthily discharge their various duties, there can be no doubt but that the Representatives of the people will mark their approbation of their conduct by cheerfully placing in their hands the small Annual Grant, which in name, more than reality, indicates a popular influence in the government.

The almost unlimited extent of the patronage of the Crown, or rather of the Colonial Minister for the time being and his advisers here, together with the abuse of that patronage, are the chief sources of Colonial discontent. Such is the patronage of the Colonial Office that the granting or withholding of supplies is of no political importance unless as an indication of the opinion of the country concerning the character of the government, which is conducted upon a system that admits its officers to take and apply the funds of the Colonists without any legislative vote whatever.

Some years ago the people of the County of York held a meeting and petitioned for the redress of Grievances; their memorial was transmitted by W. W. Baldwin, Esq. the Chairman of the meeting, to the Right Honorable E. G. Stanley, and his advice requested as to the means of redress, which he most willingly gave. His autograph letter in reply, from which the following is an extract, is appended to Dr. Baldwin's evidence given before Your Committee.

[Extract.]

“Upon the subject of the Legislative Council, “(which I do not hesitate to say, without any disrespect to or reflection upon the individuals who “compose it, is at the root of all the evils complained of in both Provinces)—upon the exclusion of the Judges, with the single exception “of the Chief Justice, from all interference in “political business—and upon the necessity of “introducing some alteration into the present “Jury system—the three most important points “of your petition, you will find that the opinion “of the Committee entirely concurs with yours, “and that opinion I am disposed to support to “the utmost of my power.”

Mr. Stanley adds that the Constitutional remedy is “open to the people of addressing for “the removal of the advisers of the Crown, and “refusing supplies.”

## Seventh Report of Committee on Grievances.

The patronage of the Crown, as now exercised in this Province, includes the payments of gifts, salaries, pensions, and retired allowances to the Clergy of the Methodist, Presbyterian, Protestant Episcopal & Roman Catholic orders, and to nearly the whole of the civil officers of the government, including Sheriffs, Collectors of Excise and Customs Revenue, Coroners, Justices of the Peace, Commissioners of the Court of Requests, the heads of the several departments and all in subordinate stations under them; to Judges of the District and Surrogate Courts, Registrars of Conveyances, Wills, &c., Commissioners of Customs, Clerks of the Peace, &c. &c. These officers hold their several situations only during the pleasure of the Crown. The Royal patronage also embraces the judicial establishment, many pensions, the nomination of one branch of the Legislature, by the name of the Legislative Council, and the appointment of its speaker and other officers,—the selection of the officers of the House of Assembly—the control of the Indian Department, of King's College, and of Upper Canada College—the appointment of the twelve District Boards of Education, and the direction of the expenditure of public monies in aid of Emigration—the selection of the Executive Council—the uncontrolled management of millions of Acres of public Lands—the appointment of 1500 commissioned Militia Officers—the sole control of the Military and Naval Forces—and (subject to the votes of the House of Commons in this case) the regulation of the whole Military and Naval expenditure.

The Crown also controls the expenditure of a large annual amount of local taxation by its power of appointing the District Magistracy during its pleasure—the justices thus appointed select the District Treasurers and a large number of subordinate officers, and exercise varied and extensive civil and criminal jurisdiction. The refusal of the bench of Magistrates of the Eastern District during the present Session, to render to the House an account of the receipt and expenditure of the local taxes and revenues raised from the people, and entrusted to the charge of these functionaries, under the authority of several acts of the Legislature, affords another proof that the system under which they are appointed requires instant revision; more especially as the complaints of the people of that District against magisterial peculation, as recorded on the journals, are of long standing.

The Crown appoints the members of the Court of King's Bench, and the Judges of that Court regulate at their discretion the tariff of fees to be paid therein by suitors. These judges are dependent on the Crown for such retiring pensions as it may see fit to award them, if any, and enabled to look forward with hope and expectation to the enjoyment of other offices and

situations within its gift, by themselves and their families.

The Canada Company, the several incorporated establishments for Banking, Canalling and other purposes, and the Harbour, Dock & Wharf Companies, in nearly all cases, unite their patronage with that of the local government, and steadily strive to increase the influence of the Crown.

The Post Office Department, with about a hundred Deputy Post Masters, is under the sole control of the Crown—contracts are made, and all appointments held during its pleasure; the surplus revenue is transmitted to England. No detailed accounts of receipts and expenditure, have ever been laid before the Colonial Legislature. The rates of letter postage between the different places in the Colony, between this Colony & the others—and between Upper Canada and England, are very extravagant. The correspondence with Europe is chiefly carried on via: New York, which is at once the cheapest and most expeditious route.

Representations were made to the British Government that the Post Office system required revision, and a law was passed in consequence to authorise the several Colonies to establish Post Offices. The form of a law, such as the government would approve, is before the House, but its provisions are so inapplicable and absurd that no benefit would be derived from their enactment. A change for the better must be that which will give the Colonists the entire control of this Department in Upper Canada.

#### Salaries, Fees, &c.

By the tables of salaries, fees, emoluments, &c., it will be seen that the patronage of the Crown, arising from civil and judicial offices and places within its gift in the Colony extends at least to £50,000 a year (exclusive of the Clergy Grants) the whole being raised from the people themselves and not one farthing derived from England.

Up to 1827 an annual sum of £10,800 Sterling, or thereabouts, was voted by the Imperial Parliament towards the payment of the Civil list of this Colony, and it was not till April 1834, that the £4472 allowed yearly to Clergymen of the Church of England from the funds of Great Britain was withdrawn. Now, however, the whole expense is thrown upon the Colony, the inhabitants of which can exercise but little influence over a government which disposes of their property at its discretion.

Of these annual salaries, fees and emoluments, 117 persons receive, each under £100:—40 persons receive each from £100 to £200; 29 persons receive, each from £200 to £300; 23 persons

receive, each from £300 to £500; 10 persons receive, each from £500 to £750; 6 persons receive, each from £750 to £1000; 10 persons receive, each from £1000 to £1500; 2 persons receive, each from £1500 to £2000; 1 person receives, £2,066, and 1 person receives £4,953.

On a reference to the table of offices, salaries, &c., it will appear evident that many officers there named could be dispensed with, and that, of the others, the greater part receive incomes which the services they are required to render, and the state of the finances of the Colony, do not warrant.

Upwards of £33,000 have been paid from the Colonial Revenues within the last eight years to the Lieutenant Governors, the greater part of which it is probable they save and carry to Europe. The incomes of Governors in the northern parts of the States vary from £100 to £1500 a year, and the incumbents are taken from among the resident inhabitants.

The salary of the present Lieutenant Governor, Sir John Colborne, with his other public sources of income or emolument, is about £5631 a year.\* Formerly the amount of this income was less objectionable for it was chiefly derived from Europe and the Lieutenant Governors transmitted thither the surplus on their return.

£398 is the amount of the income of the Private Secretary to the Lieutenant Governor.—It appears to us that this office ought to be done away with, and the duties performed by the existing public departments which are abundantly sufficient for their discharge.

The Honorable Peter Robinson appears to have received of salary from the Colony within the last 7½ years £12587. His annual income is now £1721.

The Honorable Duncan Cameron has received since January 1827, £8624 12 besides a variety of other payments for fees, &c. There can be no pretext for paying this officer at the rate of £1033 a year, and then paying Mr. Jarvis £200 as a deputy to do the business of his office.

The Honorable John H. Dunn has received £11,534 of public money since 1827. His office is a very responsible one, and to it might be conveniently added the offices of several bursars, treasurers, commissioners and other public accountants in this City, with a proportionate saving to the public.

Mr. Robinson is the "Surveyor General of Woods," the "Surveyor General" is S. P. Hurd,

Esquire, with an income in fees and salary of £742 a year or thereabouts. The history of this gentleman's appointment may be ascertained from his evidence annexed to this report.

Mr. Hurd was appointed Surveyor General on the 1st of November, 1829, and was ordered to be paid his salary and fees from that date in full for the first six months; then the Colonial office ordered that he should receive half the income of his office until the time when he should think fit to enter upon its duties.

Between 2 and 3 years after he was appointed he came into the Province and began to fulfil the duties of the Surveyor Generalship, and was paid nearly at the rate of £400 a year for the period in which he had neglected the office; while Mr. Chewett, the senior clerk, was also remunerated in full by the Province as the Surveyor General, for acting as his deputy, and has since obtained a pension of £400 a year out of the Province revenue by an order from England, and retired. Mr. Chewitt with his pension has the Registrarship of the Surrogate Court at £104 fees last year,

The multiplication of offices in the land granting Department creates great and unnecessary expense and much confusion.

Archdeacon Strachan's income cannot be easily ascertained. The application of the House of Assembly to be allowed to look into "the Blue Book" or official statement of the pecuniary affairs of the Colony sent to England, for the years 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831 and 1832, the Lieutenant Governor declines to comply with; and every effort of the Committee to obtain the particulars of the Archdeacon's income for a few years back, by questions put to himself, has proved unsuccessful.

Since the 1st of January 1826, Dr. Strachan appears to have received of public money, as Archdeacon, senior Executive Councillor, Rector of York, President of the Board of Education, &c. £7977; and for his journey to England in 1827, in cash and lands, other £4351. In all £12,828. Details and explanations are placed in the appendix, but we presume that the sum named falls far short of the gross amount.

It might have been expected that the offices of Clerk of the Executive Council, and first Clerk in that office, would have been consolidated into one at about £300 a year, and no fees, on the death of the late Mr. Small. There are very few duties to perform, and these not generally of an important nature, yet Mr. Beikie's name appears in the Blue Book for 1834, as Clerk of the Council at about £725 a year, together with a first and second Clerk at £250 and £200 a year respectively.

\* This income will have been increased since the accession of the present ministry by His Excellency's promotion to the Colonelcy of a regiment.

The Honorable John B. Robinson's services for the last eight years have been repaid with about £18,000, nearly all of which is from the Colonial Revenue. He has obtained £400 a year for services as Speaker of the Legislative Council, over and above his other salary of £1666 per annum as Chief Justice. The situation of presiding member of the Legislative Council and Chief Criminal Judge of Upper Canada never ought to have been united in the same person. The Speaker of the House of Assembly receives only £200, or half the salary claimed by the Speaker of the Council for services far less important, arduous, and fatiguing.

Mr. Grant Powell, in his various capacities, appears to receive £835 a year, or thereabouts. The extra allowance of £200 over and above his salary of £200, as Clerk of the Legislative Council ought not to be continued; and his office of Judge of the Home District Court should not be held along with an office, which requires his services elsewhere at the same time as Clerk.

Mr. Ruttan's fees, as sheriff of the Newcastle District, amounted to £1040 in 1834, & to £1180 in 1833; such incomes indicate the expediency of some Legislative action on the fees of Sheriffs.

Mr. Jones's fees, as Clerk of the District Court for the same District, appear to have equalled £473 in 1834; very large sums were realized in some other Districts. In an office like this where neither talent nor legal acquirement is requisite, competent and respectable men would gladly act for incomes of £100 or £150, and justice be rendered at less cost to the unfortunate.

The absurd system under which the Collectors of the Customs are remunerated has already obtained the attention of the House.

Mr. Samuel Ridout receives £500 as Registrar, and £222 as Agent to the Land Granting Department; the latter office is a sinecure and ought to be abolished. Many of the Registrars perform their duties by Deputy, and it is believed that if their fees were reduced nearly one half, enough would still be paid for any services they are called on to render, while the expense to the public in conveying real estate would be greatly curtailed.

The salary and allowances of the Attorney and Solicitor General, at £1200 and £600 a year respectively, are unreasonably high. The Speaker, for three months in the year, is required to give his attendance daily, for many hours a day, and his income is but £200. The official services of the Crown Lawyers do not certainly require more talent, nor are they more difficult or arduous than his.

The Crown Office is a grievance of magnitude. The incumbent is required to fulfil duties which any gentleman with an ordinary education could perform, aided by a few clerks, at a slender annual salary; rumour had declared his income from fees alone to be within a trifle of £2,000; his own statement in the Blue Book for 1834, gives £1257 of fees that year, and £111 in salary, in all £1368. These fees are regulated by the judges, who have thus the power to remedy the evil.

In the detailed returns Mr. Jonas Jones' income as Judge of the District Court in three Districts, and other offices is shewn to be £916. In addition to the varied duties of these situations, Mr. Jones is the President of the Board of Commissioners for Improving the Saint Lawrence.

The Adjutant General of Militia receives £449 as salary and allowances, (besides his half pay as an ensign of the regular forces.) He is also allowed an assistant adjutant general to do the work at £200 a year, one of these salaries ought to be abolished.

#### Pensions.

Within the last eight years there have been paid to eleven individuals, in the form of Pension, out of the Province Revenues, but without the consent of the Legislature, about £30,500—of this vast sum of money nearly £4,000 have been paid to Colonel Talbot;—£4,000 to the late John McGill; £3,856 to Bishop McDonell; £5,998 to the late Sir Wm. Campbell; £3,333 to the late D'Arcy Boulton, Esq.; £5,555 to the late Hon. D. W. Powell; also £1,776 to the Hon. William Allan, to be by him transmitted to Sir D. W. Smith, Bart Northumberland. Had this sum of £30,500 been applied under a frugal Government, to the improvement of the Roads and Bridges, it would have done the country a great deal of good.

The civil pensions of the United States amounted in 1817 to \$1,460; in 1821 to \$1,500; in 1825 to \$2,100, and in 1827 to \$2,000.—This is the effect of having the management of their own money.

#### Ecclesiastical Establishment.

This consists of four classes—the Methodists,—two Conferences, not in connexion with each other. The Church of England—the Presbyterians, two Synods, not in connexion with each other; and the Roman Catholic Church. The Church of England has been upheld by the Crown since the first settlement of the colony. The Churches of Scotland and Rome received but a miserable pittance, until within the last six or seven years. The Seceders from the

Scottish Establishment, began to receive a bounty for their spiritual services some three or four years ago; and the Methodist conferences had grants extended to them for the first time in 1832 or 1833. The Independents, Baptists, Congregationalists, Quakers, Lutherans, Tunkards, Menonists, Primitive Methodists and other sects do not receive any part of the public money, and several of the Presbyterian and Methodist Ministers refuse to accept any portion of it.

The House of Assembly, in several successive Parliaments, has expressed its entire disapprobation of the conduct of the Government in thus attempting to uphold particular religious sects by money grants; and in the 10th and 11th Parliaments, has declared that it recognized no particular denomination as established in Upper Canada with exclusive claims, powers or privileges.

The ministers of these Ecclesiastical establishments derive their official pensions entirely from the public revenue raised within the Province, and receive besides an income from their congregations; England pays no part.

There were paid out of the Provincial chest, without any vote of the Legislature, in 1832, 1833 and 1834, to the four Established Churches £40,441, of which £15,284 were paid in 1834.\*

#### Methodists.

The "Canadian Wesleyan Methodist Conference" received £800 in 1833, and £389 in 1834; these sums were to be applied to the building of Chapels, &c.

The "British Wesleyan Methodist Conference" formerly the Methodist Episcopal Church received £1,000 in 1833, and £611 in 1834, to be applied (as is stated to the Lieutenant Governor by the Rev. Joseph Stinson,) "to the erection or repairing Chapels and School-houses, and in defraying the general expenses of the various Missions in our charge."†

Your Committee were unable to obtain an account of the expenditure of these monies in detail; It appears indeed that no such accounts had been transmitted to the Government Office in either of these years.

This appropriation to the Methodists as an Ecclesiastical Establishment, is very singular. In the year 1826 the opinion entertained of them by the Executive, is given by Dr. Strachan,

\* £15,284 paid to the Clergy of 4 particular denominations in one year, is rather at variance with a portion of Viscount Goderich's despatch, that shewing undue preference to the Church of England was at variance with his whole course of policy, more especially as £9,602 of that sum was given to that denomination.

† See Mr. Stinson's Letter in Appendix.

who informed the Colonial Minister in England that the Methodist Ministers acquired their education and formed their principles in the United States; and they felt the suspicion attempted to be thrown on their loyalty so strongly, that they appealed to the House of Assembly, which enquired into and reported on the matter in the year 1828.

Upon another occasion they received a rebuke from His Excellency Sir John Colborne, as will appear from the document in the appendix containing His Excellency's answer to the Address of the Conference, requesting him to transmit to His Majesty their Address on the subject of the Clergy Reserves. Since, however, a share of the public money has been extended to, and received by them, there seems to have been established a mutual good understanding.

#### The Church of England.

To the Ministers of this denomination, as salary, &c., the government has paid out of the Province chest, within the last three years, the sum of £27,321, of which £9,602 were paid in 1834. For details we refer to the appendix.

Within the last eight years £3,559 have been paid to Archdeacon Stuart, of Kingston, for his services as Archdeacon and Minister of the Church of England. All this money was paid out of the Province revenues without a grant of the Legislature.

#### Presbyterian Clergy.

This christian denomination has received £5,541 within the last two years; part of which was to the Synod in communion with the Scotch Church, and the lesser share to the other Synod.

The detail of this expenditure, so far as it has been obtained, will be found in the appendix.

#### Roman Catholic Clergy.

Within the last two years £4,910 have been paid to the Catholic Bishop; a part for himself; a part for his clergy; a part for repairing and building Catholic Chapels and Churches, and a part for Educational purposes—the payments have all been made from the colonial revenues.

It will be seen, from the evidence annexed to this Report, that some exertions have been made by Your Committee to obtain the accounts and vouchers of the payments made by the Bishop to his clergy and others, and for building churches. The Lieutenant Governor has also directed an inquiry to be made as to the details of this part of the Ecclesiastical expenditure, but, hitherto, without success.

**Glebes.**

Between the years 1789 and 1833—23,905 acres of public lands were set apart by the Crown as Glebes to clergymen.

Of these there were given to the Church of England	22,345 Acres.
To the Scotch Church,	1,160 do
To the Roman Catholics,	400 do
To all other Denominations,	0 do

**Land Granting Department.**

Viscount Goderich's Despatch shews that this grievance, for such it was, has been in part removed. To what extent, however, the documents Nos. 7. and 8. of the Appendix do not very clearly shew.

**King's College and U. Canada College.**

The former institution is not yet in operation, although much required for the instruction of the youth of the Province in those branches of education not usually taught in Common Schools.

The latter is upheld at great public expense, with high salaries to its principal Masters, but the Province in general derives very little advantage from it. It might be dispensed with.

Viscount Goderich had His Majesty's commands to express the Royal desire, that the opinion of the people of the colony might be consulted with respect to the constitution of King's College. A Bill has accordingly been sent to the Legislative Council, sanctioned by a large majority of the House of Assembly, for the establishment of that seminary, but there is not much reason to expect that the Council will coincide in opinion with the representative branch of the Legislature on this important question.

**Expenditure on Emigration.**

Accounts of an expenditure of £31,728 18s 11d under the Crown Land Commissioner, in aid of the Emigration from Europe, were referred to your Committee, who, being unable to examine into all the details, sent for the Vouchers for the late Mr. Mount's expenditure of about £7,500 of the money in Adelaide, Warwick, and Carradoc. Their statements, No. 56 and No. 57 of the Appendix, will show the opinion they entertain of this mode of expending the provincial revenue.

**Audit of the Public Accounts.**

The present system is altogether inefficient for ensuring the application of the revenue to the purposes for which it is intended to be applied. The House of Assembly, acting by one or more of its committees in a session, cannot examine the accounts and vouchers of the several public accountants, owing to the very com-

plex, obscure and unsatisfactory manner in which they are furnished; and as for the Executive Council, the law recognizes them not as auditors of the revenue, nor do they merit the public confidence as a board of audit.

Of the grant for the roads in 1833, paid about a year ago, nearly £12,000 entrusted to Commissioners remain yet unaccounted for.

The grants to Canals, many thousand pounds in amount, are in general very imperfectly accounted for.

The payments of Casual and Territorial Revenue, fines, forfeitures and seizures, are also very imperfectly accounted for, either to the country, or to the Crown or its ministers.

The remedy would be a Board of Audit, the proceedings of which to be regulated by a well considered statute under a responsible government; such a Board might save the country many thousands each year, but it is difficult to believe that any efficient means of auditing the whole provincial revenue can be provided by Legislative enactment, while the Legislative Council is constituted as at present.

**\*Returns of Accounts, &c.**

Many items of information required by the House and its Committees from the Government with respect to the public accounts, the receipt and expenditure of public monies, college and other funds, monies placed in the hands of individuals for the payment of clergymen or the building of churches and chapels, &c. have as yet been withheld, and the receipts and expenditure of the post-office department have been very unnecessarily delayed. In most cases the parties whose duty it was to compile these returns have had ample time to do so. In many other cases the statements required have been furnished to the house. The remedy for neglecting to supply returns in most cases, would be by a statute providing the time and manner of making them, and naming the officers who should render them to the Legislature; but it is well known that such an enactment would fail in the Council, which has an interest in preventing the enforcement of practical accountability to the people.

Little respect is paid, even in subordinate matters, to the wishes of the House of Assembly. In the year 1828, the late Francis Collins was convicted of an alleged libel for imputing to the present Chief Justice Robinson, then Attorney General, "native malignancy." This lan-

\* See recommendations in the Report of Sir Henry Parnell, Sir James Kempt, Mr. Ellice, and others Commissioners to report on the public revenue—in the Appendix.

guage was induced by the irritation Mr. Collins felt at the wrongful denial, by Mr. Robinson, of his right to traverse to the next assizes. He was, however, sentenced to a fine of £50, to be imprisoned in the common jail for twelve months, and to find securities to keep the peace for three years, and to remain in prison till he did so.

The whole proceedings of the first session of the tenth Parliament on that subject are full of interest, and exhibit a faint and imperfect specimen of the spirit with which the government was carried on, and the criminal justice of the country administered. It ended in a simple request from the Assembly, that the residue of the punishment might be remitted, Collins having already been immured in the prison for several months. This reasonable request was flatly refused by Sir John Colborne. It is, however, humiliating to notice, that a similar request was readily granted to a few favored individuals for the release of the Farmersville rioters, who had in the most shameful, premeditated and unprovoked manner, assaulted and beaten the chairman of a public meeting, held simply for the purpose of returning thanks to Lord Goderich for his Despatch.

Under the same disregard of the views of the House of Assembly, measures were adopted by His Excellency for the second Leeds Election, quite at variance with their known wishes. The Returning Officer, in his evidence under oath, before the Grenville Committee, declared Beverley, where the first election was held, to be an unsuitable place. It had already been the scene of disgraceful riots, destructive of the freedom of election, was in the vicinity of those violent partizans of Messrs. Gowan and Attorney General, who were the authors of the former riots, and remote from the district town where any rioters could be confined.

The Returning Officer also stated, that the time of six days, limited by the existing law for the election, was insufficient for polling all the votes in the county; and that without an extension of time the next return might depend on which could get their votes first polled. The Returning Officer was also judged and reported by the Committee, acting as they were under the sanctity of an oath, deficient in firmness, and the defence was declared frivolous and vexatious. Yet the same Returning Officer, and the same place were selected by Sir John Colborne for the new election, which was ordered to take place within so short a time that it was scarcely possible to give the notice required by law in the different townships so as to apprise the freeholders.

Under these circumstances it is not surprising that renewed riots occurred at the second election, which has by another Grenville Committee been set aside.

#### The Despatch of 8th Nov. 1832.

The Despatch from Lord Viscount Goderich to Sir John Colborne, dated November 8th, 1832, and specially referred to your Committee, is an answer to the representations of about 24,500 of His Majesty's subjects of this Province, transmitted to England by Mr. Mackenzie, a member of this Committee and the agent deputed by the Petitioners to urge their claims on the consideration of Government.\* There is an error in the Despatch, which states the number of Petitioners by Mr. Mackenzie at 8 or 10,000, below the true number; a subsequent letter to Mr. M. from the Colonial Office, appended to this report, corrects that mistake.

Mr. Mackenzie also went to England as the Agent of about 10,000 Petitioners of the several religious denominations, whose claims Mr. George Ryerson was sent home to advocate in 1830.

The documents referred to your Committee are very voluminous, instead, therefore, of reporting them, some extracts have been made to which the Despatch has reference; these selections and other correspondence with the Colonial Office are appended to this report.

The Despatch itself recommends many very valuable measures that His Majesty had been graciously pleased to suggest to the Government of this Province, and which are eminently calculated, if acted upon, to render the people more happy and contented, viz:—

1. The passing of a Bill for the amendment of the Election laws.
2. The alteration of the Charter of King's College, in such a manner as shall agree with the wishes of the people—[acted on this year by the Assembly.]
3. The placing the Town Members of the Assembly on the same footing in respect to wages as the County Members—[acted on this year.]
4. Allowing all the members of religious denominations, who cannot conscientiously take an oath, the privilege of the elective franchise—[acted on.]
5. The interdiction of the disposal of Crown Lands to favourites, and rendering them the subject of competition—[partly acted on.]
6. The repeal of the law which excludes British subjects from voting at elections and

\* "There is no class of the Canadian people, however small, nor individual among them however obscure his situation, to whose petitions His Majesty does not require that the most exact and respectful attention should be given."—Viscount Goderich's Despatch, Nov. 8th, 1832.

being elected, until the expiration of seven years after their return from their residence in a foreign country—[acted on by the Legislature.]

7. The non-interference of all persons holding official situations in the Province at elections.

8. The strong recommendation of His Majesty for a universal diffusion of Education, especially among the poorest and most destitute—[acted on by the House of Assembly this year.]

9. The desire expressed, that the most ample and particular information should be given to the House of Assembly of the avails and disposition of the Casual and Territorial revenue.

10. The disposition expressed by His Majesty that the Ministers of religion should resign their seats in the Councils, and that no undue preferences should be given to the preachers of the Church of England—[to this recommendation, the Address of the Council hereto appended, was the answer.]

11. The reducing the costs of Elections.

12. The passing of a Bill for the independence of the Judges—and

13. The passing of a Bill limiting the number of persons holding offices to seats in the House of Assembly.

Mr. Mackenzie, in his efforts made in England for the attainment of a redress of grievances, was generously assisted by Mr. Hume, (who has always taken an active part on behalf of the people of Canada), and by Messrs. Warburton, Ellice, O'Connell, Grote and Roebuck, Mr. Viger, Lord Howick and other Gentlemen of liberal principles.

Among other subjects of complaint embraced in the Petitions referred to your Committee, were the neglect of general Education—the delays, costs and partialities exhibited in the administration of Justice—defective Jury laws—inconvenient polling places at county Elections—an imperfect state of the representation in the House of Assembly—the Primogeniture laws—the Crown and Clergy Reserves, and the large Provincial debt.

Upon these and other matters of Grievance, your Committee have taken the evidence of individuals of various religious and political creeds which they herewith submit to the consideration of the House.

#### The Legislative Council.

This body forms a part of the patronage of the British Government; they are the nominees of the Minister of the colonies,

who can add to their numbers at his discretion. In continually rejecting the many valuable measures earnestly prayed for by the people, they may be fairly presumed to act in obedience to the power from whence their appointments were derived. Your committee examined some of the members of the council holding offices of emolument under the government, and from their answers it will readily be seen whether they are or are not under the influence of the Lieutenant Governors for the time being.

Capital may be brought into any country, but under an arbitrary, imprudent, and irresponsible government it will be impossible to retain a large share of it. Notwithstanding the encouragement given to emigration, as stated in Mr. Robinson's accounts; it appears by No. 5 of the Appendix, that the population of the colony has not increased much beyond the natural rate in an agricultural settlement of great extent, fertile soil, and spare population. The emigration at Quebec in these four years, as also at New York, has been very extensive. The more wealthy class of emigrants pass through Canada to the United States.

#### Justices of the Peace.

These officers are appointed by the Lieutenant Governor alone, during his pleasure. Their powers severally and collectively are very extensive. By a reference to the returns appended to this report it will be seen that they consist chiefly of persons of a particular bias in politics, and are a means of extending the power and influence of the colonial system.

Several witnesses were examined as to the mode of appointing Justices of the Peace, the character of the Magistracy, &c. Their evidence and returns of the present magistrates of the colony are submitted herewith.

#### A Responsible Government.

The Governors of colonies, like other men, are individually liable to all the infirmities of human nature, and in their political capacity, when left to act without restraint, they, no doubt, sacrifice occasionally the interests and happiness of the people, to the gratification of their own passions and caprices. One great excellence of the English constitution consists in the limits it imposes on the will of a King, by requiring responsible men to give effect to it. In Upper Canada no such responsibility can exist. The Lieutenant Governor and the British Ministry hold in their hands the whole patronage of the Province; they hold the sole dominion of the country, and leave the representative branch of the Legislature powerless and dependent.

Mr. Elmsley, a member of the Legislative Council, (the son of a late Chief Justice of the Province,) and formerly member of the Execu-

tive Council, retired from that body lately, and advertised in the newspapers that he could not retain his seat and act independently at the board. The Archdeacon of York, Mr. Markland, and Mr. P. Robinson, three of the present members of the Executive Council, have given a different testimony before Your Committee. Mr. Stanley, in his letter already adverted to, expresses his opinion of the Executive Council with great candour and frankness, as follows:

“I do, however, think that something might be done with great advantage, to give a really responsible character to the Executive Council, which at present is a perfectly anomalous body, hardly recognized by the Constitution, and effective chiefly as a source of patronage.”

In the Royal Instructions to Governor Sir Thomas Cochrane, dated the 27th of July, 1832, signed by Viscount Goderich, and printed by order of the House of Commons, your committee find the following passage:

“In accordance with the uniform course of precedents, your Commission constitutes a Council which will participate with the Assembly in the enactment of laws. It is not, however, to be denied that this part of the established system of Colonial Legislation has been practically found to be attended with some serious difficulties. The members of Council, deriving their authority from the Royal Commission, have not seldom been regarded with suspicion and distrust by the great body of the people. Their elevation in rank and authority has but too often failed to induce a corresponding degree of public respect. Even the most judicious exercise of their powers has occasionally worn the resemblance of harshness when opposed to the unanimous or the predominant opinions of those to whom the Colonists looked with confidence as their representatives. The Councils, it must be confessed, have not uniformly exerted themselves to repel, or to abate, this prejudice. The acrimony engendered by such disputes has sometimes given occasion to an eager assertion of extreme rights on the part of the Council, and to a no less determined denial of their necessary and constitutional privileges on the part of the Assembly. The Councils have also been employed as instruments for relieving Governors from the responsibility they ought to have borne for the rejection of measures which have been proposed by the other branch of the Legislature, and have not seldom involved them in dissensions which it would have been more judicious to decline. The effect of the institution therefore, is too often to induce a collision between the different branches of the Legislature, to exempt the Governor from a due sense of responsibility, and to deprive the representative body of some of its most useful members. Yet the compensation which might atone for these evils is not obtained, and the Council does not assume in the colony a position or an influence analagous to that of the House of Peers, because entirely destitute of that hold on public opinion which the property and independence of its members, as well as the antiquity of the institution itself, confers upon the Peerage of this country.”

In Upper Canada, where society doubles its numbers every twelve years, (while in Lower Canada it does so every twenty years) where new towns and counties start every year into existence, acting more on government than acted upon by its directions—obliging it to abandon schemes of improvement begun in one direction because population has by chance suddenly accumulated in another—requiring new laws and tribunals every Legislative Session—coming from several counties and bringing hither their

peculiar affections, feelings, and prejudices: in such a country the government ought to follow incessantly the changes that work on public opinion—it should be cheap; because population and capital spreading constantly in the wilderness, there is no great accumulation of capital in a few hands, though there is a rapid one in the country; the people are above want but cannot indulge in luxury and ostentation—their display will therefore ever make highly salaried officers disliked by the community at large.

In Upper Canada the efforts of the Legislature have been directed towards improving the Executive Council; yet it appears on enquiry that that body affects to have done neither good nor harm\*—some of its individual members may, (as is asserted by Bishop Macdonell †) have acquired influence near the Lieutenant Governors and misled them, but the body has few if any definite attributes, other than in the Land Granting Department, and, there, nothing but ministerial acts to perform. It is shewn in evidence by Colonel Rowan and others that the Lieutenant Governor may or may not shew the Executive Council his despatches, and may or may not ask their advice, and may or may not follow that advice after having asked it, except there be an instruction from Europe to the contrary. They are occasionally called on to report on special matters for the information of the government at home, which is often seriously and intentionally misled by them.

In the appointment to offices, and concerning the accepting or rejecting Legislative Bills, it does not appear that they have ever been consulted. Their power in the Land Granting Department has been done away in this Province by the appointment of Mr. Peter Robinson, and in Lower Canada by that of Mr. Felton, with whom the respective Governors (alone) are supposed to consult and determine on all applications for land. The Canada Land Company monopoly too, necessarily, renders applications for grants to the government less frequent. It appears to Your Committee that the Executive Council is a nondescript with which it is folly further to contend.

There have been three classes of persons examined before Your Committee—the first, of whom the Venerable Dr. Strachan is one, are of opinion that the Government is well enough as it is, and that as to responsibility it is as responsible as other Governments.

The second class desire a responsible Ministry—some heads of departments well paid, to

\* See evidence of Executive Councillors, letter of Lieutenant Governor Colborne, and other documents annexed.

† See his letter on that subject, annexed to the evidence of the Rev. Dr. O'Grady.

direct the government, to prepare bills and most of the business of the session, and to hold office or lose it according as they may happen to be in the minority or majority in the House of Assembly. This system was never attempted in any of the old colonies, but Your Committee have asked many questions with a view of ascertaining what is the public opinion concerning its practicability here; and it appears that Mr. Mackenzie, in his letters to Lord Goderich, expressed a belief that with some modifications it might be productive of a greater share of good government and public prosperity than is at present enjoyed by the people.

A third class contend for elective institutions,\* and affirm that while Governors come from without, and Judges are commissioned from without, favoritism towards their connexions will prevail to an extent that would destroy the influence of any set of "Ministers," constituted upon the principle desired by the second class; that the influence of Downing Street will continue to prevail as hitherto; and that the favourites of the Secretary of State will, as at present, be placed in important offices to the exclusion of better qualified men.

The facts connected with the cases of Mr. Jameson, Mr. Boulton, and Mr. Hagerman; the dismissal of the Crown Lawyers by one Colonial Minister, and the unexplained re-appointment of one of them to his former office, and of the other to the highest judicial situation in Newfoundland, a short time after, by another; the assertion by Colonel Rowan, to Mr. Boulton,\* on the authority of the Lieutenant Governor, that the cause of his and his colleague's summary dismissal, was the part they had taken in the House of Assembly to promote the repeated expulsions of Mr. Mackenzie, after they were (it was presumed) made acquainted with the opinion of the Home Government on that course of proceeding; and the prompt and ready refusal of His Excellency to inform the House, in answer to its Address, of the reasons which had induced the Colonial Department to pursue the course it did in these matters, (although even Sir Peregrine Maitland has admitted in his despatches to Mr. Stanley on the Falls Outrage, that it had become the usage in the colonies, unreservedly to submit such correspondence to the Colonial Assemblies,)—these circumstances clearly prove that there is no responsibility to public opinion in Upper Canada, and it may be inferred from His Excellency's reply that he has instructions from England to withhold from the

Legislature the official correspondence of the Colonial Department concerning their affairs.

The cause of the removal of the Crown Officers can only be learnt by Your Committee from the Despatch of Lord Goderich,\* who expressly says it was done because they opposed the avowed policy of His Majesty's Government; the truth of which charge is abundantly notorious; nor does His Lordship seem at all to notice the personal indignity they had offered to himself even as a Minister of the crown. It is difficult to imagine on what ground His Excellency Sir John Colborne qualified the language of the Colonial Minister, and limited it to the case of Mr. Mackenzie's expulsion, unless it was to furnish the excuse which Mr. Boulton is known to have offered, that the views of His Majesty's Government had never been communicated to him as they had been to Mr. Solicitor General.† But although His Excellency has given this limited view without any known authority, yet we have heard Mr. Solicitor General publicly declare that his removal had not the remotest connexion with Mr. Mackenzie's expulsions and pretended disqualification by the late Provincial Parliament. The declaration therefore of His Excellency on the one hand, and of Mr. Solicitor General Hagerman on the other, are in direct contradiction; and His Majesty's government at Home can alone tell where the truth lies. It appears probable they were dismissed for opposing the views of His Majesty's Government, not only in the expulsions of Mr. Mackenzie but also from their treatment of Lord Goderich and of His Despatch, embracing a variety of matters of general interest and policy, and that they have since been restored upon irreconcilable representations and excuses the nature of which this system of concealment prevents our ascertaining.

The unexplained reappointment to office of the Crown Officers, Messrs. Boulton and Hagerman, men whose conduct and character were always particularly obnoxious to the people, created great dissatisfaction and distrust in the colony.

If reference be had to the British Constitution, as settled during the reign of King William the Third, it will be found that there are securities provided in it against Kingly or rather aristocratic encroachments. On that occasion the system of Government in England was remodeled, and the "Annual Assembly" of Parliament was rendered necessary in the "first place by the strict appropriation of the "revenue according to votes of supply. It was "secured next by passing the Mutiny bill, un-

\* "I really do believe (observes Mr. Labouchere) that where society is constituted as in Canada, any attempt on the part of the government to appoint the Legislative Council is the merest delusion. I have ever been of opinion that the only way by which you can give to that body the weight and responsibility which they ought to possess is by introducing the principle of Election."

† See copy of his letter in Appendix.

\* See Appendix, paper numbered 88.

† Vide letter in appendix paper 88.

“der which the Army is held together, and sub-  
 “jected to Military discipline for a short term,  
 “seldom or never exceeding 12 months. These  
 “are the two effectual securities against milita-  
 “ry power; that no money can be issued to the  
 “troops without a previous authorization by the  
 “Commons in a committee of supply, and by  
 “both Houses in an act of appropriation; and  
 “that no officer or soldier can be punished for  
 “disobedience, nor any court martial held,  
 “without the annual re-enactment of the Mutiny  
 “bill; thus it is strictly true that if the King were  
 “not to summon Parliament every year his  
 “army would cease to have a legal existence,  
 “and the refusal of either house to concur in  
 “the Mutiny bill would at once wrest the  
 “sword out of his grasp. By the bill of rights, it  
 “is declared unlawful to keep any forces in  
 “time of peace without consent of Parliament.  
 “This consent, by an invariable and wholesome  
 “usage, is given only from year to year; and  
 “its necessity may be considered perhaps the  
 “most powerful of those causes which have  
 “transferred so much even of the Executive  
 “power into the management of the two Houses  
 “of Parliament.”

No such system of checks and balances to protect from Executive usurpation of popular rights can be found in Upper Canada.

The class of persons who are in favor of elective institutions contend, that they were found to work well in the old North American colonies while in a colonial state—that the people of Upper Canada are entitled to the enjoyment of institutions equally free with those enjoyed by the old colonists during the time they were colonial, and under British protection—that few politicians are now found contending that these continental colonies, capable of containing a large population, will for a long series of years be required to submit to the inconveniences resulting from perpetual interference by the Home Government in their internal concerns—that in the House of Assembly many useful bills are proposed and carried for many successive sessions which are continually thrown out in the Legislative Council, of which the return moved for in the House of Commons by Mr. Hume and appended hereto gives particulars up to the year 1832—that it is the wisdom of the aristocracy to try to make the people fearful of themselves, by raising idle cries about loyalty, republicanism, jacobinism, and revolution—that birth, office, or peculiar privileges ought not to give to a few superiority over the many—that the legislative council neglect and despise the wishes of the country on many important matters which a council elected by the freeholders would not

—that the people, if united in claiming their privileges to constitute the second branch of the legislature, would obtain it, and that it is weakness and wavering among their representatives which alone can make them timid as to claiming the enlargement of their liberties—that the prejudices of early education, borrowed from books written by or under the authority of pensioners and salaried lawyers who have with one voice endeavoured to lull the people into the very erroneous belief that the union of church and state and the wisdom of former ages in devising great privileges for the peerage are the causes of the greatness of England, while in truth it is owing to what she has saved of popular institutions—that elective institutions are the only safeguards to prevent the Canadas from forming disadvantageous comparisons between the condition of the colonists and the adjoining country—and that the crown of England, by its ministers, exercised no patronage in Connecticut and Rhode Island; none in the other New England States, save the appointment of a Governor; none in the proprietary governments; and that hence there is no disloyalty in freely and calmly discussing which of these modes of government that have been granted to British subjects and countries will best suit Canada.

When Sir John Colborne assumed the government of this province, in his reply to the address of the legislative council in answer to his speech at the opening of the session, he expressed to them his opinion of the deficiency of independence in that loyal body. His Excellency's communications with the Colonial Department convey the same sentiment.

The following is an extract of a despatch from His Excellency Sir John Colborne to Secretary Sir George Murray, dated York, Upper Canada, 16th February, 1829.

“With respect to the constitution of the executive and legislative councils, on which subject you require information, it is evident, that whatever persons may be appointed members of the executive council, there will be a considerable degree of jealousy existing in this limited community of their influence and authority; they must necessarily reside at York, and will seldom be able to accept the charge without holding other offices under the crown. On many accounts it is very desirable that the Chief Justice should retain his seat in the executive council; but there can be no doubt that occasionally he must, as a judge, be led too deeply into the political affairs of the colony.

“Composed as the legislative council is at present, the province has a right to complain of the great influence of the executive government in it. The legislative council consists of seventeen members, exclusive of the Bishop of Quebec; of those, from accidental causes, not more than fifteen ever attend to their legislative duties. Thus, out of the number generally present, six are of the executive council, and four hold offices under the government; I have therefore intimated my intention of recommending to His Majesty's government to increase the legislative council.

“It is exceedingly difficult to find persons qualified for it; but if about eight or ten more can be selected from different parts of the province, and the majority be considered

\* Vide Hallam's Constitutional History of England, volume 3rd page 203.

“ independent, there can be no good reason assigned for excluding the executive council.”

In the return to the house of commons from which the above extract was taken, it is noted that “ Since the date of the despatch, the Right Reverend Dr. Macdonell, Roman catholic bishop, and John Elmsley, Esquire, two additional members, have been added to the “ legislative council.” Of these the first named has a pension or allowance during the pleasure of the colonial department, and the last left the executive council, declaring that an independent minded man could not be there.

The dependence of the legislative council is strikingly manifested by the facts stated in the evidence of the Honorable Colonel Clark, and the Honorable William Dickson, members of that body, before a select committee of the house of assembly during a late parliament.\* It appears that several legislative councillors had objected to a measure strongly urged by the executive, and its failure was inevitable. To ensure its passing, coercive means were adopted, and those members who were dependent on the government were told either to vote directly contrary to the opinions they had thus publicly expressed, or be dismissed from their offices. After this disgraceful attempt to coerce men to disingenuous and inconsistent conduct, those unacquainted with the threats which had been used were astonished at the sudden, unexpected, and unexplained change in the conduct of several members; and when this surprise was expressed to the late Honorable James Baby, (who was also an executive councillor, and the senior member) he shed tears at his humiliation, and only exclaimed “ my children!” “ my children!” and the late Honorable Chief Justice Powell replied to a similar enquiry of surprise, “ I have received a new light within the last ten minutes.”

It also appears that the last named gentleman was on another occasion obliged to have a protest he had entered on the journals erased, and the erasure can be seen. The protest of Chief Justice Powell was against a school bill, passed the House of Assembly, then uninformed of its bearing, under the ambiguous phraseology of which it was intended to give Dr. Strachan £300 a year. The bill passed, and Dr. Strachan for many years received this sinecure salary, till it was done away with on the address of the House of Assembly.

We have already adverted to the circumstance of the Chief Justice being introduced into the Legislative Council, of which he is Speaker; and altho' the House of Assembly have repeatedly pointed out to His Majesty's

Government, the inexpediency, in a limited community like this, of blending the judicial and political duties together, yet the same injurious system is continued. Its impropriety has been lately manifested by the result of a pecuniary negotiation likely seriously to impair the independence of the judiciary and increase the distrust of the people.

The House of Assembly voted £200 a year to the Speaker of the Legislative Council, being the same as is allowed the Speaker of the Assembly, whose duties, as we have already stated, are far more arduous and laborious—but since the acts making the judges independent and providing for them, even undue salaries, a negotiation has been carried on which has ended in giving a further £200 a year out of the Casual and Territorial Revenue to the Chief Justice of the King's Bench.

As long as these pecuniary inducements and bonuses can be held out to those occupying the judiciary we cannot consider it practically in a better or safer condition than it used to be: and Your Committee would suggest the propriety of addressing His Majesty's Government on the subject of thus exercising undue influence on the judiciary or even countenancing negotiations derogatory from its presumed independence and purity, which ought to be above suspicion. This additional salary ought to be disallowed.

It appears therefore that the Legislative Council, as at present constituted, has utterly failed, and never can be made to answer the ends for which it was created; and the restoration of legislative harmony and good government requires its re-construction on the elective principle.

The opinions of Mr. Fox, Mr. Stanley, Earl Grey, Lord Erskine, Mr. Ellice, Mr. Hume, Sir James Mackintosh, Mr. O'Connell, Mr. Warburton, and many other eminent British Statesmen, have been expressed in favour of elective institutions as the most suitable for the Canadas; and it appears to Your Committee that Mr. Stanley correctly describes the Legislative Council as being “ at the root of all the evils complained of in both Provinces.”

The affairs of this country have been ever against the spirit of the constitutional act, subjected in the most injurious manner to the interferences and interdictions of a succession of Colonial ministers in England who have never visited the country, and can never possibly become acquainted with the state of parties, or the conduct of public functionaries, except through official channels in the province which are illy calculated to convey the information necessary to disclose official delinquencies and correct public abuses. A painful experience has proved

\* See Appendix to Journals House of Assembly, of Session of 1825, on Assessment Laws.

how impracticable it is for such a succession of strangers beneficially to direct and control the affairs of the people 4000 miles off; and being an impracticable system, felt to be intolerable by those for whose good it was professedly intended, it ought to be abolished, and the domestic institutions of the province so improved and administered by the local authorities as to render the people happy and contented.

Such appears to have been the constitutional liberty conferred upon us by the 31st Geo. 3rd ch. 31, by which the British legislature enables us to preserve "the peace, welfare, and good government of the province," reserving to His Majesty, as the head of the empire, the power of disallowing any colonial act incompatible with national treaties, with the rights of any other colonies, or with the commercial or general interests of the empire. Such a system of government, securing to the people inestimable blessings, would rather durably enlarge than impair the commercial relations with the parent state, in exchange for which we receive protection; and could in no wise prejudicially affect any benefits now yielded to her, except the loss, if loss it can be called, of that patronage the partial and impolitic distribution of which has ever proved unsatisfactory and injurious to the colony.

It appears to your Committee that it is more important than legislation, rendered fruitless as it is by the Legislative Council, to adopt such measures as are likely to ensure such an alteration in the system of our public affairs as seems indispensable for the peace, welfare, and good government of this important part of His Majesty's dominions. The history of all colonies shew that there has been too much inattention in the British government in the selection of Governors, it being considered a matter merely of patronage with the colonial minister, in Downing Street. Men, from the too long possession of lucrative power, whatever at first might be their relative stations soon acquire a community of interests, and thus identified in the purpose of sustaining each other in office, they have in this province made common cause against that redress of our grievances, and that conciliation of the public mind, and that economy of the public wealth, which are equally dictated by justice and wisdom.

Although the members of the Executive Council seem from their own account to render no benefit to the country, receiving however a salary from it, yet a very different duty is imposed upon them by the 31st Geo. 3rd, chap. 31, called the constitutional act, from which it appears they are appointed expressly to advise His Excellency upon the affairs of the Province. This they have never done satisfactorily. As far back as the first Session of the 10th Provincial Parliament, the House of Assembly expres-

sed their dissatisfaction to His Excellency Sir John Colborne, in the most constitutional mode of doing so, at the opening of the Session of the Legislature; and in the following year the same sentiments were again frankly conveyed to His Excellency in the answer to His Speech from the Throne, by a solemn declaration that the Executive had long and deservedly lost the confidence of the country. In the hope of their just and constitutional wishes being attended to, the people patiently waited for relief, but the relaxation of their vigilance, which some remaining confidence in His Excellency unhappily produced, has only served to bring disappointment, and to afford a farther opportunity for the accumulation of the abuses which pervade all our institutions.

The growing condition of this part of the Empire, in population, wealth and commerce, requires there should be an entire confidence between the Executive and the Commons House of Assembly; and this confidence cannot exist while those who have long and deservedly lost the esteem of the country are continued in the public offices and councils. Under such a state of things, distrust is unavoidable, however much it is to be deplored as incompatible with the satisfactory discharge of the public business.

When, in the year 1831, His Majesty was graciously pleased to suggest a further provision for the civil list, which the Colonial Minister required to be made either for seven years or for the life of His Majesty, the terms of the proposition were not candidly submitted to the Assembly, and notwithstanding the strenuous exertions of those who desired to make no provision at variance with the spirit of our constitution, the executive influence in the Assembly succeeded in carrying a measure for a permanent and extravagant supply, popularly called "the everlasting Salary Bill," while the liberal and gracious terms proposed by His Majesty on the subject were concealed and known only to those who feeling themselves to be above responsibility consummated a measure which has spread universal dissatisfaction and distrust. If this undue and impolitic concealment was practised from any pretended apprehension that a just provision would not be made for His Majesty's Government by His Faithful Commons, there is nothing in the history of the country to justify it, and as it encroached upon the constitutional privileges of the Legislature, there is no language of censure too strong against it.

It is not this act alone of which we complain, though it may serve to illustrate our condition, but the whole system has so long continued virtually in the same hands, that it is little better than a family compact. Abuses have grown up so as to be interwoven with every thing; and

these abuses are concealed, or palliated, excused and sustained by those who are interested to uphold them as the means of retaining office for their private, and not for the public, good.

Hence it happens that the most gracious intentions emanating from His Majesty's government at home are frustrated by an interested opposition in the colony; an opposition which seldom reaches the knowledge of His Majesty, or His Majesty's Ministers in England, although felt most injuriously by the people. It did indeed lately come to His Majesty's knowledge from the unprecedented conduct of the whole executive and official departments towards His Majesty, when they received, during the late Parliament, the plainest and kindest manifestations of His Majesty's justice and liberality, conveyed in the most gracious manner through the Despatch of Lord Viscount Goderich, now Earl of Ripon; which illustrious statesman His Majesty had wisely placed at the head of Colonial affairs. This highly important document, connected with Mr. Mackenzie's negotiations in England, containing His Majesty's pleasure upon many important subjects, and making many valuable concessions to the wants and wishes of the people, was publicly treated in our Provincial Parliament, by men in office, with an indignity as ungrateful as it was unbecoming, and they even attempted by their votes, happily outnumbered, to suppress the despatch by returning it to His Excellency who was directed by the Earl of Ripon to make it public. On the 24th day of January, 1833, in the House of Assembly, it was moved in amendment to a motion for printing the despatch and documents, (in accordance with the wishes and instructions of the noble Earl,) that it be

"Resolved, that it is expedient to address His Excellency the Lieutenant Governor, thanking him for His Message of Saturday last, and assuring him that this House is duly sensible of His Excellency's anxiety to communicate whatever information he may consider important to the welfare of the Province, and informing His Excellency, that this House, for the reasons set forth in the foregoing resolutions, is unwilling to place on its Journals the documents sent down by His Excellency; and requesting him to allow this House TO RETURN THE DESPATCH OF LORD GODERICH, and the accompanying documents to His Excellency."

The House divided on this amendment, and the Yeas and Nays were taken as follows:

## YEAS.

Att'y Gen. (Boulton)	A. Fraser,	Shade,
Berczy,	D. Macdonald,	Solicitor General,
Brown,	McMartin,	(Hagerman,)
Burwell,	McNeilledge,	Thomson,
Crooks,	Morris,	John Willson,
Elliott,	Robinson,	William Wilson—17.

## NAYS.

Bidwell,	Howard,	Perry,
Buell,	Jarvis,	Randal,
Campbell,	Ketchum,	Roblin,
Chisholm,	Lewis,	Samson,

Clark,  
Cook,  
Duncombe,  
Hornor,

Lyon,  
A. Macdonald,  
Norton,

Shaver,  
Vankoughnet,  
White—22.

From this it appears, that the two Crown officers, and other public officers, were in a minority of five in an attempt to send THE DESPATCH of Lord Goderich back to his Excellency. The same conduct was pursued by them upon all the divisions upon that question, as will be seen by a reference to the Journals of that date.

The Crown Lawyers and other officers had directed their objections both against the despatch and the documents which accompanied it; nor was Lord Goderich personally spared. All the members of the present Executive Council joined in an unanimous vote in a similar expression of censure against this communication of His Majesty's pleasure. Nevertheless they still continue in the service of His Majesty over his Canadian people, who have on various occasions utterly renounced and disclaimed these indecorous and impolitic proceedings. Thus was exhibited in the Provincial Legislature the political phenomenon of men repelling in an insulting manner the gracious concessions of their Sovereign and presumptuously interposing between him and his people as an insurmountable barrier to his royal benefactions.

On another occasion, the same disregard of the views of His Majesty's Government was openly practised by the repeated expulsions of one of the members for the County of York; and altho' the latter expulsions were effected against the case of Mr. Wilkes in the British House of Commons, against the well established law of the land, and against the well known judgment of His Majesty's Government, officially communicated by a Despatch to His Excellency, and by His Excellency communicated to Mr. Solicitor General Hagerman; yet in this open and unconstitutional invasion were found the Law Officers and various persons favoured with His Majesty's confidence, by holding offices of honor and trust during pleasure. And on a late occasion when the present Parliament voted the above proceedings, by a vote of 28 to 7, to be expunged from the Journals as subversive of the liberties of the whole body of the electors of the Province, Mr. Hagerman was found, with others, in the minority against their obliteration, altho' the only retribution that could be made to the injured constituency of the country. We, by all means, concede the undoubted right of the members of both branches of the Legislature to vote independently as they please, but we deny the expediency of allowing the justice and executive duties of His Majesty to flow through such unworthy channels, and thereby weaken the confidence of the people in the sincerity of His Majesty's Government.

His Majesty's Government, after much consideration, procured the passing of a law in Lower Canada, for the purpose of raising a fund for the relief of destitute emigrants; after which, all the Executive functionaries in this Province were active in getting up addresses at public meetings against the measure as impolitic and unconstitutional. And while His Majesty was anxious to preserve harmony between Upper and Lower Canada, the same public characters agitated questions and measures, (such as the annexation of Montreal to Upper Canada,) which threatened the dismemberment of the sister Province against her consent, and to engender between the two Colonies ruinous animosities.

This is a state of things which, the British nation, it is presumed, cannot desire to perpetuate against us. After the right was conceded to the present United States, at the close of the Revolution, to form a constitution for themselves, the loyalists took refuge in this Province; and, by an act passed in 31st year of Geo. 3. they received the charter of their liberties, conferring upon them a constitution for their peace, welfare, and good government. His Excellency, Governor Simcoe, was entrusted with the duty of putting it into operation, and in the first speech delivered by him from the throne, he made the following memorable declaration:—"I have summoned you together under the authority of an Act of the Parliament of Great Britain, passed last year, which has established the British Constitution, and all the forms which secure and maintain it, in this distant colony." And upon closing the same session he said "I particularly recommend to you to explain that this Province is singularly blest, not with a mutilated constitution; but with a constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain."

It is reasonable for the people to desire to see

these declarations from the throne, recorded on our Journals, faithfully observed by those in the confidence of His Majesty, and that these institutions may be made such as will secure to them their civil and religious liberties to their just extent. This country is now principally inhabited by loyalists and their descendants, and by an accession of population from the mother country, where is now enjoyed the principles of a free and responsible government; and we feel the practical enjoyment of the same system in this part of the empire to be equally our right; without which it is in vain to assume that we do or can possess in reality or in effect "the very image and transcript of the British Constitution."

The House of Assembly has, at all times, made satisfactory provision for the civil government, out of the revenues raised from the people by taxation, and while there is cherished an unimpaired and continued disposition to do so, it is a reasonable request that His Majesty's adviser in the province and those about him should possess and be entitled to the confidence of the people and their representatives, and that all their reasonable wishes respecting their domestic institutions and affairs should be attended to and complied with.

Your Committee would respectfully recommend that, besides the usual number for the Journals, a large edition of this report, with the evidence and other appended documents, should be printed in a portable form, as early as possible, and distributed among the members of the House, for general circulation throughout the colony.— And, as the affairs of the Canadas will probably occupy a large share of the attention of the Imperial Parliament during its present session, it might perhaps be advisable to transmit to London a certain number of copies for distribution among those members of the Legislature who take an active interest in Canadian affairs.

W. L. MACKENZIE,  
CHAIRMAN.  
T. D. MORRISON,  
DAVID GIBSON,  
CHARLES WATERS.

Committee Room, House of Assembly, }  
10th April 1835. }

ORDERS

*Of the House relative to the foregoing Report and other Documents to be printed in this form.*

“Ordered—That, besides the usual copies for the Journal, two thousand copies of the Report on Grievances this day presented to the House, together with the Evidence, and the Report and Evidence in the case of William Forsyth, with the address and answer, be printed in pamphlet form for the use of Members and that the Clerk be directed to address them to the Members, with the Bills on Trade, &c. formerly ordered to be printed during the recess.”

Truly extracted from the Journals of the Assembly of Upper Canada, of the 10th April, 1835.

JAMES FITZGIBBON,  
*Clerk of Assembly.*

Mr. MACKENZIE, seconded by Mr. YAGER, moves that the Clerk be directed to prepare at the close of the present Session, lists of the titles of all Bills, which having originated in this House during the last or present Sessions of the Legislature, were rejected or declined to be acted upon by the Legislative Council; or which, having been so sent up were altered by the Legislative Council so as to cause their subsequent rejection in this House; or which having originated in, and been passed by the Legislative Council, were afterwards rejected by this House; stating also the titles of any Bills which being passed in the Legislative Council and Assembly, are refused the Royal assent or reserved for the consideration of His Majesty; and that such lists of titles be annexed to and printed with the last Report of the Committee on Grievances, as ordered by the House to be printed in pamphlet form, as also the Leeds Ballot Bill, with the votes at its passage; the Bill to amend King's College Charter, with the votes; and the General Education Bill from the Select Committee on Education, with the votes.

Mr. ROBINSON, seconded by Mr. MORRIS, moves in amendment, that all after the word “moves” in the original motion, be expunged, and the following be inserted:

“That the order for printing two thousand copies of the last Report on Grievances be rescinded, and that the said Report be not entered on the Journals of this House.”

On the question of amendment:

YEAS

Caldwell,	McLean,	Robinson,
Cornwall,	Macnab,	Rykert,
McCrae,	Malloch,	Solicitor General,
McDonell of Glen-	Merritt,	Taylor,
garry,	Morris,	Walsh,
McDonell of North-	Richardson,	Wilkinson—17.
umberland,		

NAYS

Alway,	McIntosh,	Shibley,
Bruce,	Mackenzie,	Thorburn,
Chisholm,	McMicking,	Waters,
Cook,	Moore,	Wells,
Duncombe, Chas.	Morrison,	Wilson,
Durand,	Perry,	Woolverton,
Gibson,	Roblin,	Yager—25.
Gilchrist,	Rymal,	17
Hopkins,	Shaver,	—
		8

Question lost, majority eight.

In amendment to the original question, Mr. Morris, seconded by Mr. Roblin, moves that the following be added to the original motion, “and that the private letters from Bishop McDonell to the Rev. W. J. O’Grady, appended to the report of the Grievance Committee, be expunged and not printed by this House, nor entered on the Journals.”

YEAS.

Caldwell,	Macnab,	Roblin,
Cornwall,	Malloch,	Rykert,
McCrae,	Merritt,	Solicitor General,
McDonell of Glen-	Morris,	Taylor,
garry,	Richardson,	Walsh,
McDonell of North-	Robinson,	Wilkinson—17.
umberland.		

NAYS.

Alway,	McIntosh,	Smith,
Bruce,	Mackenzie,	Thorburn,
Chisholm,	McMicking,	Waters,
Cook,	Moore,	Wells,
Duncombe, Chas.	Morrison,	Wilson,
Durand,	Perry,	Woolverton,
Gibson,	Rymal,	Yager—25
Gilchrist,	Shaver,	17
Hopkins,	Shibley,	—
		8

Question lost—majority, 8.

On the original question:

YEAS.

Alway,	McIntosh,	Shaver,
Bruce,	Mackenzie,*	Shibley,
Chisholm,	McMicking,	Smith,
Cook,	Malloch,	Thorburn,
Duncombe, Chas.	Moore,	Waters,
Durand,	Morris,	Wells,
Gibson,	Morrison,	Wilson,
Gilchrist,	Perry,	Woolverton,
Hopkins,	Roblin,	Yager—29.
McCrae,	Rymal,	

NAYS.

Caldwell,	Macnab,	Solicitor General,
Cornwall,	Merritt,	Taylor,
McDonell of Glen-	Richardson,	Walsh,
garry,	Robinson,	Wilkinson—13.
McDonell of North-	Rykert,	
umberland.		

Original question carried by a majority of sixteen.

Truly extracted from the Journals of the Assembly of Upper Canada, of the 14th April, 1835.

(Signed) JAMES FITZGIBBON,  
*Clerk of Assembly.*

## APPENDIX

## TO 7th REPORT ON GRIEVANCES.

## MINUTES OF EVIDENCE

TAKEN BEFORE THE

## Select Committee on Grievances,

To whom was referred Lord Goderich's Despatch of the  
8th November, 1832.

THURSDAY, FEBRUARY 5th, 1835.

WILLIAM LYON MACKENZIE, Esquire,

In the Chair.

LIEUTENANT COLONEL WILLIAM ROWAN, *Secretary*  
to the Lieutenant Governor, called in and examined.

1. Whose business is it to make out this return? [The return of the names and the offices held by members of the Legislative Council and Assembly of Upper Canada shewn to witness.]—It was made out under my superintendence.

2. The first name of a member holding office is that of Mr. Boulton, then Attorney General,—Why are his salary and allowances set down at £300, when it was well known they amounted to four times that sum?—I would rather not answer that question, without seeing the original returns from the different officers. *Additional Remark.*—I now find that no further provision was made by the Legislature for the Attorney General until the 13th February, 1833.

3. If a member of the House of Assembly, holding office, makes an incorrect return to the Government, does the Government office correct the error?—Certainly, if known to be incorrect. The case of Mr. Boulton was an error and discovered after the returns were printed.

4. Can you inform the Committee why these returns were so long delayed?—I cannot tell why, except that it took a very considerable time to collect the returns from the different officers. They were transmitted on the 28th March, 1833.

5. Have Mr. Boulton and his children never received more than one acre of land in Upper and Lower Canada?—I cannot say, except by referring to his own return.

6. Did not Mr. Burwell hold the office of Deputy Post Master at Port Talbot in 1832-3?—I cannot say. I believe he did.

7. Mr. Richard D. Fraser's emoluments as collector of customs at Johnstown and Brockville are set down at £152 6s. 6d.—Do you know on what data that return is made out?—On his own return, I believe. No collector can receive more than £100 a year per centage.

8. Was not the office of Custom House Officer conferred on Mr. Van Koughnet, while he yet remained a member of the Assembly, and continued to sit and vote therein?—It was—he was appointed in October, 1832.

9. Lord Goderich refers to the annual returns of the official establishment of the Colony, as a proof of the smallness of the incomes of the public officers and the impossibility that it should interfere with the freedom of elections—can you produce these returns to the committee?—I cannot produce any returns without permission of the Executive Government. I do not think there is any wish to withhold them.

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10. Are not the late elections in the city of Toronto, and the efforts made by Mr. Sheriff Jarvis, a high salaried officer, a proof of the justness of the complaint alluded to in Lord Goderich's despatch "that public officers are enabled, by their superior influence to overpower, by a lavish and corrupt expenditure, those who have no other recommendation than their own personal characters?"—I am not prepared to say.

11. Does the Governor alone, or the Governor in Council, appoint the Collectors of Customs, and Excise Officers of the Colony?—The Lieutenant Governor alone appoints these officers, generally upon the approval of the Inspector General.

12. Did Mr. R. D. Fraser petition or apply for the Office of Collector of Customs, or on what grounds was it given him?—I cannot say; he was appointed long before I came to the province.

13. Was not Mr. Fraser a member of the Assembly for a county when he received the appointment of Collector of the Customs?—I do not know.

14. Is it no part of the instructions of the Government to the collectors of customs that they shall personally attend to the performance of their duties?—I am not aware of what instructions are given; they receive their instructions from the Inspector General.

15. It is stated that Mr. Hagerman performs the duty of Solicitor General in person,—he was absent a year in England, was his salary and income the same as if he had been here, and who performed his duties?—Mr. Hagerman was on leave of absence—it is not usual to suspend or discontinue the salary of a public officer under such circumstances. Mr. Draper performed the duties of the office.

16. Mr. Sheriff Jarvis returns £100 salary as part of his emoluments—is that income still continued?—No, he has received no salary since the House ceased to provide the funds. In the case of Mr. Cameron, the salary is continued by a recent order of the Secretary of State.

17. Mr. William Chisholm is put down in this return as holding the office of Deputy Post Master; has he not lately been appointed Collector of Customs at a place distant from his post office?—He has lately been appointed Collector of Customs at Oakville.

18. Is he not a merchant trading at that place, and importing goods?—I do not know that he is a merchant.

19. Is it fit that a merchant should be his own Collector of Customs?—I am not prepared to give an opinion on that subject.

20. When appointed Collector, was not Mr. Chisholm a known candidate for the office of member of the Provincial Parliament in conjunction with his Post Office?—I cannot say.

21. In what manner are Justices of the Peace appointed?—By his Excellency alone, and not with the advice of the Executive Council. I am not aware whether he takes the advice of the Executive Council upon that subject.

22. Why is it that petitions of the inhabitants for the appointment of Justices of the Peace, are often unanswered and neglected?—I cannot say.

23. What mode is adopted for the selection of Returning Officers for counties and towns?—I cannot say.

24. As Civil Secretary to the Lieutenant Governor, do you take an oath of office?—No.

25. As such have you a Commission, or in what way are

you recognized as a public officer, except by the charge transmitted for salary?—I am considered merely as a private confidential Secretary to the Lieutenant Governor, I hold no commission as such, at the same time all communications pass through me. The appointment is notified in the Gazette.

26. Under what authority are your duties regulated?—By the order of the Lieutenant Governor.

27. When was the office of Civil and Private Secretary established?—I do not know.

28. Are all the despatches of the Home Government duly enregistered in your office when received?—They are not registered in any way—they are all kept either in the office or in the Lieutenant Governor's possession.

29. Were there not other Despatches following those of the 8th November, 1832, recommending certain changes in the Executive Council?—I am not prepared to say, I only see such despatches as His Excellency thinks fit.

30. Is all the correspondence of the Secretary for the Colonies, with the Lieutenant Governor, submitted to the Executive Council or only such parts of it as he may think proper?—Only such parts of it as he may think necessary.

31. How would you act if required to give evidence before the House of Assembly, or to depose in any of the inferior Courts respecting Despatches which you had seen?—From the confidential situation I hold, I should not feel warranted in giving any information relative to Despatches or parts of Despatches passing through my hands.

32. The House of Assembly addressed the Lieutenant Governor for full and detailed accounts of the Casual and Territorial, Canada Company's Revenue, &c. for the years 1826, 1827, 1828, 1829, and 1830, after Sir P. Maitland sent an account, and were told by His Excellency that if he got permission from the Home Government he would furnish the accounts. Permission of the fullest nature has been long given, yet the accounts are withheld—why is this?—I cannot possibly say why they have not been sent; I do not think there is any wish to refuse such information, when applied for in the usual manner.

33. The House of Commons twice addressed His Majesty for a statement in detail, shewing what payments had been made in 1831 and 1832, to Bishops, Rectors, Missionaries, or other religious teachers in Upper Canada, whether of the Churches of England, Rome, Scotland, or any other denomination. Why are these returns still kept back?—They were transmitted to England on the 19th September, 1833.

34. Have the returns required by the House of Commons respecting the clergy of the different denominations of christians for 1831 and 1832 been sent to England?—(See answer to last question.)

35. We see, in the Canada Company's returns, a pension entered of £400 Sterling as payable to Mr. Chewett of the Surveyor General's Office—a pension of £400 to Colonel Talbot—a pension or allowance of £500 to the Bishop of Regiopolis—a pension to Sir D. W. Smith in England of £200—a pension to the family of General Shaw of £100—a salary to an agent here for the service of paying these pensions and other sums. These payments are made from the public revenue of this colony. By whose authority are they so made?—No pension or allowance is paid by warrant without the authority of the Secretary of State for the Colonies.

36. Do you not consider the custom of pensioning the Judges to a large amount by order of the Colonial Office, out of the Upper Canada revenue, & without reference to the Provincial Legislature, destructive of the independence of the Bench in a great measure?—I am not prepared to answer that question.

37. Is not the appointment of Public Officers and Magis-

trates by an irresponsible Executive Government, destructive in a great degree of the power of the people in the constitution?—I am not prepared to answer that question.

38. How can a Bench of Judges, dependent on the Colonial Office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in cases where a collision may arise between the Legislative and Executive Departments in this Colony, or between the British Statutes and the Provincial Laws?—I cannot say.

39. What number of clerks and servants are employed in your office, and under what authority are they so employed, and their incomes regulated?—There are three regular clerks and two messengers, appointed by the Lieutenant Governor and provided for by the Legislature, and one extra clerk, on account of the increase of public business in my office.

40. Who made out the return to the Home Government of the Civil Expenditure for the year 1830?—I cannot say.

41. Where are public balances in the different departments deposited, and what may be the average amount deposited, paying no interest?—I have no means of answering that question—probably the public accountants could give the information.

42. Is the government in the habit of authorizing the sale of large blocks of land to individuals?—I am only aware of one instance in which authority was received from the Colonial Secretary.

43. In what office is the "BLUE BOOK" made up?—For the last two years it has been made up in the Office of the Secretary and Registrar of the Province, who is responsible for its correctness.

44. What are your emoluments and salary?—Salary £208 6s. 6d.—Fees for 1834 about £600 currency.

45. In the return made by His Excellency to England, Mr. D. McDonald is returned as Treasurer of the Ottawa District—Mr. Burnham a member of the Legislative Council, and Treasurer of the Newcastle District, is reported in His Excellency's return as having no office. Why is the fact as to Mr. Burnham not stated?—The return prepared for the House of Commons was made out from returns furnished by each member of the Legislative Council and House of Assembly—on reference to these returns it appears that Mr. McDonald stated that he was Treasurer of the Ottawa District. Mr. Burnham did not mention that he was Treasurer of the Newcastle District. The appointment does not rest with the Executive Government.

46. In the Blue Book for 1830, the salary of the civil or private Secretary is set down at £182 10s. and no other fees and emoluments. In the account sent to the Assembly for the same year, £347 of fees and emoluments are added to the £182 10s. Who compiled that book, or from what sources of information was it compiled—and can the above difference be explained?—The amount of fees of the private Secretary for one year can never be ascertained for some months after the expiration of the year, when the returns are collected from the different issuers of marriage licences throughout the Province; thus the returns sent to the House of Assembly at the commencement of 1831, could only contain an estimate of the amount to be received for 1830. In consequence of the sudden death of the Private Secretary in June 1831, while the Blue Book for 1830 was in preparation under his direction, the amount of his fees for that year could not be ascertained, but the amount for 1829 was inserted in the Book for that year.

47. In the Blue Book for 1830, the income of Thomas Kirkpatrick, Collector of Customs at Kingston, is set down at £282, and no more. In the account signed by Mr. Kirkpatrick himself, and sent to Lieutenant Governor Colborne to be

laid before the Assembly for that year,\* his income is set down at £506, stg.—Whence arises this difference? In the account transmitted by Mr. Kirkpatrick, Collector of Kingston, to the Government office in 1831, he stated the amount of his per centage, fees and portion of seizures for the year 1830, at £562 2s. 4d. the sum stated in the journals of the Assembly is £562 0s. 6d. The mistake can only be accounted for by an error of the Clerk in copying the figures.

48. The Blue Book, 1830, mentions £936 11s. 4d. as salary and fees of the Secretary and Registrar, Mr. Cameron—are not £258 12s. of additional fees omitted?—The amount of the Secretary and Registrar's contingent account for 1830, viz. £258 12s. was omitted in the Blue Book for that year, probably from its being considered that that sum did not properly come under the head of salary or emoluments. (See the note to the return in the Journals of Assembly, for 1831.)

49. Why is it omitted to be stated in the Blue Book for 1830, that Mr. Wm. Hands, in addition to the offices of District Judge, High Sheriff, Collector of Customs and Inspector of Tavern and Still Licenses, held the other offices of Treasurer of the Counties of Kent and Essex, Surrogate Judge, and Post Master of Sandwich?—Mr. Hands has not at any time been Judge of the Western District Court, but of the Surrogate Court, which it is presumed was inserted in the Blue Book for 1830. The offices of Treasurer and Post Master being appointments held under the District Magistrates and Post Master General and not notified to the Executive Government are not required to be returned by the Secretary of State.

50. Why were the Sheriffs of the Niagara, Western, and Bathurst Districts, allowed to charge fees on land sales, higher than those authorised by law? [We refer to Mr. Attorney General Boulton's Report, Assembly's Journals, 1831, page 144, printed copy.]—It is not in my power to answer that question.

51. Who compiled the return of the Civil Establishment for 1830, and from what sources was it compiled?—The Blue Book for 1830 was compiled by the Clerks in the Office under the direction of the late Secretary, from returns furnished by the different officers.

52. In the Blue Book, for 1830, Mr. Dunn, the Receiver General, is reported to the Home Government as being in the receipt of £200 and no more. His own return sent to the Assembly through your office for the same year, is upwards of £1000; why this difference?—It appears that in the year 1829, the amount deducted by the Receiver General for his per centage, was inserted in the Blue Book for that year, but in the book for 1830 the column under the head of fees was left blank. This accidental omission may have arisen, either from a second return not having been sent in by the Receiver General in 1831, or from a supposition that the Bill introduced into the House of Assembly in January, 1831, for commuting the per centage and increasing the salary of the Receiver General might make an alteration necessary in the form of the return of his income. It may be observed, with respect to this omission, that in the returns of 1829 and 1831, the income of the Receiver General is stated, and that about the period when the Blue Book for 1830 was transmitted a memorial was forwarded to the Lords of the Treasury by the Lieutenant Governor from Mr. Dunn, in which all the circumstances relative to the amount of his income and the loss of the per centage were stated.

[The witness withdrew.]

ELIAS MOORE, ESQ., M. P. P. FOR THE COUNTY OF MIDDLESEX, called in and examined.

53. Does not the inequality of the system of taxation of rateable property, cultivated and uncultivated, afford just

grounds of complaint on the part of the people?—I think it affords just grounds for complaint.

54. Are the unsold lands of the Canada Company subject to taxation or road dues?—I cannot say.

55. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads and bridges and in aid of inland navigation, given to the public lands their greatly increased value as compared with 1792?—Yes.

56. Ought not the revenue arising from these lands to have been applied to the liquidation of the war less claims, instead of increasing the public debt and duties on imports for that purpose?—Yes, that has always been my opinion.

\* 57. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of Christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and the Methodist ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—No, I think not.

58. Would not the British Constitutional system, by which the head of the Government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I think so.

59. Why have you formed this opinion?—Because under the present system the people have no means of checking misgovernment.

60. Was not the refusal of the Legislative Council of this Province to assent to the Assembly's bills, in several parliaments, for appointing commissioners to meet those appointed by Lower Canada to consider of matters of mutual importance to both provinces, a proof of the necessity of a change either in the composition or constitution of the Upper House?—It appears to me that it was.

61. The undue preferences and exclusive privileges granted to certain religious denominations are much complained of—Would it not tend to strengthen good government if they were altogether abolished?—I feel confident it would.

62. Would not it be desirable that the Clergy and Crown Reserves, and all reservations of land otherwise than for education, were disposed off or public purposes, under the control of the Legislature?—Yes, in my opinion.

63. Would it not be better that the sale and disposal of the public lands and other public property were in all cases regulated by law?—Yes, I believe it is the general wish of the County of Middlesex.

64. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Colony, and the proceeds applied only according to law?—That would be my wish.

65. Another subject of complaint by the people, is the continual stoppage of the bill for the more equal division of intestate estates—is the passage of that measure desired in your County?—Yes, it is.

66. Many complaints are made that the Judges and Clergymen of the Churches of England and Rome hold seats in the Legislative and Executive Councils—are not such seats incompatible with their spiritual and judicial functions?—I think so.

67. In what manner are justices of the peace appointed in

\* See Assembly's Journals, 1831.

your district?—They are appointed in a manner very unsatisfactory to the people; many of them are men in whom we can place no confidence.

68. Do you consider the Canada Company a benefit or an injury to the Province?—Are not the grants or sales of lands to this Company of speculators residing in Europe an improper transfer of the functions of the Government?—I have always thought the Canada Company one of the greatest curses ever entailed upon the Province.

69. A very large sum of money collected by direct taxation is annually entrusted to the Magistrates, they being irresponsible to the people, either directly or indirectly, would it not be more in accordance with the genius and spirit of the constitution if these monies were placed under the control of persons appointed by the qualified electors?—It certainly would.

70. What are your objections to an elective Legislative Council?—I am in favour of an elective Legislative Council, and I believe a majority of my constituents think as I do on that subject.

71. Did not Mr. Burwell hold the office of Deputy Post Master at Port Talbot in 1832-3?—I believe he has held the office ever since 1826.

72. Do you not consider the custom of pensioning the Judges to a large annual amount by orders from the Colonial Office out of the Upper Canada Revenue, and without reference to the Provincial Legislature, destructive of the independence of the Bench in a great measure?—I do.

73. Is not the appointment of public officers and magistrates by an irresponsible Executive Government destructive in a great degree of the power of the people in the constitution?—I think it is.

74. How can a Bench of Judges dependent on the Colonial office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in cases where a collision may arise between the Legislative and Executive Departments in this Colony, or between the British Statutes and the Provincial Laws?—It appears to me, that they could not act independently under such circumstances.

75. Ought not those persons who advise His Majesty in his appointment of fit persons to fill the Judicial Bench to be responsible to the country?—I think they should.

76. Are you of opinion that the Chief Justice or any of the Judges ought to sit in the Legislative Council?—May not the Judge be called on in his Legislative capacity to pass opinions and enact measures of severity against the individual whom afterwards he may be called upon to try, as a judge, in the Courts?—I think none of the Judges ought to have a seat in the Legislative Council.

77. Would not an active agent representing the wishes of the people of Upper Canada in London, be likely to be of great importance to the Commercial and Agricultural interests of the Colony?—I think he would, if we could get one.

78. Is there a hope that the Legislative Council and Assembly, as now constituted, would unite in the choice of such a person?—No—I do not think they would, as now constituted.

79. Are you of opinion that the misapplication of the public Revenue is one grand cause why hundreds of thousands of acres of wild lands had to be sold, of late years, by Sheriff's sale, for arrears of taxes?—It is my opinion that it is.

80. Does not a vast annual additional expense fall on the Province owing to the continual rejection of Bills of a general character sent up by the House of Assembly rejected in the

Legislative Council, and again introduced, debated and sent up by the House of Assembly?—It does.

81. Do you think that if the magistrates of each district had been responsible to the people, instead of the executive, that the monies collected from the sale of absentees' lands, would have been more advantageously expended?—I certainly think they would.

82. Do you think the local knowledge possessed by the Lieutenant Governors of this colony generally, sufficient to enable them to nominate independent men otherwise well qualified to the office of legislative councillors?—I think not.

83. The vote by ballot in elections is prayed for in many petitions both to the Assembly and to His Majesty. What is your opinion of this mode of voting?—I think it would be more congenial to the minds of my constituents.

84. Has any inconvenience resulted in your district from the selection of voting places at elections, and what places would you recommend for your county?—There is great inconvenience felt in the present mode of holding elections—I would recommend St. Thomas' and London as the best polling places—I think it would require four days polling at each, the county is so very large.

85. Do you think the Lieutenant Governors, of themselves, possess a sufficient knowledge of the inhabitants of the several districts to enable them to select judicious persons as Justices of the Peace?—I think not, judging from past experience.

(The Witness withdrew.)

JAMES WILSON, Esq. M. P. P. (FOR PRINCE EDWARD,) called in and examined.

86. Has any inconvenience resulted in your District from the selection of voting places at elections, and what places would you recommend for your County?—I think it would accommodate the people of the District of Prince Edward if the Elections in future were to be held at Hallowell and Demorestville, three days at each place.

87. Have the monies arising from the sale of wild lands for assessed taxes, or from payments on such assessments on these lands, been prudently expended by the Magistrates in your District?—I cannot speak particularly as to my own District, but in the Newcastle District the proceeds from wild lands sales have been illegally applied towards the erection at Amherst of a Court House and Gaol.

88. Do you think that the Lieutenant Governors of themselves, possess a sufficient knowledge of the inhabitants of the several Districts to enable them to select judicious persons as Justices of the Peace?—No, I do not. I think a system of favoritism prevails in regard to such appointments. I do not think His Excellency is acquainted with the character of those who are recommended to him. I think unfit men in several cases are appointed and very worthy men neglected.

89. Does not the inequality of the system of taxation of rateable property, cultivated or uncultivated, afford just grounds of complaint on the part of the people?—I think it does; the industry of the country is highly taxed, while the Canada Company Reserves escape taxation.

90. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for Roads, Bridges, and in aid of Inland Navigation, given to the public lands their greatly increased value as compared with 1792?—I have always thought that it was the industry of the people of this country that has given value to the waste lands of the Colony.

91. Ought not the revenue arising from these lands to have been applied to the liquidation of the War Loss claims, instead of increasing the public debt and duties on imports for that purpose?—I think they ought—I do not think the inhabitants of the country, who did not provoke the war with the United States, ought to have paid the war losses out of their hard labours.

92. Are the Lands granted to the U. E. Loyalists as the reward of their services, of which the first Governor of this Province makes honorable mention, free from taxes and road dues?—No.

93. Is not the natural depravity of the human disposition such, that every Government, unless its measures are subject to the controlling ordeal of public opinion, has a tendency to despotism?—I think it has.

94. Would not the British Constitutional system, by which the head of the Government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible form of Government?—I have not the smallest doubt of it.

95. Why have you formed this opinion?—I have long been of opinion that men have been appointed in this Province to give counsel to His Excellency who were not properly acquainted with the wants of the inhabitants of the country.

96. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders and other classes of christians, whose spiritual Teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—I never liked the plan of paying Clergymen money out of the public funds. I think it an erroneous plan altogether and a wanton expenditure of the public money.

97. The undue preferences and exclusive privileges granted to certain religious denominations, are much complained of—would it not tend to strengthen good government if they were altogether abolished?—I think it would—I also think that every good christian would support his own Clergyman.

98. What check would you propose on hasty, partial and injurious legislation in England, affecting the commerce and through it the general interests and prosperity in this Colony?—I think we should have an Agent in England near His Majesty's Ministers; and that, should measures be brought forward affecting our trade and interests, he would be enabled to remonstrate against whatever would operate to our disadvantage.

99. Do you believe that the Legislative Council, as at present constituted, would agree with the people in the appointment of such a person?—The Legislative Council generally have their eye on one class of persons, while frequently the House of Assembly have theirs on a different class. I frequently see a division in the House of Assembly on such subjects. One party being aristocratical in their views, while the other party are constitutional.

100. Would not it be desirable that the Clergy and Crown Reserves and all reservations of land, otherwise than for Education, were disposed of for public purposes under the controul of the Legislature?—If that plan had been adopted sooner it would have been of essential service both to England and Canada.

101. Ought not the whole public revenue to be paid in the gross into the Exchequer or Treasury of the Colony and the proceeds applied only according to law?—I think it the most proper way. The Legislature ought to husband well the revenues, and be accountable for the same to the people.

102. What check has the House of Assembly on the other branches of the Government as a means of preventing Executive usurpations of popular rights?—The only check they have is in the imposition of taxes.

103. Another subject of complaint by the people is the continual stoppage of the Bill for the more equal division of Intestate Estates; Is the passage of that measure desired in your county?—It is a measure greatly desired by most of the inhabitants.

104. It is a complaint by many, that the business of Banking in this Province is an injurious monopoly; what are your sentiments on this subject?—My opinion is, that it is an injurious system, unsuitable entirely to the wants of the people—it is beneficial to the few, but injurious both to the agricultural and commercial interests of the Colony.

105. Many complaints are made that the judges and clergymen of the Church of England and Rome hold seats in the Legislative and Executive Councils; are not such seats incompatible with their spiritual and judicial functions?—I think they are—and I think the clergy would be better employed attending to their clerical duties.

106. In what manner are appointments in the Militia made in your district?—There has been a good deal of complaint; those who served in the militia during the late war, also sons of U. E. Loyalists, and other old respectable settlers, complain that persons were placed over them who have no claim on account of their services.

107. What are your objections to an Elective Legislative Council?—If the present system cannot be improved, I would have no objection to its being elective—but if an amendment to the present system could be effected I would stand by the present constitution.

108. Do you consider the Canada Company a benefit or an injury to the Province? Are not the grants or sales of land to this company of speculators, residing in Europe, an improper transfer of the functions of the Government?—I have thought the Canada Company would be an advantage to the country by bringing in a number of respectable settlers, but some objections have arisen in my mind respecting the way they obtained their contract for the large tracts of land from the Government. That they have had it in their power to monopolize and raise the price of the lands now in their hands to the injury of such as wish to settle in the country, and I have understood that they have rather infringed on the political rights of the country.

109. A very large sum of money, collected by direct taxation, is annually entrusted to the magistrates, they being irresponsible to the people either directly or indirectly, would it not be more in accordance with the genius and spirit of the constitution if these monies were placed under the control of persons appointed by the qualified electors?—I think that if the people had it in their power to appoint a number of discreet men, with the magistrates, to look at the district accounts, and direct, also with the magistrates, the expenditure of the same, that an improvement would be effected.

110. Do you not consider the custom of pensioning the judges to a large annual amount, by orders from the Colonial Office, out of the Upper Canada revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—I do consider it to be an injurious and oppressive system.

111. How can a bench of Judges dependent on the Colonial Office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in cases where a collision may arise between the Legislative and Executive Departments in this Colony, or between the British Statutes and the Provincial Laws?—I think they cannot.

112. Ought not those persons who advise His Majesty in his appointments of fit persons to fill the judicial bench to be responsible to the country?—I think they ought.

113. Are you of opinion that the Chief Justice or any of the Judges ought to sit in the Legislative Council? May not the Judge be called on in his legislative capacity to pass opinions and enact measures of severity against the individual whom afterwards he may be called upon to try, as a judge, in the courts?—I think it improper that the Chief Justice or any of the Judges should sit in the Legislative Council.

114. Are you of opinion that the misappropriation of the public revenue is one grand cause why hundreds of thousands of acres of wild lands had to be sold of late years by Sheriff's Sale, for arrears of taxes?—I think there is a mismanagement in our policy somewhere—I think that the nature of our standing in the country at present, with regard to a depression or sale of lands, may be attributed to the nature of things at present with respect to various ways in which monies are gathered in the country; for instance, the sums going into the Canada Company—to the College—to the Crown—and to the Clergy Commissioner, have all a tendency to bring on a depression of business and lessen the circulation of money. The nature of our connexion in trade with Lower Canada and the United States, as also the system of Banking, tends to drain the country of its circulating medium. I lost 200 acres of land near this city, which went into the hands of the Hon. Wm. Dickson; and also many persons in the country lost their lands in the same way.

115. Does not a vast annual additional expense fall on the Province, owing to the continual rejection of bills of a general character sent up by the House of Assembly, rejected in the Legislative Council, and again introduced, debated, and sent up by the House of Assembly?—Undoubtedly it does.

115. When were you first a member of the Assembly of this Province?—I was first in the House of Assembly in 1808.

116. Do you think the local knowledge possessed by Lieutenant Governors of this Colony fully sufficient to enable them to nominate independent men otherwise well qualified to the office of Legislative Councillors?—I think not; they are generally recommended by other persons. I think there are in the Legislative Council a number of improper persons, particularly those holding office.

117. The vote by ballot in elections is prayed for in many petitions both to the Assembly and His Majesty—what is your opinion of this mode of voting?—I think it the most independent mode of voting, and that the majority of the country would like it.

118. Are the common schools sufficiently numerous and efficient for the wants of the country?—They are not. It is grievous and injurious to the people, the present system—the district schools have not suited the great majority of the inhabitants. The common schools ought to be more numerous by one half, and ought to be better supported.

119. What is the state of the roads in your district? It is indifferent, but better than in some sections of the country, owing to the nature of the soil.

[The Witness withdrew.]

VERY REVEREND DOCTOR Wm. J. O'GRADY,  
called in and examined.

120. You are now connected with the press and the proprietor of a paper?—I am.

121. Do you know any law under which newspaper postage can be collected in Upper Canada, as a perquisite to a postmaster?—None.

122. Are not the letter postage rates, where they exceed one shilling and three pence, currency, on a single letter, (which is the maximum for the greatest possible distance in the United States) injurious to trade and unnecessarily burthensome on this community?—I think so.

124. Would not the British Constitutional system by which the head of the government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I think no unprejudiced man can have a doubt on that subject. Persons filling office to advantage ought always to possess the confidence of the people—and when they have it not, I think, discontent must prevail.

124. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and clergy, and the Methodist Ministers should, without the sanction of the legislature, have a bounty paid for the performance of their religious duties?—I think it unjust and inapoltic. I have been always of the opinion that the ministers of religion should be supported only by the voluntary contributions of their respective congregations—and in my intercourse with the world, in various parts of it, in both hemispheres, I have invariably observed, that where religion or its ministers were connected with the state, its functions were carelessly and improperly discharged, and I have further observed that such a connexion had a direct and infallible tendency to demoralization, it made men, in their political creed, hypocrites, but not converts to any peculiar political system; the truth of this was well understood in Ireland, and hence it was that the catholic population in that country, in conjunction with almost the whole catholic hierarchy, have always opposed such a union, and often repudiated the proffered bounty of His Majesty's government.

125. The Committee understand that large grants of valuable cleared lands have been made of late, to clergymen of the Church of England for glebes. Is this within your knowledge?—I have heard it, but I have no knowledge of it.

126. Would not it be desirable that the clergy and crown reserves and all reservations of land, otherwise than for education were disposed of for public purposes, under the control of the legislature?—I am of opinion that all those reserves should be made available for the public welfare, and be under the exclusive control of the legislature of the province.

127. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the colony, and the proceeds applied only according to law?—Yes.

128. What check has the House of Assembly on the other branches of the government as a means of preventing executive usurpations of popular rights?—I do not believe it has any effectual check, nor do I believe it can have any such check as long as the revenues of the province are suffered to be managed and dissipated as they have been hitherto; my opinion is that the popular branch of the legislature should have the whole control of those revenues, and until it shall have become possessed of them, it is not the substance, but the mere shadow of a legislative body.

129. Many complaints are made that the Judges, and clergymen of the Churches of England and Rome hold seats in the legislative and executive councils, are not such seats incompatible with their spiritual and judicial functions?—I conceive that they are incompatible with the discharge of their respective functions.

130. You are requested to give your reasons for such a conclusion.—Amongst the many reasons that may be stated by me, I will only mention two, which in my mind are sufficient to sustain me in the answer I have given to the last interroga-

tory. In the first place it is essential, in my judgment, to the due administration of justice, that the judiciary of a country should be exempt from reproach, and even from suspicion. But I cannot conceive that they can be so exempt when they mix themselves up in the business of the legislature, and suffer themselves to be led by private and family feelings, and often times by the equally culpable motives of political partisanship. This is notoriously the case in this province, so much so, that as far as my observations extend, the judiciary have not that public confidence in the unbiassed discharge of their functions, which is so necessary for officers appointed by His Majesty to administer justice. As to the second part of the interrogatory, I think it must be quite clear to every man that ministers of religion may be more usefully engaged in the discharge of their sacred functions, but independent of this consideration, their previous habits of life, generally speaking, render them unfit for the development of the intricate science of legislation. I am fortified in this opinion, by the judgment of His Excellency the Lieutenant Governor of this province, who intimated to the Venerable Archdeacon of York, some two or three years ago, that his services could be dispensed with, in both the legislative and executive councils, and I have reason to believe that his judgment was influenced by reasons similar to those I have already stated.

131. Do you consider the Canada Company a benefit or an injury to the province? Are not the grants or sales of land to a company of speculators residing in Europe an improper transfer of the functions of the government?—I think it highly improper and injurious to the best interests of the country, inasmuch as it tends to enrich a few land jobbers at the expense of the people, and inasmuch as it blocks up the country to the industrious, unless they may be willing to pay such sums of money, in purchase, as these land jobbers may think fit to demand.

132. What are your objections to an elective Legislative Council?—Considering the Legislative Council in the abstract, I have no objection to its present constitution, but viewing the materiel of which it is as at present composed, its dependence on the Executive, and its insufficiency for the purposes for which it has been constituted, I should certainly prefer the introduction of the elective principle. For the last seven years I have not been an inattentive observer of this branch of the Legislature, and I have no hesitation in pronouncing it a nuisance that ought speedily to be abated. It appeared to me that almost every popular measure originating in the elective branch of the Legislature met their disapprobation, and that they were hostile to any thing like innovation on the old system of abuses, against which the country has been so long and so justly protesting. From this and many other reasons, that may be enumerated, I am of opinion, that the constitution of the Council should be modified. Nor can I see any modification, that, in the present circumstances of the country, will give it usefulness or effect, save by rendering it elective. Indeed notwithstanding my attachment to what is good in the institutions of the country, I am quite clear that the people are the best judges of the capabilities of the men that are employed in Legislation for their benefit, and that to them alone should be entrusted their appointment. It is impossible, I should think, that a Minister four thousand miles removed from us, can understand the merits and capabilities of our Legislators better than we do ourselves, nor, judging from past appointments, can we be ever sure to find in the impartial representations of the Executive, to His Majesty's Government, a sufficient security against the appointment of unfit persons to that exalted office.

133. Can you give this Committee any information with respect to any bargains made between the Colonial Government and the Canada Company?—I would rather not answer that question.

134. The Committee has a right to the information it requires.—The only knowledge I have touching any transaction or bargain of the Company with the Government is derived from private conversation I have had with the head of the Executive. I do not know that this conversation was confi-

dential, but certainly it was private, and, therefore, I should deem it an especial favour if this Honorable Committee would hold me excused from giving the required information.

(The Witness withdrew.)

FRIDAY, 6th day of FEBRUARY, 1835.

DOCTOR JOHN JOHNSON LEFFERTY, OF STAMFORD, called in and examined.

135. Has any inconvenience resulted in your District from the selection of voting places at Elections and what places would you recommend for your County?—I could not answer that question at present.

136. What is the most convenient polling place in the 3rd Riding of Lincoln?—I cannot tell, I am opposed to Riding Elections altogether.

137. Are the Common Schools sufficiently numerous and efficient for the wants of the country?—No they are not.

138. Do you think the Lieutenant Governors of themselves possess a sufficient knowledge of the inhabitants of the several Districts, to enable them to select judicious persons as Justices of the Peace?—No, I am certain they do not.

139. Does not the inequality of the system of taxation of ratable property, cultivated and uncultivated, afford just grounds of complaint on the part of the people?—I think so. A man owning 200 acres of land with perhaps 60 acres improved, will pay 7 days statute labor, while a poor laborer not worth a shilling, will be assessed 8 days.

140. Have not the resident settlers by the improvements they have made, and the House of Assembly by its liberal grants for roads, bridges, and in aid of inland navigation, given to the public lands their greatly increased value as compared with 1792?—Yes.

141. Ought not the revenue arising from these lands to have been applied to the liquidation of the war loss claims, instead of increasing the public debt, and duties on imports, for that purpose?—I think they ought. I think the government ought to have given us lands immediately after the war, to have paid off the losses.

142. Are the lands granted to the U. E. Loyalists, as the reward of their services, of which the first Governor of this Province makes honorable mention, free from taxation and road dues?—They are not.

143. Would not the British constitutional system, by which the head of the government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I think the Executive Council ought to be amenable to the House of Assembly, and that the Governor ought to be obliged to consult them.

144. The undue preferences and exclusive privileges granted to certain religious denominations, are much complained of; would it not tend to strengthen good government if they were altogether abolished?—Yes, I think it would.

145. Would not it be desirable that the Clergy and Crown reserves and all reservations of land, otherwise than for education, were disposed of for public purposes, under the control of the Legislature?—I think all these lands ought to be put under the control of the legislature.

146. Would it not be better that the sale and disposal of the public lands, and other public property, were in all cases regulated by law?—Yes, I think it would.

147. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the colony, and the proceeds applied only according to law?—Yes, I think so.

148. What check has the House of Assembly on the other branches of the government, as a means of preventing executive

usurpations of popular rights?—Not any—the House of Assembly is a mere shadow.

149. Another subject of complaint by the people is, the continued stoppage of the bill for the more equal division of Intestate's Estates—is the passage of that measure desired in your county?—Yes, every where, as far as my knowledge extends.

150. What bank notes are chiefly circulated in the riding in which you live?—Chiefly the Agricultural Bank, they are three to one of the other Banks.

151. Many complaints are made that the Judges and Clergymen of the Church of England and Rome hold seats in the Legislative and Executive Councils, are not such seats incompatible with their spiritual and judicial functions?—I think they are.

152. In what manner are Justices of the Peace appointed in your district? By the Governor.

153. What are your objections to an elective Legislative Council?—I think we would not be doing right towards the mother county, to have the election of the whole of the Legislative Council—I think two thirds of the Council ought to be elected by the freeholders.

154. Do you not consider the custom of pensioning the Judges to a large annual amount, by orders from the Colonial Office, out of the Upper Canada Revenue, and without reference to the Provincial Legislature, destructive of the independence of the Bench, in a great measure?—I think it a hardship that the Home Government should have the power to send us men 50 or 60 years of age, and pension them soon after, and employ others—I think they ought to be pensioned and provided for by the Legislature alone.

155. Are you of opinion that the misappropriation of the public revenue is one grand cause why hundreds of thousands of acres of wild lands had to be sold of late years by Sheriff's sale for arrears of taxes?—I do not know that this is the case.

156. Does not a vast annual additional expense fall on the Province, owing to the continual rejection of bills of a general character, sent up by the House of Assembly, rejected in the Legislative Council, and again introduced and debated and sent up by the House of Assembly?—Yes, there is no doubt of it.

157. Do you think the local knowledge possessed by the Lieutenant Governors of this colony fully sufficient to enable them to nominate independent men, otherwise well qualified to fill the office of Legislative Councillors?—No, I do not think they have sufficient knowledge.

158. The vote by ballot in elections is prayed for in many petitions both to the Assembly and to His Majesty, what is your opinion of this mode of voting?—A man that has not firmness and independence of mind to come forward and vote openly and decidedly, ought not to have a vote at all—but in the present state of things in this country, I think it would be better to vote by ballot, which I think would prevent a great deal of knocking down and picking up, and would save a great deal of time in trying contested elections.

(The Witness withdrew.)

WILLIAM DUNLOP, ESQ., WARDEN OF THE FORESTS TO THE CANADA COMPANY, called in and examined.

159. What was the original value of a share in the Canada Company?—£100.

160. Was that the nominal value?—It was the amount which the Company had the power of calling. The Company had an additional power of doubling the capital in case two-thirds of the subscribers agreed to it.

161. What sum has been paid on each share?—In 1824 there was £10 paid, between that and 1833 there was £7 more, and since that there was 10s.

162. What is the Exchange value in London?—The Stock Exchange value touched £53, latest information gives 42. This is not in any way connected with the operations of the Company, but is owing to the scarcity of bullion arising from the quantity exported to the United States, and the hoarding of bullion consequent on the unsettled state of Europe.

163. Another subject of complaint by the people is the continual stoppage of the bill for the more equal division of Intestate's Estates—is the passage of that measure desired in the country?—I do not know whether it is desired or not, but I think it would be a bad measure if it was passed. It has been tried in France, under the Code Napoleon, and in Lower Canada under the Norman Law, and its effect always is, by frittering down farmers, to degrade the farmer into a peasant; and in every part of Scotland where small holders, or, as they are there termed, "Bonnet Lairds," agriculture is in a most wretched condition, and they themselves in poverty and distress.

164. What are your objections to an elective Legislative Council?—Because I think it would do away with the power of the Crown entirely, and make us a Republic.

165. Do you not consider the custom of pensioning the Judges to a large annual amount by orders from the Colonial Office, out of the Upper Canada revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—No, I think all public officers when they are past work should be liberally pensioned—and that in the case of the Judges a regulated sum on which they might retire should be provided by law.

(The witness is shewn the Post Office Return and asked.)

166. What mode would you recommend for the better government of the Post Office, and for allowing the control thereof to the colony?—Let the Governor appoint the Postmaster General, & let his accounts be audited as all other public accounts are.

167. What check would you propose on hasty, partial and injurious legislation in England, effecting the commerce, and through it, the general interests of this colony?—I can see of no good way unless by having an agent in England.

168. Do you think in the present state of the Legislative Council and House of Assembly that there is the least likelihood that they would agree upon the person to be the agent?—I cannot tell, it would be worth while trying.

168.\* The Committee understand that large grants of valuable cleared lands have been made of late to clergymen of the Church of England for glebes—is this so within your knowledge?—I am not aware of it.

169. Would it not be desirable that the Clergy and Crown Reserves, and all reservations of land, otherwise than for education, were disposed of for public purposes, under the control of the Legislature?—I do not think so, for I think the Legislature have shewn themselves utterly incapable of managing their own matters, as witness the Welland and St. Lawrence Canals. I consider the St. Lawrence Canal not necessary in the present state of the country.

170. Would it not be better that the sale and disposal of the public lands and other public property were in all cases regulated by law?—The land I do not conceive to be public, but in the possession of the Crown, as much as Hyde Park, Windsor Park, the clergy lands are in a fair way of being alienated.

171. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the colony and the proceeds only applied according to law?—Certainly.

172. What check have the House of Assembly on the other branches of the government as a means of preventing executive usurpation of popular rights?—The same that the House of Commons has—they can withhold supplies.

173. Have many law suits been entered into with the Company's settlers?—One with Bergia for things he furnished to the Company's Clerks, and another now pending with Van Egmond respecting the balance of a road account. No settler of the Company has ever been ejected from a lot.

174. Are the Common Schools sufficiently numerous and efficient for the wants of the country?—Certainly not. The system of New England of taxing all for the support of schools and compelling by law parents to send their children to school appears to me the only way to ensure education in the present circumstances of the country.

175. Are not the letter postage rates, where they exceed one shilling and three pence currency on a single letter, (which is

the maximum for the greatest possible distance in the United States) injurious to trade and unnecessarily burthensome on the community?—I think so.

176. Have not the resident settlers, by the improvements they have made, and the House of Assembly by its liberal grants for roads and bridges and inland navigation, given to the public lands their greatly increased value, as compared with 1792?—Certainly.

177. Ought not the revenue arising from these lands to have been applied to the liquidation of the war loss claims, instead of increasing the public debt, and duties on imports for that purpose?—To the best of my belief the Canada Company was formed for the express purpose of paying the War Losses.

178. Is it just to the Baptists, Quakers, Menonists, Tunkers, Independents, Seceders, and other classes of christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and clergy, and that the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—I think it would be well if these payments were extended to all or to none—I was always of opinion that they would be better employed in educating the youth of the province.

179. The undue preferences and exclusive privileges granted to certain religious denominations are much complained of. Would it not strengthen good government if they were altogether abolished?—I think so—I have always been of that opinion.

180. Would not the British Constitutional system, by which the head of the government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—It would be more suitable to common sense, because it is an anomaly in legislation that a ministry should exist which neither the King nor the people can remove.

181. What are the prices at which the Company is now selling lands in the Huron Tract?—From 8s 9d to 15s.

182. Are the Company's wild lands subject to taxation, like other wild lands?—Yes, in the Huron Tract they are—the moment land is surveyed in that tract it is ours, we having paid for it; in the Crown Reserves it is otherwise, because, by the second agreement we obtained a pre-emption of the Crown Reserves, so that until we apply for them they belong to the Crown.

183. So that the effect of the bargain is, that these reserves stand in blocks and lots in the midst of the settled lands of the province, without being taxed in any way? Yes, had the first agreement stood it would have been ruinous to us; we would have had taxes to pay on two millions of acres. The moment a letter of licence passes from the Company to the settler the land is subject to taxation. The taxation to which the Company were subject on unsold lands in the Huron Tract amounted to about £1,800. That part of the Huron Tract, unsurveyed, pays no taxes.

184. What is the average price paid the Company for reserves in the unsettled townships?—The first year it was about 9s and the last about 11s 6d.

185. Do you sell to settlers chiefly for ready money or on credit, and if on credit is it with or without interest?—All on credit with interest. Occasionally a lot is sold for ready money—five years in six instalments is the general time allowed.

186. How has the increase of value on the stock been affected?—From the great increase of emigration, and the money brought into the country by emigrants, much more extensive sales have been made than were during the first three years. Money being more plentiful also has rendered the second payments on instalments more regular, and seeing a business steadily going on has inspired the shareholders with confidence.

187. What number of shareholders are there?—I do not know.

188. Where do they chiefly reside?—In London and the neighbourhood; I should think some in Scotland.

189. Will not this monopoly eventually draw several millions sterling out of the province without conferring on the settled po-

pulation any adequate advantage?—I think that laying out £165,000 sterling will amply compensate the province for any sums that may be drawn from it.

190. What amount has been paid in of stock by the shareholders?—Say from £160,000 to £170,000 sterling, a very small part of which has been expended at home.

191. Could you produce to this Committee any detailed statements shewing the expenditure in this colony?—We have no printed copies in the office here shewing the expenditure—they are annually published in England.

192. Does the Company's charter confer banking powers?—I think so—but Serjeant Spankie and Sir John Campbell think not; it was decidedly intended that it should.

193. Are you aware of any loans having been made by the Company to the Colonial Government for improvements?—There never has; Serjeant Spankie and Sir John Campbell are of opinion that we have not the power to make such loans.

194. What sum has been allowed in the present agreement between the Government and the Company to be deducted from the purchase money, and expended in improving the lands?—Nearly £48,000 currency, to be expended in the Huron Tract, on Roads and Bridges, Harbours, &c.

195. How much of this allowance has been expended?—£26,000, within a fraction.

196. Have detailed statements of this expenditure with the vouchers been laid before the government here?—All but I think about £3,000 of the last summer's expenditure, which is now making up.

197. Who judges of the fact of the expenditure?—The governor alone—he appoints persons to inspect the works. The Company are to get no part of these townships unsurveyed prior to March 1834.

198. What price per acre was paid for the Huron Tract?—That I cannot tell, but I think it was about 2s 6d per acre. The bargains of the Company are, I believe, on the journals of the House, or among its papers.

199. What is the number of shares?—Originally one thousand. In 1826 there was a panic in the money market—during the mania that preceded that panic, the shares, though nothing had been done, though the charter had not been obtained, and though little was known in London about the prospects of the Company, arose to £37 premium; when the panic commenced in 1826, the credit of Joint Stock Companies fell, and that of the Canada Company with them; shareholders to the amount of £10,000 or 1,000 shares took advantage of a new arrangement that had been entered into with His Majesty's Government, by which the Huron Tract was given in lieu of the Clergy Reserves, and withdrew from the association, receiving the full amount of the money they had paid without the last term of interest, so that the number of shares held now is over 9,000.

200. Have the persons who have shares in that Company received dividends on the instalments paid in?—They have nominally received 4 per cent. interest, though in reality it can only be called a paying back of part of the principal, seeing, that during the whole period the Company have been drawing for instalments wherewith to pay the interest.

(The Witness withdrew.)

COLONEL A. G. W. G. VAN EGMOND, *Ross, Hullet Tp. Huron Tract, called in and examined.*

201. What price did the Canada Company pay for the Huron tract?—About two shillings and tenpence half-penny per acre, sixteen years credit, without interest, and £48,000 sterling, allowed off to improve their own land, which I believe would be equal about one shilling sterling per acre.

202. What are they selling the lands for?—From 12s. 6d. to 13s. 9d. per acre.

203. What is the extent of the tract?—They got one million

two hundred thousand acres, from which one hundred thousand were deducted for a swamp.

204. How long have you been settled in the Huron Tract? Six years this Christmas. I am the oldest settler in that tract.

205. Have the company taken proper means to encourage and promote the settlement of the tract?—For the first year, in Goderich alone; since then they have taken no pains to assist the settlers. Last year, there was a steamboat employed to bring settlers from Detroit to Goderich. Instead of attending to that they went several times on pleasure trips up Lake Huron, once for three weeks or so at a time. By that trip the settlement lost 60 Scotch families. From the best information I can obtain, we lost from 250 to 300 families, who chiefly settled in Michigan, and the other states, because the Company neglected them.

206. Are the Agents to the Company kind to the settlers?—No—they are, with the exception of Mr. Wilson, very arbitrary; they are very tyrannical. I speak of the agents residing on the tract.

207. What magistrates and Court of Request Commissioners have you?—Charles Prior, Jno. Brewster, and Captain Dunlop. They do just what they please. There are, nineteen Townships in the Huron Tract, and only these three Magistrates.

208. Have the Company made any road in the tract?—Yes, one from Wilmet to Goderich, and one from Vandersburg to London village. These roads extend upwards of ninety miles, and will cost about £17,000, which is allowed them out of the purchase money. The Company have also laid out about £5000 for Grist and Saw Mills.

209. Have any settlers been ejected from their farms?—Yes, they are scared out of the tract and ejected without any form of law or justice. Many persons have been driven out of the Territory, there is no other law there except what the Company's servants make. We must be very polite to the Agents.

210. Are the Company empowered to impose on settlers such terms as they please?—Yes, they are.

211. Is there any difficulty in getting titles or letters of occupation?—They have sometimes to wait a little, but they get them. Public lands sell in the United States at 6s. 3d. per acre, and are likely to be brought down to 3s. 9d.

212. Do the Company take large sums out of the country?—Their profits in 1833, were £28,000, sterling, after paying all expenses—the Stockholders chiefly reside in England.

213. Do the European working settlers express themselves satisfied?—Dissatisfied in the highest degree, from whatever quarter they come.

214. Are there any Schools?—One in Goderich. The Company do not now support any other school that I know of.

215. Is money plenty?—Perhaps as much so as in any other place. Mr. Tayler keeps a private Bank, and issues notes from one dollar to a pound—they circulate among us.

216. In case Huron should be formed into a county where would be the best polling places?—One at Goderich, and one at the place where the big Thames River crosses the Huron Road, about thirty-three miles from Goderich.

217. Where do the magistrates lay out the monies they receive for wild land taxes?—I do not know.

218. What is the established religion in your Tract?—There are no ministers of religion of any kind in the Tract, nor is there any militia.

219. What is the population of the Tract or country?—Report says 2,000.

220. How do the Company pay for the work they get done?—For the first five years they paid two-thirds of the labor in land, at 7s. 6d. (which cost them not much more than one shilling an acre) and one-third in money.

[The Witness withdrew.]

SATURDAY, FEBRUARY 7th, 1835.

THE VERY REV. DR. W. J. O'GRADY, again called in and examined.

221. The Committee informed the witness that as the conversation alluded to by him, on his previous examination, was not confidential, nor relating to private and personal affairs, they were desirous to obtain information as to the agreement with the Canada Company.

The only knowledge I have, regarding any transaction or bargain between the Executive of this Province, and the Canada Company, arises from the conversation alluded to in my previous answer, which I had had with His Excellency the Lieutenant Governor some three or four years ago. He stated to me that the Company threatened the resignation of their charter in consequence of the continuation of the sales of the Crown and Clergy Reserves in this Province. He further said that the Commissioners complained, that the Company sustained a serious injury from these sales, and that something should be done to stop their mouths. He then spoke to me regarding the Huron Tract and said that he was thinking of having it conveyed to them. I took the liberty of suggesting to His Excellency that it would be better for the interests of the country to accept the proffered resignation; he immediately replied, what in that case would we do for money? How, for instance, would we pay the different Churches? I understood them to mean by this, the Churches receiving pensions by order of His Majesty's Government. These Lands, or this Huron Tract, was shortly after conveyed to the Company. This is the substance of the conversation that passed between the Governor and me on that occasion.

222. Are you aware whether the grants by the Colonial Office to the Catholic clergy out of the Revenues of this Province, have been applied to the purposes for which the Government intended them?—I know they have not.

223. Have you any proofs of a misapplication?—The monies passed through my hands, as Vicar General of the Diocese, for several years, and it came within my knowledge that they have been misapplied. Its misapplication was frequently complained of by the Clergy and the laity. It was complained of in the first instance, I believe, some five or six years ago, by the Reverend Angus McDonnell, the Bishop's nephew, and the Rev. William Fraser, two officiating Clergymen of this Diocese, in a petition to His Excellency Sir John Colborne, and subsequently in a petition from the Rev. William Fraser to His Majesty's Secretary of State for the Colonies, which was left in the Government office for the purpose of being transmitted. When those Petitions were laid before His Excellency he sent for me to inquire my opinion of the course it would be most prudent for him to pursue in such circumstances. I humbly suggested that copies should be forthwith furnished to Bishop McDonnell, with a view to obtain from him such detailed information regarding His Majesty's appropriation as would enable him to come to a just decision on the matter complained of. His Excellency did so, and shortly after the Bishop arrived in this town, and directed me to use my influence with Mr. Secretary Mudge to have the whole affair quashed. He said that he was not prepared to go into such an investigation, and desired me to make overtures to Mr. Fraser, to induce him not to press it. Others of the Clergy, namely, the Rev. Messrs. Cullen, Gordon, Dempsey, and Cassady, made frequent complaints to me in my official character of Vicar General, of the mal-appropriation of this fund on the part of the Bishop. The Rev. Mr. Cullen stated that he was obliged, against his conscience, to give the Bishop receipts for money he never paid him, representing himself to be a schoolmaster, though he never had been such; and further said that his conscience was so tortured on this subject, that he, on one occasion, walked from Glengarry to Montreal, to consult Rev. Mr. Roque, of Montreal, whether he could, under any circumstances, continue to grant the Bishop such receipts in future. A commission was appointed by the parishioners of this city, some three or four years ago, to enquire into this appropriation, together with other matters of Ecclesiastical polity. The Report of the commissioners is in my possession, and it appears there, from the evidence of the clergymen already named, that gross speculation has been committed on this fund. The Commissioners made a representation of this to His Excellency the Lieutenant Governor in January, 1829, but to no purpose. A subsequent representation was made to him, but inquiry was denied, and it was strangely assumed, in contradiction of the most positive testimony, that the Bishop had applied the whole according to His Majesty's benevolent intentions.—I then found it necessary to put myself in communication with His Majesty's Local Government, and with the Colonial Secretary, in Downing Street, on this subject; and though I stated that

the monies passed through my hands, and that one fourth of the whole was usually reserved for School Masters, and that out of the residue large sums were occasionally paid, (on one occasion £212 10) to the Bishop's order, which was never accounted for, and that to my certain knowledge the Bishop was in the habit of applying portions of these monies to his own private purposes, and that upon one occasion I paid to him, therefrom, by a check on the bank of Upper Canada, the sum of £40. to pay his expenses to Sandwich, in the Western District; and other sums at various times, yet it was assumed against this proffered evidence, that the Bishop acted with the strictest integrity and propriety. I am in the position to prove, unequivocally, before any tribunal, that His Majesty's bounty, in this regard, has been most shamefully abused, and the Clergy already named by me, if called upon, can prove it, though, perhaps, not to the same extent. Not only did the Bishop misapply the monies, but he even went so far as to direct me to give 2½ per cent. to the Lieutenant Governor's private Secretary for the simple performance of the official duty of his office as such Secretary. The correspondence I here offer in evidence.

(The witness here gave in the following papers:—A Letter to Witness from Bishop M'Donell, and a note from Mr. Mudge.)

Kingston, 8th June, 1829.

Rev. and very dear Sir,

In the same envelop with this I send you a power of Attorney for Mr. Mudge to enable him (to enable him) to draw the salary of the Catholic Clergy-men and schoolmasters of this Province, from Government.

I authorise you to leave 2½ per cent of the money in the hands of Mr. Mudge as a small acknowledgment for the trouble and any expense that may attend the procuring of the warrant and drawing of the money. When drawn he will hand it to you for distribution, and you will be so good as to write to the different individuals to inform them that you have the money, what sum each is to receive, and how they are to draw for it.

I have been told that Mr. Fraser may prosecute me for the forty pounds I paid to you at York, because it would appear that he is in possession of a letter of mine authorising him to draw upon Mr. Baby to that amount, and he has been telling to others although not to myself that he will compel me to pay those forty pounds.

To save myself therefore from farther trouble from my friend on this score you must pay him the share that was put down for him in the distribution of the current half-year £35 in lieu of what was ordered to him in the preceding half-year, and it will be necessary to obtain his acknowledgment to that effect.

#### Query.

I shall write to Mr. Campion if you approve of it and order him to put himself under your directions for some time till his health be re-established. I think he might be of great service to you in carrying your plans into execution, and in paying occasional visits to the rear Townships attached to the Mission of York.

Mr. Angus has taken his departure for Bytown but Mr. Fraser is still here.

I feel anxious for the appearance of the pastoral letter which I have been expecting by every steam-boat for a week past. Also for the Theological Book, you were so kind to promise to lend to Mr. Chisholm and the Concordance to me. Please to give any parcel or letters you may have for me to the Clerk of the Niagara steam-boat or to the Captain himself and they shall be safely conveyed to me.

I beg you will be so good as to present my kind respects to Colonel Baldwin, to Mrs. and Mr. O'Grady, and my warm regard to the dear little fellows.

I remain with great esteem and sincere regard,

Rev. and dear Sir,

Your faithful servant and fellow-labourer in the Lord's Vineyard,

ALEXANDER MACDONELL, Ep. REGIOR.

P. S.—What progress do you make in your Catechetical Society? Have you got out the Patent Deed for the School Ground?

If you do not make your Rev. Brethren pay for their postage and your own trouble, it will be your own fault.

To Rev. Wm. J. O'Grady, }  
M. Ap. York. }

Wednesday, 17th June.

Dear Sir,

I have the honor to acknowledge the receipt of a letter from Bishop M'Donell which you were good enough to forward to me, and in which it appears arrangements had been made that I should receive the money paid to the Roman Catholic Clergy in this Province, and transfer it to you; but as it would be incompatible with the duties of my office to become in any way a private agent, I have written to the Bishop by this post to inform him of this, and I have returned the power of Attorney which his Lordship enclosed to me.

I have the honor to be,

Dear Sir,

Your obedient and faithful servant,

Z. MUDGE.

The Rev. Wm. J. O'Grady.

224. What allowance was made in 1827 to Wm. P. M'Donald as a Catholic Priest?—There was no uniform allowance to any Clergyman—all depended upon the caprice of the Bishop.

(The witness gave in the following receipts from the present Vicar General.)

Parish of St. Andrews, County of Stormont,  
20th October, 1827.

£78 15 0

Received from the Right Rev. Alexander M'Donell seventy-eight pounds fifteen shillings currency, being my salary as a Roman Catholic Priest from September, 1826, to June, 1827, in witness whereof I have hereunto set my hand this twentieth day of October eighteen hundred and twenty-seven.

JOHN M'DONALD, Priest.

Glengarry, November 15th, 1828.

Received, of this date, from the Hon. James Baby thirty-six pounds eight shillings and six pence sterling, as my half-yearly share of the Government allowance to Catholic Clergymen and Schoolmasters.

WM. P. M'DONALD.

St. Raphael, Glengarry Upper Canada, Dec. 22, 1827.

Received from the Right Reverend Alexander M'Donell, eighty pounds currency, being my salary from September eighteen hundred and twenty-six, to the thirteenth of June, eighteen hundred and twenty seven.

WM. P. M'DONALD.

St. Raphael, Glengarry, Upper Canada, Dec. 31, 1827.

Received from the Honorable James Baby, the sum of forty pounds sterling, being my half yearly salary as a Catholic Priest, from the thirtieth of June to the thirtieth of December, one thousand eight hundred and twenty seven.

WM. P. M'DONALD.

225. Referring to your former answer respecting an Established Church, have you any proof that the Bishop exercised a political influence over his Clergy in conjunction with the Governor of this Colony?—He got up a petition against Mr. Mackenzie, attended a public meeting in Mrs. Jordan's Inn, and harangued the people; and by the most inexcusable misrepresentations, obtained signatures to said petition inducing the signers to believe, from Altars dedicated to the service of Religion, that the document to which he invited them to affix their names was intended solely for the advancement of the Catholic Church. Shortly after, he left here for Penetanguishene, accompanied by the Rev. Messrs. Gordon and Crevier; and Mr. Gordon told me that he stopped on his way, to perform Divine Service in the Catholic Church of the Township of Toronto, and that he did on that solemn occasion, instead of preaching the morality of the Gospel, inveigh in the most violent and unbecoming manner against William Lyon Mackenzie. He went from that to Adjalla, where he parted from the Rev. Mr. Gordon, having given him previous instructions to obtain signatures in the best manner he could to a blank paper, which he left him for that purpose. The Rev. Mr. Gordon told me that he was shocked and scandalized at the manner in which this political crusade was conducted. I myself have frequently heard the Bishop preach, before, and after the event here alluded to, and his sermons, invariably, as far as I have been able to judge of them, presented a strange and incoherent medley of politics and christianity. The following letter from the Bishop affords the best evidence.

(The Letter respecting Mr. Crevier and the Yankee Methodists was given in.)

St. Raphael, County of Glengarry, }  
January 23rd, 1831. }

Very Rev. and Dear Sir,

We have begun and we must finish with the Rev. Mr. Crevier, Letters from the Messrs. Baby and from Sister St. Patrick, of which I send herewith copies, were brought here by the last post but one. Those letters prove the imperious necessity of removing Mr. Crevier from the parish of L'Assumption without further delay, and although it be with very great reluctance that I could think of giving you the fatigue and trouble of executing so disagreeable a commission, I find I have no alternative but to intrude once more on your good nature, and obliging disposition, by requesting that you would take a second journey to Sandwich and put the finishing hand to the work you have already begun in that parish.

You will receive along with this full and ample powers from me to deal with the Rev. Mr. Crevier as circumstances may require, either to remove him to another mission, and the one that would suit him best is that of Penetanguishine, because the greater part of his hearers there would be Indians; or withdraw his faculties, or if necessary suspend him at once. Should any part of his parishioners be seduced by him to resist your authority, and ferment the spirit of discord and dissension in the congregation, those must be dealt with as rebellious and schismatic; and even if the whole or a majority of them prove refractory, *quod Deus avertat*, we would rather you to put the parish under interdict and lock the door of the Church than allow the Divine authority invested in us to be thus despised and trampled upon.

The holy days being now past, I trust you will find it practicable to take a second jaunt to Sandwich, as soon as possible after the receipt of this letter, and as you are not accustomed to speak or preach in the French language, I empower you to take Mr. Cullen along with you in order to announce from the pulpit your orders and instructions to the Catholics of Sandwich. After dismissing Mr. Crevier you will leave Mr. Cullen in his place until I get that parish supplied with another Clergyman.

I have no doubt that you will find the Messrs. Baby and the well disposed part of the congregation ready to second your laudable efforts to bring the confused and mismanaged affairs of that parish into order and regularity, and to put the infant establishment of the female school in a train to continue its progress towards completion.

I would wish you to wait upon His Excellency and to submit to him my intentions and orders in reference to Mr. Crevier—for it has been always a principle of mine from which I would not wish to deviate on this occasion, whenever I found it necessary to resort to an extraordinary exercise of my spiritual authority to do so with the approbation and consent of the temporal power. From the uniform kindness and condescension which we have received from His present Excellency Sir John Colborne, I should hope that he would have the goodness of furnishing you with such recommendation as would procure you sufficient support from the Civil authority of the Western District, on the event of your finding any insurmountable difficulties on the part of Mr. Crevier, or his party, in the execution of our orders. I should, however, be extremely sorry to resort to the civil power, except in case of absolute necessity, at the same time I should not be very backward in giving a broad hint to Mr. Crevier that I was in possession of such a power and should not hesitate to make use of it in case of necessity.

I would advise you to take the Hon. Mr. Baby with you, when you wait upon His Excellency on the business above-mentioned as he is better acquainted than you or I with the characters and matters to be overhauled in Sandwich. From what has already come to the knowledge of His Excellency respecting Mr. Crevier's electioneering transactions, I should trust he would have the less objection that he should be removed from Sandwich, if necessary, and placed in a situation more suitable to his peculiar talents and qualifications, being tolerably well versed in the Indian language, and a thorough-bred *voyageur*, he would be admirably qualified to match the Yankee Methodists, and rescue the poor Indians of Penetanguishine and Lake Simcoe from the fangs of these reptiles.

I remain, with much esteem and regard,  
Very Rev. and Dear Sir,  
Yours, affectionately,

A. REGIOPOLIS.

226. Have you any other evidence to shew the committee that a baneful influence exists in this Colony injurious to its welfare and prosperity?—I think that the existence of a baneful influence to a great extent cannot be denied by any person acquainted with the circumstances of the Province.—It is notorious that all offices of honour and emolument in every department of the Government

are monopolized for the most part by some three or four private families and their adherents, to the exclusion of superior talents and integrity, and it is equally notorious that even the meanest office in the patronage of the Executive is only conferred on persons of a particular political bias, and that the country, in consequence thereof sustains serious injury, and that its affections are alienated in a great degree from the local administration. As a corroboration of what I here assert, I give in evidence the following letters from a member of the Legislative Council.

[The witness delivered in evidence the following letters from the Right Reverend the Bishop of the Roman Catholic Church.]

(The witness withdrew.)

St. Raphael's, Glengarry, }  
30th Nov. 1830. }

Very Rev. and dear Sir,

Your favor of the 29th September from Sandwich, and your interesting and valuable communication of the 20th October from York, are both before me. A very severe cold which confined me to my room for several weeks, prevented me from replying to them till now. I shall take them in the order of their dates: Mr. Fluet's conduct in deserting his post at Amherstburgh, without the sanction or even the knowledge of his superiors both surprises and disappoints me very much: it is so contrary to the general tenor of his conduct since I have known him.—On reflection, and coupling this transaction with the circumstance of his going through Sandwich without waiting on you, I suspect that he imbibed no favorable impressions from his host and confere at Niagara, which makes me sincerely regret that he had been left exposed to the seduction of a character whom I now begin to think of a more designing and dangerous description than I was aware of at one time. I shall write to Mr. Fluet to hold himself in readiness to return to Amherstburgh, how soon His Excellency will have the goodness to restore his salary to him, and I request you will use your utmost exertion and influence with His Excellency to have that done as soon as possible. Do not fail to acquaint Mr. Fluet the moment you succeed with His Excellency.

The names I wish to be inserted in the Deed of Trust, for the glebe land in York, are my own name and that of my successor in office, and those of the Parish Priests of York, and of Kingston for the time being, and of the Honorable James Baby, and of Alexander McDonell of York, Esq.

I have been greatly disappointed at not having the honor of receiving His Excellency under my humble roof here as I had been given to expect. It was too late in the season when he arrived in Kingston, and he told Mr. Wm. McD. that he could not venture this length, but that he would write me soon. Thus have I been deprived of the opportunity of talking to His Excellency on the various subjects you were so kind to suggest. I beg, however, you will thank His Excellency for his great condescension in mentioning his reasons for not appointing the persons I recommended to him at Kingston for Commissions of the Peace. His Excellency must have come to a determination of withholding their appointments from those persons in consequence of private information received of their character. There are secret foldings in the magistracy of Kingston, which I could develop if necessary; for the present suffice it to say, that there is a knot or junta of Magistrates in Kingston, as exclusive and hostile to Catholics as any corporation in Ireland, who will never admit a Catholic into their body if they can, more especially an Irish Catholic—and of all the men on earth Mr. Walter McCuniff, for very substantial reasons which I could mention to you *viva voce*, but would not choose to commit to paper. You may present my humble respects to His Excellency, and say, that being personally acquainted with the major part of the Magistrates of Upper Canada, I do not hesitate to assert that one half of them, not to say more, are not better qualified to discharge the duties of Justices of the Peace than every one of those I recommended in Kingston, and you may add, that it is my full conviction that until a certain proportion of Catholics get into the Commission of the Peace there will never be peace and security in the province.

Mr. Campion called here on his route to his native country; I understand from him that he was to visit Montreal and Quebec. He wrote me previous to his departure from Niagara, that it was his intention to spend some time in England, and perhaps in France, and pressed me hard to send him an order on you for his quota, which I did on the terms we agreed on at Niagara, viz: that he should previously place the money he collected for building a Church at Niagara, in the hands of Mr. Cullen or the Elders, and that was a *conditio sine qua non*. When here, I told him he might as well leave his quota in lieu of the collection being nearly of

equal amount. How he managed I do not know, but if I understand Mr. Micon right, he did not seem to act in Montreal to his satisfaction.

Your proceedings in Sandwich demand my most grateful and sincere thanks. On that subject I have much to communicate to you which will supply ample subject for more letters than one; the task we have undertaken is an arduous one, but we must go through with it; the able manner you began the work gives me great hopes that you will bring it to prosperous issue.

Believe me to be with high esteem and regard,  
Most sincerely yours,

† ALEX. MACDONELL, Ep. R.

*Glengarry, 1st December, 1830.*

Very Rev. and dear Sir,

Along with this you will receive a copy of my mandate to the Rev. Mr. Crevier, and to J. Bap't Baby, Esq. approving of the resolutions entered into at the meeting held in your presence at Sandwich, of the Curate and Church Wardens of that Parish, on the 3d of October last, confirming the appointment of the Committee nominated on that occasion, and ordering them to proceed immediately to the discharge of their duty. If you think proper to forward it to Mr. Crevier to convince him that I entirely approve of what you have done, and that you continue to act under my authority I shall be well pleased.

A copy of it has been forwarded to Mr. Crevier and another to Mr. Bap't Baby.

A petition signed by a few of the Church Wardens and a number of the Parishioners of Sandwich, praying to overturn what had been done at the meeting of the 3rd October last, before you, and proposing another plan of their own, has been sent me. On the perusal of this petition, the first idea that occurred to me was to return an angry answer to it, but upon reflection I thought it better to treat it with the contempt it deserved, and to send no answer at all; My approval of the former meeting, and my orders to carry the resolution of it into execution being in my own opinion a sufficient answer. Mr. Crevier's conduct towards the religious women at Sandwich has been every thing but what it ought to be, or might be expected from his clerical character and situation as the pastor of a flock. If you get out a patent deed of the lands granted by the Huron Indians for the use of the Parish of Sandwich, in trust to the Bishop of the Diocese and his successors in office, and to the Parish Priest of York, for the time being, and to Francis and Bap't Baby, Esqrs., that ground may easily be cleared then of carpenters and blacksmiths shops, and every other nuisance that can prevent the premises from the use for which the donors intended them. It is indeed a matter of no small surprise that the business has been so long neglected, considering that there have been an Executive Councillor and a member of the Provincial Assembly both Catholics, and both natives of Sandwich; but a still greater matter of surprise and chagrin is that the lot given by the late Bishop Burke for the use of the York Mission should, for the saving of a few dollars, be sold for the taxes, when our friend the Honorable James Baby, our friend Alexander Macdonell Cullechie, our friend Mr. Bergin, and your friend Peter Macdougall, were on the spot. The speculative genius of the two last is too much upon the alert to allow such a chance as that to pass without their knowledge. Ever since I have come to Upper Canada I have invariably observed, that one Presbyterian or one Methodist would give himself more trouble to promote the interest of his religion than 500 Catholics; I am the more confirmed in the truth of this assertion, by the procrastinations and repeated suspensions of the decision of the Council respecting the grant of the lot at the mouth of the River Trent. Had proper energy been applied at first the matter might have been decided at once, but by delaying it, additional obstacles and difficulties have been daily conjured up. The English clergyman of Bellville has held meetings and conferences with the Church of England clergyman of the Carrying Place, &c. Those charitable and disinterested members of the Established Church, not satisfied with one seventh of the whole lands of the Province, must draw up a petition to their Bishop, now at Head Quarters to prevent the Catholics from obtaining a grant of this solitary lot at the mouth of the River Trent and His Lordship has assured those clergymen that there was not the least chance of our obtaining the Lot.—Hence all the changes and vacillating in the Council, and the important discoveries of its being one day a Church Lot, and another a site for a Town.

Since the death of General Brock till the arrival of his present Excellency I had invariably found an incessant secret influence undermining and counteracting my efforts and exertions to contribute moral and religious instructions to His Majesty's Catholic subjects of Upper Canada. After receiving the Prince Regent's thanks for my own conduct in defence of the Province during the late war; the Colonial Minister Earl Bathurst increased my own salary, and

sent orders to the Executive Government of the Province to pay so much annually to a certain number of Catholic Clergymen and Teachers that I was to recommend; but notwithstanding that those individuals had entered upon the discharge of their duty by my directions, and that I produced the positive orders of Earl Bathurst that they should receive their salaries; yet Dr. Strachan and Justice Powell who under the nominal administration of Colonel Smith, Mr. Gore, and Sir Peregrine Maitland actually governed the Province till they quarrelled among themselves resisted the payment of those salaries in defiance of His Lordship's orders for seven years, and obliged me to take two journeys to Europe at no small trouble and expense.

The liberality and manly vigor of Sir John Colborne's mind has kept our enemies at bay since the commencement of his prosperous administration, but his great kindness to us is a sufficient cause for stirring the envy and the malice of those who would wish to keep us for ever in the back ground, and I am sure their secret machinations are in active operation in other matters as well as in depriving us of the lands at the mouth of the Trent, and I am very certain that if you are not upon the alert and do not proceed with both vigour and prudence our Penetanguishine Mission will fall to the ground, and the allowance made to the Missionary or Teacher of the Huron Indians at Amherstburgh will be lost. I however still depend much on your active zeal, and the good intention and justice of Sir John.

I have no words to express my indignation at the disgraceful conduct of the two Missionaries of the Western District towards Francis Baby, Esq. the most independent, the most upright, and I verily believe the most honest member that ever sat in the Provincial Assembly of Upper Canada since its first formation, and a Catholic; to oppose such a man, and lend their baneful influence to support a deep designing enemy of their Holy Religion and of every sincere professor of it!!! Such conduct appears to me not only mischievous, malicious, and disgraceful but down-right madness, and would lead a person to believe that they themselves are really infected with the very crime which they impute to Mr. Baby.

It requires however no great sagacity to perceive that Mr. Crevier's hostility towards that gentleman is because he conceives him a bar in the way of carrying into execution, his selfish views on the revenues of the Parish and the lands of the nuns. None can be more convinced of the injurious consequence of Mr. Crevier's very improper conduct throughout, nor more determined to let him feel the effects of it than I. Indeed it was my intention for some time past to remove him, and the only thing that prevented me was the difficulty of getting him replaced. The Bishops of Lower Canada are not much disposed to part with any of their clergy that they find useful for themselves, and those they would most readily part with would be the least useful to us. The tythes and casualties of the parish of Sandwich would be no doubt an inducement to a Canadian priest if those were found to be much greater than his own, but were they ten times greater than they are he would think himself perfectly justified, and even authorised to apply the whole of them in entertaining his friends and enriching his family who seldom turn out the more respectable or the better Christians for being pampered on the revenues of the church and the patrimony of the poor.

I would be extremely sorry that the conduct of Messrs. Crevier and Fluet should be exposed before His Excellency, the Lieutenant Governor, and still more so before the Provincial Assembly first because the mischief already done could not thereby be remedied; secondly because a recurrence of a similar evil may easily, and effectually be prevented without resorting to such a measure, and thirdly because very many of the members of the Assembly who are inveterate enemies to our holy religion and most anxious to be furnished with all the weapons they could against it would not fail to seize upon such transactions as took place at Sandwich at the last Election, and turn them to our discredit and disgrace, and it would be difficult to calculate on the consequences. You will be pleased to inform me how soon you will obtain the Patent Deed of the Church land in Sandwich and in the mean time I shall do what I can to procure a religious woman to join those already there. I applied to the Congregation Nuns some time ago but they would have nothing to do with that Institution without they got the land and the whole establishment for themselves without any regard to the poor individuals that had commenced it and had already undergone so much sufferings and privations. I shall hope however to be more successful in some other quarter and meet with more disinterested zeal for religion. What a pity we could not prevail on some of the noble hearted and heroic daughters of St. Patrick to cross the Atlantic and communicate a spark of the love of God, and holy zeal for the religion of Christ which filled their own hearts to the hard and selfish mind of some of our Canadians of both Provinces.

I request to know the time that the lot of land granted by the late Bishop Burke to the mission of York was sold for the taxes, and the person who bought it. Whatever documents I have or can

procure to prove the legality of our right to that property shall be forwarded to you.

Please to accept of my most sincere thanks for your kind and friendly offer of quarters under your hospitable roof during my projected visit to York this winter. In truth I ought to be ashamed of all the trouble I have given you and your brother's excellent family all the times I have been at York since you came to it. If I be called thither *ex officio*, I shall go but not otherwise. For besides the fatigues of so long a journey, the precarious state of the weather, and want of accommodation in this inclement season of the year I find my funds so completely drained and myself so much involved by educating, boarding, and clothing seven or eight ecclesiastics for so many years at my own expense without the smallest assistance from any other quarter except the few pounds that you have been remitting to the two of them that have been teaching here, that I could hardly command to day what would defray my travelling expenses to and from York. I have been obliged to discharge the Canadian ecclesiastic that I had employed for five or six years back in teaching theology, and taking upon myself the task of giving lectures to my young people and of attending morning and evening Religious exercises.

If I cannot make them profound Theologians or highly educated Priests, I trust they will turn out by the grace of God pious and zealous Missionaries, with as much knowledge as will enable them to discharge the duties of their calling with credit to themselves and advantage to their flocks.

I sent up by Mr. Mican of Niagara three Missals one for Mr. Gordon one for Mr. Challen and one for Mr. Brennan and I shall take up a couple of Chalicees and a Ciborium with me when I go up myself to be disposed of where they shall be wanted most.

I am thinking to call a meeting of my Clergy and to lay before them many matters that appear to me necessary for the propagation of our holy religion, the uniformity of church discipline, &c. &c. and I would be obliged to you by letting me know your opinion where such a meeting should take place who should be called to it, and matter that should be discussed at it?

The Post comes but once a week this way and this letter has been by mistake omitted to be sent along with the mandate to the Incumbent and Church-Wardens of Sandwich which I sent to you, but as two copies have been sent to that Priest I shall defer taking harsher measures until I learn what effect that instrument may have.

I beg you will be so good as to offer my kindest regard to your brother and Mrs. O'Grady, and the dear little Brazilians.

And believe me to be, with high esteem and sincere regard, Very Rev. and dear Sir, your very humble and devoted servant in our Lord Jesus Christ,

† ALEXANDER, Regiop.

To the Very Rev. Wm. J. O'Grady, V. G.

Glengarry, 26th January, 1831.

VERY REV. AND DEAR SIR :

Your valuable and much esteemed communication of the 9th current came to hand by the last post. I am charmed and delighted with your successful exertions in promoting the sacred cause in which we are both embarked, and I never cease thanking the Divine Goodness who in the decline of my health and mental faculties has been graciously pleased to send me so zealous and so powerful a co-operator as you have already proved yourself to be, in this infant portion of Our Lord's vineyard. What you are pleased to call a mild sway others may perhaps call weakness and imbecility, but we have always made it a principle of action never to resort to extremities until the nature of the case rendered coercive measures necessary. There is a point beyond which indulgence and forbearance cannot be carried, without swerving from duty and betraying the sacred trust committed to our charge; the Rev. Mr. Crevier having at length driven us to that point shall find us as firm and determined in the execution of our duty as we had been reluctant to adopt harsh measures while there remained any hope of milder ones sufficing. In my last letter I trust you would find my orders and instructions regarding Mr. Crevier sufficiently ample.

When you get to Sandwich, and shall have arranged the most important part of your business there, you will send for Mr. Fluett and make such arrangements with him as you may find expedient, after having taken all the necessary informations respecting his different missions of Amherstburgh, the River Thames, and Baldwin. You are at liberty to fix his residence at either of the two first places where you will judge it most conducive to the good of religion, but I think Amherstburgh ought to be his principal residence.

It gives me heartfelt pleasure to find you so well satisfied with the few clergymen I have been able to send under your jurisdiction and control.

The greatest satisfaction that I can enjoy in this life and I may say the only one is hearing of the good conduct, and well doing of those ecclesiastics I have been struggling to educate and train up for the sacred ministry. Although not profound theologians nor deeply versed in abstruse sciences, I trust they will be guided by the influence of a true apostolic spirit and prove sufficiently capable to afford the necessary moral and religious instructions to those under their spiritual directions to secure their eternal salvation.

The zeal and activity of the Catholics in the townships mentioned in your letter in co-operating with the Missionaries in building churches, and diffusing the sacred principles of our holy religion is no small addition to my consolation and comfort on this occasion; but the credit of their conduct, and of the wonderful progress of the good work, is next to Divine Providence due to you whose judicious plans and wise regulations they only carry into execution. I have three more ecclesiastics now in the third year of their theology, one of these I find necessary to retain about myself, the other two I could spare and would be glad to send you one of them if you wished it, but Mr. Campion has taught us not to make them too soon their own masters, and, therefore, for the future no clergyman shall have charge of a mission until he be one or two years under the surveillance and command of an elder missionary.

I admit the justness of your observation in reference to the Rev. Mr. Fluett, but I trust you will do your utmost to preserve the pension for the teacher of the Indians of Amherstburgh whether it be Mr. Fluett or any other you may settle in that place.

I hereby give you full and ample powers to make the exchange required with our excellent friend Colonel Allan between the land in Wilmot and in Guelph, and I shall be ready to sign any instruments that may be necessary when I get up to York. I feel extremely happy and return you many thanks for obtaining the patent for the lands granted to the nuns and Parish Church of Sandwich. So far from accusing you of inertness, or inactivity that I feel indebted to you and give full credit for all the acquisition that this Diocess has made since you have been at York, which is more than was done for the whole time previous. Your Petition for the Let at the mouth of the River Trent I very much approve of as an energetic, respectful, and a very spirited one. From the shuffling and unmanly conduct of the Council in this affair, you will now be convinced of the truth of my assertion that a secret influence is constantly at work to arrest the progress of the Catholic Religion in this Province. It affords me much gratification that you have so wonderfully advocated the cause of our friend Mr. MacCuniff. It is true enough, that several of the Magistrates of Kingston are afraid of him and have good reason to be so, because were he to expose the very improper conduct of some of them which he has in his power to do, they should never sit upon a Magisterial Bench in Kingston or elsewhere, and His Excellency needs not dread a deficiency of as worthy and as able characters to fill the Bench of Magistrates in Kingston as those who threaten to resign in the event of McCuniff's appointment.

The truth is there is an Augean Stable to clean out in Kingston, and perhaps the sooner the work is done the better.

I return you my most grateful thanks for your kind and generous suggestion of applying the proceeds of the lot of land near York to the liquidation of my debts; but although upwards of five thousand pounds behind hand between the new Church of this Parish and other Churches with the expenses of supporting my Ecclesiastics and other outlays for religion I am unwilling to appropriate any of the small property given for the use of the Church as long as I can, in full reliance that his Divine Majesty for whose honor and glory I have involved myself in difficulties will in His Gracious Goodness extricate me out of them. I shall do every thing in my power to obtain as soon as possible the documents you desire in reference to the lot above mentioned.

I send you herewith the distribution for the half-year from the 1st of July to the 31st December, 1830 and give you permission to alter it to a certain extent if you think that by doing so it will afford more general satisfaction.

Our friend Mr. Fraser who has made a very decent competency by his savings and speculations in Kingston does not appear to me entitled to a quota. Your confere the V. G. of Kingston has been a good deal out of pocket in improving the Church and Presbytery without any prospect of being refunded, the Rev. Angus M'Donell's quota has been increased at your own recommendation; and for very cogent reasons. There will remain a small surplus of £20 sterling which you can keep in your own hands in the mean time,—there ought to be some fund established to meet contingencies. Your travelling expenses to Sandwich must be taken out of some place.

It is my intention to have a meeting of my Clergy at Kingston as soon after the Easter holy days as possible to put the affairs of the diocese on a more regular footing than they have been yet. We have much to arrange then, and it will require the united wisdom and experience of all to concert and adopt plans the best adapted to promote the interest of our holy religion.

I shall be much obliged to you by hearing from you on receipt of this, and informing me the precise time you will start for Sandwich, likewise if you are desirous that I should send you any of my Ecclesiastics, but you must not forget that I would not wish to entrust him with the charge of a mission, but only to serve under a Clergyman of greater experience for one or two years.

I expect to go to Montreal soon to procure the necessary documents respecting the lot of land bequeathed by the late Bishop Burke to the mission of York.

With most respectful compliments to your brother and Mrs. O'Grady, not forgetting my dear little Brazilians.

I remain with warm and sincere regard, and very high esteem,  
Very Reverend and dear Sir, your most obedient,  
And very humble in Our Lord J. C.

† ALEXANDER M'DONELL, Ep. Regiop.

To the Very Rev. W. J. O'Grady, V. G.

TUESDAY, FEBRUARY 10th, 1835.

JAMES KING, Esq., BARRISTER AT LAW, called in and examined.

227. Have you a copy of the petition of the churchwardens of the Roman Catholic Church in this city presented to His Excellency previous to Dr. O'Grady's departure for Rome?—I have not.

228. Have you any recollection of a petition by the Rev. Wm. Fraser of St. Andrews, to His Excellency Sir Peregrine Maitland, complaining that he had not for some years received the allowance made to him by His Majesty as a clergyman of Kingston?—I copied the petition for him—it was afterwards signed by him and laid before His Excellency in Council. I understand that Bishop M'Donell and Mr. Fraser compromised the matter afterwards. The sum allowed Mr. Fraser, as he stated to me, was £100 per annum.

229. Do you know of a petition presented by the Rev. Angus McDonell and the Rev. Wm. Fraser, to the Lieutenant Governor, complaining of the undue distribution of the allowance from the Colonial Office?—In the memorial of the churchwardens to His Excellency we prayed for a copy of that petition, as we understood it to contain a charge of peculation against Bishop M'Donell.

230. Was it refused?—His Excellency's answer was, that the original petition was sent to Bishop M'Donell, and that it was not yet returned, but he had written for it. We never got the copy, nor heard of it since.

231. Were you a petitioner to the House of Assembly last Session complaining of the misapplication of the public monies granted to the Roman Catholic Clergy and School Masters?—I was. Upon a motion to refer it to a Special Committee of enquiry, the House refused to commit it. It was signed by the Roman Catholic Laity generally, at least by all who were applied to. The petition complained in the first place of His Majesty's supremacy over the Church—of tythes payable to the Roman Catholic Clergy—of the misapplication of £1000, sterling, granted for the support of the Clergy Schools—that no Roman Catholic School-house had been erected in this city. And very few, if any in the Province—the petitioners further requested immediate enquiry into the appropriation of £1000, and the abolition of all pensions and sinecures payable to the Clergy—an additional allegation was, that there were few, if any, Catholic Schools in the Province.

232. Do you know what Roman Catholic Schools have been established from the proceeds of the Royal bounty?—I have never heard of any in the Province.

233. What reason had you for believing that the £1000 was misapplied?—The Rev. Mr. O'Grady was parish Priest at this

place. He had the distribution of a part, or the whole of the distribution, under the Bishop's order. He shewed me a check in Bishop M'Donell's favour for £40 on the Bank, which he said was to pay the Bishop's travelling expenses to and from Sandwich. I was aware that this was a misapplication of the funds. There was another case. I understood that Mr. Angus M'Donell the Bishop's nephew, got his share of the Government appropriation, (although it was refused to Mr. Crevier, whom the Bishop removed,) on the supposition that his tythes were sufficient for his maintenance. After Mr. M'Donell's removal to Sandwich—After Mr. Crevier was removed he spent the winter with Bishop M'Donell, who gave him a check for a portion of this money, although he, Mr. Crevier, was not in charge of any parish. With regard to the mal-appropriation, I was one of the Committee appointed at an adjourned meeting convened by Bishop M'Donell, to enquire into and report upon the state of the Roman Catholic Religion in Upper Canada. The Rev. Lawrence Dempsey gave in evidence before us, that he was obliged to sign receipts to Bishop M'Donell in the capacity of Schoolmaster, for monies he never received, and that he never was a schoolmaster. The Rev. Mr. Gordon's evidence was a corroboration of Mr. Dempsey's. Mr. Gordon is now officiating clergyman at Niagara. It was given in evidence that a quantity of Sacred Vestments and Church Plate had been presented by Cardinal Weld for gratuitous distribution amongst the Clergy of the Province, and that they were sold to those Clergymen by Bishop M'Donell, who took their notes and stopped the amount out of the Government appropriation. I was a member of the commission appointed by the Roman Catholic congregation of the Parish of this city, who enquired among other matters into the application of £250, sterling, paid by Government for Roman Catholic Schools, as a part of the annual grant to the Clergy. Doctor O'Grady gave the following evidence before us "that when the Rev. Mr. Cullen was ordained into the priesthood, he declared to him (Dr. O'Grady) his readiness to testify on oath, that he never acted in the capacity of a school master, and moreover that he was forced against his will and conscience by the Bishop to give him receipts for monies that were never paid him, either as being such alledged Schoolmaster or otherwise."

(The Witness withdrew.)

COLONEL ALEXANDER CHISHOLM, M. P. P.—called in and Examined.

234. How many Justices of the Peace are there in the County you represent, and how many in each Township?—A new Commission has been issued since I left Glengarry. When I left home there were nine Magistrates resident in Charlottenburgh—three in Lochiel, one in Lancaster, but none in Kenyon.

235. Are the Justices of the Peace resident in your County chosen exclusively from one party in politics, or indiscriminately from respectable men entertaining various political opinions?—I am not aware that the appointments were made with reference to the political opinions of the persons appointed.

236. Are men chosen to fill the Commission of the Peace, and the offices of the district who have been long resident in it, or are strangers more generally preferred?—I cannot answer that question positively.

237. What Bank notes have the greatest circulation in your district?—I cannot say; I expect there are as many Lower Canada Bank notes as any other.

238. What is the state of the roads in your District?—Bad.

239. Are the common schools in your District sufficiently numerous and efficient for the wants of the country?—They are numerous, but not efficient.

240. Do you think the Lieutenant-Governors, of themselves, possess a sufficient knowledge of the inhabitants of the several districts to enable them to select judicious persons as Justices of the Peace?—I should think not. I am rather of opinion that the new Commission was issued upon the recommendation of the late members of Assembly.

241. Has any inconvenience resulted in your district from the selection of voting places at Elections, and what places would you recommend for your county?—I am of opinion that two polling places would be best. The two most central places, in my opinion, are Williamstown and Alexandria.

242. Have the monies arising from the sale of wild lands for assessed taxes, or from payment of such assessments on these lands been prudently expended by the Magistrates in your District?—I rather think that such parts as the law requires to be applied on the roads has been prudently expended. I, as a Magistrate, recommended that the remainder be applied towards paying the expense of erecting the Gaol and Court-house, instead of which, it was applied to Government purposes.

243. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders and other classes of Christians, whose spiritual teachers receive no share of the public revenue, for their religious services, that the Clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid to them for their performance of their religious duties?—My opinion of that is, that no particular sect should be required to contribute to the maintenance of any others—that all should be supported by contributions from their own particular Congregations. If this money be given with a view of facilitating our way to the other world, I think each denomination should pay for the salvation of their own souls.

244. The Committee understand that large grants of valuable cleared lands have been made of late to Clergymen of the Church of England for Glebes. Is this so within your knowledge?—No.

245. Do you know if the sum of £6000 of the public monies (in the hands of Bishop M'Donell) being lent to the House of Maitland, Gardner and Auldjo?—Only by report.

246. What Schoolmasters did the Bishop bring from Europe?—Four. Mr. Hammond, Mr. Murdock, Mr. M'Donald, and Mr. M'Pherson. I think the latter came from the West Indies.

247. From what funds were they paid?—I cannot tell. I understand that £100 is allowed for each of them by government.

248. Did they teach School?—Three of them taught school in Glengarry for some time. One of them taught a common school.

249. Are there any Catholic School Masters now in Glengarry, paid out of the Government appropriation to such teachers?—I am not aware that there are. Bishop M'Donell paid the Schoolmasters referred to in my former answer. It is more than five years since they left. I am aware that the Bishop has been occasionally giving the Common School Teacher at Alexandria some money. I know that he had paid him in all £18—this was about a year or two ago.

250. Out of what funds did the Bishop build the Church at St. Raphaels?—I have never seen the accounts, though a member of that Church—I have heard a good deal of entreaty made by the Clergy for persons to come forward and assist in getting up the building. I had no personal concern with the building of the Church myself.

251. Was there any government grants towards building that church?—I have no certainty that such was the case.

252. Does the Bishop exact tythes from the Catholics of Upper Canada?—In Glengarry, the clergy exact tythes, under the authority of the old French law.

253. Are there many members of the Church of England in Glengarry?—There are very few, I scarcely know a family, but there are 33,000 acres of land set apart for their clergy.

254. Are there many Catholics in Glengarry?—I think that the County is about equally divided between Catholics and Presbyterians.

255. Are you acquainted with Mr. Gillivray?—I was acquainted with him.

256. Are you aware that he was agent for the Bishop in the collection of notes due for tythes and marriages?—I saw a man pay him money on behalf of the Bishop. I do not know what the note was for.

257. What is the general charge for marrying?—Between two and three dollars.

258. Did you ever hear that the sum of £25 was ever charged for marriage?—No. Bpt during the building of the Church, I

have heard instances of persons signing notes for £25 towards defraying the expense of the building.

259. Did it ever come within your knowledge that the cattle, cows, and chattel property of persons subscribing to the Church, were sold to pay their subscription?—Yes.

260. In what circumstances were these men who were called upon to give their notes for £25 towards building the Church?—Generally farmers.

261. Were any labouring men who were not freeholders, called upon to pay this sum?—I heard of several young men giving their notes, without any reasonable prospect of paying.

262. Was this £25 ever demanded except from persons getting married?—Yes. It was the general average towards paying for the building the Church.

263. Are you aware that Catholic School Houses have been erected, or Catholic School Masters maintained out of the funds provided by the Government?—There was a School House erected at St. Raphaels, but I cannot say from what funds. I am not acquainted with what has been done in other parts of the Province.

264. Does not the inequality of the system of taxation of rateable property, cultivated and uncultivated, afford just grounds of complaint on the part of the people?—I do not think it does, as far as Glengarry is concerned.

265. Have not the resident settlers by the improvements they have made, and the House of Assembly by its liberal grants for Roads, Bridges, and in aid of Inland Navigation, given to the public Lands their greatly increased value as compared with 1792?—I should suppose so.

266. Ought not the revenue arising from these lands to have been applied to the liquidation of the war claims, instead of increasing the public debt and duties on imports for that purpose?—I think that the wild lands should be at the disposal of the Legislature, to be applied to such purposes as they should consider best.

267. What has been the effect produced in your County by the sale of Wild Lands for arrears of taxes? Such as have lost their lands feel dissatisfied.

268. Has the effect been to divide property, or to accumulate it into the hands of a few individuals?—I could not say, until I could see how much each individual has.

269. Would not the British Constitutional system, by which the head of the government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I think if the Legislature and Executive would pull one way it would be best.

270. What check would you propose on having partial and injudicious legislation in England, affecting the commerce, and through it the general interests and prosperity of this Colony?—I think that such matters might be left to the wisdom of the Legislature of this Province.

271. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Colony, and the proceeds applied only according to law?—I think so.

272. What check has the House of Assembly on the other branches of the Government as a means of preventing executive usurpation of popular rights?—I should think that the other branches care but little about the Assembly stopping the supplies while they exclusively have the control of the Casual and Territorial Revenue.

273. Another subject of complaint is the continual stoppage of the bill for the more equal division of Intestates' Estates. Is the passage of that measure desired in your county?—I do not know that the county have expressed any opinion on that subject except in the petitions of 1831. My own opinion is, that parents, if they have children, society looks for them to support them equally, and not leave them a burthen on society.

274. Many complaints are made that the Judges and Clergy—

men of the Church of England and Rome hold seats in the Legislative and Executive Councils; are not such seats incompatible with their spiritual and judicial functions?—I think that with regard to clergymen they have enough to do in their spiritual department.

275. Do you consider the Canada Company a benefit or an injury to the Province. Are not the grants or sales of Land to this company of speculators residing in Europe an improper transfer of the functions of the Government?—I think so, I think it is better there should be no agent in the shape of a land company between the Governor and the Emigrant. I think the Canada Company injurious because whatever money is paid to the company is taken from the sum which might have improved his farm. I think it is better to raise taxes from improved property than to lay them as a weight upon the original settlers—that after persons have made themselves comfortable they are then to contribute to the necessities of society.

276. What are your objections to an Elective Legislative Council, and what are your objections to the Legislative Council as now constituted?—I have not given sufficient consideration to the subject to know how it could be improved.

277. Do you not consider the custom of pensioning the judges to a large annual amount, by orders from the Colonial Office, out of the Upper Canada Revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—I should think it much better to regulate their retiring pensions by law, having reference to the extent of their services.

278. How can a bench of judges dependent on the Colonial Office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in cases where a collision may arise between the Legislative and Executive Departments in this Colony, or between the British Statutes and the Provincial Laws.—I think human nature has a leaning to the hand that feeds it.

279. Ought not those persons who advise His Majesty in his appointment of fit persons to fill the judicial bench to be responsible to the country?—I think so.

280. Are you of opinion that the Chief Justice or any of the Judges ought to sit in the Legislative Council? May not the Judge be called on in his Legislative capacity to pass opinions and enact measures of severity against the individual whom afterwards he may be called upon to try as a Judge in the Courts?—I think that a Judge having given his opinion once, should not sit a second time on the same case.

281. What fees were charged by Sheriffs on the sale of wild lands for taxes in your district?—Only seven shillings and sixpence currency, and free deeds afterwards given by the Sheriff.

282. What objection can be urged against a fair and equal representation of the qualified Electors in the House of Assembly?—Why should four townships in one part as a county, with 4,000 inhabitants send two members, and five or six in another part, as a riding with 15,000 send only one?—This arrangement being based neither on extent of territory, property, nor population?—Population and territory I think should be the basis.

283. Does not a vast annual additional expense fall on the Province owing to the continual rejection of bills of a general character sent up by the House of Assembly, rejected in the Legislative Council, and again introduced, debated and sent up by the House of Assembly?—I cannot say what bills have been sent but the tendency of continually refusing bills must create additional expense.

284. In what way can the popular branch of the Legislature influence the Government so as to secure the appointment of proper persons as arbitrators to decide each four years on the proportion of revenue coming to Upper Canada from duties levied at the port of Quebec?—They could only recommend an arbitrator by the resolution of the House of Assembly.

285. What becomes of the Clergy Reserve monies vested in the British funds?—I cannot tell.

286. Are Grand and Petit Jurors summoned with perfect fairness in your district?—I think so, for I have at different times been observing the Sheriff in cases when I supposed he had a

feeling; and I could never discern the least appearance of partiality.

287. Do you think the local knowledge possessed by the Lieutenant Governors of this colony fully sufficient to enable them to nominate independent men otherwise well qualified to the office of Legislative Councillors?—I think that a good deal depends upon the information they get from others.

287. The Vote by Ballot in Elections is prayed for in many petitions both to the Assembly and to his Majesty—What is your opinion of this mode of voting?—I am in favor of that system of voting.

(The Witness withdrew.)

REV. ANGUS McDONELL, CURE OF SANDWICH, called in and examined.

288. Has there been at any time, within your knowledge, any one schoolmaster residing and teaching in this city, who received any salary, or portion of the appropriation given to Catholic teachers, for his services?—Yes, John Sawyer, or Seers; he received within my knowledge about £20 per year for teaching in this place.

289. How long since he taught in this place?—I cannot tell, but I saw the money paid to him last winter. I think there is another teacher now in his place who will receive the money.

290. Have you any knowledge of a person named John Butler having received any portion of it, under the pretext of his being a schoolmaster?—No, I do not know any thing of it. I know Mr. Butler, but do not know that he has received any government money. If he has received money, it was not received in the capacity of a schoolmaster.

281. Was he, Butler, *bona fide* a schoolmaster coming within the intention of Earl Bathurst's despatch authorising Bishop McDonell to apply one-fourth of His Majesty's bounty for the clergy to the payment of schoolmasters?—Mr. Butler might have received something at one period as a schoolmaster, because he taught school at one time here in this town.

292. Have you any knowledge of the Rev. P. McDonogh having at any time refused to receive his portion of the government appropriation, and if so, what were his stated reason or reasons?—No, I believe he always received his share of the government allowance.

293. Have you any knowledge of a sum of £900 sterling, or any other sum or sums, having been received by Bishop McDonell or any other person on his behalf, from His Majesty's Government or the Local Government, for any ecclesiastical or other public purpose; and if so, state how the same has been applied?—I understood there had been £900 received for the erection of churches. As to the manner in which it was appropriated I cannot give an exact account, but I know that £300 has been applied towards finishing the Church at Glengarry—£150 to put an addition to the Church in Kingston—£25 to the Church at Loughborough—£25 to the Church at Camden—I believe £40 to the Church at London—and about the same sum to the Church at St. Thomas—I think it was £100 to the Church at Niagara, and about the same amount to the Church at St. Catharines—and I believe it was £100 to the Church at Peterborough—£90 for the erection of the new Church at Amherstburgh—the rest has been divided between the different missions, but I do not know in what proportion.

294. In whose care was the money expended on the Church at Glengarry placed?—In the hands of commissioners nominated, I believe, by the Bishop—they were Col. Alexander Fraser, Hugh McGillis, Esq., and the Right Rev. Remigus Gaulin.

295. Was £100, expended on the Peterborough Church, received as a donation from Cardinal Weld?—The money has been subscribed but not drawn.

296. Did you ever present a petition either by yourself individually or in conjunction with any other, and with whom, to the head of the Executive of this Province, complaining of the mal-appropriation of certain monies placed at Bishop McDonell's disposal for ecclesiastical or other public purposes?—I never presented any petition myself, or in conjunction with any other person, complaining of mal-appropriation by Bishop McDonell of any sums of money received by him which could come under the control of the Provincial Parliament.

297. Did you present to the Lieutenant Governor any petition, at any time, complaining that monies which had been placed in the Bishop's hands for ecclesiastical purposes, had been misapplied?—No, I never did. The petition I presented was merely enquiring what sums of money had been paid by the British Government for me, from . . . . . period to . . . . . period.

298. Have you a copy of that petition?—I have not a copy here.

299. What was the reason that Mr. Crevier was removed from Sandwich?—I do not know.

300. Do you know of any sum of money lodged by Bishop McDonnell in the hands of Maitland, Garden and Auldjo, the appropriation of the Imperial Government for schools and for ecclesiastical purposes?—The Bishop, when in England, received a sum of from £2,000 to £3,000, which he lodged in the house of Maitland, Garden and Auldjo, because he was then on his way to Rome, which house failed before the Bishop's return to the country, and the Bishop has been compelled to pay this money out of his own private funds.

301. Are you aware that one-fourth of the annual appropriation made in England is for the support of schools?—No, but the Bishop has discretionary power to appropriate one-fourth of the annual appropriation to the support of schools. There are some schools in the Province partially maintained from this bounty.

302. Is it just to the Baptists, Quakers, Menonists, Tunkers, Independents, Seceders, and other Christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and that the Methodist Ministers, should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—It depends altogether upon the opinion of the Government.

303. Would it not be desirable that the Clergy and Crown Reserves and all reservations of land, otherwise than for education, were disposed of for public purposes, under the control of the Legislature?—I think it would be desirable.

304. The undue preferences and exclusive privileges granted to certain religious denominations are much complained of; would it not tend to strengthen good government if they were altogether abolished?—I am not aware of any undue preferences, except the Clergy Reserves, which are a real grievance in the country.

305. Are you of opinion that clergymen of any denomination ought to have seats in the Legislative Council, or that such seats are compatible with their spiritual functions?—I am decidedly of opinion that no clergyman of any denomination should hold a seat either in the Legislative or Executive Councils.

306. Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?—They are not, I think the sale of the Clergy Reserves, if appropriated to Education, would afford sufficient fund for the support of common schools.

307. What is your opinion of the system of District Schools in Upper Canada?—I believe in most cases they are a nuisance; I think that if the £100 would be divided among four common schools it would tend more for the benefit of the country.

308. What tythes are generally exacted about Glengarry or Sandwich?—The twenty-sixth bushel of grain only.

*The Witness withdrew.*

THOMAS DALTON, Esq. TORONTO, called in and examined.

309. Are you the proprietor of the Patriot newspaper?—I am; the series commenced in November, 1829.

310. What postage did you pay in 1830 and 1831?—I paid while I published in Kingston about £125, this was to the end of 1832.

311. Is the return correct which states you to have paid in 1829 £5; in 1830 nothing; and only £6 in 1831?—It is not correct.

312. What might be the amount paid during these years?—I think 70 or £80.

313. The Kingston Chronicle is entered in this Return as paying £10 a-year; is that a fair return?—I should not suppose that they ever sent so few as 50 copies.

314. Do you know any law under which newspaper postage can be collected in Upper Canada as a perquisite to a Postmaster?—No; I do not believe they pretend it is by law, but by an order of the Postmaster-General, and given as a perquisite to his deputy, as I understand.

315. Are not the Letter Postage rates, where they exceed 1s. 3d. currency, on a single letter, (which is the maximum for the greatest possible distance in the United States) injurious to trade and unnecessarily burthensome on this community?—I have always thought the postage from here to England as enormous.

317. How would you recommend newspaper postage to be collected?—I think it ought to be collected from the party receiving the newspaper.

318. Do you think that newspapers ought to be subject to postage?—I do for the reason that it is a valuable service performed to the person receiving the paper, with the expense of which, the public ought not to be burthened; because it would be taxing the poor to maintain the rich.

319. What rate of postage would you recommend on newspapers?—Not more than a half-penny per sheet.

*(The Witness withdrew.)*

WEDNESDAY, 11TH FEBRUARY, 1835.

JOHN BROWN, Esq., M. P. P. FOR THE COUNTY OF DURHAM, called in and examined.

320. How many justices of the peace are there in the county you represent, and how many in each township?—I do not know, a new commission has gone down lately.

321. Have you made recommendations to His Excellency for fit men to be placed in the commission of the peace?—No, I never did to my knowledge.

322. Are the justices of the peace, resident in your county, chosen exclusively from one party in politics or indiscriminately from respectable men entertaining various political opinions?—As far as my knowledge goes I do not see any difference. A gentleman by the name of Munroe, who went about with a petition for the removal of Sir John Colborne, has been since appointed a magistrate.

323. Are the common schools in your district sufficiently numerous and efficient for the wants of the country?—I think not.

324. Has any inconvenience resulted in your district from the selection of voting places at elections, and what places would you recommend for your county?—I think it would be better to have two polling places, Grimes' Inn, in Cavan, for the front townships of Durham, and for the back townships Cottingham's Mills,

325. Have not the resident settlers by the improvements they have made, and the House of Assembly by its liberal grants for roads and bridges, and in aid of Inland Navigation, given to the public lands their greatly increased value, as compared with 1792?—Decidedly so.

326. Ought not the revenue arising from these lands to have been applied to the liquidation of the war loss claims, instead of increasing the public debt and duties on imports for that purpose?—Yes, I think so.

327. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of Christians, whose spiritual teachers receive no share of the public revenue for their

religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and that the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—I think not, but I think we ought to have an Established Church; I am for a union of Church and State, and I think that the Church of England ought to have the supremacy.

328. How would you provide for the Church of England?—I have no idea of giving them the one-seventh of the lands of Upper Canada, but would give them a respectable maintenance out of a part of these Reserves.

329. Would not the British Constitutional system, by which the head of the Government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of Government?—I am perfectly satisfied with the present mode of government, I think a change would be an injury to the country.

330. Why have you formed this opinion?—I form this opinion from having heard no proposed changes which would answer equally well.

331. What check would you propose on hasty, partial, and injurious legislation in England, affecting the commerce, and, through it, the general interests and prosperity of this colony?—I could not say.

332. Would not it be desirable that the Clergy and Crown Reserves, and all reservations of land, otherwise than for education, were disposed of for public purposes, under the control of the Legislature?—All, except such parts as might be reserved for the support of the Established Church.

333. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Province, and the proceeds applied only according to law?—I am clearly of opinion that one deposit would be better, because it would be easier looked after.

334. Another subject of complaint is the continual stoppage of the bill for the more equal distribution of Intestates' Estates; Is the passage of that measure desired in your county?—I think not.

335. Do you consider the Canada Company a benefit or an injury to the Province; are not the grants or sales of land to this company of speculators, residing in Europe, an improper transfer of the functions of the Government?—I think the Canada Company have been a very great injury to the country.

336. What are your objections to the Legislative Council as at present constituted?—None, I should be very sorry to see the people put in the Legislative Council.

337. Will not the Canada Company eventually draw several millions out of the Province, without conferring on the settled population any adequate advantage?—I think they will be some advantage, the first settling of the country and opening the roads are advantages; but the monopoly will eventually be disadvantageous.

338. Are there many actions at the instance of banks in your district?—There are; each of the endorsers and also the drawer are prosecuted, and three suits and three bills of costs incurred for the recovery of one debt; if the debt to the bank is £41, the costs in some cases arise as high as £60 additional. The law ought certainly to be altered; it would be better to notify the endorsers in the first place, and commence an action against the drawer.

339. Have the grants of money for the improvement of roads and bridges been faithfully expended?—I think they have.

340. Do you not consider the custom of pensioning the judges to a large annual amount, by order from the Colonial Office, out of the Upper Canada Revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—I am not prepared to say.

341. How can a bench of judges dependent on the Colonial Office, for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in

cases where a collision may arise between the Legislative and Executive departments in this Colony, or between the British Statutes and the Provincial Laws?—I am not prepared to say.

342. Ought not these persons who advise His Majesty in his appointment of fit persons to fill the judicial bench be responsible to the country?—I think so, certainly.

343. In case the House of Assembly, or large bodies of the people, should be of opinion that a public officer deserved impeachment, by what means could he be tried?—I think there is no public officer, who is guilty of any misdemeanor, who cannot be tried by the Court of King's Bench.

344. Would not an active agent representing the wishes of the people of Upper Canada, in London, be likely to be of great importance to the commercial and agricultural interests of the country?—If a person of that description could be found who would be free from politics, he might be very useful.

345. Is there a hope that the Legislative Council and Assembly, as now constituted, would unite in the choice of such a person?—I should think so.

346. Were not the inhabitants of the Province seriously injured by the refusal of the Legislative Council, at several sessions, to pass a bill appointing commissioners to treat with commissioners appointed by act of the Lower Canada Parliament, on matters of mutual interest to the two Canadas, especially their trade?—I would prefer having a port of entry in Lower Canada; I think the best way would be, to have the Provinces united.

347. Does not a vast annual additional expense fall on the Province, owing to the continual rejection of bills of a general character sent up by the House of Assembly, rejected in the Legislative Council, and again introduced, and debated, and sent up by the House of Assembly?—I think it a very necessary one, it would be a very hard case if they had not the same power to reject our bills that we have.

348. Are you aware that the members of the Legislative Council receive a far larger proportion of the taxes than they and their families contribute?—I am not aware of that.

349. Do you think the local knowledge possessed by the Lieutenant Governors of this Colony fully sufficient to enable them to nominate independent men, otherwise well qualified, to the office of legislative councillors?—I think so.

350. The vote by ballot in elections is prayed for in many petitions, both to the Assembly and to His Majesty; what is your opinion of this mode of voting?—I do not know a better way to cheat the public than by ballot.

*Witness withdrew.*

FRIDAY, 13TH FEBRUARY, 1835.

WILLIAM BUELL, Esq., of Brockville, called in and examined.

351. Are the common schools in your district sufficiently numerous and efficient for the wants of the country?—No.

352. Has any inconvenience resulted, in your district, from the selection of voting places at elections; and what place or places would you recommend for your county?—I think the last election for the County of Leeds was held at an improper place; I would require time for reflection.

353. Do you think the Lieutenant Governors of themselves possess a sufficient knowledge of the inhabitants of the several districts, to enable them to select judicious persons as Justices of the Peace?—I do not.

354. In what manner are Justices of the Peace appointed in your district?—They are mostly appointed from among persons possessing one set of political opinions—I mean opinions in accordance with the views of the Executive.

355. Are you a Justice of the Peace?—I am not.

356. How often have you been elected as a representative of the County of Leeds?—I have been elected to two Parliaments.

357. Was not your father a former member of the House of Assembly?—He was.

358. Was he in the Commission of the Peace?—He was in the Commission of the Peace at the early settlement of the County; his name must have been left out previous to his election, which was, I think, in 1800.

359. Who was your colleague in the last Parliament?—Matthew M. Howard.

360. Was not his father also a member of the House of Assembly?—I think he sat in three or four Parliaments.

361. Was either of the Messrs. Howard in the Commission of the Peace?—I do not recollect that either ever was. If Mr. Howard, sen. was in a short time, he must have been put out again.

362. Did you ever recommend to His Excellency any persons as fit to be put in the Commission of the Peace?—Yes I did, at the commencement of the tenth Parliament.

363. Were your recommendations attended to?—No they were not.

364. A very large sum of money collected by direct taxation is annually entrusted to the Magistrates, they being irresponsible to the people either directly or indirectly, would it not be more in accordance with the genius and spirit of the Constitution if these monies were placed under the control of persons appointed by the qualified electors?—I think the monies would be better managed under the control of persons selected by the qualified electors.

365. How many Justices of the Peace are there in the county you represent, and how many in each township?—I think there are about 70 in the Johnstown District.

366. Are men chosen to fill the Commission of the Peace and the offices of the district who have been long resident in it, or are strangers more generally preferred?—Latterly, I think, that there have been more persons not long resident in the county preferred to the offices of Justices of the Peace.

367. What Bank notes have the greatest circulation in your district?—The Upper Canada Bank notes I should suppose.

368. How many actions is it usual for the Bank to raise against a defaulter whose note has two endorsers?—I think three.

369. What is your opinion of the system of district schools in Upper Canada?—I think the system is a bad one as the law is now carried into effect.

370. What is the state of the roads in your district?—Not very good.

371. Have the monies arising from the sale of wild lands for assessed taxes, or from payments on such assessments on these lands, been prudently expended by the Magistrates in your district?—A portion of these monies were not prudently expended, particularly about £700 expended in the town of Brockville.

372. Does not the inequality of the system of taxation of ratable property, cultivated and uncultivated, afford just ground of complaint on the part of the people?—I think it does.

373. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads and bridges, and in aid of inland navigation,

given to the public lands their greatly increased value as compared with 1792?—Yes.

374. Ought not the revenue arising from these lands to have been applied to the liquidation of the war loss claims, instead of increasing the public debt and duties on imports for that purpose?—I think the Imperial Government ought to have paid these claims. But if we have them to pay, these lands ought to have been taken in preference.

375. Are you the Proprietor of a public newspaper in Upper Canada?—I am.

376. How long has it been established?—Fourteen or 15 years. I have only been the Proprietor about 12 years.

377. Do you know any law under which newspaper postage can be collected in Upper Canada as a perquisite to a Postmaster?—I do not. I think it ought not to be given as a perquisite.

378. Would not the British constitutional system, by which the head of the Government is obliged to choose his Councilors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of Government?—It is my opinion that it would. The irresponsible character of the Government is one of the principal difficulties under which we labor.

379. Was not the refusal of the Legislative Council of this Province to assent to the Assembly's bills in several Parliaments for appointing Commissioners to meet those appointed by Lower Canada to consider of matter of mutual importance to both provinces, a proof of the necessity of a change in the composition of the Upper House?—It proved that they did not do what they ought to have done.

380. The undue preferences and exclusive privileges granted to certain religious denominations are much complained of: Would it not tend to strengthen good government if they were altogether abolished?—Yes, I think so.

381. Is it just to the Baptists, Quakers, Menonists, Tunkers, Independents, Seceders and other denominations of christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and clergy, and the Methodist ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—I think not.

382. Would it not be better that the sale and disposal of the public lands and other public property were, in all cases, regulated by law?—I think so.

383. What check has the House of Assembly on the other branches of the Government as a means of preventing executive usurpations of popular rights?—I do not think they have any real and substantial check.

384. Ought not the public revenue to be paid in the gross into the Exchequer or Treasury of the Colony and the proceeds applied only according to law?—I think that ought to be the case; were this done it would afford a check in the hands of the Assembly.

385. Another subject of complaint is the continual stoppage of the bill for the more equal division of intestate estates.—Is the passage of that bill desired in your county?—I think it is by a majority of the people.

386. You reside in Brockville?—Yes.

387. Do you not consider the custom of pensioning the Judges to a large annual amount, by orders from the Colonial office, out of the Upper Canada revenue and without refer-

ence to the Provincial Legislature, destructive of the independence of the Bench in a great measure?—I think it may have a bad effect on the independence of the Bench.

388. Are there not too many dependant persons, and holders of office in the Legislative Council?—I should say there was, as far as my information goes.

389. Are you aware that the powers and duties of the Executive Council are defined by law?—I am not.

390.\* The vote by ballot in elections is prayed for in many petitions both to the Assembly and to His Majesty. What is your opinion of this mode of voting?—I think it the mode that should be adopted in this Province.

391. Would it not be desirable that the Clergy and Crown Reserves and all Reservations of land, otherwise than for Education and Roads, were disposed of for public purposes under the control of the Legislature?—I think so.

VERY REVEREND DOCTOR Wm. J. O'GRADY,  
*again called in and examined.*

392. How long were you incumbent of the Parish of York?—Since the year 1829.

393. Did one John Sayer or Siers or any other Catholic School Master teach in York since 1829.—John Siers did not until the year 1833, when he opened a School on his own account, he did not within my knowledge, receive any portion of the Government appropriation—after he left here, I met him in Kingston, and he told me he received none.—Previous to Siers coming to the Parish, I engaged a School-master by the name of Harvey, who had a promise from Bishop McDonell of £20 per annum for the support of a school master but though he commenced his school on the faith of this promise, he was never paid one farthing, and after residing six months in this city, he was obliged to leave us.

394. Referring you to evidence given before this Committee of the Rev. Angus M'Donell respecting the appropriation for schools, can you shew that His Majesty's Government intended that £250 a year should be appropriated to the payment of Catholic School Teachers?—I think so. The Bishop shewed me the copy of a Despatch from Lord Bathurst authorising him to appropriate one fourth of the annual grant for that purpose, and that the Executive of the country was of the same opinion will appear by the following letter from Sir John Colborne to Bishop M'Donell.

*York, 20th April, 1829.*

MY LORD BISHOP,

I have the honour to acknowledge the receipt of Your Lordship's letter of the 2nd instant; and to return the inclosed document from Major Hillier, by which it certainly appears that you are authorised to apply, for the support of Schoolmasters, one fourth of the annual appropriation of His Majesty's Government.

The distribution of the salaries of the Clergy under your Lordship's charge must depend entirely on your opinion; but the claims of the Rev. Mr. O'Grady well deserve your Lordship's consideration.

I shall be most happy to see your Lordship at York.

I have the honor to be,

My Lord Bishop,

Your Lordships'

Most Obedient

Humble Servant,

J. COLBORNE.

The Right Rev.

Doctor M'DONELL,

Bishop of Resino.

395. Have you heard of any sum or sums of money being given to Bishop M'Donell for the purpose of erecting a Church

or Seminary at Guelph?—I have—£1000 were sent to the Bishop by Cardinal Weld for that purpose—but these monies were otherwise applied by his Lordship—to prove which I put the following letter in evidence.

*St. Raphael's, Glengarry,*  
Jan. 16th, 1830.

VERY REV. DEAR SIR,

I wrote you a letter on the 20th of November last to be conveyed to you by the Rev. Edward Gordon, but before his return from Lower Canada, where he had gone to see his brother, the Navigation closed, and the roads broke up, so that his departure has been delayed from day to day, in hopes that sleighing would commence in which we have been I may say hitherto disappointed—that letter as well as this one will be handed to you by Mr. Gordon.

The contents of your favor of the 16th of November are truly interesting. The remarks on the conduct of some individuals of our brethren are to me most distressing and call for immediate attention. I authorised you on a former occasion to take Mr. Compton under your *surveillance*, to examine strictly and minutely into his conduct, and I hereby repeat my injunctions and orders to you to the same purpose, and I charge you to exercise over him and over Mr. Gordon and over every other priest that is or may hereafter be employed in your district, the power and control of a vicar general until further orders. Regular powers may afterwards be given in due form as circumstances may require. In the mean time I beg and entreat of you to procure for me every possible information respecting the conduct of those individuals to whom you alluded in that letter.

I feel much obliged to you for suggesting the idea of holding conferences of the clergy, it is one that I long cherished myself when the state of the missions would admit of the clergy convening for that purpose, well aware of the great good which such an institution produced in Ireland in my time and is calculated to produce in this country. Hitherto however while two priests were not within the distance of hundreds of miles of one another, the thing was entirely impracticable, and even yet it is only in very few parts that it can be thought of, but please God to increase the number of our clergy I trust the practice may become general.

The kindness and attention which Sir John Colborne was pleased to shew to me during the time I had the honor of accompanying His Excellency last summer on his visit to Montreal and to the Rideau Canal, I shall ever remember with the most grateful feelings, and I shall ever consider it one of the most mortifying circumstances of my life, being deprived of the honor of seeing His Excellency under my humble roof: owing to my servants mistaking the time of his arrival in Cornwall, my horses and carriage were not sent, although I sent an express on purpose to inform them. I was most anxious that he would see these small establishments, and witness the struggles I have had to support them. My seminary alone in which I have been generally supporting for the last five years from seven to nine or ten young men has cost me at an average £300 per annum, being obliged to provide besides board and education, clothing and every other necessary for several of them who have not the means of procuring those things for themselves. This and the expenses of the buildings here which from first to last have amounted to upwards of £3,000 currency, without the aid of a single dollar from any human being, have subjected me to serious difficulties. Dr. Weld has indeed advanced me one thousand pounds towards building a church at Guelph which has gone partly to clear Mr. Fraser out of Kingston as you know and partly to purchase a piece of ground attached to the house bought for the use of the Bishop in Kingston and partly to defray expenses contracted by the building of other churches; and I am yet after all three thousand pounds more behind hand with the Parishoners of St. Raphael of money borrowed for the building of their new Parish Church, the greater part of that sum they will however be able to pay themselves in time. Of this long detail of my difficulties and embarrassment you are at liberty to communicate as much or as little to His Excellency as you may think proper. I shall petition His Excellency on behalf of the Indians of Penetanguishine or the Colonial Minister through His Excellency and to save postage shall enclose it under cover to Col. Fraser our Representative who will take an active part in anything that concerns our holy religion. I wish most earnestly to visit York in the course of next month if the state of the roads will be such as to render my journey any ways comfortable, I send you enclosed the distribution of the Government money, and you may acquaint the Gentlemen concerned to draw upon you when their money is ready for distribution.

I request to be most respectfully remembered to your brother and family and Col'l Baldwin and to all inquiring friends, and believe me to be with sincere regard and esteem very Rev. and dear Sir,

Yours truly,

† ALEX. REGIOPS, Ep.

P. S.—You will be pleased to send me a check on the Montreal Bank, which Mr. Harper will give you, if you lodge the money

with him for the quotas of the four schoolmasters and of the Rev. Mr. John McDonald of this parish, amounting in all to £75 16 4 Stg.

Yours A. McD.

The Very Rev. W. J. O'Grady.

396. Have you any other evidence to offer in proof of the misapplication of the public money by Bishop M'Donell?—I have the evidence of the Rev. Laurence Dempsey, and the Rev. Edward Gordon, taken before the Parish Commissioners, and also the evidence of Peter M'Dougall, Esq., regarding the repeatedly expressed opinions of the late Inspector General.

[The Committee decided not to receive in evidence the duplicate of an affidavit of Dr. O'Grady and Peter M'Dougall, Esq., nor the testimony given before the Parish Commissioners.]

I have repeatedly heard the late Hon. James Baby say that Bishop M'Donell never submitted to his inspection an account of the disposal of the Government appropriation, for the support of the Roman Catholic Clergy and Schoolmasters of this Province, and that he, the said James Baby was of opinion that he (the Bishop) annually abstracted a considerable portion of the sum for his own private purpose and uses, and also that the Rev. Wm. Fraser frequently assured him (the said James Baby) that to his knowledge, such was the case.

### QUESTIONS

RELATING TO POLLING PLACES, WITH THE ANSWERS OF CERTAIN MEMBERS OF THE HOUSE.

#### Question First.

399. Would you recommend more than one place at which to take the votes of the qualified Electors, for the County or Riding you represent?

#### Question Second.

400. If so, what places would you propose as the most suitable at which to hold the poll three days alternately?

#### Question Third.

401. If one polling place would in your opinion be sufficient, what place would you recommend as the most central or otherwise suitable for the Election?

### ANSWERS TO THE ABOVE.

DR. W. BRUCE, MEMBER FOR STORMONT.

*Answer to 401.*—The line between the towns of Cornwall and Osnabruck.

JOHN BOWER LEWIS, ESQ., MEMBER FOR CARLETON.

*To Question 1.*—Yes.

*To Question 2.*—At Richmond, and the lower part of the Township of Huntley.

DENNIS WOOLVERTON, ESQ., MEMBER FOR THE 1ST RIDING OF LINCOLN.

*To Question 1.*—In the first Riding of the County of Lincoln, which I represent, there is but four Townships, therefore I think one Polling place is sufficient.

*To Question 3.*—I would recommend Smithsville in the Township of Grimsby as the most central.

THOMAS PARKE, ESQ., MEMBER FOR MIDDLESEX.

*To Question 1.*—I am opinion that taking the votes by Townships would be most accomodating and efficient, yet, dividing the County into four parts would be a great improvement on the present system.

*To Question 2.*—London, St. Thomas, Delaware, and Gar-

dener's Mills, in Moša, would from my information be the most suitable.

*To Question 3.*—One polling place is not sufficient for the County of Middlesex; but if there must be only one, I think London would give the most general satisfaction.

JOHN A. WILKINSON, ESQ., MEMBER FOR ESSEX.

*To Question 1.*—I would recommend the Committee to leave the measure as it now stands, if you wish to please the Electors of the County of Essex.

*To Question 3.*—At the District Town Sandwich, where it is situated in the most populous Township in the County or District.

NATHAN CORNWALL, ESQ., MEMBER FOR KENT.

*To Question 1.*—I consider one place sufficient to hold the Election in the County of Kent.

*To Question 3.*—At the town of Chatham.

FRANCIS L. WALSH, ESQ., MEMBER FOR NORFOLK.

*To Question 1.*—I would recommend that the County of Norfolk, including the Townships of Walpole and Bayham should be divided into two Ridings for the purpose of being divided into a separate District as well as to enable the Electors more conveniently in that case to hold Elections for that County.

*To Question 2.*—In the event of the said County being divided into Ridings, I should propose that the Elections for the East Riding should be held at the Post Town of Simcoe—and for the West Riding, until a more central situation can be established, at the town of Fredericksburgh in the township of Middleton.

*To Question 3.*—Should this County remain undivided into Ridings, in that case, I would be of opinion that the County Elections should be held at Vittoria, only; as the additional expenses of holding the Elections would, in my opinion, operate, with other reasons against their being held in different places during the same Elections.

THOMAS M'KAY, ESQ., MEMBER FOR RUSSELL.

*To Question 1.*—No, the principal part of Settlers in Cumberland, Clarence, and Gloucester, are located along the Banks of Ottawa River. I believe they are not more than two miles back, Gloucester extending up River Rideau is tolerably well settled, so is Osgoode. It is difficult for me to say whether more places than one is necessary or not, should it be thought necessary, the line between Gloucester and Osgoode I think is the most proper place in that direction. On Ottawa between Clarence and Cumberland.

*To Question 2.*—Answered above.

*To Question 3.*—The place where it was held first at, is New Edinburgh in Gloucester, it was thought the most central and easiest place to arrive at by Steam Boat or otherwise, it being at the junction of Ottawa and Rideau Rivers, but that being my property, I beg to refer you to the maps.

HIRAM NORTON, ESQ., MEMBER FOR GRENVILLE.

*To Question 1.*—I would recommend three different places for holding the Elections.

*To Question 2.*—Prescott, Merrickville, and Kemptville.

*To Question 3.*—If but one place should be thought best, I would recommend Prescott as the most suitable place, but Kemptville as the most central in point of territory.

HARMANUS SMITH, ESQ., MEMBER FOR WENTWORTH.

*To Question 1.*—The County I represent is not so large, but the votes can readily be taken at one place of meeting.

*To Question 2.*—If the poll was kept open for three days alternately, at different places, I would recommend the villages of Stoney Creek and Ancaster.

*To Question 3.*—I consider Hamilton, the County Town, the most convenient place, and sufficiently central to hold the Elections.

JACOB RYMAL, Esq., MEMBER FOR WENTWORTH.

To Question 1.—The county I represent is not so large but that all the votes can be polled at one place in six days.

To Question 2.—If two places of polling of 3 days alternately I should recommend the villages of Stoney Creek and Ancaster.

To Question 3.—I think Hamilton, the county town, the most central place, and would meet the wishes of the inhabitants of the county.

WILLIAM B. WELLS, Esq., MEMBER FOR GRENVILLE.

To Question 1.—I would recommend three places.

To Question 2.—The town of Prescott and the villages of Kemptville and Merrickville.

To Question 3.—The village of Kemptville.

JACOB SHIBLEY, Esq., MEMBER FOR FRONTENAC.

To Question 1.—I would.

To Question 2.—At Waterloo, two days; at William Ash's, in the 1st concession of Loughborough, two days; and at Barrey's Field in Pittsburgh, two days.

PETER SHAVER, Esq., MEMBER FOR DUNDAS.

To Question 1.—I would recommend the poll to be held in different places of the County of Dundas, at least in four of its townships.

To Question 2.—In the township of Mountain, at the Widow Jackson's, one day; in the centre of Matilda, at the Widow Shaver's, two days; for Williamsburgh, at Philip Munroe's, two days; for Winchester and rear of Williamsburgh at Mr. Rosenbergen's, one day. I would wish the polls to be kept where the Courts of Requests are now holden.

D. A. E. McDONELL, Esq., MEMBER FOR STORMONT.

To Question 2.—I would propose that the poll be held three days at \_\_\_\_\_, in the township of Osnabruck, and for the first three days at the town of Cornwall, in the township of Cornwall.

I would beg leave to remark that the Committee are to take into consideration whether it would be prudent to remove the election from the county town where the district buildings are, for in case of disturbances as lately occurred at the county of Leeds election, a place of convenience could be had for troublesome characters.

(Signed)

D. A. E. McDONELL.

DONALD McDONELL, Esq., MEMBER FOR GLENGARRY.

To Question 1.—The County of Glengarry, which I represent, being one of the most populous counties in the Province and containing I should say 1,200 freeholders, I would recommend two polling places.

To Question 2.—The village of Williamsburgh in the township of Charlottenburgh, and the village of Alexandria, in the township of Lochiel.

To Question 3.—The village of Alexandria, being nearly the centre of the county.

GEORGE S. BOULTON, Esq., MEMBER FOR DURHAM.

To Question 1.—Yes, every township in the county.

To Question 2.—Every township, but for one day only.

To Question 3.—If only one place I should suppose the present mode adopted, the best.

GEORGE RYKERT, Esq., MEMBER FOR LINCOLN.

To Question 1.—For the Riding I have the honor to represent I think one place quite sufficient for polling all the votes.

To Question 3.—I conceive St. Catharines to be the most central both in territory and population, and therefore most suitable for holding the election.

EDWARD MALLOCH, Esq., MEMBER FOR CARLETON.

To Question 1.—Yes.

To Question 2.—Richmond and the lower part of the township of Huntley.

To Question 3.—If only one place thinks the 12th concession of Goulburn most central, but thinks Richmond the most suitable place for the convenience of the whole electors.

WILLIAM MORRIS, Esq., MEMBER FOR LANARK.

To Question 1.—I would recommend two places.

To Question 2.—I would propose Perth and Carleton Place.

SAMUEL LOUNT, Esq., MEMBER FOR SIMCOE.

To Question 1.—Yes.

To Question 2.—I would recommend the polling at all places to be going on at the same time. I recommend Holland Landing, Barrie, Narrows of Lake Simcoe, and somewhere on the township line between Tecumseth and Adjala.

JAMES DURAND, Esq., MEMBER FOR HALTON.

To Question 1.—Yes, I would recommend three places at which to hold the elections for the county I represent, I would also further recommend a prolongation of the time now fixed by law for that purpose, from six to nine days.

To Question 2.—I would propose for the first three days the village of Hannahsville, in the township of Nelson; for the second three days the village of Preston, in the township of Waterloo; and for the third three days the town of Dundas, in the township of West Flamborough.

WILLIAM McCRAE, Esq. MEMBER FOR KENT.

To Question 1.—I should not recommend more than one place to hold the elections in the County of Kent.

To Question 3.—The town of Chatham.

FRANCIS CALDWELL, Esq., MEMBER FOR ESSEX.

To Question 1.—I would not recommend more than one place at present.

To Question 3.—Sandwich as being the county town.

DAVID THORBURN, Esq., MEMBER FOR THIRD RIDING LINCOLN.

SIR,

The Circular letters signed by you as Chairman of the Committee on Grievances, relative to holding elections. The one you did me the honor to send for to fill an answer in, I have sent to a Committee of the electors of the 3rd Riding of Lincoln which I have the honor to represent, for the opinion of the freeholders, which has been had and is annexed, the wish of the freeholders is expressed therein.

I have the honor to be,

Sir,

Your obedient servant,

DAVID THORBURN,  
M. P. 3rd Riding Lincoln.

To W. L. MACKENZIE, Esq. }  
Chairman of Com. on Grievances. }

To DAVID THORBURN, Esq.

SIR,

After taking into consideration the question presented to the Committee for their consideration, relative to the place or places for polling the votes for the 3rd Riding, county of Lincoln. The Committee are of opinion that one place would be sufficient at or near the centre, viz: Matthew Seburn's, Innkeeper in Thorold.

GEORGE ROWE,  
Corresponding Secretary.

By order of Committee.

WM. H. MERRITT, Esq., MEMBER FOR HALDIMAND.

To Question 1.—I have never given the subject much consideration, but think it would be a convenience to the inhabitants to take the votes at two places.

To Question 2.—At Dunnville and Stoney Creek in Rainham or Walpole.

HENRY W. YAGER, Esq., MEMBER FOR HASTINGS.

To Question 1.—I should recommend two places for holding the election in the county of Hastings.

To Question 2.—Three days in the village of Bellville, and three days at John McCoy's in Huntingdon, and but one Returning Officer.

FRIDAY, 6th day of MARCH, 1835.

THE HON. JOHN HENRY DUNN, RECEIVER GENERAL,  
*called in and examined.*

402. Ought not the whole public revenue to be paid in the gross into the Exchequer or Treasury of the Colony, and the proceeds applied only according to Law?—That is the case. There are two distinct revenues, one under the control of the Provincial Legislature, and the other under the control of the Lords Commissioners of His Majesty's Treasury.

403. Under what law do the Lords of the Treasury exercise a control over the Casual and Territorial Revenue?—I do not know.

404. Where are public balances in the different departments deposited, and what may be the average amount deposited, paying no interest?—The balances in the Public Chest are exceedingly fluctuating and uncertain, the deposits are made for the general convenience and benefit of the public; sometimes there are large balances in my hands, and sometimes none at all.

405. From all sources whatsoever, what may be the average balances of public monies in your hands?—I think the balance may average within these few years about £10,000.

406. Do you think any of the Banks in this Province, a proper and safe place for public deposits?—I think the Banks safe places for the deposit of public monies.

407. What security do you give the Province for public balances?—£80,000, viz: £10,000 Mr. Clark; £5000 Mr. Street; £5000 Mr. Wm. Dickson, Forsyth & Richardson; £20,000 Mr. Dunn of London (my father); £10,000 stg. and my own personal security £30,000.

408. The Legislative Council refused several times to assent to bills sent up by the Assembly for appointing Commissioners to meet Commissioners appointed by the Legislature of Lower Canada to consider of matters of trade, revenue, inland navigation, and other affairs of mutual importance to both Provinces, was not that refusal injurious to the interests of the two Colonies?—I think it would have been better if Commissioners had met to have decided on the improvements of the St. Lawrence, in which the two Provinces are so intimately connected. If such a Commission could be carried into effect, it would, I think, have a mutual good result in the intercourse of both Provinces.

409. Does the supervision of the Inspector General of Public Accounts, extend to all revenue raised and expended in the Province?—I think it does.

410. What check would you propose on hasty, partial and injurious legislation in England, affecting the commerce and through it the general interests and prosperity of this Colony?—I am not prepared to state any remedy.

411. Have not the resident settlers, by the improvements

they have made, and the House of Assembly by its liberal grants for roads and bridges, and in aid of inland navigation, given to the public lands their greatly increased value, as compared with 1792?—Most unquestionably.

412. Mr. Wm. Chisholm is put down in this return as holding only the office of deputy postmaster—Has he not lately been appointed Collector of Customs at a place distant from his post office?—He has been appointed Collector of Customs for Oakville.

413. Is he not a merchant trading at that place and importing goods?—I really do not know.

414. We see in the Canada Company's returns a pension of £400 to Col. Talbot, a pension or allowance of £500 to the Bishop of Regiopolis, a pension to Sir W. D. Smith in England of £200, a pension to the family of General Shaw of £100, a salary to an agent here for the service of paying these monies and other sums. These payments are made from the public revenue of this Colony. By whose authority are they so made?—By the Lords Commissioners of the Treasury.

415. For what service do you receive £200 sterling out of the funds of the Canada Company?—For the large accumulated business connected with the Crown duties.

416. Do you not receive other £200 sterling as Receiver-General of Crown Lands?—I receive £400 sterling in all, besides £700 sterling per annum from the Province.

417. How often do you account to the Inspector-General for your intrusions as a manager of public funds?—Twice a-year—30th June and 31st December in each year.

418. Who made out the return of your income for 1830, placed in the Blue Book sent to England?—Mr. Turquand; it was correctly made out and embraced the different items of my income.

419. Can you point out to this Committee any Law of the Province, establishing the Executive Council a board to judge and audit the accounts of public officers and others?—No.

420. What Bank notes have the greatest circulation in this Province?—I think the Commercial Bank, at this moment, because I receive the most of their bills.

421. What is the amount of the debt due by the Province?—£180,500 currency, and £176,600 sterling, on the 15th January, 1835.

MONDAY, 9th day of MARCH, 1835

BERNARD TURQUAND, Esq. *called in and examined.*—

Is first Clerk in the Receiver-General's office.

[The return to an Address of the House of Commons of the receipts and payments of the Canada Company is shewn to witness.]

422. Is this document in the shape in which it was, when you signed it?—I believe it is.

423. Did it contain the sums of £324 and £540 paid to Dr. Strachan?—In the explanatory statement, I have no doubt it did.

424. Have the sums of £324 and £540 been actually paid to the Doctor?—These sums were not paid to the Archdeacon in this Province; but were with other monies mentioned in the statement allowed to the Canada Company (including the premium of exchange) as an offset from their first instalment in consequence of their having been paid to them in England as I presumed from a statement on that subject in the

Receiver-General's office. The sums paid to the Archdeacon must have been £300 and £500 only; exchange at eight per cent. at that time.

425. It appears that an additional salary of £500 has been made to the Lieutenant-Governor, besides £2000 and £1000 before: Under what authority was this made?—Under the authority of the Lords Commissioners of His Majesty's Treasury conveyed in a Despatch from the Colonial office: the £1000 is paid as an allowance in lieu of fees, which, heretofore, formed part of the emolument of the Lieutenant-Governor of this Province.

426. Are there outstanding monies now due to the Government?—It is unknown to our department.

427. Whose duty is it to keep an account of outstanding monies due to the Province by public accountants?—I believe the Inspector-General.

428. Ought not the whole public revenue to be paid in the gross into the Exchequer or Treasury of the Colony, and the proceeds applied only according to Law?—I think all public revenue of every description should be paid into the hands of one public functionary.

429. Does the supervision of the Inspector-General extend to all public revenue received in the Province?—I have no doubt of it, as all the public accounts go to his office for inspection.

430. Where are public balances in the different departments deposited, and what may be the average amount deposited, paying no interest?—For several years past, I think the average in the Receiver-General's hands, has not exceeded £10,000, including all the public funds that of the provincial revenue, scarcely any thing; and if any, always appropriated; it is very frequently in advance: the great bulk of the revenues come into the Receiver General's hands about the close of each period, and although the balances may appear large in the accounts, they are immediately reduced by the demands of the preceding half-year.

431. In case the different public accountants neglect to send in their monies to your office regularly, what steps are you authorised to take?—The bonds of the different public accountants are lodged with the Receiver-General; and when any defalcation occurs they are sent to the Attorney-General for prosecution of the party concerned.

GILBERT McMICKING, Esq., M. P. P., FOR LINCOLN COUNTY, called in and examined.

432. Are men chosen to fill the commission of the peace and the offices of the district who have been long resident in it, or are strangers more generally preferred?—Latterly, strangers.

433. Are the justices of the peace resident in your county chosen exclusively from one party in politics, or indiscriminately from respectable men entertaining various political opinions?—They are principally half pay officers and strangers; I mean the late appointments.

434. Are the common schools in your district sufficiently numerous and efficient for the wants of the country?—I should think not.

435. Do you think the Lieutenant Governors of themselves possess a sufficient knowledge of the inhabitants of the several districts, to enable them to select judicious persons as justices of the peace?—I should rather think not.

436. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads, bridges, and in aid of inland navigation, given to the public lands their greatly increased value, as compared with 1792?—Certainly.

437. Ought not the revenue arising from these lands to have been applied to the liquidation of the war loss claims, instead of increasing the public debt and duties on imports for that purpose?—I should think so: I once dined with General Brown, in a canal boat, travelling to Rochester, when, speaking of the late war, I asked him what the United States could have had in view in invading Canada; his answer was, that the Crown and Clergy Reserves would in a manner have recompensed them for the expenditure.

438. Would not the British constitutional system, by which the head of the government is obliged to choose his councillors and principal officers from among men possessing the confidence of the popular branch of the legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—Certainly, it would be better adapted to the wishes of the people.

439. Why have you formed this opinion?—Because an arbitrary government does not suit an enlightened community.

440. What check would you propose on hasty, partial and injurious legislation in England affecting the commerce, and through it the general interests and prosperity of this colony?—Only by a fair representation to the British Parliament.

442. The undue preference and exclusive privileges granted to certain religious denominations, are much complained of; would it not tend to strengthen good government if they were altogether abolished?—I think it would. There are 2,500 acres of land in the 4th Riding of Lincoln, that were surveyed and reserved between 1787 and 1789, in lieu of side lines; they are denominated on the surveyor's plan as glebes. Last summer, in June I think, through the interest of Mr. Anderson, the Episcopal clergyman and two of the Wardens of St. Paul's Church at Fort Erie and Bertie, there was a license of occupation granted for 1,500 acres to Westley Lewis and Alexander Douglass, as said Churchwardens of Mr. Anderson's church; we complain that this property belongs in common to the several townships as commons, in lieu of side lines.

443. Would not it be desirable that the Clergy and Crown Reserves and all reservations of land, otherwise than for education and roads, were disposed of for public purposes under the control of the Legislature?—I should think so.

444. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Colony, and the proceeds applied only according to law?—Certainly, that is my impression.

445. What check has the House of Assembly on the other branches of the Government, as a means of preventing executive usurpations of popular rights?—In my impression, it has never had any.

446. Many complaints are made that the judges and clergymen of the Church of England and Rome, hold seats in the Executive and Legislative Councils; are not such seats incompatible with their spiritual and judicial functions?—I should think so,

447. It is complained to His Majesty that sheriffs hold their offices in abject dependence on the will of a government irresponsible to public opinion;—that they choose the grand and petit jurors without reference to their fitness, but often from political considerations;—what remedy would you provide to secure the subject a fair trial by jury?—Perry's Jury Bill.

448. In what manner are appointments in the militia made in your district?—Militia officers are recommended by the Colonel and commissioned by the Lieutenant Governor.

449. Would it not be an advantage to the people if a law were passed for the abolition of Militia trainings?—Yes, because Militia trainings are attended with many evil consequences and no good.

450. What are your objections to the Legislative Council as now constituted?—I think a majority of them are men who do not study the wishes of the people, nor the interests of the country.

451. In case the House of Assembly, or large bodies of the people should be of opinion that a public officer deserved impeachment, by what means could he be tried?—That I cannot answer.

452. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of Christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and that the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—I think it very unfair.

453. Do you not consider the custom of pensioning the judges to a large annual amount by orders from the Colonial Office, out of the Upper Canada revenue and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—I do.

454. Is not the appointment of public officers and magistrates by an irresponsible executive government destructive in a great degree of the power of the people in the Constitution?—It tends very much to their dissatisfaction.

455. How can a bench of judges dependent on the Colonial Office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties, in cases where a collision may arise, between the Legislative and the Executive Departments in this Colony, or between the British Statutes and the Provincial Laws?—I do not think they can.

456. What objections can be urged against a fair and equal representation of the qualified electors in the House of Assembly? Why should four townships in one part, with 4,000 inhabitants, send two members; and five or six in another part, as a Riding, with 15,000, send only one: this arrangement being based neither on extent of Territory, property, nor population?—I think the system of the representation unjust.

457. What mode would you recommend for the better government of the Post Office, and for allowing the control thereof to the Colony?—I should recommend the passage of a law by the Colonial Legislature.

458. Is not the tax on newspapers for the personal advantage of Mr. Stayner a strong ground of public complaint?—From what I have lately learned, it is.

459. Did not the Canada Committee of 1828 recommend that the whole public revenue should be under the control of the House of Assembly?—I have not seen that Report.

460. What Board of Audit is there in the Province?—I don't know of any.

460. Does not a vast annual additional expense fall on the Province, owing to the continual rejection of bills of a general character sent up by the House of Assembly, rejected in the Legislative Council, and again introduced, debated, and sent up by the House of Assembly?—There must be a great deal of expense and loss of time.

462. In what way does the sheriff of your district do his duty?—By deputy.

463. Has not the present irresponsible system of government in Upper Canada a tendency to discourage the emigration of the more wealthy and enterprising class of emigrants into the Province?—To my knowledge the most wealthy of the emigrants go to the United States and reside there; they allege that they like the management of that country.

JAMES DURAND, Esq., M. P. P., FOR HALTON COUNTY,  
called in and examined.

464. Has not the present irresponsible system of Government in Upper Canada a tendency to discourage the immigration of the more wealthy and enterprising class of emigrants into the Province?—I am fearful that it has that tendency, as a great number of wealthy emigrants settle in the United States, very many persons of large capital.

465. How many actions is it usual for the Bank to raise against a defaulter, whose note has two endorsers?—Generally three.

466. Have you made recommendations to His Excellency for fit men to be placed in the Commission of the Peace?—I never have.

467. Are the Justices of the Peace resident in your county chosen exclusively from one party in politics, or indiscriminately from respectable men entertaining various political opinions?—Most generally from men on the ministerial side, in politics, very frequently half-pay officers, and new comers not known to the people; which is a subject of complaint.

468. Are men chosen to fill the Commission of the Peace and the offices of the District who have been long resident in it, or are strangers more generally preferred?—Latterly I think they have been mostly new comers, and persons in whom the people have but little confidence.

469. What bank notes have the greatest circulation in your District?—I have an idea the Commercial Bank circulates as many as any, if not more in the District where I reside.

470. What is the population of the county you represent?—About 30,000 souls.

471. Have the monies arising from the sale of wild lands for assessed taxes, or from payment on such assessments on these lands, been prudently expended by the Magistrates in your District?—I am not sure; but think I have heard of some complaints.

472. Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?—I think not, generally speaking.

473. What is your opinion of the Canada Company?—I think they are a speculating body, who will yet do great injury by accumulating wealth; by draining the country of money and sending it to England.

474. Would not the British Constitutional system, by which the head of the Government is obliged to choose His Councillors and principal officers, from among men possessing the confidence of the popular branch of the Legislature be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of Government?—I am decidedly of opinion that it would, and be in unison with the wishes of the people.

475. Ought not the whole public revenue to be paid in the gross into the Exchequer or Treasury of the Colony, and the proceeds applied only according to law?—Certainly. I think so, by a well administered Government.

476. The undue preferences and exclusive privileges granted to certain religious denominations; are much complained of—would it not tend to strengthen good government if they were altogether abolished?—Yes, I think it would be well to abolish all invidious religious distinctions.

477. A very large sum of money, collected by direct taxation, is annually entrusted to the Magistrates, they being irresponsible to the public either directly or indirectly; would it not be more in accordance with the genius and spirit of the Constitution if these monies were placed under the control of persons appointed by the qualified electors?—I should think it would be more satisfactory to the people, to place the control in their hands.

478. What are your objections to the Legislative Council as now constituted?—I think the Members too often are regardless of the wishes of the people as appears by the frequent rejection of useful laws passed by the House of Assembly for their benefit, and if made elective, would be more likely to study the wishes of the country.

479. Do you not consider the custom of pensioning the Judges to a large annual amount by orders from the Colonial Office, out of the Upper Canada revenue, and without refer-

ence to the Provincial Legislature, destructive to the independence of the Bench in a great measure?—I think the pensions allowed to superannuated, or retired Judges heretofore quite too large.

480. Are there not too many dependent persons and holders of office in the Legislative Council?—I think there are, to act independently, for the people.

FRIDAY, 27th MARCH, 1835.

The Hon. GEO. H. MARKLAND, INSPECTOR-GENERAL OF PUBLIC ACCOUNTS, MEMBER OF THE EXECUTIVE COUNCIL, AND MEMBER OF THE LEGISLATIVE COUNCIL, called in and examined.

481. In the return made to His Majesty's Government for 1834, upon information obtained, it is presumed from your office, we find that £550 sterling paid to the Methodists is withheld. Why has it been kept back?—It was inadvertently omitted in copying from the Warrant Book. As the authority for the payment was a despatch from Mr. Stanley and the money was accounted for by the Receiver-General in the accounts transmitted by him to the Treasury, there would be no want of information on the subject.

482. In cases where the different public accountants may have neglected to transmit their accounts periodically to your office for inspection, what steps have you taken?—I take whatever steps the law points out when they are controlled by the law. On other occasions, make it known to the Lieutenant Governor.

483. Would it not be desirable that the whole of your duties as Inspector General should be accurately defined by law?—It would be much more agreeable to me, provided it was consistent in every respect with my office, which of course is subject to the orders of the Lieutenant Governor.

484. What account have you to shew this Committee who are in arrear on leases, ferries, bonds, &c.?—The account, so far as I am concerned, has been transmitted with the public accounts, except in one or two instances where arrangements have been made with the parties, in order to save loss to the public.

485. Can you shew this Committee the detailed accounts and vouchers of the monies paid to the Methodists in 1833 and 1834, amounting to £2800?—The vouchers are the warrants in the hands of the Receiver General.

486. On referring to the Journals of 1833-4 (Appendix page 19,) it appears that £284 15s 5½d was due by Mr. Solicitor General Hagerman in a balance on his receipts as Collector of Customs several years before. How was that debt settled?—The Solicitor General claims a larger sum from government, which claim is now before the Council, and if allowed would be much more than a set off against that sum—it therefore would not have been accurate to state it as money likely to become available.

487. It appears by documents sent down to the House, that £795 18s 10½ and £143 13s 11½ £939 12s 8d sterling, were paid to Mr. Chewett (from the duties levied under 14th Geo. 3rd) in 1832 and 1833 because he had paid over that sum, or half his salary and emoluments from 1st November, 1829, to Mr. Hurd the present Surveyor General—why was this payment made, and when did Mr. Hurd commence his personal services in this country?—Reference to be had to the parties themselves.

488. Is the Lieutenant Governor obliged, in matters of state policy, to ask your advice as an Executive Councillor?—In some cases the law directs that he shall consult his Council, but not in others; with respect to the Land Granting Department he is required by the constitution to do so.

489. If he asks the advice of the Executive Council is he obliged to follow it? If he asks your advice and disagrees with you in opinion can he resist your suggestions and follow the dictates of his own judgment?—An answer to this question is contained in the reply of His Excellency to an address of the Assembly on that subject.

490. If the Lieutenant Governor sees fit may he not call for the opinion of any one, two, or three of the members of the Executive Council, without summoning the others?—The Lieutenant Governor is at liberty to take advice of any one of his Council when he pleases. When he takes their advice in Council, they are all summoned to attend.

491. If His Excellency receive Despatches from the Colonial Office, can he act on them as he sees fit without the advice of the Executive Council?—It depends upon the nature of the Despatches.

492. If he does ask their advice can he submit an extract of the Despatch to their consideration, or are all despatches and communications between the Lieutenant Governor and the Colonial Office, enregistered and open to the inspection of all the members of the Executive Council?—I do not answer that question.

493. Has the Lieutenant Governor the power of appointing honorary and ordinary members of the Executive Council?—No, the appointments are made by the King.

494. Have you read Mr. Elmsley's letter, advertised in the newspapers in resigning his seat at the Executive Council Board, and are the statements contained in it susceptible of any explanation?—I have read the letter and have nothing further to state on the subject.

495. If the Lieutenant Governor should be desirous of paying away the revenue on his own responsibility, or with the advice of the Executive Council, without the sanction of law, what check is there to prevent his doing so?—I think the question could be best answered by the Receiver General in whose charge the revenue is placed.

496. To whom are the Executive Councillors responsible for the advice they give the Lieutenant Governor at any time?—This question has been answered in the reply of His Excellency before alluded to.

497. In case the Executive Council had recommended a grant of land to be given to any person on petition, during the period when land was granted here, could the Lieutenant Governor refuse or confirm their decision, at his pleasure, or was he bound by their acts?—He could refuse or confirm as he pleased.

498. Referring you to the despatches of Sir Peregrine Maitland to Sir George Murray, printed by order of the House of Commons, and containing an account of certain circumstances arising out of a military outrage, alleged to have taken place at the Falls of Niagara, wherein the private character of Mr. Forsyth, the complainant, is assailed, a select committee of this House denounced as "conspirators," and the House itself described to His Majesty as "an unprincipled faction"—the Committee wishes to know by whose advice and on whose responsibility these despatches were written?—I do not desire to answer that question.

499. Would not the British Constitutional system, by which the head of the government is obliged to choose his Councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I do not desire to offer an opinion on this subject.

500. What are your objections to an Elective Legislative Council?—I have no desire to give an opinion on any general subject where the reasons for that opinion cannot be understood and recorded.

501. The vote by ballot in elections is prayed for in many petitions both to the Assembly and to His Majesty. What is your opinion of this mode of voting?—I decline giving my opinion upon that question.

502. Do you not consider the custom of pensioning the Judges to a large annual amount, by orders from the Colonial Office, out of the Upper Canada revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—I do not give any opinion on that subject.

503. How can a bench of judges, dependent on the Colonial Office for their customary retiring pensions, and independent of the House of Assembly, act impartially between the parties in cases where a collision may arise between the Legislative and Executive Departments in this Colony, or between the British Statutes and Colonial Laws?—I do not believe it would influence their decisions, and is certainly better than their being dependent on the people.

504. Do you think the Lieutenant Governors of themselves have a sufficient knowledge of the inhabitants of the several districts to enable them to select judicious persons as justices of the peace?—They may be possessed of it by making proper inquiries from the persons in those districts, and I have no doubt they do so.

505. In case the House of Assembly, or large bodies of the people, should be of opinion that a public officer deserved impeachment, by what means could he be tried?—The Governor might be addressed to remove him from office, and if it were just he could do so.

506. It is complained to His Majesty that sheriffs hold their offices in abject dependence on the will of a government irresponsible to public opinion; that they choose the grand and petit jurors without reference to their fitness, but often from political considerations; what remedy would you provide so as to secure to the subject a fair trial by jury?—They are now governed in their duty by the law, and the law may be changed whenever the three branches accede to it.

507. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads and bridges, and in aid of inland navigation, given to the public lands their greatly increased value, as compared with 1792?—Both circumstances have increased the value of those lands together with the increased demand caused by immigration.

508. Ought not the revenue arising from those lands to have been applied to the liquidation of the War Losses claims, instead of increasing the public debt and duties on imports for that purpose?—I have no reply to make to that question.

509. Do you know why the Province is paying £200 sterling a year to England as a pension to Sir D. W. Smith, a Northumbrian Baronet?—I take it for granted it is by an order from His Majesty's Government.

510. If £200 was considered an equivalent provision for a surveyor general, on what principle was £400 lately granted as a pension to Mr. Chewett who merely held the office of acting surveyor general?—It is by an order from the King's Government that pensions are assigned to the servants of the Crown.

511. Is it just that the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of Christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the Clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and that the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for a performance of their religious duties?—I have no opinion to give.

512. Would it not be desirable that the Clergy and Crown Reserves and all reservations of land, otherwise than for education and roads, were disposed of for public purposes, under the control of the Legislature?—I have no opinion to give this Committee on those subjects.

513. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Colony, and the proceeds applied only according to law?—I give no answer.

514. What check has the House of Assembly on the other branches of the Government, as a means of preventing executive usurpation of popular rights?—The constitution is quite as well understood by every person present as by myself.

(The Witness withdrew.)

27TH MARCH, 1835.

JAMES KING, Esq., again called in and examined.

514. \*What influence have the Government pensions on the the Catholic clergy of this Province?—These pensions convert some of them into politicians, and as Bishop McDonell is a pensioner himself and independent of the people, it makes him less anxious to promote the religion, of which, in this Province, he is at the head. I recollect on one occasion the Rev. Mr. Downey, an exceedingly intemperate man, was staggering through the streets, at noon day, intoxicated, coming from the hospital to Bishop McDonell's house. I called the Bishop's attention to it through the press; but nothing was done. I believe that the disputes between the Bishop and Doctor O'Grady had their origin in politics.

Prior to the Bishop's return from his political mission through the Colony in 1831-1832, he left directions with Dr. O'Grady to call a public meeting of the Catholic people of this place to address His Majesty on behalf of the local Government; the meeting was called by the Inspector General, (Mr. Baby) and others and the requirement met with no support. The Bishop, on his return, expressed displeasure that Dr. O'Grady had not taken active means to insure the success of the meeting; he then called one himself. The Bishop sent for me that morning and requested that I would join him; I told him that I would attend no political meeting exclusively of Roman Catholics, apart from the rest of the population of the place; when he took me by the arm to endeavor to get me to attend, but I would not. From that time forward the Bishop's manner was altogether changed, and I date from thence the commencement of all the hostility which has since existed between the Bishop and the Rev. Dr. O'Grady.

WEDNESDAY, 1st APRIL, 1835.

THE HON. and VEN. JOHN STRACHAN, D. D., ARCHDEACON OF TORONTO, A MEMBER OF THE LEGISLATIVE AND EXECUTIVE COUNCILS, called in and examined.

515. What offices and places of emolument and trust do you hold under the British and Colonial Governments?—President of King's College, no salary until the University shall go into operation—Archdeacon of York, and Senior Member of the Executive Council.

516. What sum is annually expended from public sources for education in this City? And how many children are there educated between 6 and 16?—There are about 1200 children in this town; but as to the expense of their education I have no knowledge.

517. What objections have you to the bill passed by the Assembly in the 10th Parliament, entitled, "An Act to establish Upper Canada College," and intended to give a more liberal constitution to that public institution?—I have no recollection of the provisions of the bill.

518. What Board of Audit is there in the Province?—I believe it is generally known to every body.
519. Is the Lieutenant Governor obliged in matters of state policy to ask your advice as an Executive Councillor?—I refer you to the Constitutional Act.
520. If he asks the advice of the Executive Council is he obliged to follow it? If he asks your advice and disagrees with you in opinion, can he reject your suggestions and follow the dictates of his own judgment?—I refer you to the Constitutional Act.
521. If the Lieutenant Governor sees fit, may he not call for the opinion of any one, two or three of the Executive Councillors without summoning the whole?—I cannot answer that question, because I do not understand its object.
522. If His Excellency receive despatches from the Colonial Office, can he act on them as he sees fit, without the advice of the Executive Council?—I have no answer to give to that question.
523. If he does not ask their advice, can he submit an extract of the despatch to their consideration, or are all despatches and communications between the Lieutenant Governor and the Colonial Office, enregistered and open to the inspection of all the Members of the Executive Council?—I cannot answer that question.
524. Has the Lieutenant Governor the power of appointing honorary and ordinary Members of the Executive Council?—The Mandamus of the King appoints, whether the one or the other.
525. Can he change an honorary into an ordinary Member?—No.
526. Have you read Mr. Elmsley's letter advertised in the newspapers on resigning his seat at the Executive Council Board, and are the statements contained in it susceptible of any explanation?—I have no hesitation in saying the statement was not correct.
527. If a Lieutenant Governor should be desirous of paying away the revenue on his own responsibility or with the advice of the Executive Council, without the sanction of law, what check is there to prevent his doing so?—I could not answer that question as it assumes a case of which I have no experience.
528. Sir P. Maitland gave a Warrant upon Mr. Dunn, on 27th March, 1826, for £141 14 8½ for expenses incurred for hiring horses for him and his suite in visiting the settlements in the month of February previous. The order was given on the Casual and Territorial Revenue; can the Lieutenant Governors grant Warrants for sums not authorised by law, upon that Revenue?—I have no answer to give.
529. To whom are the Executive Council responsible for the advice they give the Lieutenant Governor at any time?—I do not answer that question.
530. In case the Executive Council had recommended a grant of land to be given to any person on petition, during the period when land was granted here, could the Lieutenant Governor refuse or confirm their decision at his pleasure, or was he bound by their acts?—The Governor may or may not agree.
531. Referring you to the despatches of Sir P. Maitland to Sir George Murray, printed by order of the House of Commons, and containing an account of certain circumstances arising out of a military outrage, alleged to have taken place at the Falls of Niagara, wherein the private character of Mr. Forsyth the complainant, is assailed, a select committee of this House denounced as "conspirators," and the House itself described to His Majesty as "an unprincipled faction;" the Committee wishes to know by whose advice and on whose responsibility these despatches were written?—I have no knowledge of the circumstance.
532. When did your Patent as Archdeacon of York issue?—I was made Archdeacon in 1824, but owing as I believe to the death of the Bishop and the appointment of a new one, and the difficulty of dividing the Province into two Archdeaconries, the Patent was not issued 'till 1826 or 1827.
533. Why do you speak of your salary as Archdeacon of York for 1825 in your letter of 3rd of March, ulto. to Colonel Rowan?—I was considered to be entitled to my salary from the date of my appointment.
534. The sum of £300 sterling appears to have been paid you when in England out of the Canada Company's funds:—in one Return to the House of Commons, it is stated to be for services during the reference—in another to have been for expenses in attending the of agreement with the Canada Company:—in your letter of 3rd March you state that it was for your salary as Archdeacon of York in 1825—were two sums paid?—There was only one sum of £300 sterling, paid to me, and I understood it to be as I have stated in my letter.
535. Can you point out to this Committee any law of the Province establishing the Executive Council a Board to judge and audit the Accounts of public officers and others?—I believe that the Executive Council sat as a Board of Audit previous to the enactment of the Constitution and has continued to do so ever since.
536. Have your functions and salary as President of the General Board of Education ceased, and if so, under what authority, and who has succeeded to the emoluments and office?—I understood, that in consequence of an address of the House of Assembly that board was suppressed.
537. By what authority were the Statutes given out by contract in 1825, and after being well and cheaply done have ever since been given at a far higher price to Mr. Stanton?—I have no knowledge of that question.
538. [Witness is shewn the Official Return of bills from the Assembly lost in, or lost by amendments, from the Legislative Council, and asked] What change would you propose in the Legislative Council, so that it might better harmonize with the House of Assembly?—I cannot answer that question, for I do not understand it, unless it imply a change in the Constitution to which no loyal subject can consent.
539. Are there not, in your opinion, too many dependent persons and holders of office in the Legislative Council?—Certainly not.
540. What check would you propose against sudden, ill-advised, and injurious Legislation in the Imperial Parliament, on matters effecting the trade and commerce, and through them, the agricultural and general interests of the Province?—I do not feel competent to give any opinion on that subject. But this I know, that the parent state is ever ready to confer every benefit in her power upon her colonies, consistent with the general interests of the empire, and no colony can with justice expect more.
541. Was Mr. Appleton's application for his proportion of the public monies, as a teacher in this city, unfavorably reported on to the Lieutenant Governor by His Council?—I have no recollection.
542. When you were absent in England 22 months did your salaries, emoluments, and advantages from office continue to be paid the same as when you were at home doing the duty?—The duties were performed at my own expense.
543. Does not a vast annual additional expense fall upon the Province, owing to the continual rejection of bills of a

general character, sent up by the House of Assembly, rejected in the Legislative Council, and again introduced, debated and sent up by the House of Assembly?—I beg leave to state that the Legislative Council reject no bills without good reasons, and that body has always appeared to me to have made the good of the Province much more its study than the House of Assembly, and need fear no comparison in true patriotism, wisdom, and ability.

544. In what way can the popular branch of the Legislature influence the government so as to secure the appointment of proper persons as arbitrators, to decide on the proportions of revenue coming to Upper Canada from duties levied at the port of Quebec?—I do not answer that question, not understanding why one branch of the Legislature should have more influence than either of the other two; but experience proves that the arbitrators of this Province have always conducted the business with success and ability. What more can be wished?

545. Would not the British Constitutional system, by which the head of the government is obliged to choose his Councillors and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the country, if adopted in Upper Canada, than the present irresponsible mode of government?—I do not believe the government is an irresponsible one; the rest of the question is too vague to admit of a definite answer.

546. In what way is the government of this colony responsible to public opinion, as expressed by the representatives of the people in Parliament?—I could not answer that question otherwise than by saying, that the government is quite as responsible as any other government.

547. [The witness is shewn the Post Office Return, and asked] What mode would you recommend for the better government of the Post Office, and for allowing the controul thereof to the Colony?—I have not given the subject consideration.

548. In case public officers prove remiss in the performance of their duties, how or by what tribunal can they be tried?—I am not aware of any, but I think a court of impeachment, under proper regulations, would be of great use—I think the Legislative Council would be a proper tribunal for that purpose.

549. Do you not consider the custom of pensioning the Judges to a large annual amount, by orders from the Colonial Office, out of the Upper Canada revenue, and without reference to the Provincial Legislature, destructive of the independence of the bench in a great measure?—The Judges are rendered independent by law; but the law is deficient, in as much as it does not provide for a retiring allowance to the Judges, if therefore there be any fault it is in the House of Assembly.

550. Do you think Lieutenant Governors, of themselves, possess a sufficient knowledge of the inhabitants of the several districts to enable them to select judicious persons as justices of the peace?—Certainly I do, for they have the best sources of information, and are quite independent.

551. It is complained to His Majesty that sheriffs hold their offices in abject dependence on the will of a government irresponsible to public opinion; that they choose the grand and petit jurors without reference to their fitness, but often from political considerations: what remedy would you provide so as to secure to the subject a fair trial by jury?—I cannot answer that question, owing to its assumptions, which I do not admit.

552. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads and bridges, and in aid of inland navigation, given to the public lands their greatly increased value as com-

pared with 1792?—It is an incidental advantage which gives them no particular claim.

553. Ought not the revenue arising from these lands to have been applied to the liquidation of the War Loss claims, instead of increasing the public debt and duties on imports for that purpose?—I would not answer that question, for I do not admit its correctness, as the Government have given large sums for that very purpose.

554. Ought not the whole public revenue to be paid in the gross into the exchequer or treasury of the Colony, and the proceeds applied only according to law?—I do not answer that question.

555. Does not the immense patronage of the local and general Government, uncontrolled as it appears to be by the House of Assembly, render nugatory in a great degree the efforts of the representative body to assert and maintain its constitutional independence?—Certainly not, for the members of the House of Assembly have been the chief office holders and the chief office expectants for the last thirty years.

556. The vote by ballot in elections is prayed for in many petitions both to the Assembly and to His Majesty; what is your opinion of this mode of voting?—Nobody would ask for the vote by ballot but from gross ignorance; it is the most corrupt way of using the franchise.

557. Is it just to the Baptists, Quakers, Menonists, Tunkards, Independents, Seceders, and other classes of Christians, whose spiritual teachers receive no share of the public revenue for their religious services, that the Clergy of the Kirk of Scotland, the Catholic Bishop and Clergy, and the Methodist Ministers should, without the sanction of the Legislature, have a bounty paid for the performance of their religious duties?—That question is not put in a way in which I could answer it.

558. The undue advantages and exclusive religious privileges granted to certain religious denominations are much complained of; would it not tend to strengthen good government if they were altogether abolished?—There should be in every Christian country an established religion, otherwise it is not a Christian but an Infidel country.

559. The Government of Upper Canada does not confine itself to maintaining one form of the Christian religion; it selects four particular denominations; and within the last two years appears to have paid them about £35,000, while the other sects received no part of the public monies: do you think this was a just course?—The Government does so little in support of the Christian religion, that I am thankful they do this much.

560. Do you consider the Clergy Corporation legal?—Certainly I do.

561. Are you aware that the Legislative Councillors receive a far larger proportion of the taxes than they and their families contribute?—I have not the means of answering that question, for I am not aware of their receiving any share of the taxes whatever.

562. Do you think the local knowledge possessed by the Lieutenant Governors of this Colony generally, sufficient to enable them to nominate independent men, otherwise well qualified, to the office of Legislative Councillor?—I think the information is very open to them.

563. Has not the present irresponsible system of government in Upper Canada, a tendency to discourage the emigration of the more wealthy and enterprising class of emigrants into the Province?—Certainly not; the Executive Government does every thing to encourage emigration, but the slanderous newspapers make people at a distance believe that there are difficulties in the Province, and produce a contrary effect.

564. In your letter of the 3rd of March, to Colonel Rowan, in explanation of a payment of £500 or £524 sterling, made to you in London from the Canada Company's fund, you state that it was to defray charges respecting King's College; we are desirous to ascertain for the information of the House, the way in which this money was expended, and the particular items of expense incurred by you, for which this was your remuneration?—I have no further explanation to give than what my letter contains. The Colonial Department, under whose direction it was expended, was satisfied, and no part of the £500 remained with me.

565. On referring to public documents within our reach, we find that £324, and £524 sterling, and £712 16s 2d, and £678 6s 8d, and 2000 acres of land in the Gore of Toronto, were given or paid to you when in London or since, on account of your journey to England, or on matters therewith connected. It also appears that since the 1st day of January, 1826, you have received £2,250 as President of the Board of Education, up to January 1833; £2700 as Archdeacon of York, and £1000 as an Executive Councillor; besides sums "for dilapidations on your living;" for the gaol ground; for the "small strip rents," Toronto; for the acre, formerly the Hospital Square, with other sums. For the information of this Committee, and in order to prevent misrepresentations and misapprehension we are desirous that you would furnish the Committee with a statement of all monies or grants, as payments made to you, for any purpose whatsoever, since 1st of January, 1826, whether from Colonial Revenue, Crown Lands, the Society for promoting Christian Knowledge, His Majesty's Government, rents of reserves, clergy grounds, glebe rents or uses, or from any other public source whatsoever, either here or in England?—For a complete explanation of the various matters contained in this question, I beg leave to refer to two letters addressed to Lieutenant Colonel Royan; one bearing date the 31st January, the other the 3rd February,\* both are I believe in the possession of the Committee. In these will be found answers quite satisfactory to every honorable mind.

I must at the same time enter my protest against the manner of putting this question, which is evidently calculated to mislead the careless and ignorant, though I am willing to believe that such could not be the object of the Committee.

Various sums are mentioned, which were paid at different times, for great and important services, and items of annual income are multiplied by ten, as if I had received such large sums at once; whereas they are spread over the space of ten years, and ought, in common decency as well as in justice, to have been specified according to their annual amount, or one tenth part of that which the question makes them.

(The Witness withdrew.)

MONDAY, 6th APRIL, 1835.

THE HON. PETER ROBINSON, LEGISLATIVE AND EXECUTIVE COUNCILLOR, AND COMMISSIONER FOR THE SALE OF CROWN LANDS, &c., called in and examined.

566. How often do you account to the Inspector General for your intrusions as a manager of Public lands?—Half yearly for Crown Lands sold, and at the end of each year for the dues on Crown Timber.

567. Do you, as a Member of the Executive Council, audit your own transactions, in your several capacities of Crown Land Commissioner, Commissioner for the sale of Clergy Reserves, and Surveyor General of Woods; or are these accounts submitted to no supervision whatever on this side the Atlantic?—I do not attend to no supervision whatever on this side the Atlantic?—I do not attend to the auditing of my own accounts. In the first instance, they are sent to the Inspector General for examination, and by him submitted with his remarks to the Council, for audit.

568. Were the laborers under the late Mr. Roswell Mount's

\* It is probable that the witness alludes to his letter of the 3rd of March, 1835, there being no letter of 3rd of February on the Records of the House of Assembly.

superintendence paid for Sunday work? Occasionally they were, as it was necessary that there should be no delay in preparing houses to shelter the Emigrants as they arrived, as well as to erect Store-houses, and an Hospital.

569. Could not the Surveyor General perform the duty you are paid £500 sterling for, under the title of "Surveyor General of Woods"?—I think the duties of the present Surveyor General occupy all his time.

570. Is the large number of Clerks in your office essential to the transaction of the public business entrusted to you?—They are all absolutely required. The House of Assembly having raised the salary of the Clerks in other public offices, the Clerks in my own petitioned the Governor in Council to be placed on the same footing; and I received an order directing me to make the additional allowance.

N. B.—The latter part of this answer was given in reply to a question respecting the increase of salary allowed to my Clerks.

571. Have not the resident settlers, by the improvements they have made, and the House of Assembly, by its liberal grants for roads, bridges, and in aid of inland navigation, given to the public lands their greatly increased value as compared with 1792?—Yes, no doubt.

572. Ought not the revenue arising from these lands to have been applied to the liquidation of the War Loss Claims, instead of increasing the public debt and duties on Imports for that purpose?—I decline answering that question.

573. Does not the immense patronage of the local and general government, uncontrolled as it appears to us to be, by the House of Assembly, render nugatory, in a great degree, the efforts of the Representative body, to assert and maintain its constitutional independence?—I decline answering that question.

574. Do you approve of the government paying, without the consent of the Assembly, for the religious services of four Christian denominations?—I decline answering that question.

575. Would not the British Constitutional system by which the head of the government is obliged to choose his Councillors, and principal officers from among men possessing the confidence of the popular branch of the Legislature, be more suitable to the wants and wishes of the Country, if adopted in Upper Canada, than the present irresponsible mode of government?—I decline answering that question.

576. Do you not consider the custom of pensioning the Judges to large annual amount, by orders from the Colonial Office, out of the Upper Canada Revenue, and without reference to the Provincial Legislature, destructive of the independence of the Bench in a great measure?—I am not prepared to answer that question.

577. Do you think the Lieutenant Governors of themselves possess a sufficient knowledge of the inhabitants of the various Districts, to enable them to select judicious persons as justices of the Peace?—The Lieutenant Governor has various sources from which to obtain information as to persons qualified to be Magistrates, among others, from the Members of the House of Assembly at their annual meetings.

578. In case the House of Assembly, or large bodies of the people, should be of opinion, that a public officer deserved impeachment—by what authority could he be tried?—I am not aware of any power vested in any tribunal here for that purpose.

579. It is complained to His Majesty, in petitions numerously signed that Sheriffs hold their offices in abject dependence on the will of a government irresponsible to public opinion, that they choose the Grand and Petit Jurors without reference to their fitness, but often from political considerations. What remedy would you provide so as to secure to the subject a fair trial by jury?—I have not given the subject sufficient consideration to enable me to suggest any better mode than the present.

580. Would it not be better that the sale and disposal of the public lands and other public property were in all cases regulated by law?—I see no objection to such a measure.

581. Ought not the whole public revenue to be paid in the gross into the Exchequer or Treasury of the Colony, and the proceeds applied only according to law?—I must decline answering that question.

582. Would not it be advisable that the Clergy and Crown Reserves and all reservations of land, otherwise than for education and roads, were disposed of for public purposes, under the control of the Legislature?—I must decline answering that question.

583. What check has the House of Assembly on the other branches of the government, as a means of preventing Executive usurpations of popular rights?—I think the sum annually required from the Assembly to carry on the public service, is a sufficient check.

584. Has not the present system of government in Upper Canada, tendency to discourage emigration of the more wealthy and enterprising class of emigrants into the Province?—I do not think it has, hitherto.

585. The vote by ballot is prayed for in many petitions, both to the Assembly and to His Majesty; what is your opinion of this mode of voting?—I have always been opposed to the vote by ballot.

586. Would you favour the Committee with your reasons why you are opposed to it?—I am opposed to it on the ground of its not being in accordance with the practice pursued in the parent state, and from the conviction I feel that the vote by ballot does not afford any additional protection to the individual in the exercise of his right, as it is notorious that it is always well known to which party he gives his vote and interest.

587. Do you know why this Province is paying £200 sterling a year to England, as a pension to Sir D. W. Smith, a Northumbrian Baronet?—I do not.

588. Is the Lieutenant Governor obliged in matters of State Policy, to ask your advice as an Executive Councillor?—Only in cases where the 31st of the King requires that he shall act with the advice of the Executive Council.

589. If he asks the advice of the Executive Council, is he obliged to follow it. If he asks your advice and disagrees with you in opinion, can he reject your suggestions, and follow the dictates of his own judgment?—I decline answering that question.

590. If His Excellency receive Despatches from the Colonial Office, can he act on them as he sees fit; without the advice of the Executive Council? If he does ask their advice, can he submit an extract of a Despatch to their consideration, or are all Despatches and communications between the Lieutenant Governor and the Colonial Office, enregistered, and open to the inspection of all the Members of the Executive Council?—I decline answering that question.

591. Have you read the Hon. Mr. Elmsley's letter advertised in the newspapers on resigning his seat at the Executive Council Board? The letter is as follows:—

HOLLAND HOUSE,  
York, December 3rd, 1833. }

"SIR,

"In order to prevent any misconceptions as to the motives which have induced me to resign my seat in the Executive Council, I beg to be permitted to make your paper the channel through which my reasons for taking that step may be communicated to the public in their proper light. In the year 1830, His Majesty was graciously pleased, in compliance with the recommendation of His Excellency Sir John Colborne, to call me to the Executive Council of this Province. For that mark of His Majesty's Royal favour and of His Excellency's consideration, I feel highly proud and deeply grateful, but since I have assumed the duties of that high office, I find that I cannot fearlessly express my real sentiments and opinions, if opposed to the Government for the time being, without incurring the risk of dismissal from that Honorable Board, which constitutes my inability to advance the public good. I have therefore deemed it expedient, most respectfully, but reluctantly, to tender the resignation of my seat in the Executive Council.

"JOHN ELMSLEY."

Are these statements true?—A man may act quite independently, and retain his seat as an Executive Councillor.

592. What public accounts have the Executive Council been in the habit of examining and auditing of lat years?—All the accounts of expenditure within the Province, except the monies appropriated by the Legislature for roads or other purposes.

593. What is your opinion as to the establishment of a general board of audit in this Province?—I think it would be advantageous.

594. (Bishop M'Donell's letter respecting the character of the Government, shewn to witness, who is asked) "Can you explain this letter in any way to this Committee?—No, I was not a member of the government at the period the writer alludes to.

595. Is any part of the judicial, ecclesiastical or civil establishments of this Province, defrayed from funds raised out of Upper Canada?—I know of no other than the monies arising from the interest of the proceeds of Clergy Reserves, remitted to England, and vested by the Lords of the Treasury in the funds.

596. Considering that you have chosen to decline answering a number of political questions on matters of opinion, rather than of facts, it may be proper to ask you, whether the Legislative Council, would not be more likely to harmonize with the House of Assembly, and would not its members be more independent were they unconnected with offices and emoluments held during the pleasure of the Executive?—I beg to assure the Committee that in refusing to give my opinions on certain political questions, I have not been governed by any captious motive, but that I have done so from the conviction that the confidential situation I hold under His Majesty's Government, would make it improper for me to express such opinions in any other place, than where my duty requires I should.

MONDAY, 6TH APRIL, 1835.

THOMAS BAYNES, Esq. called in and examined.

597. In 1833, you are stated in the Blue Book, to have received £150 as Senior Clerk in the Crown Lands Office, and £150 as Secretary to the Corporation for managing the Clergy Reserves. The same authority for 1834, shews, that in that year, both your salaries were raised—the first to £200; & the second to 300; is this the case?—Did you receive £500 in 1834 for services similar to those for which in 1833 you had £300?—In May 1833, I was appointed Sec'y to the Clergy Corporation with a salary of £150 per annum, at which period I held the situation of senior clerk in the Commissioner for Crown Lands Office, with a salary also of £150 per annum, making £300 per annum. In 1834 in consequence of the great increase of business in the Clergy Corporation Office, I found it impossible to attend properly to the duties of both offices, and upon my representing the circumstance, it was ordered in Council, on the 3rd April, 1832, that I should attend entirely to the duties of the Clergy Corporation Office, and that I should receive a salary of 300 per annum. My salary therefore in the Commissioner for Crown Lands Office ceased on the 31st March, 1834.

7TH APRIL, 1835.

MR. HENRY PANNEBACKER, FARMER, WATERLOO,  
COUNTY OF HALTON, GORE DISTRICT, examined.

598. You had a note in the Bank of Upper Canada?—Yes.

599. Was it paid regularly?—No.

600. What has been the consequence?—3 lawsuits were begun and carried down to trial on one note by Clarke Gamble, Esq. the Attorney for the Bank. The note was for £50, the interest came to £3 2s 2d, and the costs to £30, although the parties whose names were to the note, lived close together, thirty miles were charged upon the service of each paper.

The Witness delivered in an account as follows:

"The Bank of Upper Canada vs. Henry Pannebacker, John Gisgnik, and Abraham Pannebacker."

"30 miles charge upon the service of each paper."

"3 Suits and carried down to trial."

"Amount of note,..... £50 0 0

"Interest,..... 3 2 2

£53 2 2

"Costs.....	30	0	0
	£83	2	2
"Cr. by cash.....	63	0	0
	£20	2	2
"To be paid by 1st May at Hamilton, to Mr. Stevens."			

6th April, 1835.

C. GAMBLE.

SAMUEL P. HURD, ESQ. SURVEYOR GENERAL OF UPPER CANADA.

601. What is the date of your appointment to the office of Surveyor General?—1st Nov. 1829.

602. When did you enter upon the duties of that appointment in this colony?—22d May, 1832.

603. Did you receive any salary, fees, or other allowances as Surveyor General, for the time that elapsed between the date of your appointment and the period at which your personal services began in this colony, as head of your department?—And if so, what salary or allowance did you so receive, and by what authority?—I received six months pay in full for the first six months after my appointment; and subsequently, half salary and emoluments to the time of my arrival in Canada. The authority, was an order from His Majesty's Home Government.

604. It appears by documents sent down to the House of Assembly, that £798 18s 10½, and £143 13s 11½, sterling money, were paid to Mr. Chewett in 1832 and 1833, out of Fund A, otherwise known as the duties levied under the Act 14th Geo. 3d, without the knowledge or consent of the Legislature, because he had paid over those sums or half his salary and emoluments from 1st of Nov. 1829, to you; why was he called on to refund this money to you, and what were the services you rendered therefor?—The sum of £795 18s 10½d is the emolument as is stated arising to W. Chewett, Esq. as the pay of his official appointment as Principal Clerk, and senior Surveyor and Draftsman—with the half emoluments of the Surveyor Generalship. The £143 13s 11½d is similarly accounted for. The reason why that gentleman paid over the half of the salary to the Surveyor General, being the sum accruing during his absence from the Province, subsequent to his appointment, is explained by the despatch from the home government, already alluded to, expressing its pleasure and conveying its directions on that subject.

605. What was your income as Surveyor General in 1834, including all fees?—Six hundred a year, sterling, being a diminished income. Fees about £75 currency.

FRIDAY, 10TH APRIL, 1835.

W. W. BALDWIN, ESQ. TORONTO, called in and examined.

606. Some years ago a Committee of the inhabitants of this District held a correspondence through you (as chairman of a general meeting) with Lord Viscount Goderich, and other gentlemen of influence in England, and petitions were agreed to\* and sent home. Have you preserved any of the letters addressed to you at that period concerning the affairs of the Colony?—I have the letters I received.

607. Would you have the goodness to lay them before this Committee?—I now present the same. [The Witness delivered to the Committee three autograph letters, one from the Right Honorable E. G. Stanley, one from Mr. Hume,

and one from Lord Viscount Goderich, which are attached to this evidence.] as follows:—

WHITEHALL YARD, April 24, 1829.

SIR,

I have the honor to acknowledge the receipt within these few days, of your letter of the 3rd of January, enclosing the Resolutions of a Public Meeting at York (which I had before seen in the Canada papers) and also of a Petition to His Majesty and the other branches of the Imperial Legislature. I have not yet received the original petition referred to, which the meeting have done me the honor of entrusting to my care for presentation to the House of Commons. I cannot therefore express any opinion upon the wording of that Petition, which must necessarily be in some degree varied from that of which I have received a printed copy, inasmuch as this, addressed to the King, contains recommendations and petitions upon various points intimately connected with the practical exercise of the undoubted prerogative. Replying therefore in some degree rather in the dark to the letter which I have had the honor of receiving from you, I may be permitted to say that you and the Committee do me no more than justice in supposing that whatever my ability may be, I shall always be happy to exert it to the utmost in the maintenance of the Constitutional rights of the Colonists, and in making known, and procuring the redress of any grievances of which they may have just cause to complain. In the exercise of that duty, on the other hand, I shall never shrink from expressing my opinion, when I think that their expectations go beyond those just rights, or when those supposed grievances are pushed beyond their proper limits; and in so doing I shall conceive that I best discharge my duty, not only as a Member of the British Parliament, but as a sincere friend to the real interests of the Colonists.

In the Petition of which I have received a printed copy, I am extremely happy to see that many of the evils complained of, and many of the suggestions for their remedy, had in fact been anticipated by the recommendation of the Committee of the House of Commons, of which I was a Member—a committee which received indeed very little evidence especially from Upper Canada, but which manifested universally as anxious a desire to come at the real truth, and to do impartial justice, as any committee upon which I ever had the honor of sitting.

With respect to the inviolability of the Constitution of 1791, and the limits of the respective jurisdictions of the Imperial and Provincial Legislatures, a point most delicate to touch upon, and most difficult to define, the Committee have, I think, expressed themselves (Report p. 8.) in a manner which must be satisfactory to the Canadas generally.

Upon the subject of the Constitution of the Legislative Council, (which I do not hesitate to say, without any disrespect to or reflection upon the individuals who compose it, is at the root of all the evils complained of in both Provinces)—upon the exclusion of the Judges, with the single exception of the Chief Justice, from all interference in political business—and upon the necessity of introducing some alteration into the present Jury system—the three most important points of your Petition, you will find that the opinion of the Committee entirely concurs with yours—and that opinion I am disposed to support to the utmost of my power.

The absence of the Judges, I am inclined to take upon somewhat different grounds. As a substantive proposition there cannot be a doubt of the propriety of the prayer of the Petitioners upon this head: and I should even go the length of saying, that it must not only be a "most reasonable" but a very *urgent* ground, which ought to be alleged for giving a leave of absence to a Canadian Judge. It is because I think the proposition in itself so undeniable, that I regret to find it mixed up with a peculiar case, involving much of party, and much of personal excitement—I mean of course the removal of Judge Willis. Upon the limited information which I have obtained of this case, chiefly however from parties favorable to the Judge, I cannot help thinking, without expressing any opinion as to the legal construction of the disputed Act, and even admitting him to be right in his interpretation, that his mode of giving that interpretation, and subsequent conduct, is open at least to the charge of indiscretion; and necessarily placed the Government in a situation to have at least a fair excuse for his removal, if they desired it; and feeling this very strongly, I cannot but regret that this personal case should occupy so much of the space devoted to the constitutional grievances of the Province.

With respect to the appointment of the Judges during pleasure, and not as in England, during good behaviour, giving also the power of impeachment before the Legislative Council, I must acknowledge my belief that the circumstances of the colony do not at present warrant such a step, however anxiously I may desire to see the time when they may do so—but at present I conceive such independence upon the Crown would practically be dependence upon the people, more especially unless they hold permanent salaries, of which nothing is said;—and the very terms of the Petition seem to limit a future time, when they speak of the Legislative Council, "being so modified as to become an independent branch of the Le-

\* See draft of petition annexed, as above referred to.

gislature"—to such a modification I fear time, as well as Parliamentary enactment, or recommendation, may be wanting. In the meantime I highly approve, as a general practice, of the appointment of Judges from the English Bar—but I think it could hardly be made a general rule, without too much discouraging the legal profession in Canada—nor is it properly a subject for the interference of the British Parliament. The same objection may be urged to the agitation of several of the minor grievances complained of.

On the last, and one of the most important topics, namely the appointment of a Local Ministry, subject to removal or impeachment when they lose the confidence of the people, I conceive there would be great difficulty in arranging such a plan—nor are the wishes of the Petitioners very clearly expressed—for in point of fact the remedy is not one of enactment but of practice—and a constitutional mode is open to the people, of addressing for a removal of advisers of the Crown, and refusing supplies, if necessary to enforce their wishes.—I do however think that something might be done with great advantage, to give a more really responsible character to the Executive Council, which at present is a perfectly anomalous body, hardly recognised by the Constitution, and effective chiefly as a source of patronage.

I ought not to conclude without acquainting you that as it is a breach of parliamentary forms to allude in any petition, to the speeches delivered by members in their places, the direct animadversions in your Petition upon the speech of Mr. Huskisson may, and probably will, be taken as a technical ground to prevent its reception: the debate however may equally be taken upon it, and I shall take an opportunity previously of communicating with Sir George Murray, that he may be prepared to state on that occasion the views of Government relative to the various points adverted to.

I have now, Sir, stated to you without reserve, though briefly, my general views of the different points of your Petition.—If I cannot entirely concur in all of them, I give you at least a pledge that I shall not be deterred by any considerations from expressing my real opinions, and from supporting your cause, when I can conscientiously do so, in Parliament, with whatever power I may possess.

I have only to express in addition my sense of the honor done me in confiding this Petition to my care, and my hope that nothing in my public conduct will forfeit the confidence reposed in me.

I have the honor to be,

Sir,

Your obedient humble servant,

E. G. STANLEY.

W. W. BALDWIN, Esq. }  
York, U. C. }

LONDON, 1st May, 1829.

SIR,

On the 10th of April I received your letter of the 3rd of January, inclosing a copy of the Resolutions of a Meeting of the People of Upper Canada, and of a Petition agreed upon by them to the House of Commons.

I have not heard of the arrival of the Petition, but when presented by Mr. Stanley I shall be happy to support it as I concur in the prayer.

I am confident that much oppression and misgovernment takes place in the Colonies by the Government at Home being kept in ignorance of the truth, and the best mode to obtain redress is to apply to the Secretary of the Colonies direct, and to send to some Members of the Commons copies in form of petition to be presented if the Secretary does not afford relief.

The present Secretary Sir George Murray has, in his place in the House of Commons expressed the best opinions and principles on which he intended the Colonies shall be governed, and we are anxious to know whether his orders are to enforce those principles.

The Assembly in Upper Canada should agree to nothing which is not for the interest of the community and the proper controul over every item of expenditure should be the first and most important object for them to attend to. We understand that orders have been sent out to make the College of Dr. Strachan open to all sects, and that it is to be also under a joint management of all sects of Protestants, and there is nothing the Canadians should be more cautious about than the encroachments of the Church of England to anything like a dominant religion.

I have endeavoured to cut off the supplies of money voted by Parliament for the Church of England missionaries, but as yet without success.—I shall not cease to repeat my endeavours in that respect as I consider it most important to the peace of all the North American Colonies. We expect to hear that some changes have been made respecting your Council, and I agree with you that until these are responsible, and removable on the call of the people for abuse of power you will not be right.

Wishing every success to your endeavours, and trusting you will

persevere steadily and moderately in the course you are pursuing to establish your rights.

I remain

Your obedient servant,

JOSEPH HUME.

W. W. BALDWIN, Esquire, Chairman of a Public Meeting at York in Upper Canada. }

LONDON, May 7th, 1829.

SIR,

I have to apologize for not having acknowledged, at the time when I received it, your letter of January 3rd, communicating to me the intention of a large body of the people of Upper Canada to entrust to me a petition addressed by them to the House of Lords. But as the letter which I then had the honor to receive from you, was not accompanied by the petition itself, I thought it would be better for me to wait till that document should reach me, before I troubled you with my letter.

I have now received the petition, and shall not fail to present it at an early period, to the House of Lords. It is necessary however that I should state that I am not without some apprehension that there may exist a technical difficulty in the way of its reception, in consequence of its containing a direct reference to certain words supposed to have been used by Mr. Huskisson in the House of Commons during the last session. The Houses of Parliament are very particular upon this point, and I have known more instances than one where petitions have not been received in consequence of a similar reference to speeches made by members of Parliament. I shall however tender your petition to the House, which will of course decide whether it can be received or not. In the mean time I beg you, as well as those on whose behalf you have transmitted the petition to me, to believe that I am fully sensible of the honor which they have done me in selecting me as the channel of communication between so large a portion of the people of Upper Canada and the House of Lords. It cannot but be highly gratifying to me to learn that I owe this distinction to the manner in which, upon a particular occasion most interesting to that country, I discharged my duty as His Majesty's Secretary of State for the Colonies; and I assure you that I retain an anxious desire to see that portion of the King's dominions flourishing, contented and happy. It will be my duty to give my best attention to the various important particulars adverted to in the letter which you have addressed to me, and in the petition which has followed it; and if in some respects I may not concur in all the opinions entertained by yourself and the petitioners, I venture to trust that you and they will be disposed to ascribe it to anything rather than indifference to the feelings or the interests of the Province of Upper Canada.

I am of course not in possession of the sentiments of His Majesty's Government upon the various matters to which the petitioners wish the attention of Parliament to be called: but the Committee which sat during the last session have upon many important topics expressed opinions which appear to be much in unison with those entertained by the Colonists, and which have doubtless already attracted the notice and consideration of the Government. The appointment of that Committee, and the extent to which they carried their investigations, are strong proofs of the ready disposition of the government and the Legislature of the parent country to watch over the concerns of so important and valuable a dependency of the Crown, which requires nothing but a wise, just, and liberal administration of its affairs, to secure to its inhabitants that increasing prosperity which from its great natural resources it is entitled to anticipate; and if in any way I can contribute to the promotion of so interesting an object, it will always be a matter of great personal gratification for me to do so.

I have the honor to remain

Sir,

Your obedient humble servant,

GODERICH.

W. W. Baldwin, Esq.

#### PETITION

To the King's Most Excellent Majesty (and to the several other branches of the Imperial and Provincial Legislatures.)

WE, your Majesty's dutiful and loyal subjects, inhabitants of Upper Canada, are constrained by the most painful necessity to appeal to the justice of your Majesty against the mis-rule of the Provincial administration, and humbly to point out to your Majesty the alarming increase of our grievances, and the necessity of their redress, as they become more and more inveterate from the patience with which we have hitherto endured them. We offer our warmest thanks and gratitude to your Majesty for appointing to be a judge over your Canadian people, the Hon. John Walpole Willis, whose private virtues and acknowledged learning, blended with high and uncompromising principles, uniformly evinced in the impartial dis-

charge of his judicial duties, have already endeared him to the country, as one of its greatest blessings, and as affording to the people the most flattering presage of a new era in the administration of justice—of this blessing we have been unconstitutionally deprived, and misrule has at length become so bold, and power so indiscriminate of its victims, as to spurn from the judgment seat the honorable Mr. Justice Willis, who there presented what has long been wished for but seldom seen, the stern and fearless integrity and independence of a British judge. Such judicial integrity and independence are alarmingly endangered when such a judge, without impeachment and even without a charge, can be so ignominiously removed from this high office.

Although we entertain the fullest confidence in your Majesty's desire to promote the happiness and protect the rights of British subjects throughout your ample and glorious dominions, yet our hopes of speedy redress are not a little discouraged, by a knowledge that while we, on our part, open to your Majesty the abuses and oppressions growing upon us, the very persons we accuse are pressing through other channels, affording a more favorable access to your Royal belief, those interested misrepresentations, which are designed both to promote misrule, and protect the authors of it; for it cannot be forgotten that misrepresentations from such sources have already recently endangered our civil and religious liberties and cruelly vilified and traduced the fair characters of the dissenting denominations of Christians in this Province. And the impending consequences of such secret misrepresentations are further apprehended from the tenor of the speech of the Right Honorable Wm. Huskisson, your Majesty's principal Secretary of State for the Colonies in the Imperial House of Commons, as reported in some of the public prints.

Notwithstanding defects in the law defining our Constitution, we are, nevertheless warmly attached to it, and view with just fear every attempt to amend it, without the intervention of our Provincial Legislature which is the constituted guardian of our rights and liberties, and which, considering the great distance of the Imperial Legislature, can best understand our necessities and apply the proper remedies. It has long been the source of many grievances, and of their continuance, that the Legislative Council is formed, not of an independent gentry taken from the country at large, but of Executive Councillors and placemen, the great majority of whom are under the immediate, active, and undue influence of the person administering your Majesty's Provincial government, holding their offices at his mere will and pleasure. Hence arises in a great measure the practical irresponsibility of Executive Councillors and other official advisers of your Majesty's representative, who have hitherto with impunity both disregarded the laws of the land, and despised the opinions of the public. From the impunity with which the greatest abuses have hitherto existed, and the difficulty in such a state of things of applying an efficient remedy, most of our grievances have taken their origin and growth.

First, The rejection by the Legislative Council, of the most salutary measures passed by large majorities in the House of Assembly, and much desired by the people.

Secondly, The frequent want of a casting voice in the Court of King's Bench in this Province, owing to the illegal absence of the judges, especially of the Chief Justices, as well on distant journeys out of the Province, as on attendances on the Legislative and Executive Councils.

Thirdly, The undue influence which the mingled duties of Legislative and Executive advice have on the judicial function.

Fourthly, The assumption of a power by the Executive to appropriate a large portion of the revenue and other monies, raised from the sale of land and otherwise in the Province, independent of the will or sanction of the Assembly.

Fifthly, The extravagant augmentation of salaries, offices and public expences, quite disproportioned to the state and circumstances of the Colony.

Sixthly, The confinement of public prosecutions of offences to the sole conduct of the Law Officers of the Crown in the Colony, embarrassing private prosecutors in this small community, where the influence of politics and family connexions, is so injuriously felt.

Seventhly, The retaining in public offices and the introduction into the same of persons who notoriously ought to be excluded.

Eighthly, The want of carrying into effect that rational and constitutional control over public functionaries, especially the advisers of your Majesty's Representative, which our fellow subjects in England enjoy in that happy country.

Ninthly, Our present imperfect Jury System.

Tenthly, That sheriffs, coroners, and other public officers hold their offices during pleasure, and not during good behaviour, or otherwise as in England.

Eleventhly, That the supreme judges of the land hold their offices during pleasure, and are subjected to the ignominy of an arbitrary removal.

Wherefore we humbly entreat for the interference of your Royal Prerogative to favor our exertions to correct the grievances under which we labor.

We humbly suggest that the Legislative Council should be increased in number, of whom, a small proportion only, strictly limited by law, to be permitted to hold or enjoy any place of emolument or profit under the Government, or to be members of the Executive Council.

Secondly, That the Judges of the Court of King's Bench, be not Legislative Councillors, nor Executive Councillors, nor Privy Councillors, in any respect in the Colony.

Thirdly, That the Judges shall not be permitted to absent themselves from the Province, but on the most reasonable cause and with leave obtained as prescribed in the British acts relative to Colonial Officers.

Fourthly, That the Judges be made independent as in England, holding their offices not as at present in this Province but during good behaviour to be inquired into, by impeachment alone, in the Provincial Parliament, before the Legislative Council, when that body is so modified as to become an independent branch of the Legislature.

Fifthly, That for some time, at least till the Province affords an adequate source of legal and constitutional education, the Judges be appointed from the bar in England.

Sixthly, That a Legislative Act be made in the Provincial Parliament, to facilitate the mode in which the present constitutional responsibility of the advisers of the local Government, may be carried practically into effect; not only by the removal of these advisers from office, when they lose the confidence of the people, but also by impeachment for the heavier offences chargeable against them.

Seventhly, That our present Jury System be amended by a new law whereby the jurors to be impanelled may be more equally selected from the country and less at the mere nomination of the sheriff or his officers; such new law to extend both to grand and petit jurors.

Having thus under the pressure of the present crisis hastily concentrated our most pressing grievances, and humbly prayed for the royal aid of your Majesty's prerogative in providing appropriate remedies, we your Majesty's dutiful and loyal subjects cannot omit again to bring under your Majesty's serious notice as indicative of the necessity of a change of men and measures, the recent violent and unconstitutional removal from office of the Hon. John Walpole Willis, a public wrong, calling more and more loudly for our most earnest remonstrance to your Majesty, and strongly elucidating the injurious character of the policy pursued by the present Provincial administration.

Such was the apprehension of the practical bad consequences of the King's Bench being without a casting voice, that previous to Easter Term last, a memorial was addressed to His Excellency, pointing out, in some respects, the failure of justice in such a state of things, and requesting His Excellency to suspend his leave of absence, to the Chief Justice, whose departure from the Province was at that time publicly spoken of, even until after the approaching term. His Excellency, however, did not think proper to do so, and the evil consequences anticipated have been realised. During the terms of Michaelmas and Hilary, last past, with a full Bench, there was not fewer than ten cases wherein differences in opinion arose amongst the judges on important points, and in Easter Term, during which the Chief Justice was absent, the two Puisne Judges were divided in opinion, in six several cases. In such a state of things, substantial justice cannot be said to be administered. The Provincial law wisely enacts that your Majesty's Chief Justice of this Province, together with two puisne Justices, shall preside in the Court of King's Bench. And as a diversity of opinion has, in many important points, unhappily prevailed among the judges of that Court, which is the only one of superior jurisdiction, and from which in the vast majority of cases, there can be no appeal, the importance of maintaining that Court, as organized by law, becomes the more urgent, and the violation of that law productive of the greater evils.

Under these circumstances, we feel that the Hon. Mr. Justice Willis deserves the approbation and confidence of all good men, for withdrawing from the Court House, under a conscientious conviction in his own breast, that he could not administer justice according to law, while the Court was not constituted as that law required.

Sensible as we are that the appointment of Judges, esteemed by the people for their learning, and beloved by them for their virtues, is in every Colony so blessed, the most conclusive evidence of the health of the great body politic, so do we feel that this deliberate, violent and unconstitutional removal of Mr. Justice Willis, depriving us of the benefit of his honourable and conscientious services, is a grievance of such magnitude as requires your Majesty's paternal interference; and this evil we feel the more serious, because it furnishes the present provincial administration, with an opportunity of placing upon the judgment seat, a man labouring under those prejudices of family connections and party feeling from which Mr. Justice Willis was necessarily and happily free, persons withal very inferior to that gentleman, in education, in talents and in legal knowledge. While strongly feeling this injury, your Majesty will, we beseech, hear our complaint of the conduct of the Hon.

Mr. Justice Sherwood, who, in the absence of the Chief Justice, and of Mr. Justice Willis, proceeded alone to exercise all the powers of your Majesty's Court of King's Bench; and yet abstained from offering any justification for such assumption, for the satisfaction of the Public, although requested to give to the Bar his legal reasons for such a course. He had at that time vacated his office, by absenting himself from the Province, without the leave prescribed by law.

We should omit a matter of the first importance to the happy conduct of our civil affairs, did we forbear to mention to your Majesty, with all the delicacy becoming us, when referring to the exercise of your Royal Prerogative, the total inaptitude of military men, for civil rule in this Province.

The almost constant absence of your Majesty's Representative from the seat of Government, where almost daily is required his assiduous superintendence over public affairs and public functionaries—his total unacquaintance with the inhabitants of the country, with the exception of those whose official occupations place them about his person, whereby he can be but ill-informed of the true state of the country, or of the condition or wants and wishes of its people—the charge of disloyalty against those who question the policy of the present administration—a system of espionage spreading from the seat of Government, over the face of the country—a threatened degeneracy in the state of society, endangering, by the insidious operations of those morbid causes, that public feeling truly British and yet happily alive in this colony—the undue influence over electors in many ways, but especially by the issuing of pa-

tents granting land, sent into the country, in profusion, to be distributed by candidates acceptable to the present Provincial administration—the acceptance of office by Members of the House of Assembly, without vacating their seats, as is the necessary consequence in England, and the almost mortal violence offered to the Constitution by the exercise of worse than military rule in the intimidation of the more dependent members of the Legislative Council into the views of the Administration, at the peril of their offices, as was exposed in the testimony of the Honorable Wm. Dixon and the Honorable Thomas Clark, in their evidence before a committee of the House of Assembly, during the last session of the Provincial Parliament. Wherein, we your Majesty's faithful and loyal subjects, being greatly aggrieved, most humbly, most earnestly, and confidently pray your Majesty, for redress as far as such redress lies within your Majesty's constituted power. And as an object filling us with peculiar solicitude, we do most earnestly importune your Majesty, that you will be graciously pleased to restore Mr. Justice Willis, to the honorable situation to which your Majesty had appointed him, and thus protect your Majesty's royal choice, your faithful Judge, and us, your loyal subjects, from the wrongs that arbitrary rule in the Provincial Authorities, unchecked, would assuredly inflict.

And your Majesty's Petitioners as in duty bound will ever pray.

W. W. BALDWIN,  
Chairman.

DOCUMENTS

APPENDED TO

THE SEVENTH REPORT OF

THE

Select Committee on Grievances.

No. 1.

GOVERNMENT HOUSE, }  
Toronto, 18th March, 1835. }

SIR, I am directed by the Lieutenant Governor to transmit to you for the information of the Committee of the House of Assembly of which you are Chairman, the annexed copy of a communication to the Secretary and Registrar of the Province.

I am, Sir,  
Your Obedient Servant,

WM. ROWAN.

W. L. MACKENZIE, Esq., }  
Chairman Committee, }  
House of Assembly. }

No. 2.

SIR, I am directed by the Lieutenant Governor to acquaint you, that if the Committee of the House of Assembly require the Office Copies of the Blue Book for 1833 and 1834 to be sent to the House, you will comply with their request, or afford them such information as they may be desirous of obtaining. The Books, however, must be returned to your office at the close of the Session.

I have, &c.

WM. ROWAN.

The Hon. DUNCAN CAMERON, }  
Secretary & Registrar. }

No. 3.

SECRETARY'S OFFICE, }  
Toronto, 20th March, 1835. }

SIR, I have the honor to acknowledge the receipt of your letter of yesterday's date, and in compliance with His Excellency the Lieutenant Governor's command, and the request contained in your letter, now send you by your Messenger, the office copies of the Blue Book for the years 1833 and 1834.

I have the honor to be,  
Sir,

Your Most Obedient  
Humble Servant,

D. CAMERON,  
Sec'y & Reg.

To  
W. L. MACKENZIE, Esq., }  
Chairman of the Committee on Grievances. }  
&c. &c. &c. }

No. 4.

GOVERNMENT HOUSE, }  
Toronto, 11th March, 1835. }

SIR, I am directed to acquaint you in reply to your letter of yesterday, that the Lieutenant Governor has, in every instance complied with the Addresses of the House of Assembly respecting the Public Accounts, and you are probably aware that the Inspector General has been directed by His Excellency to afford the House any information they may require relative to the receipts and expenditure of every department.

O

The documents applied for in the Address of the 17th ultimo, and transmitted to His Excellency some days after that date, have been directed to be prepared, and will be forwarded to the House so soon as they are received by him.

The Receiver General has sent in the duplicates of the warrants and accounts, but there are other departments and persons which are not able to furnish the information applied for, without being allowed some time to prepare it.

I have procured for you the printed papers relative to Forsyth's case, which as they do not belong to this office, I request may be returned.

I am,

Sir,

Your Most Obedient Servant,

WM. ROWAN.

To  
W. L. MACKENZIE, Esq. }  
&c. &c. &c. }

No. 5.

Population of Upper Canada.

The Official Account of the Population of Upper Canada, as returned to the British Government in 1834, in the "Blue Book" is - - - - - 321,903  
The same authority for 1833, shews the Population in that year to have been - - - - - 296,544  
The returns sent down to the House of Assembly of the the Population of Upper Canada for 1832, gave the numbers thus - - - - - 260,992  
The like returns for 1831, gave a sum total of - - - 234,671

No. 6

Upper Canada Militia.

The "Blue Book" of 1833, returns (to England) 61 Regiments of Militia, 1754 officers, 1672 non-commissioned officers, 48 drummers, and 34,674 rank and file, among whom are included 18 troops of cavalry and 5 companies of artillery.

The same authority for 1834, returns to His Majesty's government, 63 Regiments of Militia, comprising 1772 officers, 1610 non-commissioned officers, 62 drummers, and 36,055 rank and file. In this statement are included 18 troops of cavalry, and 5 companies of artillery, both these forces being attached to Infantry Regiments.

No. 7.

Lands granted in Upper Canada.

From the Official Return to England, year 1833.

509 grants of 100 acres and under for.....	40,829 acres
386 grants of 100 acres and under, 500 acres for	83,277½ acres
12 grants exceeding 500 acres for.....	10,081 acres
Total 907 grants for 134,187½ acres	

Exclusive of these, three patents passed the great seal for grants to the Canada Company for 55,932 acres.

Of the above 134,187½ acres, 796 deeds for grants (in contradistinction to lands purchased) passed the great seal for 121,559½ acres

63 deeds for Crown sales.....	5,741 do.
46 deeds for Clergy sales.....	6,649 do.
2 deeds for School sales.....	233 do.
101 Clergy Reserve leases passed the great seal this year for.....	19,506 do.

Among the grantees who had upwards of 500 acres each granted to them this year, we find the names of Wm. J. Kerr for 1800 acres; Arthur Gifford (Government Office) 800 acres; E. A. Walker 1,000 acres; Wm. Campbell 600; Cheeseman Moe 800; James Muirhead 600; Wm Phillips 600; F. Raynes 600; Owen Richards 800; Elmes Steele 800; John Thompson 800; Andrew Drew 680 acres.

**Lands granted in Upper Canada.**

*From the original Return to England, year 1834.*

941 grants of 100 acres and under.....	67,372 acres
431 grants of 100 to 500 acres.....	92,815 do.
28 grants over 500 acres.....	24,036 do.
1400 grants or deeds for.....	184,223 do.
Other 5 grants or deeds for.....	52,311 do.
passed the great seal to the Canada Company	
Also 96 Clergy Reserve leases for.....	18,364 do.
have passed the great seal.	
Grants have passed the great seal, commencing from the year 1792 for.....	8,121,665½ do.
Deeds have been given to the Canada Company for other.....	735,829½ do.
<b>Total</b>	<b>8,857,494 acres</b>

"The total quantity of surveyed lands remaining ungranted is 1,527,164 acres, exclusive of 302,420 acres, given over to Col. Talbot for settlement, no return of which has been made to the Surveyor General."—*Blue Book*, 1834.

Of the grants over 500 acres, made in 1834, there were 600 acres to Wm. Allan; 1200 to D. T. Broeffel; 532 to M. Burwell; 1000 to I. Buchanan; 1000 each to D. & R. Campbell; 800 to D. Cameron; 800 to Eliz. Clench; 800 to Henry Jones; 1300 to C. S. Monk; 1800 to Thomas Nichol; 786 to Rev. A. Palmer; 600 to T. Rolph; 750 to Wm. Smart.

The lands given over to Col. Talbot for settlement were composed of 131,130 acres in the London District, and 171,290 acres in the Western District.

No. 8.

**Memorandum.**

EXTRACTS taken from *Blue Book of Upper Canada*, for 1830—in England.

RETURNS OF LANDS GRANTED 1830.

78 grants, each under 100 acres, . . . . .	Acres. 3,533
576 grants, each over 100 acres, . . . . .	87,500

GRANTS EXCEEDING 500 ACRES.

C. M. DeLotbiniere, . . . . .	578
A. Catenach, . . . . .	1,000
I. B. Sheek, . . . . .	800
G. Hamilton, . . . . .	700
Thomas Fraser, . . . . .	800
Z. Burnham, . . . . .	1,200
Z. Burnham, . . . . .	2,800
W. S. Gapper, . . . . .	800
Walter O'Hara, . . . . .	1,200
Andrew Borland and William Roe, . . . . .	1,700
William Smith, . . . . .	800
R. Ritchey, Ritchey or Runchey, . . . . .	800
Francis Connin, . . . . .	800
Canada Company, 5 grants, . . . . .	166,596

RETURN OF MILITIA, 1830.

Regiments organized, . . . . .	59
Officers, . . . . .	1,705
Non-Commissioned Officers, . . . . .	1,526
Drummers, . . . . .	61
Rank and File, . . . . .	30,093
<b>Total,</b>	<b>33,385</b>

To Doctor Strachan, Missionary at York, in lieu of delapidations on his living, . . . . . £225.

Enquiry was made respecting the delapidation monies of Dr. Strachan, but he would not give the details, the Lieutenant Governor withheld all the Blue Books previous to 1833 from the House, although in its address it was stated that they would be carefully returned, nor could the Committee obtain them on applying to His Excellency through his Secretary.

No. 9.

**Agricultural Products.**

*The following are the official returns for the year 1834 for all the settled parts of Upper Canada:*

Acres of Land cultivated,.....	1,003,520
Acres of Land uncultivated,.....	4,129,815
Horses,.....	42,822
Horned Cattle,.....	178,689

*The like Returns for 1833 are,*

Acres of Land cultivated,.....	988,957
Acres of Land uncultivated,.....	4,205,256
Horses,.....	40,304
Horned Cattle,.....	172,674

Increase in number of acres of cultivated Lands, in 1834 over 1833, only 14,563.

No. 10.

**Revenue Balances, 1834.**

*The Revenue of 1834, is thus summed up in the "Blue Book."*

Provincial Revenue including loans,.....	£302,126
Clergy Revenue,.....	7,371
Crown Revenue,.....	33,271
	<b>£342,768</b>

Provincial Expenditure including payment of loans,.....	£277,562
Clergy Expenditure,.....	6,846
Crown Expenditure,.....	29,000
	<b>313,408</b>
	<b>£ 29,360</b>

*The state of the Receiver General's Chest is shewn by the same reference.*

He had on hand on the 31st December 1834, a balance of what is termed Provincial Revenue, equal to.....£25,296  
And of what is termed Casual and Territorial Revenue, 24,254

£49,550  
But had paid out of what is called the Clergy fund, more than was on hand by..... 6,644

Leaving a net balance in his hands of.....£42,906

This is exclusive of the Post Office Revenue, a balance of which is sent to England, as shewn in the second Report from this Committee.

No. 10. (a)

RECEIVER GENERAL'S OFFICE,  
Toronto, 28th March 1835.

SIR,

I have the honor to enclose you, agreeably to the request contained in your letter of the 20th instant, received yesterday, a statement and designation of the various funds in the Receiver General's Office.

I have the honor to be,  
Sir,  
Your most obedient  
Humble Servant,

JOHN H. DUNN.

W. B. MACKENZIE, Esq.,  
M. P. P.,  
&c. &c. &c.

*List of Public Funds or Accounts kept by the Receiver General.*

Fund A.—Crown Revenue arising under the Imperial Act 14th 3d, now obsolete.  
" B.—Provincial Revenue under the control of the Legislature.

Acc't C.—An auxiliary account to Fund K.

- " D.—Canada Company instalments.
- " E.—Clergy.
- " F.—An auxiliary to Casual and Territorial Revenue.
- " G.—Annual grant under 56th Geo. 3d. *Obsolete.*
- " H.—Civil List annual vote. *Obsolete.*
- " I.—School Fund, auxiliary to Fund B.
- " K.—Casual and Territorial Revenue.
- " L.—Law Reporter auxiliary to Fund B.
- " W.—War Losses, do do.

RECEIVER GENERAL'S OFFICE,  
Toronto, 28th 1835.

JOHN H. DUNN.

No. 10. (b.)

HOUSE OF ASSEMBLY,  
9th April, 1835.

SIR,

I am directed by the Committee on Grievances to request that you would send down a statement for its information of the balances that are now in your hands, on the following auxiliary Funds, viz. C, F, I, and W, as also what balance is now on hand on Fund G, and what payments have been made from that fund since the last account was sent down to the House, dated the 5th of October 1831, at which time there appears to have remained on hand £1,005 11 1/2.

I have the honor to be,  
Sir  
Your most obedient  
Humble Servant,  
W. L. MACKENZIE,  
Chairman Com. on Grievances.

To  
The Honorable  
The RECEIVER GENERAL,  
&c. &c. &c.

Toronto, 9th April, 1835.

SIR,

In reply to your letter of this day's date requiring the balance on the 31st December last, in accounts C and F, I beg leave to state that Fund C has no balance, it is a schedule containing a detail return of all the fees, on grants of land under all regulations made by the Executive Council and incorporated in account K, (Casual and Territorial Revenue) to which account I beg to refer you to its credits.

Account F has a balance of £540 3 4/4 (five hundred and forty pounds three shillings and four pence three farthings) auxiliary, or connected with the Casual and Territorial Revenue.

If it is the wish of the Committee to obtain the balances in the funds as they at present stand, it will take some time to prepare—the expenditure is about £20,000 over the whole of the receipts to this period.

I have the honor to be,  
Sir,  
Your most obedient Servant,  
JOHN H. DUNN.

To  
W. L. MACKENZIE, Esq.  
Chairman, &c. &c.  
Grievance Committee.

HOUSE OF ASSEMBLY, 10th April, 1835.

SIR,

On referring to the despatch of the Secretary of State, I find that the fullest information may be obtained of all Royal Revenue.

Your letter is silent with respect to the inquiries made by the Committee as to the application of the balance which remained of Fund G. after the last account was sent down to the House of Assembly, I think in 1832, the accounts then shew a balance but no subsequent account shews what became of it.

Your letter is also silent as to the balance now in your hands on Fund W, (War Losses) and as to what was done with any balances of appropriations to the War Losses, whether from British or

Colonial Revenues, which were not called for by the parties, and the amount of such balances.

If you cannot give the information required on these points it will greatly oblige me if you would in a letter to the Committee state that it has been refused.

I have the honor to be,  
Sir,  
Your most obedient Servant,  
W. L. MACKENZIE,  
Chairman Grievance Committee.

Toronto, 10th April, 1835.

SIR,

In reply to your letter of this day's date I have the honor to acquaint you, that the balance alluded to in account C was transferred to Account A in October 1832, both of which funds being applicable to the same objects, viz. "The Administration of Justice and Support of Civil Government," and which became obsolete by the act granting certain permanent salaries—Fund C has therefore no balance, and account A has been furnished to the Honorable the House of Assembly.

The present balance in W (War Losses) amounts to about £300 (three hundred pounds) and there still remains to be paid to the sufferers, on the last dividend about £3,000.

The balance which remained on the two first dividends, was paid some years ago into the military chest by order of the Right Honorable the Lords Commissioners of His Majesty's Treasury.

I have the honor to be,  
Sir,  
Your most obedient Servant,  
JOHN H. DUNN.

To  
W. L. MACKENZIE, Esq.,  
Chairman Grievance Committee.

No. 11.

Revenue balances per Public Accounts.

On the 31st December last, there was in the hands of the Receiver General, of the several funds under his charge—

Fund A.—Revenue arising under the Imperial Act, 14th Geo. 3d	£1,198 17 0
Fund B.—Ordinary revenue	28,771 0 0
" D.—Canada Company's instalments	} 25,077 15 6
" K.—Casual and Territorial Revenue	
In the hands of the Hon. P. Robinson, of Clergy Reserve fund	8802 9 6
And a balance of proceeds of debentures transmitted to England undrawn for, with premium thereon at 6 per cent	26,607 0 0
	£90,457 2 0

No. 12.

TABLE of salaries, fees and emoluments which have been paid out of revenues raised from the people of Upper Canada.

The names distinguished by a star prefixed are those whose returns of income are selected by the committee from the Blue Book for 1834.

Year 1834.

Sir John Colborne, Lieutenant Governor [over & above his income from England]	£4,953
*Wm. Rowan, Private Secretary to do. salary £208, fees £600	808
*Edward McMahon, Chief Clerk's salary	278
*Arthur Gifford, 2nd Clerk† Government Office	200
*James McDonell, 3d do. do.	165
*John Henry Dunn, Receiver General, salaries and agency of revenues	1444
*B. Turquand, 1st Clerk to do.	250
*Walter Rose, 2d do. to do.	200

† Purser, Half Pay, Royal Navy.

Seventh Report of Committee on Grievances.

*S. P. Hurd† Surveyor General, salary and fees, add as by his own account in evidence	£742
*Peter Robinson, Surveyor General £555, Crown Land Commissioner £555, Executive Councillor £111, Commissioner for sale of Clergy Reserves £500	1721
Thomas Merritt, [name left out of the Blue Book for 34.]	
*J. G. Chewett, Draftsman in Surveyor General's Office, salary	300
*J. Radenhurst, 1st Clerk in do.	300
*G. C. Ridout, 2d do. in do.	250
*Wm. Spragge, extra do. in do.	166
*J. Caldwell do. do. in do.	166
*Thomas Baines, 1st Clerk in Crown Lands Office, at £200; Secretary to the Clergy Corporation £300†	500
[In 1833 his salaries in these places were £135 sterling each; and were raised by an order in Council of 12th of March, 1834, to place him on a level with clerks in other offices.]	
*Alderman Richard Thornhill, 2nd Clerk Crown Lands Office (salary in 1833 £150)	200
*A temporary successor to the late Matthew Henderson, 3rd Clerk Crown Lands Office, (1833 £150)	200
*Edward Beeston, 4th Clerk do. (1833 £150)	200
*D'Arcy Boulton, Auditor General, [no duties, no salary, was a sinecure of £246 value in 1833] Master in Chancery Legislative Council	50
*Robert Stanton, Government Printer, fees	370
[It is probable this office is worth £1000.]	
*Charles Shirreff, Collector of Crown Land Timber, dues at Bytown £270, and £90 to his Clerk	300
[A very small portion of Mr. Shirreff's income is from Lower Canada.]	
George H. Markland, Inspector General, £672—Executive Councillor £111	783
[His salary was £365 by the Provincial Act but an order in Council, or (perhaps) from England, has increased it.]	
James Nation, his first Clerk	250
Raymond Baby, his second Clerk	200
Duncan Cameron, Secretary and Registrar, Salary £333, permanent addition £707	1040
S. P. Jarvis, Deputy to Do. £200, Clerk of the Crown in Chancery £75	275
John Strachan, President of the Executive Council, £111, (President of King's College £278, not received) Archdeacon of York, £333; Rector of Toronto, £555‡	1000
[His salary as President of King's College is in abeyance.]	
Joseph Wells, Executive Councillor, £11; Registrar and Bursar of King's College £300 [Journal of 1831-2, page 181 of the Appendix.]	411
*John Beikie, Clerk, Executive Council £222 Salary; £278 Fees; £222 in lieu of Fees on Patents on Lands.	722
*W. H. Lee, First Clerk to Do.	250
*James Stanton, Second Do. to Do.	200
*Hugh Carfrae, Doorkeeper to Legislative and Executive Councils.	53
*John B. Robinson, Speaker Legislative Council, Salary 400L.; Chief Justice King's Bench, Salary 1666L.	2066
[In 1833 his income as Speaker of the Council was only 200L., now it is 400L.]	
*Grant Powell, Clerk, Legislative Council, Salary 200L. Allowance extra as do. 200L.; Official Principal Court of Probate, 55L.; Judge Home District Court, fees 390L.	835
[Described in Blue Book, 1833, as a half-pay Surgeon.]	
*Stephen Jarvis, Usher Black Rod L. C.	50
[Also half-pay Cornet of Dragoons.]	

† His salary was supposed to be only £300 sterling, with an allowance in lieu of fees, but it seems that last year an order came from England to pay him £600 sterling, and he has fees under Provincial Acts. It appears by the answers he gave to this committee that after he was appointed Surveyor General he was several years absent. Nevertheless he was paid many hundred pounds as salary for the years before he entered upon the performance of any of its duties.

‡ A part of the year his place was supplied by Mr. James Henderson, Mr. Baines now [1835] holds only the latter office.

§ It appears by his evidence that the British Government have stopped his salary of £300, as President of the Board of Education, and he mentions that his salary as President of King's College is not received.

*Thomas Phillips, Chaplain L. C. 50L.; Master Home District School 100L.	£150
[Also his pay as a Minister of the Church of England.]	
*Archibald McLean, Speaker House of Assembly	£200
Clerk of the Peace, Eastern District	148
Registrar of Stormont and Dundass	132
Registrar Surrogate Court	11
	491
[Mr. McLean is also Captain on half-pay, late Incorporated Militia, 142L. Mr. Bidwell has succeeded him as Speaker.]	
*James Fitzgibbon, Clerk, House of Assembly, Salary 200L.; Allowance 200; Registrar Court of Probate, 68L.	468
*David A. McNab, Sergeant at Arms, House of Assembly, Salary, 50L.; Allowance, 100; Registrar of Wentworth, 119L.	269
*Henry Ruttan, Sheriff, Newcastle District, fees.	1040
[Fees, in 1833, 1180L. has also 4s. sterling, per day, as half-pay Lieutenant, incorporated Militia.]	
*W. B. Jarvis, Sheriff Home District, Fees	550
[It is scarcely probable that the fees of the Sheriff of the Home District do not far exceed 550L., but we give his own return.]	
The Ottawa Sheriff died in February, 1835.	
*J. A. H. Powell, Sheriff, Bathurst District (fees, 1833, 600L.)	240
*Donald McDonell, M. P. P., Sheriff, Eastern District, Fees	250
*Adiel Sherwood, Sheriff, Johnstown District, fees 300L.	300
[Also Treasurer of that District.]	
Richard Bullock, Sheriff, Prince Edward District, fees	269
John McLean, Sheriff, Midland District, fees	300
Alexander Hamilton, Sheriff, Niagara District, fees	450
[Mr. H. is also Post Master of Queenston.]	
*W. M. Jarvis, Sheriff, Gore District, fees	350
[Has half-pay as a Lieutenant at 4s. 6d. per day, and a pension for wounds of 78L.]	
*A. A. Rapelje, Sheriff, London District, fees	150
[Half-pay as Captain, at 7s., sterling, per day.]	
*Ebenezer Reynolds, Sheriff, Western District, fees	101
[It is probable that some of the Sheriffs' fees, are stated considerably under the reality.]	
*James Sampson, Inspector of Licenses, Midland District	145
*Hon. Alexander McDonell, Inspector of Do., Home District	146
[Mr. McDonell is also a Lieutenant on half-pay, Assistant Secretary Indian Department (pension 4s. 8d. per day) Member of the Legislative Council.]	
*Elias Jones, Clerk, Newcastle District Court 473L.; Inspector of Licenses, 98L.	571
*John Claus, Inspector of Licenses, Niagara District,	109
*John Willson (late Speaker H. of A.) Inspector of Licenses, Gore District	100
James Mitchell, Inspector of Licenses, London District, Collector of Customs, Turkey Point; Judge District Court, and Judge Surrogate Court, estimated at.	250
*John Weatherhead, Inspector of Licenses, Johnstown District	80
[There are also Inspectors for the Ottawa, Eastern, Prince Edward and Bathurst Districts.]	
*Wm. Hands, Western District, 5 offices, viz:—	
1. Post Master of Sandwich,	
2. Collector of Customs do.	
3. Inspector of Licenses, Western District,	
4. Judge Surrogate Court, do. do.	
5. Treasurer do. do.	216
*Alpheus Jones, Collector of Customs, Prescott, Emoluments	165
[Agent to U. C. Bank, Post Master of Prescott.]	
*W. J. Cryslar, Collector of Customs, Cornwall	124
*Andrew Deacon, Collector of Customs, Hallowell	100
*Thomas Kirkpatrick, do. do. Kingston	373
*Henry Baldwin, do. do. Belleville	104
*Colin Mackenzie, do. do. Bath	100
*George Savage, do. do. Toronto City	272
*John Chisholm, do. do. Burlington	175
100L.; Collector of tolls, do. Canal 64L.	
[Mr. Chisholm's other emoluments are not stated.]	
*William Chisholm, Collector of Customs, Oakville, and Post Master of Nelson	79

*The Hon. James Kirby, (Legislative Councillor) Collector of Customs Revenue at Fort Erie . . . . .	unknown
[He has fees, and one third of the seizures, which though very considerable, we have not exactly ascertained.]	
*Wm. H. Merritt, Collector of Customs, Dalhousie. . . . .	£100
[The Blue Book says he has no other office, altho' he is Postmaster at St. Catharines. He has resigned the Collectorship since the commencement of the present session, but it has not been given to another, he is President of the Welland Canal Company at £ . . .]	
*Thomas McCormick, Collector of Customs, Niagara. [Mr. M. has also an income as agent to the Bank of Upper Canada.]	130
*George Ryerse, Collector, Dover. . . . .	80
*William B. Sheehan, do. do. . . . .	105
*John Rostwick, do. Port Stanley. . . . .	115
*Mahlon Burwell, do. Port Talbot, (a)—Registrar of Middlesex. . . . .	170
*Francis Caldwell, (M.P.P. for Essex) Collector of Customs for Amherstburgh. . . . .	58
*John Burwell, do. do. Port Burwell. . . . .	59
*Thomas G. Anderson, do. do. Penetanguishene, 68l. Postmaster of do. 25l. . . . .	93
[Mr. Anderson's 3rd office is that of a superintendent of the Indian Department, but it is paid out of the military chest, 241l.]	
There are also the Collectors of the Customs for the Ports of River Raisin (John Cameron); Maitland (Alex'r. McQueen); Brockville (Richard D. Fraser); Johnstown (John Webster); Gananoque (Ephraim Webster); Newcastle (B. McMahon); Cobourg (Allan H. McLean); Windsor (Henry Boys); Chippawa (R. Kirkpatrick); Queenston (Robert Grant); Goderich (John Galt); the gross value of which, on an average of three years, with the share of one third of the seizures, we have estimated at about . . . . .	
*R. P. Hotham, Clerk of the Peace, Ottawa District, 144l.; Registrar of do. 80l.; (Registrar of Surrogate Court). . . . .	230
*Walter Cameron, Registrar of Glengarry. . . . .	50
*George T. Burk, do. of Lanark. . . . .	61
*Alex. McMillan, do. of Carleton. . . . .	67
[Also half-pay captain Glengarry Fencibles, 142l.]	
John Patton, Emigrant Agent ———. unknown; Registrar of Grenville, 152l. . . . .	152
*Daniel Jones, Registrar of Leeds. . . . .	190
[Incorrectly described in the official return to England, as Judge of the Eastern District Court.]	
*Allan McLean, Registrar, Prince Edward, 94l.; do. Midland District, 214l. . . . .	308
*George Strange Boulton, Northumberland, Registrar of Deeds, &c. . . . .	225
*Thomas Ward, Registrar for Durham, 170l.; Clerk of the Peace, Newcastle District, 150l.; Surrogate Judge, do. 5l. . . . .	325
*Samuel Ridout, Registrar, County of York, 500l.; Agent to the Land Granting Department (Sinecure) 222l. . . . .	722
*George Lount, Simcoe, Registrar of Deeds. . . . .	178
*Thomas Racey, Halton, do. do. . . . .	312
*John Lyons, Registrar of Lincoln and Haldimand. . . . .	320
*James Ingersoll, Registrar for Oxford, fees not known.	
*Francis L. Walsh, Registrar of Norfolk, 60l.; do. Surrogate Court, 8l. 10s.; Postmaster of Vittoria, 47s. . . . .	70
*James Askin, Registrar, Essex, 59l.; Registrar Surrogate Court, Western District, 32l. . . . .	91
*William Jones, Registrar of Kent. . . . .	75
[Assistant Superintendent Indian Department 123l.]	
*James Jessup, Clerk of the Peace, Johnstown District. †	203
*E. H. Reade, Clerk of the Peace, Bathurst District. [Mr. Reade is on half-pay as an Apothecary in the army at 5s. sterling per day.]	105
*David L. Fairfield, Clerk of the Peace, Prince Edward. . . . .	50
*J. Nichols, do. do. Midland. . . . .	221
*Simon Washburn, do. do. Home. † . . . .	200
*Thos. Richardson, do. do. Niagara. . . . .	290
*Robert Berrie, do. do. Gore. . . . .	200
*John B. Askin, do. do. London, 269l. . . . .	347
Clerk. London District Court, 78l. . . . .	
Charles Askin, Clerk of the Peace, Western District, 120l.; Clerk, Western District Court, 25l. . . . .	145

*Eleven other District Schoolmasters, besides Dr. Phillips. salaries each 100l. . . . .	£1100
[One of the schoolmasters, Dr. Phillips, is chaplain to Legislative Council; another is church of England Missionary at Sandwich, III., and a third is Presbyterian minister at Coruwall, with a salary from Government as such.]	
*Levius P. Sherwood, Puisne Judge, King's Bench. . . . .	1000
*James B. Macaulay, do. do. do. do. . . . .	1000
*V. H. Draper, Reporter to do. . . . .	100
*R. S. Jameson, Attorney General of Upper Canada, salary and allowances. . . . .	1200
C. A. Hagerman, Solicitor General, do. do. do. . . . .	600
C. C. Small, Clerk of the Crown and Pleas. . . . .	
Salary, . . . . .	111
Fees, . . . . .	1257
	1368
*Jonas Jones. Offices, viz:	
1. Judge of the District Court of the Midland District, Fees. . . . .	412
2. Judge of the District Court of the Bathurst District, Fees. . . . .	147
3. Judge of the District Court of the Johnstown District, Fees. . . . .	344
4. Judge of the Surrogate Court of the Bathurst District, Fees. . . . .	3
5. Judge of the Surrogate Court of the Johnstown District, Fees. . . . .	8
6. Commissioner of Customs, . . . . .	2†
	916
[Mr. Jonas Jones is also President of the commissioners for constructing a ship canal on the River St. Lawrence.]	
*David Jones (M. P. P. for Brockville) Judge of the District Court of the Eastern District, Fees, 238l.; Commissioner of Customs, Fees, 5l. . . . .	243
*George S. Jarvis, Judge of the Ottawa District Court, Fees. . . . .	25
[Mr. Jarvis is a half-pay lieutenant, 90l.]	
Donald Bethune, Judge of the District Court, Prince Edward, Fees. . . . .	91
*N. Falkner, Judge of the Newcastle District Court, Fees. . . . .	445
*George Ridout, Judge of the Niagara District Court, Fees. . . . .	91
*Charles P. Treadwell, Clerk of the Ottawa District Court; Coroner of the District, Fees. . . . .	36
*Thomas Taylor, Judge of the Gore District Court, Fees. . . . .	150
*Charles Elliott, Judge of the Western District Court, Fees. . . . .	15
[Half-pay lieutenant 43rd Reg't. 80l.; Commissioner of Customs.]	
*George Anderson, Clerk of the Eastern District Court, Fees. . . . .	164
*Thomas D. Campbell, Clerk of the Johnstown District Court, Fees. . . . .	235
*C. H. Sache, Clerk of the Bathurst District Court, Fees. . . . .	125
[Half-pay lieutenant 76th Reg't. 4s. 6d. per day.]	
*Thomas Nash, Clerk of Prince Edward District Court, Fees. . . . .	90
*Alex'r Pringle, Clerk of the Midland District Court, Fees. . . . .	475
*Henry C. Heward, Clerk of the Home District Court, Fees. . . . .	433
*J. C. Clench, Clerk of the Niagara District Court, Fees. . . . .	102
*John Law, Clerk of the Gore District Court, Fees. . . . .	200
*James Secord, sen'r, Judge of the Niagara District Surrogate Court, Fees. . . . .	81
*[Pension 20l.]	
C. B. Secord, Registrar same court, Fees. . . . .	63
*Thomas Markland, Judge of the Midland District Surrogate Court. . . . .	23
*W. W. Baldwin, Judge of the Home District Surrogate Court, Fees. . . . .	50
[There are several other Judges of Surrogate Courts paid by Fees.]	
*W. Chewett, Registrar of Surrogate Court, Home District, Fees. . . . .	£104
[Mr. Chewett is also a Pensioner on the Provincial Revenue by order from England, for 400l. per annum.]	

† It is somewhat strange that the clerkship of the peace of the Johnstown District should exceed in value that of the Home District.

† Mr. Jones' Judgeships of District Courts embrace a tract of country comprising seven Counties.

*Isaac Fraser, Registrar of Surrogate Court, Midland District, Fees, - - - - -	68
*Nathaniel Coffin, Adjutant General of Militia, salary, 365 <i>l.</i> ; annual allowance, 84 <i>l.</i> - - - - -	449
[Half-pay ensign 15th Foot.]	
*W. O'Hara, Ass't Adjutant General, salary, - - - - -	200
Joseph Spragge, Master of the Toronto Central School (paid from Fund K) salary, - - - - -	255
Henry J. Jones, as Agent to Commissioner for Crown Lands, - - - - -	105
[See his returns for 1834.]	
Alex. McDonell, M. P. P. as ditto, see ditto - - - - -	243
Mrs. M. Powell, House-keeper, Public Office, salary, [And a house and her pension.] - - - - -	50
Mrs. M. Macloskey, Assisting House-keeper, do. salary, - - - - -	25
John Macloskey, Messenger in do. salary, - - - - -	25
Wm. Walker, do. in do. salary, - - - - -	50
Some of the Postmasters omitted in the above list are named in Mr. Stayner's return to England in 1832 and 1833. As that officer has withheld as yet the information required this session, by the House of Assembly, we have selected the following names and sums from his former return for 1830. There are about one hundred other Postmasters in Upper Canada whose names and emoluments are to us unknown, but they all enjoy besides their percentages or other income, the franking privilege, and may be severally removed at the pleasure of the Deputy Postmaster General at Quebec, or the authorities during whose pleasure he holds office.	
John Macaulay, P. M. Kingston, salary and allowances. [Agent to U. C. Bank, with a salary.] - - - - -	164
J. S. Howard, P. M. Toronto, salary and allowances, - - - - -	199
John Crooks, P. M. Niagara, do. do. - - - - -	87
Henry Jones, P. M. Brockville, do. do. - - - - -	58
The Postmaster, Amherstburgh, do. do. - - - - -	118
M. Connell, P. M. Bytown, do. do. - - - - -	101
Josias Tayler, P. M. Perth, do. do. - - - - -	60
[Mr. Tayler is M. P. P. for Lanark County.]	
Ward Chipman, as 3rd Arbitrator between Upper and Lower Canada (paid from Fund K) half the remuneration allowed him, or - - - - -	388
Thomas A. Stayner, D. P. M. G. at Quebec, proportion of his income derived from Upper Canada, estimated by us, in the absence of his own statement, at - - - - -	1880
John Swetnam, Light House Keeper, salary, - - - - -	63
Owen Richards, do. do. salary, - - - - -	£62
James Durnan, do. do. salary, - - - - -	53
Clerks and Treasurers' charges 1834, for distributing Public School monies, 1834, - - - - -	278
Grand Total, £52,672	

There is a numerous class of officers not directly appointed by the Government, but who, from the very nature of their situations and duties, are under its indirect influence—such as Officers on Canals, &c.

SAINT LAWRENCE CANAL.\*

W. R. F. Berford, salary per year, - - - - -	£300
J. B. Mills, salary, - - - - -	850
James Hume, salary, - - - - -	200

WELLAND CANAL.\*

W. H. Merritt, salary per year, - - - - -	400
John Clark, - - - - -	150
George Keefer, Engineer, - - - - -	260
&c. &c. &c.	

No. 13.

Pensions.

AMOUNT of Pensions paid out of the Public Revenue, raised in Upper Canada, no part of which has been authorised by any vote, either of the Provincial or Imperial Parliaments.

Late John M'Gill, about 16 years' pension at £500, to 1835, estimated to amount to.....£ 8,000

\* See St. Lawrence and Welland Canal Reports to Legislature for the year 1835.

Late W. D. Powell, about five years' pension at £1111, to 6th September, 1834.....	5,555
Late D'Arcy Boulton, Senior, six years' pension at £555, to 1834.....	3,330
Late Sir W. Campbell, Kt. four and a half years' pension, from July 1829 to January 1834, at £1,333.....	5,989
Sir David Wm. Smith, of Northumberland, Baronet, eight years' pension, at £222, to January, 1835, [This pension was formerly paid to Sir David William Smith, by an annual vote of the Imperial Parliament, but it is now drawn from the slender resources of Upper Canada, to augment the wealth of an English Baronet, who probably has not seen America for the last twenty or thirty years.]	1,776
William Chewett, pension, as having been the acting Surveyor General in the absence of that officer, £400 a year, commencing in May, 1832, nearly three years to April, 1835.....	£1,100
Bishop M'Donell, eight years' pension at £444 per annum.....	£ 3,552
Two and three quarter years' additional pension at £111.....	304
	3,856
[This is over and above his pension or allowance from Lower Canada, which owing to the spirited resistance of the House of Assembly there, may possibly have been withdrawn, and thrown upon us under the plea of extra services.]	

COLONEL TALBOT.

This gentleman was the Private Secretary to one of the Lieutenant Governors of Upper Canada, and afterwards got 302,420 acres of land (472½ square miles) to settle in the London and Western Districts. How he has settled it, or what he has done with the monies he received, is not known at the Surveyor General's office, but he has received a pension or allowance of £444 a year, out of the proceeds of our public lands sold to the Canada Company, and has obtained already from that source, nine years' pension, or £4,000. Some information on this head is promised by His Excellency, in answer to an address reported by this Committee.

PENSIONS for 1834, paid out of the Provincial Revenue without authority of Law.

Hon. W. D. Powell, at £1,111 per annum, (died this year.)	} £1,540
Sir W. Campbell, at L.1,355 per annum (died this year.)	
D'Arcy Boulton, at L.555 per annum (died this year.)	
John McGill, at £500 per annum, (died this year)	
Captain W. Jarvie, Incorporated Militia.....	115
Lieutenant Daniel M'Dougall, Do.....	81
Thomas Talbot, Port Talbot.....	444
Sir D. W. Smith, Northumberland, England.....	222
General Shaw's family.....	111
Wm. Chewett, late Acting Surveyor General.....	400

No. 14.

Archdeacon Strachan's Income.

The amount of cash received by Archdeacon Strachan from the 1st day of January, 1826, to the present time out of the public revenue of this Colony so far as we have been able to trace it from any official source is as follows:—

Seven and a half years President of the Board of Education, at L.300 to 1st of July, 1833.....	£2,250
Eight years Archdeacon of York at L.333 13s. 4d... ..	2,700
Nine years an Executive Councillor at L.111.....	999
He received out of the Clergy Reserve rents on account of the expenses of his first journey to London on behalf of the Clergy.....	350
In 1833 and 1834 it appears that he received L.152 10s. each year, as "a Minister of the Church of	

England," (see sess. papers No. 5, p. 20.).....	305
Since 1831, the gaol ground, Toronto, has let for L.150 per annum, 3 years (see sess. papers, No. 5, p. 21.).....	450
"The Small Strip Rents," Toronto, for L.57 10s. 3 years .....	172
The other acre being part of what was formerly the Hospital Square, Toronto, for L.100—3 years, (see sess. papers, p. 21, No. 5.).....	300
Annual value of the Archdeacon's Glebe Lots in the Township of York, 1,000 acres, estimated at an average value of L 50 per annum, for nine years.....	450

£7,976

CASH paid him for his journey to England from the Fund of King's College.

"Cash in full," being for his expenses incurred on a journey to and from England, and eighteen months detention there, at the instance of the Secretary of State L.678 6s. 8d. (with interest) is (See Journal 1831-2, p. 181 of Appendix.).....	£712 16 2
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Cash, being for the moiety of his expences incurred, in a journey to and from England, "and eighteen months' detention there at the instance of the Secretary of State, while engaged in soliciting from His Majesty's Government the Charter of King's College, and attending to the affairs of the Established Church." (See his Letter sent down to the House this Sess., Sess. Paper, No. 5, p. 22.)	678 6 8
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Cash paid him for settling the terms of agreement with the (Canada) Company when in London in 1827.....	360 0 0
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[This is the return made by the Receiver General to the Government here, and since placed before the House of Commons. Dr. Strachan in his explanation for the House of Assembly (See Sess. papers, No. 5, p. 22,) affirms that it was in payment of his salary as Archdeacon of York for the year 1825; the patent constituting Dr. Strachan an Archdeacon did not issue until 1827. Another return on the Journals of the House of Commons says it was for his services during the reference.]

Another item of monies paid to Dr. Strachan is in the return of cash paid from the Canada Company's monies to the Doctor "to defray expenses connected with the establishment of an University at York in Upper Canada." The Doctor has written in explanation (See Sess. papers, No. 5, p. 22,) but as he has given no details, we have placed that also to the account of his journey.....	600 0 0
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£2,351 0 0

ALSO :

2000 acres of Valuable Land in the the Gore of Toronto the estimated worth of which is 25s. per acre or .....	£2,500 0 0
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[This grant Doctor Strachan tells us was made in aid of his living in this city, (See his Letters in Sess. papers No. 5, pages 21 and 22, 1835.]

In all for his journey.....	£4,851 2 10
Estimated sums paid to Dr. Strachan within the last nine years, brought down.....	7,976 0 0
	£12,827 2 10

In consequence of the refusal or delay of the Lieutenant Governor to send down to the House the Blue Books for 1824, 1825, 1826, 1827, 1928, 1829, 1830, 1831, and 1832, and of Archdeacon Strachan's refusal to give the detailed account required of him (See his evidence) the Committee are unable to state the whole of Dr. Strachan's receipts from the public. It is understood there are other payments for delapidations on his living, &c. &c., but the Committee cannot ascertain the amount.

No. 15.

AMOUNT of Salary and Allowances paid to the Lieutenant Governors of Upper Canada, since the 1st day of January 1827, out of the Public Revenues raised from the people of Upper Canada.

Nine years' Salary at L.2,222.....	£20,000
Nine years' second Salary at L.1,111.....	10,000
Two and a half years' additional or third Salary to Lieutenant Governor Colborne, (over and above L.3,333 per annum,) L.555 per annum, commencing the 1st day of July, 1832.....	1,666
The Government House, Offices and Grounds, free of all taxes and charges, nine years, estimated at L.500.....	4,500
Share of Seizures paid to the Lieutenant Governor, 1827, estimated at.....	L.300
1828, estimated at.....	300
1829, 30, 31, to 27th April 1832.....	678
Part of 1832 estimated at.....	400
1833 estimated at.....	300
1834.....	655
	<u>2,538</u>
Total from Provincial Funds.....	<u>L.38,704</u>

No. 16.

THE INCOME of Major General Sir John Colborne, in 1834, from all Public sources, is thus stated in the Blue Book :—

Salary.....	L.3,333
"Allowed L.555 per annum in lieu of pay and allowances as Major General on the Staff; out of the Revenue raised from the people of Upper Canada.....	555
Full pay as a Lieutenant Colonel.....	345
His pension.....	333
His share of seizures in the Colony, under the 6th Geo. 4th, ch. 114.....	565
House and Offices, estimated per annum.....	500
Income in 1834.....	<u>L.5,631</u>

Until 1827, the Salary of the Lieutenant Governor was paid in England by vote of the Imperial Parliament; and as he is, in fact, the Agent of the Colonial Office, the Province ought not to be obliged to pay him L.4,000 per annum.

No. 17.

PAYMENTS to the Honourable Peter Robinson, since July, 1827.

Eight years an Executive Councillor at L.111....	L.888
Seven and a half years, additional "Surveyor General" at L.555.....	4,162
Seven and a half years, Commissioner Crown Lands at L.555.....	4,162

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Six and three quarter years Commissioner for the sale of Clergy Reserves at L.500 per annum... 3,375  
L.12,587

And there may have been other payments.

No. 18.

PAYMENTS to the Honourable Duncan Cameron, Secretary and Registrar, since 1st of January, 1827.

Seven years' Salary from Canada Company's payments, at L.333 to 1834.....£2,331 0 0  
 Seven years' Commutation in lieu of Fees.... 5,000 0 0

[The officers of the Land Granting Department received a commutation in lieu of Fees for seven years up to the 1st of January, 1834. They now receive no fees, with the exception of the Hon. D. Cameron, Secretary, to whom an annual allowance of L.700 (L.636 11s. 4d. sterling) is ordered by the Secretary of State for the Colonies, out of the Revenue raised in the Province, on account of his disbursements for Stationary for the various Patents made out in the course of the year, and furnished by him. See Blue Book, page 11, 1834.]

Salary for 1834..... 333 0 0  
 Allowance for 1834..... 700 0 0

Mr. Cameron's office is, to him almost a sinecure, worth L.1000 and upwards. He is allowed a Deputy, Mr. S. P. Jarvis, who is paid by the Colony, by vote of the Legislature, L.200 a year, for doing the work for which his Principal is again paid L.1000.

In the Journal of Assembly for 1831, page 117, there is an item of additional fees, for preparing "Special Instruments,"..... 258 12 0

£8,624 12 0

And it appears within the last eighteen months, the Executive Council have audited his claim to several hundred pounds more as *extra fees*, within the last two years.

No. 19.

PAYMENTS to the Honourable John H. Dunn, Receiver General, since the 1st of January, 1827.

Eight years as Receiver General of the Public monies, not under the public control, paid out of the Canada Company's Revenue at L.222..... £1,776

Eight years charge to the public for receiving and paying out that part of the public revenue not under its control, which accrues from the Canada Company..... 1776

(This was a sinecure formerly held by a Mr. W. Dacres Adams, under the title of Agent for the Colony.)

A parliamentary grant in 1833..... 600  
 3 per cent. on Provincial Revenue, 1827..... 930  
 3 do. do. do. 1828..... 1,248  
 3 do. do. do. 1829..... 988  
 3 do. do. do. 1830..... 1,118

Four years' second Salary from Public Revenue at L.777 per annum, for 1831, 1832, 1833, and 1834..... 3,108

Amount in eight years of the Receiver General's income..... £11,544

It appears that L.1776 of this money arises from the very objectionable mode of paying public officers by a sinecure; that is, an office with no duties attached. Mr. Dunn's Income, as a whole, however, is lower than that of officers having far less important duties to fulfil.

No. 20.

CLERGY paid by Government, without the consent, and in opposition to the wishes of the House of Assembly.

The official returns made up at the office of the Honourable Duncan Cameron, Secretary of the Colony, exhibit the following amounts of payments in cash to the Clergy of Upper Canada during the last three years, from funds raised from the people of the colony:—

In 1832, to the Clergy..... £5,438  
 In 1833, to do..... 19,719  
 In 1834, to do..... 14,673  
 Also, in 1834, to Methodists, omitted in the Blue Book, by error..... 611

£40,441

The official details of the expenditure for 1833 and 1834, so far as they could be obtained, will be found in the statements sent down to this Committee by order of His Excellency on the 2d of April instant, all which are hereto annexed.

No. 21.

GOVERNMENT HOUSE, }  
 Toronto, 2d April 1835. }

SIR,

With reference to your letter of the 28th ultimo, I am directed by the Lieutenant Governor to transmit for the information of the Committee on Grievances, the accompanying documents relating to the payments made to the Clergy of various Churches, and also for erecting and repairing places of divine worship for the years 1833 and 1834.

An explanatory letter from the Inspector General, respecting the omission in the Blue Book, of the sum of £550 paid to the British Wesleyan Methodists in 1834, is annexed for the information of the committee.

His Excellency desires me to mention, that the committee will observe from the accounts furnished by the Receiver General, that half yearly statements are transmitted by the Receiver General through the Lieutenant Governor, to the Secretary of State, of the receipts and expenditures of the Crown Revenues.

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

WM. ROWAN.

W. L. MACKENZIE, Esq. Chairman of the Committee on Grievances, House of Assembly. }

No. 22.

Extract of a Despatch from the Secretary of State for the Colonies to the Lieutenant Governor.

DATED, DOWNING STREET, }  
 27th January 1834. }

"And considering the heavy charges to which the Casual Revenue will for some years be subject, I am compelled to desire, that the grant in aid of the erection of Dissenting places of worship shall continue to be £2,000 instead of £4,200."

No. 23.

(Copy.)

GOVERNMENT HOUSE, }  
30th March, 1835. }

SIR,

I am directed by the Lieutenant Governor to forward to you the accompanying remarks from the Chairman of the Grievance Committee and two extracts from an address of the House of Assembly, and to request, that the committee requiring information on certain accounts may be afforded such explanations as will shew the statements, in which the sums granted to the Ministers and Churches of each denomination are to be found.

With the accounts of the Casual and Territorial Revenue were forwarded, a nominal list of the Clergy of the Church of England receiving salaries, and the amount of salary of each.

I am also to acquaint you, that as the committee complained, that they have not received all the information they required, His Excellency begs that you will report why you have not furnished the accounts applied for, as a copy of the address was transmitted to you.

I have &c.

W.M. ROWAN.

Receiver General.

No. 24.

RECEIVER GENERAL'S OFFICE, }  
Toronto 31st March, 1835. }

SIR,

In reply to your letter of the 30th inst. transmitting a communication from the Chairman of the Grievance Committee, together with two copies of addresses to His Excellency on the subject of appropriation made from the funds of the Casual and Territorial Revenue, &c. to the various denominations of Clergy, and for building Churches, &c. for the years 1833 and 1834—I have the honor to state for his Excellency's information, that the accounts already furnished will shew the sums paid with all the information in my power to afford. In order therefore, that it may be more clearly understood, I beg to enclose statements of the amounts paid by me under his Excellency's warrants, authorised by his Majesty's Government in England during these two years, together with copies of such lists of the Clergymen of each denomination, and for building Churches.

As his Excellency desires me to report why I have not furnished the accounts applied for agreeably to the address of the Commons House of Assembly, I have to remark, that I forwarded on the 28th of February last, a full and complete set of accounts of the Casual and Territorial Revenue, together with the instalments from the Canada Company, from the years 1827 to 1832 inclusive,—and the Assembly were furnished previously with a statement of those funds for 1833 and 1834.—The warrants issued by his Excellency for and on account of the Catholic Clergy have always been in favor of the Bishop, and paid in one sum to that gentleman, with the particulars I am not acquainted, nor am I informed of the number of Clergymen who participate in the same—all public money of every description is taken from the Receiver General by warrants, whose duty it is to see that the demands are duly authorized,—and when the money is paid to the parties named in the warrants, the Receiver General has nothing more to do with the transaction, but to obtain such vouchers as will enable him to prove the payments and satisfy the rigid examination of the Board of Audit in London. I can assure His Excellency that there is no desire to withhold any information required from the department entrusted to me, and I have always used every exertion, with the assistance in my office, to compile from the Public Accounts as much information, and to supply statements, &c. with as much expedition and accuracy as in my power, and circumstances admit of.

I have the honor to be

Sir,

Your most obedient

Humble servant

JOHN H. DUNN.

To Lt. Colonel Rowan, }  
Civil Secretary }  
&c. &c. &c. }

Q

No. 25.

STATEMENT of Payments made to the Clergy and Churches of different denominations in Upper Canada under Warrants of His Excellency the Lieutenant Governor, during the year 1833.

TO WHOM PAID AND BY WHAT AUTHORITY, &c.	Provincial Currency Dollars a 5s. each.			Reference.
	£	s.	d.	
To the Hon. and Rev. J. Strachan, D.D. his salary as Archdeacon of York, for the 12 months ending 30th June, 1833, authorized by the Right Hon. The Lords Commissioners of His Majesty's Treasury, 31st August, 1827.	333	6	8	
To the Rev. Geo. O'Kill Stewart, his salary as Archdeacon of Kingston, for the like period, and under same authority,.....	333	6	8	
To ditto ditto, as one of the Clergy of the established church for the like period,.....	111	2	2	
To paid into the hands of the Hon. Geo. H. Markland, as Secretary of the Clergy Corporation, being the amount of the appropriation, in aid of the support of the ministers of the Church of England in this Province, authorised by Lord Goderich's despatch of the 5th April, 1832,	3888	17	9½	
To paid to the ministers of the Church of England, being the annual appropriation in aid of their support, authorised as above mentioned, up to the 30th June, 1833,.....	3880	11	1½	Vide List A.
To paid Roswell Mount, Esq. on account of erecting a house and preparing a Glebe for the occupation of the incumbent of the Township of Adelaide, authorised by His Excellency the Lt. Governor and Council,.....	50	0	0	
To the Rev. Saltern Givins, to aid in erecting a parsonage house in the Mohawk Indian Tract in the Bay of Quinté,.....	100	0	0	
Salary to the Roman Catholic Bishop, for the year ending 30th June, 1833, authorised by the Lords Commissioners of His Majesty's Treasury, 31st Aug't 1827, .....	555	11	1½	
Allowance to ministers of the established church of Scotland in this Province, for the 12 months ending 30th June, 1833, pursuant to Lord Goderich's despatch of 23rd May, 1831,.....	1205	4	5	B.
Allowance to the Roman Catholic priesthood paid in gross to the R. Catholic Bishop as per warrant, for the like period—Lords of the Treasury, 31st August, 1827, ..	1111	2	2½	
Salary to the Rev. Wm. Bell, Presbyterian minister, at the Rideau Settlement, for the like period, authorised by the Lords of the Treasury, 16th Jan. 1818,....	111	2	2½	
House rent to his lordship the Bishop of Quebec, for the like period, pursuant to Sir Geo. Murray's despatch of 25th January,				



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No. 28.

C.

LIST of Clergy of the United Presbyterian Synod of Upper Canada—January to June 1833.

NAMES.	STATIONS.	1st JULY 1833.		
		Sterling.		
		£	s.	d.
The Rev. P. Ferguson,	Esquesing,	31	16	4½
Andrew Bell,	Toronto Township	31	16	4½
Duncan McMillan,	Caledon,	31	16	4½
Wm. King,	Nelson,	31	16	4½
Robert Boyd,	Prescott,	31	16	4½
Robert Lyle,	Osnabruck,	31	16	4½
Geo. Buchannan,	Beckwith,	31	16	4½
John Bryning,	Mount Pleasant,	31	16	4½
Wm. Smart,	Brockville,	31	16	4½
Robert McDowall,	Fredericksburgh,	31	16	4½
John Gemmill,	Lanark,	31	16	4½
Total		£ 349	19	10½
Equal to £388 17 8 Currency.				

No. 29.

D.

SCHEDULE of Monies paid to Roman Catholic Churches out of the sum authorised by His Majesty's Government to be expended on Roman Catholic churches and chapels in this Province, during the year 1833.

TO WHOM PAID.	SITATIONS OF THE CHURCHES, &c.	Sterling.		
		£	s.	d.
The Rev. Edw'd Gordon, Trustee,	Toronto,.....	27	0	0
Mr. Timothy O'Connor,.....do...	Guelph,.....	54	0	0
Alex'r McDonell, Esq.,.....do...	Peterboro'...	135	0	0
John Lyons, Esq.,.....do...	Niagara,.....	90	0	0
Rev. Murt Lalor,.....do...	Adjala,.....	40	0	0
Mr. Michael Russell,.....do...	Toronto Gore,	40	0	0
Mr. Peter Polin,	St. Catharines,	55	0	0
James Fitzgerald,				
Alex. McDonell,				
Alex. Fraser, Esq.,.....do...	St. Raphael's, Glengarry,	300	0	0
Total,...		£741	0	0
Equal to £823 6 8 Currency.				

No. 30.

STATEMENT of Payments made to the Clergy and Churches of different denominations in Upper Canada, under Warrants of His Excellency the Lieutenant Governor, during the year 1834.

TO WHOM PAID AND BY WHAT AUTHORITY, &c.	Provincial Currency Dollars a 5s. each.			References.
	£	s.	d.	
Salaries of the ministers of the Church of England in this Province, for the year ending 30th June, 1834, pursuant to Lord Goderich's despatch of 5th April, 1832,.....	4936	11	6	Vide Lists A.&B.
Salary to the Hon. and Rev. John Strachan as Archdeacon of York, for the like period, authorised by the Lords of the Treasury, 31st August, 1827.....	333	6	8	
Salary to the Rev. George O'Kill Stewart as Archdeacon of Kingston, for the like period, same authority,.....	333	6	8	
Salary to do. as one of the clergy of the established church, same period,.....	111	2	2½	

TO WHOM PAID AND BY WHAT AUTHORITY, &c.	Provincial Currency Dollars a 5s. each.			References.
	£	s.	d.	
To paid sundry missionaries of the Church of England in this Province, to make up 85 per cent. on their salaries; and pensions to three retired missionaries and two widows, formerly paid by the Society for the propagation of the Gospel, authorised by Mr. Secretary Rice's despatch of 5th August, 1834, for the period ending the 31st Dec. 1834,....	4220	7	4½	C
Salary to the Roman Catholic Bishop, for the year ending 30th June, 1834, authorised by the Lords of the Treasury, 31st August, 1827,.....	555	11	1½	
Salaries to ministers in connexion with the established church of Scotland, for the year ending the 30th June, 1834, per Lord Goderich's despatch of 23d May 1831,.....	1248	17	10	D
Salaries to ministers in connexion with the established church of Scotland, for the 6 months ending the 31st Dec'r, 1834, per Lord Goderich's despatch, 23d May, 1831,.....	859	11	10	E
Allowance to the Roman Catholic priesthood, for the year ending 30th June, 1834, authorised by the Lords of the Treasury, 31st August, 1827, as per warrant,.....	1111	2	2½	
Paid sundry persons, being portions of the allowance made by His Majesty's Government, to be expended on Roman Catholic churches and chapels in this Province,.....	512	2	2½	F
Salary to the Rev. Wm. Bell, Presbyterian minister at the Rideau Settlement, for the 12 months ending the 30th June, 1834, authorised by the Lords of the Treasury, dated 16th Jan. 1818,.....	111	2	2½	
Allowance to ministers of the United Presbyterian Synod of Upper Canada, for the year ending 30th June, 1834, per despatch of His Majesty's Secretary of State for the Colonies,...	798	7	9½	G
Do. for the half year, ending 31st December, 1834,.....	403	12	2½	H
House rent to the Lord Bishop of Quebec, for the year ending 30th June, 1834, pursuant to Sir G. Murray's despatch of 25th Jan. 1830,.....	200	0	0	
Paid John Willson, Esq. on behalf of the Canadian Wesleyan Methodists, being a proportion of the sum appropriated by His Majesty's Government, to aid in the erection of places of worship in this Province,.....	368	17	9½	
To paid the Rev. Joseph Stinson, representative of the Methodist Missionary Society, London, and General Superintendent of Wesleyan missions in Upper Canada, being the sum authorised by His Majesty's Government to be applied to aid in the erection of Wesleyan Methodist chapels in this Province,.....	611	2	2½	

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To WHOM PAID AND BY WHAT AUTHORITY, &c	Provincial Currency. Dollars a 5s. each.	References.
To paid the Right Rev. and Hon. Alex. McDonell, R. C. Bishop of Regiopolis, being the amount of pension conferred on him for special services by His Majesty's Government, as directed by Mr. Secretary Stanley's despatch of 22nd Dec. 1833; the present payment being for the period between the 1st October, 1832 and 30th June, 1834, inclusive at the rate of 100 <i>l.</i> stg. per annum.....	£ s. d. 194 8 10 <sup>3</sup> / <sub>4</sub>	

JOHN H. DUNN, R. G.

Receiver General's Office,  
Toronto, 31st March, 1835.

No. 30. (A.)

Extract from the Estimates for Miscellaneous services, for five quarters to 31st March, 1833, ordered by the House of Commons to be printed.

CLERGY, NORTH AMERICA.

ESTIMATE of the charge of defraying the Expenses of the Ecclesiastical Establishment of the British North American Provinces, from the 1st day of January 1832, to the 31st March, 1833:

£27,438 13s. 1d.

	£	s.	d.	£	s.	d.
<b>LOWER CANADA.</b>						
Bishop of Quebec.....	3,000	0	0			
Archdeacon of Quebec.....	500	0	0			
Rector of Quebec.....	400	0	0			
Minister of Trinity Chapel, Quebec.....	200	0	0			
Rector of Montreal.....	300	0	0			
"    " Three Rivers.....	200	0	0			
"    " William Henry.....	150	0	0			
"    " Durham.....	100	0	0			
"    " Chatham.....	100	0	0			
"    " Caldwell Manor.....	100	0	0			
"    " St. Armand.....	100	0	0			
Evening Lecturer at Quebec.....	150	0	0			
"    " Montreal.....	150	0	0			
Vergers of Quebec.....	30	0	0			
Rent of Protestant Burial Ground, Presbyterian Minister, Quebec...	20	18	6			
"    " Montreal..	50	0	0			
Roman Catholic Bishop, Quebec.	1,000	0	0			
				6,600	18	6
<b>NOVA SCOTIA.</b>						
Bishop of Nova Scotia.....	2,000	0	0			
Archdeacon.....	300	0	0			
Presbyterian Minister.....	75	0	0			
To the Governor of King's College for the expenses of that institution.....	1,000	0	0			
Archdeacon of New Brunswick..	300	0	0			
Minister at Prince Edward's Island.....	100	0	0			
Archdeacon of Newfoundland....	300	0	0			
Roman Catholic Bishop.....	75	0	0			
To the Society for the Propagation of the Gospel, in aid of the expenses of the society in the Colonies of Upper and Lower Canada, Nova Scotia, New Brunswick, Newfoundland, Prince Edward's Island, and the Cape	11,000	0	0			
				15,150	0	0

Total for one year, from 1st April, 1832, to 31st March, 1833.....	£	21,750	18	6
Add for one Quarter of 1832.....		5,687	14	7
Total.....	£	27,438	13	1
		3,775	0	0
	£ s. d.	6,600	18	6
		3,775	0	0
	£ s. d.	6,600	18	6

Downing Street, Nov. 21, 1831.

SIR,

I am directed by Viscount Goderich to inform you, that in consequence of the strong objections which exist to the practice of making grants of public money in aid of the funds derived from private subscriptions by associations for charitable purposes, he has had under his consideration the propriety of discontinuing that which it has of late years been usual to make to the Society for the Propagation of the Gospel.

His Lordship is of opinion, that it is desirable that the assistance thus given to the society by the Parliamentary Grant, should be withdrawn, and that in future it should be left to depend according to the intention entertained at the time of its original institution, upon the subscriptions received from private individuals. In consideration, however, of the extended field of the operations of the Society, and of the great inconvenience which might be experienced from the sudden loss of so large a portion of their income as that derived from the public, Lord Goderich is of opinion that it would be expedient that the change which he contemplates, should rather come into gradual than immediate operation; he has therefore directed me to request, that you will submit to the Lords Commissioners of the Treasury the propriety of proposing to Parliament the following grants. In the year 1832 the sum of 12,000*l.* instead of 16,182*l.*, the vote for the present year; 1833, 8,000*l.* and in 1834, 4,000*l.* being the last year in which Lord Goderich conceives that it will be necessary to ask any thing from Parliament for the support of the Society.

I am directed to request that you will move their Lordships to favour Lord Goderich with their decision upon the proposal submitted to them, at their earliest convenience, as it is desirable that the Society should learn without delay the course it is intended to pursue.

I have, &c.

(Signed) HOWICK.

Copy of Minute of the Lords of the Treasury, of 25th November, 1831, on the foregoing Letter of the Secretary of State.

Write to Lord Howick, for the information of Lord Goderich, that my Lords concur in his Lordship's recommendation that the grant to be proposed to Parliament for the Society for the Propagation of the Gospel in Foreign Parts, should be reduced to the sum of 12,000*l.* in the year 1832, to 8,000*l.* in the year 1833, and to 4,000*l.* in the year 1834, and that no further grant should be proposed after that year.

Downing Street, 18th January, 1832.

SIR,

In requesting that you will lay before the Lords Commissioners of the Treasury the accompanying Estimates for the different Colonial Establishments for the year 1832, I am directed by Viscount Goderich to request that you will call their Lordships' attention to the charge which now, for the first time, appears in a separate estimate for maintaining the Ecclesiastical Establishment of the North American Colonies. This Estimate includes: First, the salaries of the Clergy of the Church of England, of the Roman Catholic Bishop, and of two Presbyterian Clergymen in Canada; these amount altogether to 6,600*l.* 18s. 6d.; and have for a long series of years been defrayed by an advance from the Military chest, in aid of the expense of the Civil Government of the Province. Secondly, the salaries of the Bishop of Nova Scotia, and the Archdeacons in the several Colonies in his diocese which have been transferred from other estimates. Thirdly, the sum of 1,000*l.* which has annually been voted for the support of the King's College in Nova Scotia; and lastly, the sum of 12,000*l.* for the Society for the Propagation of the Gospel in Foreign Parts. Lord Goderich has directed the whole of these several charges to be included in the same Estimate, because, being all incurred for purposes connected with the religious instruction of the inhabitants of British North America, he is of opinion that it is convenient to exhibit, at one view, the whole expense incurred for an object, which, in the present state of these Provinces, he conceives ought rather to be provided for by the Colonies them-

selves, than by the Mother Country. In pursuance of this opinion, Lord Goderich would have been most anxious to have found, if possible, the means of dispensing with the present estimate; as, however, the Colonial Legislatures could not fairly be called upon to defray the expense of an establishment which has been formed without their concurrence or advice, whilst some of the individuals of whom it is composed have accepted their present situation on an understanding that they were permanently to be kept up, it has appeared to His Lordship that justice to the Colonies on the one hand, & to these individuals on the other, would not permit the sudden discontinuance of the pecuniary assistance hitherto afforded by this country. He proposes, therefore, that this assistance should be gradually withdrawn as soon as a due regard to existing claims will permit. With respect to the Society for the Propagation of the Gospel, the Lords Commissioners of the Treasury have already sanctioned an arrangement which has been communicated to the Secretary of that body; upon the same principle Lord Goderich would suggest the propriety of making, in the present year, the usual grant of 1,000*l.* to the King's College in Nova Scotia, reducing this sum to 500*l.* in the year 1833; after which it might be altogether discontinued. With respect to the salaries directly paid by the public to the individuals by whom they are received, Lord Goderich conceives that they stand on somewhat different grounds, from the assistance given to corporate bodies having other and fluctuating sources of income. These salaries, forming the two first items of the estimate, having been accepted under the idea that they would be a provision for their lives by persons who have abandoned other prospects in their profession, his Lordship is of opinion that they should continue to be paid during the lives of the parties by whom they are received, or until they can be otherwise provided for. With this explanation I am directed to request that you will bring under the consideration of their Lordships the propriety of submitting to Parliament the accompanying estimate.

I am, Sir,  
Your Most Obedient  
Humble Servant,  
HOWICK.

The Honorable J. K. STEWART.

No. 31.

A.

List of the Clergy of the Church of England in the Province of Upper Canada, 1st January, 1834.

		STERLING.			CURRENCY.		
		£	s.	d.	£	s.	d.
Romaine Rolph	Amherstburgh.	46	13	4			
John Miller	Ancaster	46	13	4			
Thomas Campbell	Belleville	46	13	4			
Edward Deroche	Brockville	33	6	8			
J. Thompson	Cavan	33	6	8			
Thomas Morley	Chatham	46	13	4			
Alex. N. Bethune	Cobourg	46	13	4			
George Archbold	Cornwall	46	13	4			
John Anderson	Fort Erie	46	13	4			
George Grout	Grimsby	46	13	4			
William Macaulay	Hallowell	46	13	4			
Geo. O'Kill Stewart							
L. L. D.	Kingston	33	6	8			
Richard H. D'Olier	Peterboro'	25	0	0			
Richard Flood	Beckwith	25	0	0			
Benjamin Cronyn	London	23	6	8			
Ralph Leeming	Hamilton	46	13	4			
John G. B. Lindsay	Williamsburgh	46	13	4			
Thomas Creen	Niagara	46	13	4			
Michael Harris	Perth	46	13	4			
Samuel Armour	Cavan	46	13	4			
Robert Short	Richmond	46	13	4			
Mark Burnham	St. Thomas	46	13	4			
James M'Grath	Toronto	35	0	0			
Francis Evans	Woodhouse	46	13	4			
Rosington Elms		33	6	8			
William Gunning	Yonge, &c.	46	13	4			
Saltern Givins	MohawkIndians	46	13	4			
Arthur Palmer	Guelph	33	6	8			
Vincent Mayerhoffer	Markham	15	0	0			
George Mortimer	Thornhill	50	0	0			
John Strachan, D. D.	York	100	0	0			
J. Grier	Carrying Place	70	0	0			
		1406	13	4	£1562	19	3½

R

B.—No. 32.

LIST of the Clergy of the CHURCH OF ENGLAND in the Province of Upper Canada, 1st July, 1834.

Dr. Strachan	Toronto	96	5
J. Magrath	Credit, township Toronto	70	0
J. Miller	Ancaster	70	0
T. Creen	Niagara	70	0
G. Grout	Grimsby	70	0
W. Leeming	Chippewa	70	0
J. Anderson	Fort Erie	70	0
J. Clarke	St. Catharines	70	0
M. Burnham	St. Thomas	70	0
F. Evans	Woodhouse	70	0
R. Rolph	Amherstburgh	70	0
T. Morley	Chatham	70	0
A. N. Bethune	Cobourg	70	0
J. Coghlan	Port Hope	70	0
S. Armour	Cavan	70	0
Dr. Stuart	Kingston	70	0
J. Stoughton	Bath	70	0
J. Deacon	Adolphustown	70	0
Thos. Campbell	Belleville	70	0
J. Grier	Carrying Place, Murray	70	0
W. Macaulay	Hallowell	70	0
S. Givins	Mohawks, Bay of Quinte	70	0
M. Harris	Perth	70	0
R. Short	Richmond	70	0
J. Padfield	March	70	0
E. J. Boswell	Carleton Place	70	0
W. Gunning	Lamb's Pond	70	0
R. Blakely	Prescott	70	0
H. Patton	Oxford	70	0
B. Lindsay	Matilda	70	0
F. Mack	Osnabruck	70	0
G. Archbold	Cornwall	70	0
V. Mayerhoffer	Markham	70	0
G. Mortimer	Markham	50	0
R. Leeming	Hamilton	50	0
A. Palmer	Guelph	50	0
B. Cronyn	London	50	0
D. Blake	Adelaide	50	0
W. Johnson	Sandwich	50	0
J. Radcliff	Warwick	50	0
J. Thompson	Cavan	50	0
R. H. D'Olier	Peterborough	50	0
R. Flood	Beckwith	50	0
E. Deroche	Brockville	50	0
J. G. Weagant	Williamsburgh	50	0
Dr. Phillips	{ Neighbourhood of }	25	0
W. Boulton	{ Toronto }	25	0
	Mr. Elms	50	0
	Final payment to		
Total Sterling		£3036	5
		£3,373	12 2½ Currency.

C.—No. 33.

LIST of Missionaries, &c. of the CHURCH OF ENGLAND, in the Province of Upper Canada. 1st January, 1835. [For the previous six months.]

		£	s.	d.
George Archbold	Cornwall	100	0	0
John Anderson	Fort Erie	100	0	0
A. N. Bethune	Cobourg	100	0	0
Robert Blakey	Prescott	100	0	0
E. J. Boswell	Dalhousie	57	10	0
Mark Burnham	St. Thomas	100	0	0
Thomas Campbell	Belleville	100	0	0
Thomas Creen	Niagara	100	0	0
James Clarke	St. Catharines	100	0	0
James Coghlan	Port Hope	100	0	0
Job Deacon	Adolphustown	100	0	0
Francis Evans	Woodhouse	100	0	0
Saltern Givins	{ Mohawk Tract, }	100	0	0
	{ Bay of Quinte, }			
John Grier	Carrying Place	100	0	0
G. R. F. Grout	Grimsby	100	0	0
W. H. Gunning	Elizabethtown	100	0	0

Seventh Report of Committee on Grievances.

		£	s.	d.
Michael Harris,....	Perth, .....	100	0	0
William Leeming,...	Chippewa,.....	100	0	0
J. G. B. Lindsay, ..	{ Williamsburg & } Matilda. }	57	10	0
John Miller,.....	Ancaster,.....	100	0	0
James Magrath,....	Toronto township,..	57	10	0
Thomas Morley, ...	Chatham,.....	100	0	0
William Macaulay, .	Hallowell, .....	100	0	0
Henry Patton,.....	Oxford, .....	100	0	0
Romaine Rolph,....	Amherstburg,.....	100	0	0
Robert Short, .....	Richmond,.....	100	0	0
John Strachan, ....	City of Toronto,..	137	10	0
John Stoughton,...	Bath, .....	100	0	0
G. O'Kill Stuart,...	Kingston,.....	100	0	0
Joseph Thompson, .	Cavan,.....	120	0	0
Samuel Armour, ...	Peterborough,.....	30	0	0
D. E. Blake, .....	Adelaide,.....	50	0	0
B. Cronyn,.....	London,.....	50	0	0
E. Deroche, .....	Brockville,.....	50	0	0
R. H. D'Olier,.....	Peterborough,.....	50	0	0
William Johnson, ..	Sandwich, .....	50	0	0
V. Mayerhoffer,....	Markham, .....	30	0	0
G. Mortimer,.....	Vaughan,.....	50	0	0
F. Mack, .....	Osnabruck, .....	30	0	0
J. Padfield,.....	March, .....	30	0	0
A. Palmer,.....	Guelph, .....	50	0	0
W. Bettridge,.....	Woodstock,.....	50	0	0
R. Flood,.....	Carradoc, .....	50	0	0
Thomas Phillips,...	Etobico,.....	50	0	0
J. Radcliff,.....	Warwick,.....	50	0	0
J. Short, .....	Richmond,.....	33	6	0
		£3633	6	8

RETIRED MISSIONARIES.

Ralph Leeming,....	.....	50	0	0
J. G. Weagant,....	.....	50	0	0
J. D. Peterson,....	.....	15	0	0

WIDOWS RECEIVING PENSIONS.

Mrs. Mountain, ....	.....	25	0	0
Mrs. Samson, .....	.....	25	0	0

Sterling.....£3,798 6

Currency.....£4,220 7 4

Fund D. & E.—No. 34.

List of the Ministers in connexion with the Established Church of Scotland in Upper Canada, 1st Jan'y and 1st July 1834, and 1st Jan'y 1835.

NAMES.	STATIONS.	1st JAN'Y. 1834.			1st JULY 1834.			1st JAN'Y. 1835.		
		£	s.	d.	£	s.	d.	£	s.	d.
Rev. W. Rintoul, ...	City of Toronto } Steetsville since }	45	0	0	41	16	8 1/2	29	0	0
— Alex. Ross, .....	Aldborough, .....	28	0	0	28	0	0	29	0	0
— John Machar, .....	Kingston, .....	28	0	0	20	16	8	36	7	4
— Alex. Gale, .....	Hamilton, .....	6	11	11 1/2	20	16	8	36	7	4
— W. McAllister, .....	Lanark, .....	28	0	0	28	0	0	29	0	0
— Tho. Wilson, .....	Perth, .....	23	0	0	28	0	0	29	0	0
— A.M'Naughton, .....	Lancaster, .....	3	13	7 1/2	28	0	0	29	0	0
— Arch'd Connell, .....	Martintown, .....	28	0	0	28	0	0	29	0	0
— John M'Kenzie, .....	Williamstown, .....	28	0	0	28	0	0	29	0	0
— H. Urquhart, .....	Cornwall, .....	28	0	0	28	0	0	29	0	0
— Wm. Stewart, .....	Galt, .....	28	0	0	28	0	0	29	0	0
— J. Cruikshank, .....	Bytown, .....	28	0	0	28	0	0	29	0	0
— Rob. M'Gill, .....	Niagara, .....	28	0	0	28	0	0	29	0	0
— Jas. Ketchan, .....	Belleville, .....	28	0	0	28	0	0	29	0	0
— Geo. Cheyne, .....	Amherstburg, .....	28	0	9	28	0	0	29	0	0
— P.M'Naughton, .....	Vaughan, .....	28	0	0	28	0	0	29	0	0
— M. Y. Stark, .....	Dundas, .....	14	17	7 1/2	28	0	0	29	0	0
— James Smith, .....	Guelph, .....	28	0	0	28	0	0	29	0	0
— John Smith, .....	Beckwith, .....	9	13	3 1/2	28	0	0	29	0	0
— Henry Gordon, .....	Whitechurch & } King, }	0	0	0	28	0	0	29	0	0

	£	s.	d.	£	s.	d.	£	s.	d.
— Jno. M. Roger, Peterborough,	11	19	3 1/2	20	16	8	36	7	4
— P. Ferguson, Esquesing,	0	0	0	20	16	8	36	7	4
— Jno. Fairbairn, Ramsay,	9	13	3 1/2	0	0	0	29	0	0
— Geo. Romanes, Smith Falls,	1	7	7 1/2	0	0	0	29	0	0
The Ch. of Toronto	0	0	0	0	0	0	48	3	3 1/2
— Matt. Miller, Colborne, Newcastle Dis. }	28	0	0	0	0	0	0	0	0
		522	16	8 1/2	601	3	4 1/2		
				522	16	8			
				Sterling £	1124	0	0 1/2		
				D.—Currency	1248	17	10		
				Sterling £	773	12	7 1/2		
				E.—Currency	359	11	10		

F.—No. 35.

SCHEDULE of Monies paid to Roman Catholic churches out of the sum authorised by His Majesty's Government to be expended on Roman Catholic churches and chapels in Upper Canada, during the year 1834.

TO WHOM PAID.	SITUATION OF CHURCH.	Sterling.
Mr. Dennis O'Bryan,.....	London,.....	45 0 0
Mr. Hugh O'Byrn,.....	St. Thomas,...	45 0 0
The Rt. Rev. Alex. McDonell, ..	Loughboro' } for 1, }	30 0 0
.....do.....do.....	.....do.....	36 0 0
The Hon. Alex. Grant, Trustee, ..	Longueuil, ...	40 0 0
The Rev. John Cullen, Trustee, ..	Plantagenet,...	30 0 0
The Rt. Rev. Alex. McDonell, ..	Kingston,.....	135 0 0
.....do.....do.....do.....	Camden,.....	18 0 0
The Rev. Edward Gordon,.....	Niagara,.....	81 18 0
		Sterling £
		460 18 0
		Total Provincial Currency £
		512 2 2 1/2

G. & H.—No. 36.

List of the Clergy of the United Presbyterian Synod of Upper Canada—1st January and 1st July 1834—and 1st January, 1835

NAMES.	STATIONS	1st JAN'Y. 1834.			1st JULY 1834.			1st JAN'Y. 1835.		
		£	s.	d.	£	s.	d.	£	s.	d.
Rev. G. Buchanan	Beckwith,	31	16	4 1/2	29	3	4	34	9	4 1/2
— Andrew Bell,	Toronto, Tp.	31	16	4 1/2	31	16	4 1/2	31	16	4 1/2
— John Gemmill,	Lanark,	31	16	4 1/2	31	16	4 1/2	31	16	4 1/2
— John Bryning,	Mount Pleasant,	31	16	4 1/2	31	16	4 1/2	31	16	4 1/2
— Robert Lyle,	Osnaburg,	31	16	4 1/2	29	3	4	34	9	4 1/2
— Robert Boyd,	Prescott,	31	16	4 1/2	29	3	4	34	9	4 1/2
— Wm. Smart,	Brockville,	31	16	4 1/2	29	3	4	34	9	4 1/2
— P. Ferguson,	Esquesing,	31	16	4 1/2	0	0	0	0	0	0
— D. M'Millan,	Caledon,	31	16	4 1/2	31	16	4 1/2	31	16	4 1/2
— Wm. King,	Nelson,	31	16	4 1/2	29	3	4	34	9	4 1/2
— R. M'Dowall,	Fredericksburg,	31	16	4 1/2	31	16	4 1/2	31	16	4 1/2
— Jas. George,	Scarboro'	0	0	0	31	16	4 1/2	0	0	0
— G. M'Cletchey	Clinton,	0	0	0	31	16	4 1/2	31	16	4 1/2
		£	349	19	10 1/2	368	11	1 1/2		
				Sterling £	718	11	0 1/2			
				G ---- Total Currency,	798	7	9 1/2			
				Sterling £	363	5	0			
				H ----	Currency,	403	12	2 1/2		

No. 37.

Inspector General's Office, }  
30th March, 1835. }

SIR,

I have the honor to state for the information of His Excellency the Lieutenant Governor, that when I was before the

Committee on Grievances on Friday last, I made known to the chairman that I should furnish him with the information required by your communication of this date, and have accordingly directed the first clerk to attend the Committee at its earliest meeting.

The sum alluded to, is paid under the authority of Mr. Secretary Stanley's despatch of the 27th January, 1834, and was accidentally omitted in transcribing the account furnished for insertion in the Blue Book but would appear in the accounts transmitted home by the Receiver General.

I have the honor to be

Sir,

Your most obedient humble servant,

GEORGE H. MARKLAND.

Inspector General.

Lt. Col. Rowan, }  
&c. &c. &c. }

No. 38.

ADDRESS of the Canada Conference of the Methodists to Sir John Colborne.—Dated, September 8th, 1831, as published in the Conference Paper.

To His Excellency Sir John Colborne, K.C.B.,  
Lieutenant Governor of the Province of  
Upper Canada, Major General commanding  
His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

WE, His Majesty's dutiful and loyal subjects the Conference of the Methodist Episcopal Church in Canada, take the liberty to enclose to Your Excellency an address to His Majesty with accompanying documents, most respectfully requesting Your Excellency to transmit them to His Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Permit us to avail ourselves of this opportunity to express our best wishes for Your Excellency's spiritual and temporal prosperity, and to assure Your Excellency of our sincere desire and firm determination to second Your Excellency's exertions for the public good, by doing all in our power to promote the interests of morality and pure religion, the essential precepts of which are, Fear God and honor the King.

By order of the Conference of the Methodist Episcopal Church in Canada.

(Signed) W. CASE, President.

(Signed) JAMES RICHARDSON, Secretary.

YORK, Sept 8th, 1831.

To which His Excellency was pleased to return the following answer:

GENTLEMEN:

I shall not fail to transmit to the Secretary of State your memorial addressed to the King.

In returning my best thanks to you for your good wishes, I may venture to affirm that the assurances of your desire and determination to promote the interests of pure religion, will afford general satisfaction; because a very unfavorable impression has been made from one end of the Province to the other as regards an imputed secular interference on the part of your preachers: an impression I am afraid, that must tend to counteract the salutary effects that ought to result from the active piety and zeal of your Society. I refer with reluctance to the public opinion formed of the doctrines inculcated by ministers of every denomination of Christians, or the principles which they are said to espouse; but on this occasion I think it right to acquaint you that although the character of your ministers is probably aspersed, and although they may not, as is said, take advantage of the influence acquired by their sacred office to conduct the political concerns of the

people committed to their care, to be instructed only in the words of eternal life, yet, I cannot imagine that if there were not some grounds for the imputation, of their inconvenient attention to secular concerns a desire for the return of the Wesleyan Missionaries to resume their pastoral labors in this Province would not have been generally expressed. This conclusion may be erroneous, but I am in some measure led to it from the reports which I have received of the absurd advice offered by your Missionaries to the Indians, & their officious interference; if any reliance can be placed on the statements of the Indians themselves, the civilization of whom the Superintendents of the Indian Department are endeavoring to accomplish.

With our excellent Constitution in this Province, I trust we shall always find a sufficient number of supporters of Civil and Religious freedom, without the interference of the Ministers of the Gospel. Your Preachers, whether they are brought from the United States, or any other foreign country, will, I hope experience, while they act honestly and respect British Institutions, the same protection and encouragement, and freedom, which all Americans enjoy, who have found an asylum among us, and choose to live under the British Government in this Province, and securely enjoy the rights of our own Colonists—which are assured to every denomination, party sect or persuasion.

Your dislike to any Church Establishment, or to the particular form of Christianity which is denominated the Church of England, may be the natural consequence of the constant success of your own efficacious organised system. The small number of our Church is to be regretted, as well as that the organization of its Ministry is not adapted to supply the present wants of the dispersed population in this new country: but you will readily admit that the sober-minded of the Province are disgusted with the accounts of the disgraceful dissensions of the Episcopal Methodist Church and its separatists—recriminating memorials, and the warfare of one Church with another. The utility of an Establishment depends entirely on the piety, assiduity, and devoted zeal of its Ministers, and on their abstaining from a secular interference, which may involve them in political disputes. The labours of the Clergy of Established Churches in defence of moral and religious truth, will always be remembered by you who have access to their writings, and benefit by them in common with other christian societies. You will allow, I have no doubt, on reflection, that it would indeed (with the inconsiderable population of the Province) be imprudent to admit the rights of societies to dictate on account of their present numerical strength, in what way the lands set apart as a provision for the Clergy shall be disposed of. Ample information on the question has been laid before the Imperial Parliament, and no inconvenience while it is pending can arise in respect to the occupation of these lands: for there are more acres now offered for sale than purchasers can be found for them.

In a few years the Province will be peopled by millions of our own countrymen, and many of the arrangements of His Majesty's Government will have reference naturally to the population of the Mother Country, destined to occupy the Waste Lands of the Crown.

The system of Education which has produced the best and ablest men in the United Kingdom, will not be abandoned here, to suit the limited views of the leaders of Societies, who perhaps have neither experience or judgment to appreciate the value or advantages of a liberal Education. But the British Government will, I am confident, with the aid of the Provincial Legislature, establish respectable schools in every part of the Province, and encourage all societies to follow their example.

A Seminary, I hope, will not be termed exclusive, which is open to every one, merely because the classical masters are brought from our own Universities.

It may be mentioned, without giving offence to the members of any church or persuasion, that there are few individuals who think that Ministers of the Gospel can conduct political

*journals*, and keep themselves unspotted from the world, and put away all bitterness and wrath, and clamour and evil speaking, which the attacks of their adversaries may engender, or that their avocation will not force them to spend their time like the Athenians in their decline, in nothing but "either to tell or to hear some new thing;" I am persuaded that the friends of religion will strongly recommend ministers of the Gospel to labour to increase the number of Christians, rather than the number of their own sects or persuasions, to close their Churches and Chapels against all political meetings, and indeed all meetings for the transaction of secular business, and never to permit their consecrated places to be profaned by the party spirit of the hour.

## No. 39.

COPY.

Government House, 15th March, 1833.

GENTLEMEN,

I am directed to acquaint you, with reference to the applications to His Majesty's Government from several religious denominations for assistance in the present state of the Province to enable them to build churches or chapels, the Lieutenant Governor has been authorised to place at the disposal, this year, of the British Wesleyan Conference the sum of £900, and £600 at the disposal of the Canadian Wesleyan Conference, to be applied in erecting such churches or chapels as may be required; and I am to inform you, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount to be placed at your disposal.

I am, &amp;c.

WM. ROWAN.

The British Wesleyan Conference, }  
and the Canadian Wesleyan }  
Conference.

## No. 40.

COPY.

Government House, Toronto, }  
4th July, 1834. }

GENTLEMEN,

I am directed to acquaint you, with reference to the applications of His Majesty's Government from several religious denominations for assistance in the present state of the Province to enable them to build churches or chapels. The Lieutenant Governor has been authorised to place at the disposal, this year, of the British Wesleyan Conference the sum of £550, to be applied in erecting such churches or chapels as may be required; and I am to inform you, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount to be placed at your disposal.

I have, &amp;c.

WM. ROWAN.

The Wesleyan }  
Methodist Conference.

## No. 40. (a.)

To His Excellency Sir John Colborne, Lieutenant Governor of the Province of Upper Canada, Commander of His Majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

I had this day the honor of receiving through the Rev. James Richardson, a communication from Your Excellency, respecting a grant of £550 to the British Wesleyan Methodist Conference; the order for which Your Excellency is pleased to say you will give on being made acquainted with the manner in which the above sum is to be appropriated during the ensuing year. While on behalf of the British Wesleyan Methodist Conference and Missionary Society, which I have the honor to represent in this Province, I gratefully acknowledge this pecuniary assistance, I beg permission to inform Your Excellency, that it will be applied to the erection or repairing

of chapels and school houses, and defraying the general expenses of the various mission stations in our charge.

I have the honor to be,  
Your Excellency's very obedient  
Humble servant,

JOSEPH STINSON.

City of Toronto, July 7, 1834.

## No. 41.

COPY.

GOVERNMENT HOUSE, }  
Toronto, 4th July, 1834. }

GENTLEMEN,

I am directed to acquaint you with reference to the applications to His Majesty's Government from several religious denominations, for assistance in the present state of the Province, to enable them to build Churches or Chapels. The Lieutenant Governor has been authorised to place at the disposal, this year, of the Canadian Wesleyan Conference, the sum of £350, to be applied in erecting such Churches or Chapels as may be required; and I am to inform you, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount to be placed at your disposal.

I am, &amp;c.

WM. ROWAN.

The Canadian }  
Wesleyan Conference. }

## No. 42.

*Resolutions of the Canadian Wesleyan Conference.*

RESOLVED, That should His Majesty's Government be pleased to grant pecuniary aid to the Canadian Wesleyan Methodists, according to the application that has been made to His Excellency the Lieutenant Governor, Sir John Colborne, for that purpose.

If such aid shall be restricted to the building or affording aid in building Chapels and Houses of Worship, or in paying for such as have been built and not wholly paid for, the same is hereby directed to be applied in the following manner, that is to say:—

Towards the building a house in the town of Peterborough—Peterborough Circuit, Newcastle District.

For the Brick Chapel in Grantham at the Ten Mile Creek, in the District of Niagara.

For the Chapel of 30 Mile Creek in Clinton, District of Niagara.

Towards the building a house on the Landsdown Circuit, in the Johnstown District, in the township of South Crosby or Bastard.

For a Chapel in the Town of London, in the London District.

To one in St. Thomas', District of London.

To one in Vienna Village, same District.

To one in the Town of Hallowell, Prince Edward District.

To paying for the sum due on a Chapel, building in the township of Young, in the Johnstown District.

Towards the building or paying for a Chapel in the City of Toronto, if circumstances should make it necessary.

RESOLVED, That John Willson, Esquire, is hereby fully authorised to apply to His Excellency the Lieutenant Governor for any aid that may be granted to this Conference, and receive the same, and to sign any acquittances or give any receipts that may be necessary in the premises, and to distribute the same in the manner hereinbefore directed, and to prepare and lay before the next annual Conference a true and faithful account of all monies by him received on the grounds of the aforesaid resolutions.

By order of the Conference,

A. K. MCKENZIE,  
JOHN FLANAGAN, Sec'y.

Hamilton, Newcastle District, 19th June 1834.

## No. 43.

Colonel Rowan, Private Secretary to His Excellency the Lieutenant Governor, &c. &c. &c.

SIR,

For the information of His Excellency the Lieutenant Governor, as required by your letter to Daniel Breakenridge, Jun'r Esq., dated Government House, York, 28th June, 1833,—and by

whose recent death, it now devolves on me to answer the said communication, being under cover to John Willson, Esq. of Saltfleet, I was early made acquainted with its contents, and communicated the same to Mr. Breakenridge, then in a distant part of the Province, and appointed an extra meeting of the Conference, for the purpose of submitting His Excellency's requirements; at which time a number of the preachers and delegates being present,—but the then sickness and subsequent death of the Reverend David Breackenridge, President of the Conference, is the sole cause why that required explanation has not been given sooner.

I beg to state that it was resolved, the grant made by His Majesty's Government to the Canadian Wesleyan Methodists should be applied particularly in building a Chapel in the town of Hamilton, and in rebuilding one recently destroyed by fire in Ancaster, and to aid in building such other places of worship as a Committee appointed by the conference might be enabled to apply the surplus means thereto, if any such there be.

And I am further directed to state that John Willson, Esquire, M. P. P. is fully authorised to receive the said sum of money for and in behalf of the Conference.

I have the honor to be, Sir,

With great respect, Your most obedient  
And very humble servant

A. K. MCKENZIE.

Hamilton, October 31. 1833.

No. 44.

COPY.

GOVERNMENT HOUSE, }  
15th March, 1833. }

GENTLEMEN,

I am directed by the Lieutenant Governor to acquaint you with reference to several memorials, which have been transmitted to the Secretary of State for the Colonies from congregations under your charge, that His Majesty's Government has authorised a grant of £900 to be made this year for the purpose of assisting your congregations in building churches and chapels; and I am to inform you that on your stating the manner in which the grant is to be applied, His Excellency will order the amount sanctioned to be placed at your disposal.

I have, &c.

WM. ROWAN.

The SYNOD established in Upper }  
Canada, in communion with }  
the Church of Scotland. }

No. 45.

COPY.

GOVERNMENT HOUSE, }  
Toronto, 4th July, 1834. }

GENTLEMEN,

I am directed to acquaint you with reference to the applications to His Majesty's Government from several religious denominations for assistance in the present state of the Province to enable them to build Churches or Chapels, the Lieutenant Governor has been authorised to place at the disposal this year of the Presbyterian Synod of Canada, in connexion with the Established Church of Scotland, the sum of five hundred and fifty pounds to be applied in erecting such churches or chapels as may be required, and I am to inform you, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount to be placed at your disposal.

I am, &c.

WM. ROWAN.

The SYNOD established in com- }  
munion with the Church of }  
Scotland. }

No. 46.

Kingston, July 17, 1834.

SIR,

Your letter of the 4th instant addressed to "The Synod of the Presbyterian Church in Canada, in connexion with the Es-

S

tablished Church of Scotland," stating that the Lieutenant Governor has been authorised to place £550 at the disposal of the Synod of Canada this year, shall be laid before the Synod at its meeting during the first week of August.

In the meantime, I have the honour to transmit, for His Excellency's satisfaction, a statement of the payments made by me out of the grant for last year, together with the vouchers for the same, which I have numbered for the sake of more convenient reference.

RECEIVED.

1833. H. C.  
August 26th.—By amount of Government Grant ..... £1000

PAID.

VOUCHERS.

1833.	
1. August 26th.—To the Reverend William Rintoul, for the Moderator of the Presbytery of York.....	£320
2. September 16th.—To the Moderator of the Presbytery of Bathurst.....	80
3. October 10th.—To do. do. do.....	145
4. November 8th.—To the Trustees of Cobourg Church by order of the Presbytery of Kingston.....	75
5. November 8th.—To the Moderator of the Presbytery of Glengarry.....	225
1834.	
6. January 13th.—To the Trustees of Colborne Church, by order of the Presbytery of Kingston.....	50
7. March 11.—To the Reverend A. Gale for the Church at Hamilton, by order of the Commission.....	50
	£945
Balance.....	£55

It will be perceived from this statement that there still remains in my hands a balance of £55, to be disposed of by the Synod. It is proper, however, to state that this balance was reserved, not because there were no application for it but because the commission at their meeting in January last, felt a difficulty in deciding on the competing claims of the different congregations applying for it.

I had hoped, before the meeting of Synod, to have been enabled to place in His Excellency's hands, a general report of the actual application of the monies paid to the several Presbyteries, grounded on the returns made by the Moderators of these Bodies, but as these returns have not been all made, and I find cannot, in some cases, be made until the meeting of the Synod, the furnishing of the report in question must form a part of the duties of my successor as Moderator of Synod.

I beg to state further, for His Excellency's information, that while I am at present unable to name the exact number of places from which there will be applications to the Synod this year, for assistance from the Government Grant for Church building, all the requisite returns not having been sent in to me, I am convinced from those reports of our Presbyteries, which I have seen, that the number of such applications will be considerably increased this year, and that the Synod with the funds at its disposal, will not be able to meet the demands that will be made upon it.

I have the honor to be,

Sir,

Your Obedient  
Humble Servant,  
JOHN MACHAR.  
Moderator of the Synod of Canada.

Lieut. Col. ROWAN,  
Government House,  
Toronto.

I have to request that the accompanying vouchers may be returned to me, after they have been submitted to His Excellency.

J. M.

No. 47.

COPY,

Government House, }  
15th March, 1833. }

MY LORD:

I have the honor by the direction of the Lieutenant Governor to acquaint your Lordship, that His Majesty's Government has authorised a grant to be made this year of

Seventh Report of Committee on Grievances.

£900 to be expended in building Churches and Chapels for the use of the Roman Catholic congregations in this Province, under the control of such Trustees as may be nominated to superintend the erection of the particular Chapels required, and I am to inform your Lordship, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount sanctioned to be placed at the disposal of the Trustees.

I have, &c.

WM. ROWAN.

The Honorable and Right Rev'd. }  
BISHOP McDONELL.

No. 48.

A LIST of Commissioners appointed to see that the several sums allotted to the following Churches out of the government grant (for building Catholic Churches) be prudently and properly laid out, according to their respective appointment.

COMMISSIONERS.	CHURCHES.	Sums allotted to each Church		
		£	s.	d.
Colonel Alex. Fraser, Hugh McGillis Esq. Mr. Archibald McDonald,	Glengarry,	300	0	0
Alex. McDonell, Esq., Doctor Coning,	Peterboro',	150	0	0
John Lyons, Esq., Donald McDougal, Esq. Mr. Harris, and Rev. Mr. Polin,	Niagara,	100	0	0
Rev. John Cassidy, Mr. O'Connor, and Mr. McGillis,	Guelph,	60	0	0
Hon. Alex. Grant, Mr. John McMaster, Rev. John Cullen,	Longueil,	40	0	0
Rev. Edward Gordon, Mr. John Maguire. Senr., Charles Doherty,	Toronto,	25	0	0
Rev. Mr. Lalor, Mr. Russel,	Gore of Toronto,	40	0	0
Rev. Murt Lalor, Mr. Keenan, and Mr. Kelly,	Adjala,	40	0	0
Rev. Edward Gordon, Mr. O'Brien,	Loughboro',	30	0	0
Rev. John Cullen, Alex. McDonell, Sher- iff, Mr. Molloy,	Petite Nation,	30	0	0
Rev. Lawrence Dempsey, Mr. Bell,	Penetanguishine,	30	0	0
Alexander McDonell, Esq., Mr. James Fitzgerald, Rev. Mr. Polin,	St. Catharines,	55	0	0
		900	0	0

ALEX. MACDONELL, Ep. R.

No. 48. (A.)

COPY,

Government House,  
Toronto, 4th July, 1834. }

MY LORD BISHOP:

I have the honor by the direction of the Lieutenant Governor to acquaint your Lordship, that His Majesty's Government has authorised a grant to be made this year of £550, to be expended in building Churches or Chapels for the use of the Roman Catholic congregations in this Pro-

vince, under the control of such Trustees as may be nominated to superintend the erection of the particular Chapels required; and I am to inform your Lordship, that on your stating the manner in which the grant is to be applied, His Excellency will order the amount sanctioned to be placed at the disposal of the Trustees.

I have, &c.

WM. ROWAN.

To the Honorable and Right Rev'd. }  
BISHOP McDONELL.

No. 49.

[For the year 1834.]

DISTRIBUTION of Government allowance for building and finishing Catholic Churches and Chapels.

To the Church at Malden,.....	£90
London,.....	50
St. Thomas,.....	50
Guelph,.....	30
Niagara,.....	91
St. Catharines,.....	30
Port Hope,.....	20
Camden,.....	20
Trent,.....	20
Cornwall,.....	20
Kingston,.....	150
Loughboro',.....	40

£550 Sterling reduced to }  
Currency, } 611

Commissioners to expend the above sum upon the respective Churches.

For the Church of Malden or Amherstburg,	{ Rev. Angus McDonell, James Caldwell, Esq. Francis Caldwell, Esq.
London,	{ Rev. Daniel Downey, Dennis O'Bryan, Esq. Patrick Smith, Esq.
St. Thomas,	{ Rev. Daniel Downey, Hugh O'Byrne, Esq. Lawrence Doyle, Esq.
Guelph,	{ Rev. John Cassidy, Wardel, Esq. Thomas Rolph, M. D. Rev. Edward Gordon, John Lyons, Esq.
Niagara,	{ Daniel McDougal, Esq. Mr. Harris, Rev. Edward Gordon, Alexander McDonell, Esq.
St. Catharines,	{ Mr. Fitzgerald, Merchant, Rev. Patrick McDonagh, Alex. McDonell, Esq. Edward Duffy, Esq. Mr. James McCarty.
Port Hope,	{ Rev. Michael Brennan, Dennis McCawley, Esq. Donald McLellan, Esq. Rev. James Bennett, Mr. Thomas Campbell, Mr. Hugh Evans, and Mr. John McLaughlan.
Trent,	{ Right Rev. Alex. McDonell, Walter MCuniffe, Esq. David Leahy, Esq.
Camden,	{ Right Rev. Alex. McDonell, Mr. Mark Hyland, Mr. John Connally.
Kingston,	{ Right Rev. Alex. McDonell, Walter MCuniffe, Esq. David Leahy, Esq.
Loughboro',	{ Right Rev. Alex. McDonell, Mr. Mark Hyland, Mr. John Connally.

Seventh Report of Committee on Grievances.

Cornwall, { Right Rev. Remegius Gaulin,  
Donald McDonald, Esq.  
Mr. Mason, Merchant.

ALEX. MACDONELL, Ep. R.

No. 50.

THE CHURCH OF ENGLAND CLERGY.

They received in 1833, from the Government of Upper Canada (see Blue Book, page 102). - - - - - £12,281  
And in 1834, from the same, (see the same authority for 1834, page 102). - - - - - 9,602  
£21,883

In 1832, the net sum paid by Government to this Clergy (from the revenues raised out of the people of Upper Canada,) was, £5,438.

In the return sent in 1833, to His Majesty's Government in England (see Blue Book) an account is given of 45 *Parishes*, in all of which there is at least one clergyman, and in some *Parishes* two. The population of each *Parish* is also set down, and the number of persons who generally attend the services of the Church of England. In a note it is stated that "they (the Clergy) derive no local benefit from their respective charges."

The sum of 9,602*l.* paid this Clergy, in 1834, is shown in the official return to consist of the following items, namely, salary of two Archdeacons 666*l.*, Secretary and Registrar of the Clergy Corporation 262*l.*; contingent expenses of clergy corporation 769*l.*; House rent to Bishop of Quebec 200*l.*—=9,602*l.*

"Part of the salary of the Bishop of Quebec was allowed to be paid out of the proceeds of the Clergy Reserves, as a temporary arrangement, but it is now paid by vote of the Imperial Parliament, "Blue Book, 1833, page 102."

The salary of the Bishop of Quebec is 3333*l.*\* currency, over and above his house rent at Toronto, for which the people of Upper Canada are charged 200*l.*

[We perceive a salary of 1500*l.* sterling directed by Lord Goderich to be paid the Bishop of Quebec from the casual revenue, but this was only a temporary expedient, for a part of his income, and the order has been since withdrawn.]

In the returns sent down to the Assembly, we find the following payments from monies raised in Upper Canada, 1833.

Appropriation to George H. Markland, Secretary to Clergy Corporation, to support ministers of the Church of England (from fund D.) - - - - - £3889  
Payments from Clergy Reserves, for the support of Ministers of the Church of England, for 12 months, ending June 1833. - - - - - 8632  
To Mayorhoffer for building Church in Vaughan - - - - - 55

IN 1834.

To sundry missionaries of the Church of England, and pensions to three Missionaries and two Widows - - - - - 2556

The payment of Archdeacons of the Church of England in this Province by vote of the Imperial Parliament ceased in 1826. In 1827 they were saddled on the Colonial Revenue; and from the 1st of January, 1827, to the 1st of January, 1835, the gross sum paid them out of the sale of the Crown Reserves to the Canada Company is 6000*l.* as follows:—

Archdeacon Stuart, 8 years at 333*l.* 13s 4d - - - - - £2669  
Do. do. 8 years Minister of Church of England at 111*l.* - - - - - 888  
Archdeacon Strachan, 8 years, at 333*l.* 13s 4d. - - - - - 2669  
And to cash paid for the two patents obtained in England, raising them to that dignity - - - - - 147

It appears that 200*l.* a year are allowed the Bishop of Quebec for house rent in Toronto, out of the funds of Upper Canada, by authority of a despatch or letter of Sir G. Murray. [The Bishop has also an income of 3000*l.* sterling a year from the British nation.

In 1831, September 13th, Archdeacon Strachan was allowed out of the funds of the colony, by Sir G. Murray's order, 1000*l.* sterling, to aid in building the Episcopal Church in Toronto, on condition that accommodation be permanently provided for His Majesty's Troops therein."

\* See Extracts from miscellaneous estimates of the House of Commons of England appended hereto.

It appears from the papers on Clergy Reserves that Adam Gordon of the Colonial Office, paid in England for a Patent to constitute two Archdeacons in York and Kingston, U. C., which was repaid him from the reserves—147*l.*

Out of Clergy Reserve rents, it appears that the Archdeacon of Quebec, Dr. George Mountain, was paid in 1826, for his expenses on a journey to England on matters connected with the Clergy of Upper Canada, the sum of 222*l.*

Among the payments from Clergy Reserve rents, stated to this House, we find, towards building Parsonage Houses, at Bath 150*l.*—at Ancaster 300*l.*—at Hamilton 300*l.*—at Brockville 300*l.*—at Adelaide 50*l.*—in the Mohawk Tract 100*l.*—at Adelaide (2d grant) 50*l.*—the Mohawk Tract 100*l.*

No. 51.

GLEBES.

The following reservations of land were made for Glebes in 1833 and 1834, by orders in Council:—One lot in Gore of Lochiel, one in Elmsley, one in London, one in East Camden, one in Hope, and one in the town of Woodstock. The Surveyor General reports that these were the only reservations in Upper Canada for Glebes in these two years.

By a return to the House of Assembly of lands set apart as Glebes in this Province, from 1787 to 1833, we find that of these lands so set apart 22,345 acres were for the Church of England Clergy, 1,160 acres for the Kirk of Scotland Ministers, 400 acres for the Roman Catholics, and none for any other denomination of Christians.

RETURN OF THE CLERGY OF THE CHURCH OF ENGLAND—1834.

(As given in the Blue Book.)

No. 52.

Names of the Missions, in what County or District and extent in square miles.	Population of each Mission.	Names of the Missionary.	Church where situated, and the number of persons it will contain.	Number of persons generally attending.
Cornwall.....	4300	George Archbold.....	Cornwall.....	450
Osnaburck.....	2424	Federick Mechar.....	Osnaburck.....	450
Williamshurg.....	4597	J. G. B. Lindsey.....	Williamshurg.....	400
Matilda.....	2700	Henry Patton.....	Matilda.....	300
Oxford and Marlborough.....	5325	Robert Blakey.....	Oxford and Marlborough.....	300
Prescott.....	1729	W. H. Fleming.....	Prescott.....	100
Elizabethtown.....	1900	Edward Durroche.....	Elizabethtown.....	100
Brockville.....	uncertain	E. J. Hoswell.....	Brockville.....	50
Dalhousie and Lanark.....	.....	J. Padfield.....	Dalhousie and Lanark.....	.....
March and Huntley.....	.....	R. Short.....	March and Huntley.....	.....
Beckwith.....	.....	M. Harris.....	Beckwith.....	.....
Perth.....	.....	Salters Plains.....	Perth.....	.....
Mohawk (Bay of Quinte).....	.....	William McAulay.....	Mohawk (Bay of Quinte).....	.....
Hallowell.....	7000	John Grier.....	Hallowell.....	.....
Carrying Place.....	1750	Thomas Campbell.....	Carrying Place.....	.....
Bellefleur.....	4000	John Stoughton.....	Bellefleur.....	.....
Adolphustown.....	5125	George O'Kill Stewart, Archdeacon.....	Adolphustown.....	.....
Bath and Ernestown.....	5000	R. H. D'Oliver.....	Bath and Ernestown.....	.....
Kingston.....	5000	.....	Kingston.....	.....
Peterborough.....	5000	.....	Peterborough.....	.....

Seventh Report of Committee on Grievances.

Names of the Missions, in what County or District and extent in square miles.	Population of each Mission.	Names of the Missionary.	Church where situated, and the number of persons it will contain.	Number of persons generally attending.
Cavan, . . . . .	5550	J. Thompson 170 and S. Armour 100	Cavan, . . . . .	200
Port Hope, . . . . .	5000	James Caplan, . . . . .	Port Hope, . . . . .	110
Cobourg, . . . . .	3600	A. N. Bethune, . . . . .	Cobourg, . . . . .	250
Toronto City, . . . . .	10,900	John Strachan, Rector, . . . . .	Toronto, . . . . .	400
Markham, . . . . .	4382	V. F. Myerhoefer, . . . . .	Markham, . . . . .	300
Vaughan, . . . . .	uncertain.	P. Mortimer, . . . . .	Vaughan, . . . . .	160
Hamilton and Barton, . . . . .	6900	J. Miller, A. M., . . . . .	Court House, Hamilton, . . . . .	300
Ancaster and Dundas, . . . . .	6500	Arthur Palmer, . . . . .	Ancaster, . . . . .	250
Guelph and Woolwich, . . . . .	2900	Robert Luger, . . . . .	Guelph, . . . . .	400
Mohawk and Cayuga Indians, . . . . .	3641	Thomas Green, . . . . .	Mohawk Village, . . . . .	300
Niagara, . . . . .	1500	George A. Groat, . . . . .	Niagara, . . . . .	500
Grimsby, . . . . .	uncertain.	W. Leeming, . . . . .	Grimsby, . . . . .	225
Chippawa, Stamford, &c., . . . . .	uncertain.	J. Anderson, . . . . .	Chippawa, . . . . .	125
Waterloo and Fort Erie, . . . . .	uncertain.	J. Clark, . . . . .	Yarmouth, . . . . .	200
St. Catharines, . . . . .	uncertain.	Mark Burnham, . . . . .	Church building in Delaware, . . . . .	200
St. Thomas, Southwold, &c., . . . . .	3500	Richard Flood, . . . . .	Woodhouse Town, . . . . .	250
Carradoc, . . . . .	uncertain.	Francis Evans, . . . . .	London, . . . . .	80
Woodhouse, . . . . .	4600	Benjamin Conger, . . . . .	No Church, . . . . .	480
London, . . . . .	2600	D. E. Blake, . . . . .	Amherstburgh, . . . . .	200
Amherstburgh, . . . . .	2471	William Johnson, . . . . .	Sandwich, . . . . .	300
Sandwich, . . . . .	7301	T. Morley, . . . . .	Amherstburgh, . . . . .	95
Chatham, . . . . .		R. S. Cartwright, . . . . .	Amherstburgh, . . . . .	125
Warwick, . . . . .		James McGrath, . . . . .	Springfield, . . . . .	350
Kingston, . . . . .				195
Toronto Township, . . . . .				

Of these ministers we find, by reference to page 20 of No. 5, Sessions papers (1835), that 26 receive 111. 6s. 8d. each; 8 get 55l. 3s. 4d. each; 1 gets 152l.; 3 get 27l. 11s. 8d. each; 2 receive 82l. 15s. each; 2 receive 72l. each. In all, 3880l. 11s. 1d. currency, per annum.

The annexed Returns from the Receiver General's Office, since received, give somewhat different results.

It is to be regretted that in very few cases have the Vouchers for the expenditure of money for building churches, &c. been laid before the country.

By reference to the printed papers sent down with Mr. Spring Rice's despatch of 5th Aug. 1834, it appears that after the 1st of April, in that year, it was proposed by the Colonial Department that the Society for the Propagation of the Gospel in foreign parts, or in other words the English Nation, should pay annually to the Church of England Missionaries in Lower Canada, 3794l., by a direct vote of the British Parliament 611l., and by the people of the Colony nothing; that no monies should be paid to the Church of England Clergy from England, but that 7229l. should be taken and paid them from Revenues raised from the people of Upper Canada themselves; that 4444l. should be paid to the Church Missionaries in Nova Scotia, by a vote of the Imperial Parliament.

No. 53. WESLEYAN METHODISTS.

In 1833, says the official Blue Book, page 102, they

received of Government money, out of revenues raised here, . . . . . £ 1,800

In 1834 (we quote the same authority, page 102) out of Revenues raised in Upper Canada they received of Government, as follows:

"Wesleyan Methodists for building places of worship," . . . . . 389

In the Casual and Territorial Revenue accounts sent down to the Assembly, it is shewn that they received a further sum, to build Churches and Chapels of, . . . . . 611

£ 2,800

This latter sum of £611, is altogether omitted in the return made up by Mr. Cameron and sent to England. Mr. Markland's letter explains the omission.

No. 54.

PRESBYTERIAN CLERGY.

In 1827, John Machar, John McKenzie, John McLawrin, George Sheed, Hugh Urquhart, and Archibald Connell appear to have commenced their labours as Kirk Ministers pensioned by the Crown, out of the Revenue of Upper Canada, (Fund D.) at £100 a year each. Alexander Gale was added to their number in 1829; Messrs. McGill and Ross in 1830. Subsequently they have become still more numerous, and now receive a certain fixed sum per annum.

In 1833, they received from Government (see Blue Book p. 102,) . . . . . £ 3,058

In 1834, they received from ditto (See do. do. p. 102) 1,670

In 1834, "the Ministers of the Presbyterian Synod of Upper Canada," not in connexion with the Kirk, received, (as is shewn in the Blue Book p. 102,) . . . . . 813

In the accounts sent down to the Assembly, the Ministers of the Kirk appear to have received in 1833, from Fund D., £1295, and from Fund K, Mr. John Machar, 100l.; and in 1834 from Fund D, 2,109l.

The Presbyterian Clergy salaried by Government and who receive 64l. each of "Government allowance" are stated in page 168 of the Blue Book for 1834, to be:

1. Alexander Ross, . . . . .	Aldboro', . . . . .	64
2. R. McGill, . . . . .	Niagara, . . . . .	64
3. George Cheyne, . . . . .	Amherstburgh, . . . . .	64
4. James Smith, . . . . .	Guelph, . . . . .	64
5. Wm. Stewart, . . . . .	Galt, . . . . .	64
6. P. McNaughton, . . . . .	Vaughan, . . . . .	64
7. M. Y. Stark, . . . . .	Dundas, . . . . .	64
8. Alex. Gale, . . . . .	Hamilton, . . . . .	64
9. J. McKenzie, . . . . .	Williamstown, . . . . .	64
10. Arch'd. Connell, . . . . .	Martintown, . . . . .	64
11. H. Urquhart, . . . . .	Cornwall, . . . . .	64
12. A. McNaughton, . . . . .	Lancaster, . . . . .	64
13. John Machar, . . . . .	Kingston, . . . . .	64
14. James Ketchan, . . . . .	Belleville, . . . . .	64
15. J. M. Roger, . . . . .	Peterborough, . . . . .	64
16. J. Crookshank, . . . . .	Bytown, . . . . .	64
17. T. C. Wilson, . . . . .	Perth, . . . . .	64
18. W. McAllister, . . . . .	Lanark, . . . . .	64
19. John Smith, . . . . .	Beckwith . . . . .	64
20. George Romanes, . . . . .	Elmsley, . . . . .	64
21. Henry Gordon, . . . . .	Newmarket, . . . . .	64
22. Peter Ferguson, . . . . .	Esquesing, . . . . .	64
23. J. Fairbairn, . . . . .	Ramsey, . . . . .	64
24. W. Rintoul, . . . . .	Toronto City, . . . . .	64

travelling Missionary throughout the Province.

Since the above list was compiled, the Receiver General's return has been received, to which we refer the House for information still more in detail.

No. 55.

ROMAN CATHOLIC CLERGY.

Besides the pension to their Bishop, £830 a year, was formerly divided among the Priesthood, this has been since increased to £1,111 per annum.

In 1833, (we quote the Blue Book p. 102) they received from the Government in Upper Canada,..... £2,712  
 And in 1834, (we quote the same authority) salary of the Roman Catholic Bishop,..... 555  
 Roman Catholic Priests, and for the erection of Chapels,..... 1,643

In 1833 & 34, paid to Catholic Clergy from Provincial Revenue,..... 4,910

The return for the Casual Revenue shew that of the above sum of £1,643. £1,111 were for the officiating clergy, and 512*l.* for building Roman Catholic Churches, 194*l.* were also paid the Bishop for arrears of additional pension.

The Blue Book, (year 183—(for the information of His Majesty's Government,) contains an account of the Roman Catholic Clergy," shewing 34 Missions, with the following Ministers or Missionaries:—James Moore, Right. Rev. Bishop Gaulin, John McDonald, Wm. Fraser, James Bennett, James Campion, John McDonell, Timothy O'Meara, Right Rev. Bishop McDonell, John Cannon, John McDonogh, Michael Brennan, John Butler, W. P. McDonell, Patrick McDonogh, Murth Lalor, John Keegan, Edward Gordon, John Cassidy, Daniel Downey, Angus McDonell, George Hay, John Lostric, and ——— Morin. The number of persons generally attending is stated to be 15,785.

No. 56.

EXPENDITURE ON EMIGRATION.

On our examination of the Honorable Peter Robinson's accounts of the expenditure of £31,728 18s 11d stated to have been laid out in aid of immigration, which accounts were referred to this committee, was expended, as it is said, by the following persons:

YEAR 1831.

F. T. Billings, Toronto, Treasurer, H. D.	£2327	16	6
J. G. Bethune, Cobourg.....	527	8	8
Alexander McDonell, M. P. P. Peterboro'	732	6	6
Charles Rubidge, Peterboro'.....	2133	4	9½

YEAR 1831—1832.

Wellesley Richey.....	£1743	7	7¾
Wm. Chisholm, (late M. P. P. for Halton).	1341	18	10¼
Roswell Mount (deceased M. P. P. for Middlesex).....	7178	5	1
Alexander McDonell, M. P. P. Peterboro'	962	5	6
Cheeseman Moe, Peterboro.....	139	19	11½
John Patton, Prescott.....	2298	9	4
A. B. Hawke.....	183	4	6
Lawrence Hearn.....	341	5	5
James Fitzgibbon (Clerk of Assembly)...	442	16	2
John McNaughton.....	175	0	0
John Gamble, Etobicoke.....	1331	17	10¼
James F. Smith, Grocer, Toronto.....	286	0	0
James Durand.....	125	0	0
Mrs. Swan.....	119	13	8
George Keefer, Thorold.....	61	7	6
Robert Marchant, & Co. Toronto.....	53	10	0
Doctor King, Toronto.....	72	8	6½
Charles Rubidge.....	187	18	9
J. G. Bethune, Cobourg.....	237	4	2
Robert Stanton, Toronto.....	33	6	4
<b>Sundry payments in comparatively small amounts.....</b>	<b>1309</b>	<b>19</b>	<b>2</b>

T

YEAR 1832—1833.

Roswell Mount (then M. P. P. for Middlesex) salary as a Government Agent for Emigrants.....	104	15	6
John Hayes, salary as do. do.....	84	10	0
James Nation, a Clerk in the Inspector General's Office, as Treasurer of York Hospital	56	7	0
Wellesley Richey, salary as a Government Agent for Emigrants.....	182	10	0
Do. allowance for travelling expenses....	37	1	0
All other payments in the year 1832-33...	1152	4	10

YEAR 1833—34.

A. B. Hawke, salary and travelling allowance as an Emigrant Agent for 1833.....	308	0	0
A. B. Hawke, do. do. do. for 1834...	324	2	6
H. C. Young, salary as a Superintendent (where ?).....	61	0	0
J. H. Hamilton, salary as a Clerk (where ?)	79	7	6
Wellesley Richey £61 10s, £61, £60, for salary as an Emigrant Agent.....	182	10	0
Other payments to a variety of persons...	2747	10	10
	£29868	4	2

1833.

Opening a road and building a bridge near Kempenfeldt Bay.....	£925	19	9
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1834.

Road work in Simcoe, same quarter.....	934	15	0
	£31728	18	11

Of this sum £31,652 18 5 were paid out of the public revenue not raised from direct taxation; and £9 12 6, the proceeds of a yoke of Government oxen sold by John Corner; £45 18, the proceeds of Government property left by Roswell Mount; £2 for sale of emigrant shed; and £18 10 from John Hatch, for provisions sold to Petworth emigrants, = £31,728 18 11.

Of the expenditure by Mr. Billings, £21 15 were for the emigrant agency and allowance of James Wiskins; 115*l.* do. to Edward O'Brien; 197*l.* to Thomas McGrath for do. do.; 104*l.* for the contingencies of Cheeseman Moe; 89*l.* for agency by John Corner; and £138 15 for agency by F. T. Billings.

A very considerable proportion of the expenditure on emigration, is for articles or services not specified, and concerning which a Committee of the House of Assembly can know nothing unless they were to send for the detailed accounts and vouchers, which it would be impossible to examine at the late period of the session at which the Government sent down these statements. In Charles Rubidge's account for 1831, 35*l.* are charged for Joseph Talbot's office service, and Scanlan and Hutchinson received 40*l.* and 117*l.* 15 for medical aid; Rubidge gets 87*l.* 10 for agency, and nearly 29*l.* for his contingencies; and Charles Rubidge, jun. has 21*l.* 15 for issuing provisions.

Wellesley Richey's detailed statement of the expenditure of 2081*l.* in Oro, Orilla, and Medonte, 1832, is like that of Mr. Robinson himself, a specimen of the imperfect mode of accounting for public monies which prevails in Upper Canada. All monies paid to public accountants should be paid into the Treasury, so that the gross receipts and expenditure might be seen, instead of which, Mr. Richey retains and deducts the monies paid him by the Simcoe emigrants for provisions and implements £328 12 3½, in the same manner as Mr. R. had retained and deducted the proceeds of the oxen, &c. He charges 333*l.* 10 for his agency over and above all allowances.

Roswell Mount's account is for 7558*l.*, but he deducts nearly 334*l.* for provisions sold to emigrants in Carradoc, Ade-

laide and Warwick, and nearly 39*l.* more paid him for labor done at the expense of the Government. The difference is £380 1 10½. His charges are as follow :

To amount paid for transport of emigrants' baggage, 517*l.* ; to paid for labor on the roads in Adelaide, Warwick, and Carradoc, 2,915*l.* ; to paid for supplies, 2,630*l.* ; to paid for the erection of houses in Adelaide and Warwick, 948*l.* ; for hospital expenses in Adelaide and Warwick, 218*l.* ; to himself as agent, 330*l.*, omitting fractions.

The Committee have called on Mr. Robinson to transmit the detailed statement of this account with the vouchers, for examination.

In the account of the expenditure of Mr. Alexander McDonell, M. P. P., Peterborough, (amounting to 715*l.* 19 5) 289*l.* are charged for his own services as an agent, besides his travelling expenses, and 182*l.* 10 for a salary to Joseph Talbot as a clerk.

Lieutenant Colonel Fitzgibbon claims 51*l.* 4 6 for his services as an emigrant agent, and for the forage of his horse.

No. 57.

The Committee had not time and opportunity to examine in detail, the nature of the charges made by the several accountants, whose expenditures compose the sum of £31,728 18s. 11d., but they sent to the office of the Inspector General for the vouchers and detailed statements which supported the account of Roswell Mount, late Member for Middlesex, and who acted, as it appears, as an Emigrant Agent. His charge is £7,558 6s. 11½d.

MONDAY, MARCH 23d, 1835.

The Committee met, and the Chairman was directed to address a Letter to the Inspector General as follows :—

COMMITTEE ON GRIEVANCES,  
House of Assembly, March 23rd, 1835. }

SIR,

With reference to the abstract, sent down by His Excellency of an account current between the Government of Upper Canada, and the late Mr. Mount, M. P. P. for Middlesex, in his capacity of Emigrant Agent for £7,558 6s. 11½d. I am directed by this Committee, to whom the said account is referred, to request that you would cause the original statements in detail, and the vouchers to be laid before it, in order that they may be examined, after which they will be carefully returned into your charge.

I am, Sir,

Your Most Obedient

Humble Servant,

W. L. MACKENZIE,

Chairman.

To

The Hon. G. H. MARKLAND,  
Inspector General of Public Accounts. }

Of the Accounts, No. 10 is a statement of monies, paid for provisions, &c. for emigrants in Adelaide and Carradoc. some of the items and prices are as follows : [Halifax Currency, 5s. to the dollar, price for cash.]

WILLIAM ROBERTSON & BROTHERS,

Account.

	£	s.	d.
September 1832.—Flour at 18s. 3½d. per cwt.	£116	13	3
“ “ 36 bbls. do. at 32s. 6d. per bbl.....		58	10 0
Oct. 20th, “ 90 cwt. 1 qr. 70 lbs. Beef..	100	16	3
Oct. 2, to Nov. 2, 1832.—199 cwt. 19 lbs. Flour at 20s. 7½d.....	206	12	8
“ “ 24 bbls. Flour, at 41s. 7d.	49	11	0

Nov. 12th, “ 37 cwt. 3 qrs. 6 lbs. Beef, at 25s. 2d.....	47	11	4
Feb. 16th, 1833.—341 bbls. Flour, at 36s....	612	13	6½
“ “ “ 314 cwt. 1 qr. 7 lbs. do. at 19s. 2d.....	304	5	4
“ “ “ 9 bbls. Pork, at 80s.....	36	0	0
“ “ “ 5 bbls. Salt at 30s. ....	7	10	0
“ “ “ 17,294 lbs. Beef, at 22s. 6d. per 100 lbs.....	194	11	2
“ “ “ 79 bbls. Beef, at 60s.....	237	0	0

THE HON. THOS. TALBOT'S ACCOUNT.

Oct. 13th, 1832.—13,416 lbs. Beef.....	£150	18	8
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CHARLES TOZER'S ACCOUNT.

Jan. 14th, 1833.—28 bbls. Flour, at 30s.....	£42	0	0
“ “ “ 10 “ Beef, at 50s.....	25	0	0

THOMAS KEITH'S ACCOUNT:

Feb. 14th, 1833.—25 bbls. of Beef, at 45s... £56	5	0
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£517 10s. are charged for teaming provisions to the Emigrants to Adelaide, Carradoc and Warwick for teaming baggage to these Townships ; for teaming Provisions from Bear Creek, &c. In cases where baggage has been teamed, no mention is made whose baggage was so teamed, but Bela Brewster Brigham certifies occasionally that the work was done and that too correctly, at a fair price.

No. 6 is an account for labour done by persons under the superintendence of Mr. Mount, at various wages, such as 2s. 4d. and 3s. 9d. per day. The amount being £1,437 15s. 6d.

The Vouchers to No. 6, are pay lists of about 386 laborers. These pay lists are not weekly or monthly receipts, but include in one receipt or pay list each person's labour within the months of August, September and October, 1832. It would appear that the labourers were paid for seven-days in each week, for it requires in most cases that the Sundays be included to make up the days charged, from the beginning to the end of the periods charged.

In some cases the errors in computation of time have been corrected by the Venerable the Archdeacon of York, who presided in the audit of Mr. Mount's accounts, by the Executive Council. For instance, in one of the lists, fifteen pence is deducted for an overcharge in the time of Daniel McCaw, while no notice is taken of the following charge in the same list, viz :—

“ William Robins, from 19th September to 20th October—39 days at 2s. 4d....£4 11s.”

An Audit which allows 39 days between the 19th September and the 20th of October is not much to be depended on.

In the Executive Council's audit 2*l.* 5 each is deducted from the teaming account of Jesse Cornwall and Wm. Vail, because the vouchers had not been signed, and 2s. 4d. is withheld from a laborer, being one day's work, for the same reason.

On the other hand 33*l.* 17 is allowed Thomas Gibbons in the account of supplies ; the 10th No. in that account, and instead of a voucher for that sum, a duplicate receipt of Robertson and Brothers is endorsed on the back No. 10, and placed in its stead among the vouchers.

As to the laborers' signatures, they are generally attested by Bela Brewster Brigham, who also acts in the capacity of an endorser on a variety of accounts, that services were performed and that the charges are just. To distinguish between those who can and those who cannot write, the latter are made to put crosses as their marks. The signatures of those whom the witnesses proffer to have seen sign their names are in many cases imaginary, for in some pay lists three, four or five of them are evidently written by the same hand, and occasion-

ally what purports to be the signature of the laborer is evidently that of the person who attests that he saw him write his name.

Some of the signatures on the pay lists are certified to by John Burke and Edward Burke, the signatures to some other pay lists are not attested by any witnesses at all.

£218 8 3½ are claimed for Hospital expenses, of which Dr. R. N. Starr's bill is for "medicines and attendance furnished to 750 emigrants in camp and hospital," at 2*l.* per day, 96*l.*

Dr. Hawkins' bill amounts to 92*l.* nearly, and he names the various patients for whom he demands payment. The sickness must have been very great indeed.

Another account is for disbursements by Mr. Mount, as emigrant superintendent, amounting to 329*l.* 14 0.

£207 1 6 are for his wages at 15*s.* per day, and 1*s.* 6*d.* per day additional "for a ration;" 83*l.* 2 6 are for a daily allowance 7*s.* 6*d.* to Colonel Bela Brewster Brigham as assistant superintendent under Colonel Mount; 39*l.* 10 are to James Inches as clerk at 5*s.* a day.

These accounts were audited in Council on the 12th of September 1833, and are attested by "John Strachan, Presiding Councillor."

## No. 58.

## ON THE MANAGEMENT OF THE PUBLIC REVENUE.

The following Extracts from the Report of the Commissioners on Revenue in Great Britain, recommends the observance of principles of the utmost importance to the public welfare, for promoting economy and retrenchment, and particularly for ensuring strict accountability in every department of the public service.

*Report on the Public Revenue of Great Britain, by Sir Henry Parnell, M. P., Lord John Russell, M. P., Sir James R. G. Graham, M. P., Sir James Kempt, and the Right Honorable Edward Ellice, M. P., E. Poulett Thompson, M. P., and Mr. F. T. Baring, M. P., dated War Office, October 8th, 1831.*

## EXTRACTS :

To accomplish with perfect security and efficiency these objects of safe custody, legal appropriation, and record, it is obviously necessary that all public monies whatever, should in the first instance be paid into the exchequer. But it appears from the accounts laid before Parliament, that the whole amount of the public income is not so paid, but that amounts derived from divers sources of revenue are received and disbursed without the intervention of this institution, or being in any way submitted to its control. It is also certain that considerable sums arising from taxes and other matters are deducted from the gross receipts, and retained and expended by several departments, which only account to the exchequer for the nett amount, after such deductions. We think this practice should be discontinued; and we recommend that the gross receipts of public money, whether arising from taxes in each part of the United Kingdom,\* from the income or sale of Crown property under the administration of the Woods and Forests; from the sale of Old Naval Ordnance or other Stores; from unclaimed dividends; unclaimed prize money; deduction from pensions, loans or Exchequer Bills, or from any other sources, should be placed without deduction in the custody of the Exchequer, and be accounted for to Parliament, whose authority should be necessary for the appropriation of the whole.

We feel this principle to be one of paramount importance for the

\* The duties of the Barons of the Exchequer in Scotland as far as relates to the management of the property of the Crown and the public, in Scotland, as a Board of Treasury are described in the Appendix (Y) p. 173. The duties of the Vice Treasurer of Ireland are described in the Appendix (Z) p. 181.

security of the public money in the two great branches of receipt and expenditure, we think that no portion of the public treasure, should be arrested under any plea or pretence whatever, on its way to the Exchequer, and that no portion of it should be issued from the Exchequer without previous Parliamentary sanction. Your Lordships will perceive that a really efficient and complete control can be introduced into the different departments of the public service only by the adoption and establishment of the principle we recommend—a principle, which we believe to be the necessary preliminary to all satisfactory financial reform; by which means, not only will the whole of the public treasures be made available for the public service, but the expense for collection will appear as a part of the public expenditure, and be consequently placed immediately under Legislative and official control.

We may refer to the satisfactory effects which have been produced by the introduction of such a regulation into the administration of the public finances of France in justification and support of our opinion on this essential point. If difficulties should occur, or objections be started from peculiar circumstances to the immediate application of this rule in all cases, it appears essential to recognise the important principle on which it is founded, and to urge upon your Lordships the policy of admitting the smallest possible number of exceptions to its application, and of allowing those exceptions to continue for the shortest possible period. We feel confident that a short experience of this improvement will soon remove the impediments which may at first be opposed to its adoption.\*

We recommend as an additional means of disembarassing the Exchequer of useless and complicated duties, the immediate abolition of fees. Not only the Exchequer, but every department of the public service would be greatly benefitted by their total suppression.

We now proceed in the further discharge of our duty to the consideration of what books will be necessary to introduce in order to establish an intelligible, plain and correct system of record and account at the Exchequer. We recommend that these books should be under the management of two departments, one of record and the other of accounts. In the department of record, all the royal orders for directing credits to be given for the service of the several public departments, should be entered in an abstract form, and in the same way all the monthly and other Treasury warrants for giving credits at the Bank of England. It should also record all Parliamentary Grants and Acts of Parliament connected with the expenditure of the public money. The business of record should have connected with it the duty of examining the legality of every order which is sent to the Exchequer, and of comparing all the special warrants of the Treasury, with the authority given by the Royal order; and it should have the power of stopping credits if not legal.

The department of accounts would have to register, in a business like form on the double entry plan, all the facts of receipt and credit as they occur. A cash book would be kept in which all the revenue specification papers or other analogous documents of payments made into the Bank of England, for account of the Exchequer, should be chronologically and daily entered, such specification papers or other documents, having been duly compared with the daily statement of receipts sent by the Bank to the Exchequer.

This department will also be required to enter in regular order an abstract of cash warrants sent by the Treasury to the Exchequer, shewing the date, service and amount and the particulars of the credits given in conformity thereto.

Accounts of the same kind as those which are now sent weekly, quarterly and annually by the Exchequer to the Treasury should be made up and sent there, with such improvements as the proposed alterations in the Exchequer system may suggest.

With the view of accomplishing a complete settlement of the annual accounts and of preventing all obscurity or mistake, arising from the mixing of the amount of credits for the service of one

\* A regulation of this character was introduced into France, by an ordinance of the 14th September, 1832, and appears to have been eminently beneficial in its operation. It provides, that under no circumstances can any branch of administration receive or dispose of any other funds than those which have been voted for its service by Legislative authority—that in case of any sale of public property, the proceeds of such sale shall be paid into the Treasury, and shall not be at the disposal of the Department to which the property belonged. In order to accomplish this object, it decrees that the presence and sanction of an officer of the Treasury shall be necessary for effecting any such sale, and it prescribes the form under which the sale must be conducted. It declares, as a general principle, that all money received from the public shall go to the Treasury and be accounted for as a portion of the public revenue. The circulars of the different administrations also direct, that the amount of no sale of stores or other public property, in a word no payment of any description shall be received by any Department, to be disposed of by that or any other department, unless it form part of the credit granted by the Legislature. See Mr. Bowring's first Report, pp. 8, 9.

year, with the amount of credits for the service of another year, we propose that the Exchequer shall cease to give credits on the 1st of October of each year for money voted in the year ending with the preceding 31st of December, and that all credits not made use of by a day to be fixed, shall be cancelled; and that the funds not applied, shall revert again to the disposal of Parliament.

As we have not the slightest hesitation in advising the employment of the commercial system of Book-keeping in its purest and most simple form, in all the public departments, and as we consider its application as forming the necessary ground work of any really important improvement, we shall refer, somewhat in detail, to the reasons which have induced us to recommend it so decidedly and urgently to the approbation of your Lordships.

The peculiar excellency of what is denominated the Mercantile System of Book-keeping by double entry, consists in the facility with which it embraces accounts, however complex, various and extensive; giving to all their differences of detail a unity of result and concentrating them at last in the most condensed shape, while it enables the examiner to trace them without difficulty to their remotest ramifications. In the initiatory or auxiliary books of account, a correct system will admit of all the modifications suited to the particular service; but as soon as the principal or double entry books take possession of the facts of an account, however intricate and varied, they become subjected to its general and harmonious law. Its machinery is employed to obtain an ultimate balance sheet, which will present in a concise, correct and intelligible form all the centralized facts of receipt on the one side, and of expenditure on the other, under their special heads. Of the efficacy of this system the trading world, in its infinite variety of commerce and concerns, gives unanimous evidence.

Into every well regulated manufactory, into every extensive mercantile establishment, in every part of the civilized world, it has gradually but peremptorily forced its way. The Revenues of no Government have been safely administered; the accounts of no Government have been intelligibly kept; the business of no Government has been promptly and satisfactorily despatched, until the commercial system has been introduced, with its order and uniformity, into the different departments. Several of the Governments of Europe have adopted this method after repeated and vain attempts to accommodate by other means the dissimilar usages of their various public offices to one general system; and there is no instance of any Government having abandoned the mercantile practice after having once employed it. On the contrary every Government that has introduced it has borne testimony to its adaptation to national concerns, and its complete efficiency for all fiscal and financial operations and records. It is the system adopted by the East India Company, both at home and in their dependencies abroad, and we need only refer to Mr. Bouring's report on the public accounts of France for irresistible proofs of its value, practicability, comprehensiveness, clearness and efficiency. Indeed it appears from his statement, that a succession of ministers of France have borne unanimous and cordial testimony to the excellent workings of the commercial system of accounts, in all the departments of government; that the objections originally suggested against it, by persons who had not attentively considered its bearings, on the grounds of its not being adapted to public official accounts, have all given way before the evidence of its sufficiency and superiority. In the words of Count Chabrol (the late minister of France,) simplicity and rapidity, in the progress of the public accounts, have been accompanied with clearness and regularity of result,—incompleteness and delay have been succeeded by publicity and promptitude.

The system of accounts as adopted in France has afforded perfect security against default and delapidation; it has brought with it savings of expense to the amount of several millions sterling per annum; it has diminished the labors and anxieties of public servants, and has again and again been eulogized after elaborate and detailed examination by statesmen of all parties in both Houses of the French Legislature. Opposed to such facts, and to the admitted experience of the whole commercial world, we do not conceive the opinions hostile to this system of accounts have any considerable weight.

The late Board of Treasury in their minute of the 14th July 1829, recognize the plan of double entry; as the principle proper to be adopted, and state the propriety of substituting, for the numerous account books now in use, a regular Cash-book, Journal, and Ledger, as the foundation of a system of Book-keeping upon a plan of double entry; and again they declared that a thorough knowledge of Book-keeping by double entry is above all indispensable to the success of the new measures.

This is indeed the great principle of the best commercial accounts, and though in the auxiliary books of merchants, there are many varieties suited to their different concerns, there is no essen-

tial difference in the way in which all intelligent merchants keep their double entry journal and ledger. The ledger invariably represents concentrated, and not diffuse accounts, it is in a word the amalgamation of similar facts under their different heads; it is the volume of results and not of particulars; it is in fact, the tabular centralization of all the various auxiliary books, and the final instrument of the balance sheet. The plan of double entry is but the means of collecting in the ledger, the particular facts scattered thro' the elementary books in which they are recorded. A proper system of accounts will arrange all details in its progress, but while it arranges, it condenses at every step, till it brings all its topics under their principal and primary heads in the pages of the ledger; and when a reference is made from it to the journal and auxiliary books, it will readily supply all details with the greatest facility and accuracy.

We have said thus much in recommendation of this system, from the strong conviction we entertain that its general adoption in the public departments is the great prominent all important improvement, without which, every other will be necessarily and essentially imperfect.

This system properly understood leaves nothing to the caprice of the accountant; it subjects all the elements of an account to an undeviating self corrective operation, the result of which is, as we have said, their centralization under their appropriate heads. It provides against all confusion between contingent and positive claims, between payments ordered and payments made, in a word, compels the grouping together of all facts which are of a similar or homogeneous character.

In another report we shall suggest to your Lordships such plans for the payment of the public expenses as appear to us necessary to be adopted, in consequence of the alterations we have brought under your consideration, respecting the receipts and issues of the public money.

We have the honor to be, my Lords,

Your Lordship's most obedient humble servants,

H. PARNELL,  
J. RUSSELL,  
J. R. G. GRAHAM,  
JAMES KEMPT,  
C. POULET THOMPSON,  
F. T. BARING,  
EDWARD ELLICE.

WAR OFFICE.

OCTOBER 8th, 1831.

No. 58.—A.

FOURTH SESSION, ELEVENTH PARLIAMENT.

*Extracts from an Address by the House of Assembly of Upper Canada to His Majesty on the disallowance of the Bank Acts.*

"MOST GRACIOUS SOVEREIGN,

We, Your Majesty's most dutiful and loyal subjects the Commons House of Assembly of Upper Canada in Provincial Parliament Assembled, in full assurance of Your Majesty's earnest desire to promote the welfare of Your people, beg leave humbly to address ourselves to Your Majesty upon a matter of the deepest interest to Your faithful subjects in this Province. \* \* \* We humbly represent, that, although the disallowance of these acts may appear to be authorized by the letter of the Statute of the British Parliament, \* \* \* yet it is contrary to its spirit and meaning, and to the principles of a free government. We believe that this provision was made to remedy the evil which might be occasioned by the Royal Assent being given in the Colony to a Provincial Act that should be found incompatible with the rights and interests of other portions of the empire, but we cannot think it was intended to give a power of interference with our internal affairs. Against such an interference, we respectfully, but plainly and solemnly protest, as inconsistent with those sacred constitutional principles which are essential to a free government; since it is manifest, that if Your Majesty's Ministers, at a distance of more than four thousand miles and not at all controllable by or accountable to Your Majesty's subjects here, and possessing necessarily a slight and imperfect knowledge of the circumstances of this country, the wants and habits and feelings of the inhabitants and the mode of transacting business among us can dictate a different course, in relation to measures affecting ourselves only, from that which the people by their representatives, and with the concurrence of the other Branches of the Provincial Legislature, have chosen, we are reduced to a state of mere dependance upon the will and pleasure of a ministry that are

irresponsible to us, and beyond the reach and operation of the public opinion of the Province; and no one can rely upon our Provincial laws, although they may be constitutionally and deliberately formed, but the most unhappy uncertainty and want of confidence will prevail and extend their disastrous influence over all our business transactions. *We respectfully claim the same right in behalf of Your Majesty's Subjects in this Province, to be consulted in the making of laws for their peace, welfare and good government, which our fellow subjects in Great Britain enjoy, in respect to laws to which their obedience is required; and although, from the necessity of the case, power must be granted to the head of the empire of preventing colonial laws being adopted and enforced which are incompatible with treaties between Your Majesty's Government and foreign States, or with the just rights of any other of Your Majesty's Colonies; yet with these exceptions, we humbly submit that no laws ought to be, or rightfully can be dictated to, or imposed upon the people of this Province, to which they do not freely give their consent, through the constitutional medium of representatives chosen by, and accountable to themselves.*

The force of our humble and dutiful remonstrance against the principle of an interference of Your Majesty's Ministers with our internal affairs, we are not willing to diminish, by insisting upon the inconveniencies and evils likely to follow from the exercise of power which, &c. \* \* \* \*

We therefore respectfully and humbly pray that Your Majesty, taking these matters into Your favorable consideration, will be graciously pleased not to disallow these Provincial Acts and not to permit Your Majesty's Ministers to interfere with our internal affairs; but to leave the same entirely to the discretion and control of the Legislature of this Province.

For the final passage of the above address voted Messrs. Berczy, Bidwell, Boulton, Buell, Burwell, Campbell, Chisholm, Clark, Cook, Crooks, Duncombe, Elliott, A. Fraser, D. Fraser, Hornor, Howard, Jarvis, Lewis, A. McDonald, D. McDonald, Macnab, Merrit, Morris, Perry, Randal, W. Robinson, Samson, Shaver, Vankoughnet, John Willson, and Wm. Willson.—The only nay was Mr. Ketchum.

No. 59.

FORM OF A WARRANT.

The following is the form in which Warrants are made out upon the Receiver General by the Governors of Upper Canada, for the payment of sums out of the Revenue over which the Legislature have not exercised a controlling power:

SIR PEREGRINE MAITLAND, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

To the Honorable JOHN HENRY DUNN, Receiver General of the said Province.

You are hereby directed and required, out of such monies as are in, or shall come to your hands for defraying the civil expenditure of this Province, to pay, or cause to be paid unto George Hillier, Esq. my private Secretary—

£141 14 8 $\frac{1}{4}$  } or to his assigns, the sum of one hundred and sterling dollars. } forty one pounds 14s 8 $\frac{1}{4}$ d, sterling, equal to at 4s. 6d. } £157 9s. 8d currency, being the amount of expenses incurred in the hire of horses for me and my suite, in visiting the settlements in the Newcastle and Bathurst Districts, in the month of February last.

Entered, J. BABY, Inspector General.

And for your so doing, this, with the acquittance of the said George Hillier or his assigns, shall be your sufficient Warrant and discharge.

Given under my hand at York, this 27th day of March, 1826.

P. MAITLAND.

By His Excellency's }  
command }  
G. HILLIER. }

The Receipts are granted thus:

UPPER CANADA.

Receiver General's Office. }  
York, the 27th day of March, 1826. }

RECEIVED of John Henry Dunn, Esq. Receiver General, the sum of one hundred and forty one pounds fourteen shillings and 8 $\frac{1}{4}$ d sterling, being the amount of expenses incurred in the hire of horses for the Governor and his suite, in visiting different settlements in February last, pursuant to Sir P. Maitland's Warrant No. 133, of this date, having signed five receipts of the same tenor and date.

G. HILLIER.

£141 14 8 $\frac{1}{4}$ d sterling }  
dollars at 4s 6d each. }

No. 60.

Remarks on casual Revenue Accounts.

Some of these drafts on the public Treasury refer to no law or general regulation.—The one we have selected shews Sir P. Maitland drawing on Mr. Receiver-General Dunn for such travelling charges as he thought fit, in the same manner as if Mr. Dunn had been his agent or land steward; His Excellency's Secretary gives a receipt accordingly. There is only this difference—the Lords of the Treasury in England might, if they thought fit, disallow the bill, and cause the officer to refund. The people of Upper Canada who ought to exercise a control have not hitherto interfered.

Among other payments from the casual Revenue, we notice the following:—

In April 14, 1826, Grant Powell, Esq. received payment for fifty-nine days, stated as having been expended in enquiring into abuses in matters of Timber on Crown Lands, at the rate of FOURTEEN Dollars for each day. (Fund K.)

On the 18th of October in the same year, forty-six days on the same enquiry of C. A. Hagerman, Esq. paid at the rate of Fourteen Dollars per day. (Fund K.)

These payments per day are seven-fold higher than those of the Members of the House of Assembly.

The account or Fund D. was ordered to be kept separate, by a letter from the Lords of the Treasury, dated 31st of August, 1827; it shews the receipts and payments of funds derived from the Canada Company.

Seven years compensation to S. Ridout, (Registrar, H. D.) because he had been deprived of the office of collecting fees and distributing them to the officers of the Land Granting Department, allowed in lieu thereof 1,555*l*.

£100 and 300*l*. paid to the Hon. P. Robinson, to enable him to erect a Mill for Emigrants in the New Castle District. £600 for the completion of the Government Mill at Peterborough, paid to Mr. Alexander McDonell, 1827.

£3,000 paid into the Military Chest in Montreal, 9th Jan. 1828, for advances made in England for the service of Upper Canada. It does not appear what the services were.

The like remark applies to other £1,438 paid into the Military Chest on the 4th of Feb. following.

To Mr. Dunn £308, to enable him to remit to England, out of the Colonial Revenue, the pension of the Widow Campbell for 1827, per order of Mr. Secretary Huskisson.

To Z. Mudge for repairs of the Government House, audited in Council 28th February, 1829—£615.

With reference to the public printing, it appears, that not only did the Executive Government pay Mr. Robert Stanton a very extravagant price for the work he did, but also ordered him to receive 600*l*. out of the Casual Revenue on the 2d of

February, 1826—to enable him to complete a large printing establishment to compete with other printers in Toronto, he re-paying the same by annual instalments in the course of seven years, without interest. He was also paid 120*l.* on the 1st of November, 1828, out of the public revenue under the pretext that it was to make up a deficiency of compensation for 1827 and 1828. Mr. James McFarlane's name appears in the accounts as being in the receipt of 50*l.* a-year as a retainer, under the pretext that it was paid him annually for publishing proclamations, &c.; this doctur has either been since transferred to some fund unknown to this Committee or discontinued of late years.

## No. 61.

## King's College.

Under the guidance of the Church of England.

President—Archdeacon Strachan.

Grant from the proceeds of sales of the public lands to the Canada Company, for 1828, '29, '30, '31, '32, '33 and '34—seven years, at £1,111 a year, £7,777. This institution is endowed with 225,000 acres of valuable public lands.

The Committee reported an address enquiring into the expenditure of King's College, that establishment not being as yet in operation, no information has been given by the Lieutenant Governor, your Committee have therefore referred to the returns in the Journal of 1831-2, p. 181 of the Appendix, where it is shewn that there is a Registrar with 150*l.*, a Bursar with 150*l.*, a Clerk with 100*l.*, & a messenger with 36*l.*; who these officers are is not there stated, nor are their several duties well ascertained. There appears to have been ample time afforded for sending to the House the accounts of the receipts and expenditure, had the Government been disposed to do so during the present Session.

## No. 62.

## Upper Canada College.

J. H. Harris, Principal,	- - -	£666
C. Matthews, Classical Master,	- - -	333
C. Dade, B. A., Mathematics,	- - -	333
G. A. Barber and John Kent, Writing, &c.	- - -	333
J. P. De la Haye, French Master,	- - -	222
J. G. Howard, Drawing Master,	- - -	222

The "fixed annual charges for salaries and allowances" in this College, exclusive of contingencies, all which charges are paid from public revenues raised from the people of Upper Canada, are the above, as also a Vice Principal at 444*l.*; a Second Classical Master at 333*l.*; a Porter at 44*l.*; 27*l.* 10 of an allowance each, for the three Junior Masters, in lieu of dwelling houses, which houses the seniors have in addition to their salaries. These facts we ascertain from page 183, of the Appendix to the Journal for the 2d Session of the last Parliament.

The information required of the receipts and expenditure of this Institution has not been transmitted to the House agreeable to its address.

## No. 62. [A.]

TUESDAY, March 3d, 1835.

Address to His Excellency the Lieutenant Governor, for information in relation to King's College.

To His Excellency Sir John Colborne, K.C.B.,  
Lieutenant Governor of the Province of

Upper Canada, Major General commanding  
His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

WE, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency would be graciously pleased to direct that there be laid before this House, statements entering into a detail of particulars, and shewing—

1st. The whole expense which has attended the building of Upper Canada College, with the houses, outhouses and gardens thereto belonging, and all the improvements and alterations made in the said premises from the commencement up to this time; with the authority under which such buildings were erected, and such alterations and improvements made; and from what funds the payments have been severally taken.

2d. The expenditure which has been made on the grounds purchased for King's College, from the time the grounds were purchased, with all the salaries, incomes, allowances, fees, perquisites and emoluments of every description, paid or ordered to be paid to any persons as officers, servants or workmen, or in any other way connected with the institution up to this date, shewing what each person has received, and describing the services he has rendered therefor, and the sums alleged to be due to any persons as officers of the said institution.

3d. A copy of any communication from His Majesty's Government, by authority of which £712 16 2 were paid Archdeacon Strachan out of the College funds, as expenses of a journey to England performed by him.

4th. The receipts, arising from whatever source, of the Upper Canada College since the 30th June, 1831; the debts due the College; the income arising from fees of tuition; and the rates of tuition; also the expenditure of the College since the said 30th June 1831, detailing the fixed salaries and the contingencies, and mentioning to whom they were severally paid, and at what times and for what services, and stating all debts or obligations against the institution, and the whole income, wages, emoluments and allowances paid to its officers and servants generally.

5th. Full and detailed statements of particulars of the receipts and payments, of which a general abstract only is given in the documents respecting King's College, Upper Canada College, and the General Board of Education, which accompanied Your Excellency's message to this House of the 12th January 1832, and pointing out what the services are for which certain officers not named had received £200 up to that period, and claimed £400 more as arrearages from funds of King's College.

6th. A statement going into particulars and shewing what monies have been paid into the treasury of King's College since the 30th June 1831, and mentioning the reasons, if any, why the funds of King's and Upper Canada College might not be paid to and by the Receiver General, and the burthen of a plurality of officers and offices removed.

7th. A statement of the number of scholars taught at Upper Canada College from its commencement till the present time, and mentioning the number on the 5th of January, April, July and October of each year; with the number of scholars sent from the country and the number taught belonging to this city.

8th. An account of the course of education in Upper Canada College, the extent of the vacations, the books used by the different classes, with an account of their progress respectively, and the names and number of all children taught without being liable to the payment of fees; as also whether the scholars or any part of them are required to conform to, or be instructed in the peculiar creeds or religious exercises of any Christian denomination.

## His Excellency's Answer :

GENTLEMEN :

I will direct the information required in this address to be procured for the House of Assembly.

[No information was received by the House relative to the funds of the College and University.]

No. 63.

**District Funds.**

It appears from the Returns to England in the Blue Book, that the amount of District Assessments, (direct taxation) in 1833 was £18,441; and in 1834 £18,671; on these sums 4 per cent. or about £740 a year is paid to twelve District Treasurers, appointed during the pleasure of the Magistrates, who are appointed during the pleasure of the Lieutenant Governor.

There are also large additional sums received from Wild Lands Assessments in cases where the Lands have been sold.

All these monies are expended under the control of the District Magistrates, to Coroners, Jailors, Surveyors of Roads, Constables, Treasurers, Deputy Sheriffs and their principals, Clerks of the Peace, for Fees, Contingencies, Printing, Bridges, Roads, Wolf Scalps, Medical Men, Members of Assembly, their wages, &c. In most cases, the patronage is entirely under the control of the Justices.

The first item in the Blue Book for 1833, is a table of fees authorised by orders of the Lieutenant Governor.

They consist of fifteen pence for each search in the office of the Secretary and Registrar by individuals for private information, which that officer states he never demands; fifteen pence to the Surveyor General from "persons not privileged" for every search, and 2s. 6d. upon each location ticket issued to them; also 5s. 6d. upon each petition for land "by persons not privileged."

Follows, a table of fees to the law officers of the Crown, of which a guinea for the draft of any instrument under the Privy Seal, and the like sum for any opinion in writing given on any reference to them from Government. These charges do not appear to be authorised by any law of the Colony.

They continued without alteration in 1834.

It appears from the above authority that these are the only fees chargeable by any Government office, other than those authorised by any Provincial Statute.

No. 64.

**Toronto Hospital.**

In reply to an Address to His Excellency, reported to the House by this Committee, a very imperfect account of the funds and property of this institution has been obtained. The statements made seem to indicate the necessity of a change in the system under which that institution has hitherto been managed. Unless its managers shall be made elective by proper bodies of the inhabitants of the city and county, there is reason to fear that it will not prove of that utility to the public, which its means otherwise indicate. The Report and documents appended are in the possession of the House and may be referred to.

*Extracts from the Official Correspondence of W. L. Mackenzie, Esquire, Member of the House of Assembly, for the County of York, late Agent in London for Twenty-four thousand five hundred inhabitants of Upper Canada, Petitioners to His Majesty for a Redress of Grievances; with other Documents.*

No. 65.

**MINUTE OF COMMITTEE.**

*York, Upper Canada, March 31, 1832.*

The Central Committee of the Friends of Civil and Religious Liberty met this day.

Mr. LESSLIE was called to the Chair.

The Committee agreed to the following resolution:—

*Resolved,* That William Lyon Mackenzie, Esquire, a Member of this Committee, is hereby authorised to act as an Agent in London, on behalf of the Petitioners to the House of Commons whose petitions were entrusted to George Ryerson, Esquire, and that he be required to afford such assistance to Mr. Ryerson as may be in his power until the prayer of the said petitions be granted.

Attested.

(L. S.) JAMES LESSLIE, *Chairman.*

(L. S.) MATTHEW WALTON, *Secretary.*

No. 66.

**CERTIFICATE.**

At a Meeting of the York General Committee, appointed by the inhabitants of the Town and Township of York, on the 16th day of July last, (and approved by fifty-eight Township and County Meetings afterwards, convened in other parts of the Province of Upper Canada) held this day, William Lyon Mackenzie, Esquire, a Member of the House of Assembly, representing the County of York, and a Member of this Committee, was appointed an Agent to proceed to London on behalf of the petitioners to His Majesty, whose Addresses were entrusted to this Committee, and to support the allegations therein contained by his evidence, if required.

Dated at York in the Province of Upper Canada, March 31st, 1832.

(L. S.) WM. CAWTHRA,  
*Chairman of Committee.*  
(L. S.) JNO. E. TIMS,  
*Secretary.*

No. 67.

We certify that at a general Meeting of the Inhabitants of the Home and neighboring Districts, held at York on the nineteenth day of January last, William Lyon Mackenzie, Esq. member of the House of Assembly for the County of York, was appointed Agent to carry to London an Address to His Majesty, and a Petition to the House of Commons of Great Britain, that day adopted, and to support the statements and prayers therein contained by evidence.

(L. S.) JOHN McINTOSH,  
*Chairman of the Meeting.*  
(L. S.) T. D. MORRISON,  
*Secretary.*

Dated at York, in the Province of Upper Canada, March 31st, 1832.

No. 68.

*THIS INDENTURE made on the fourth day of February, in the year of our Lord one thousand eight hundred and thirty two, and in the second year of the reign of our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith:—Between Charles Thompson of the township of York, in the County of York, Yeoman; James Hogg, of the same place, Miller; Charles McIntosh, of the same place, Mariner; John Montgomery of the same place, Inkeeper; and Matthew Walton of the town of York, in the township and county aforesaid, Wheelright, Freeholders of the County of York, of the one part, and John G. Spragge, Esquire, Returning Officer of the said County of York of the other part:—Witnesseth, that in pursuance of His Majesty's Writ, bearing date the tenth day of January, in the year of our Lord, one thousand eight hundred and thirty two, at York, in the Province aforesaid, after Proclamation thereof made, on the thirtieth day of January, in the year aforesaid, according to the tenor of the said Writ. We, the said Charles Thompson, James Hogg, Charles McIntosh, John Montgomery, and Matthew Walton, Freeholders of the said County of York, have chosen William Lyon Mackenzie, Esquire, to be Member or Representative in the Assembly, to be holden on the seventh day of March now next ensuing, at York, in the Province aforesaid, and by these presents have given, and do give, unto the said William Lyon Mackenzie, Esquire, full and sufficient power for us and the commonalty of the said County, to do and consent to those things, which then and there, by the favor of God, shall happen to be ordained by the Common Council of our said Province.*

*IN WITNESS WHEREOF, the parties to these presents, have interchangeably set their hands and seals the day and year first above written.*

CHARLES THOMPSON, [L. S.]  
JAMES HOGG, [L. S.]  
CHARLES McINTOSH, [L. S.]  
JOHN MONTGOMERY, [L. S.]  
MATTHEW WALTON, [L. S.]  
JOHN G. SPRAGGE, [L. S.]

Signed, Sealed and delivered in presence of

JAMES DOYLE,  
J. H. PRICE.

No. 68.—A.

To W. L. Mackenzie, Esquire.

SIR :

My Father being prevented by pressure of business from answering yours' of the 14th inst. has directed me to inform you that he will feel very happy to see you at any time it may suit you to call upon him, as he takes the greatest interest in every thing relating to Upper Canada, and would do all in his power to be useful in the furtherance of its interests.

I remain  
Sir,  
Your obedient  
Humble Servant,

MORGAN O'CONNELL.

4, Parliament Street, }  
Wednesday, 20th June. }

No. 69.

A reply to Mr. Mackenzie's application for an interview with Lord Goderich.

DOWNING STREET, }  
23d June, 1832. }

SIR :

I am directed by Viscount Goderich to acknowledge the receipt of your letter of the 13th instant, and to inform you, that his Lordship will be ready to receive yourself and the other gentlemen for whom you request an audience on Wednesday the 27th instant, at half past twelve o'clock.\*

His Lordship at the same time directs me to inform you that he is not aware to what letters and petitions you refer, as having been transmitted by you to this office and not acknowledged: He is unable to find any communications which have not received all due attention. I am further to observe that although Lord Goderich is ready to hear any observations you may have to offer upon the affairs of Upper Canada, as an individual interested in the welfare of that Province, and as a Member of the Assembly, he cannot recognize you as being deputed to act for any other persons, nor can he enter into any discussion with you upon the measures which His Majesty's Government may think it right to pursue. The views and intentions of His Majesty's Government with respect to the affairs of the Province, can only be made known to the people of Upper Canada through the medium of the Governor or of the Legislature; it is to one or other of these authorities that any complaints which individuals may have occasion to make should properly be addressed; and if the course pursued by the Executive Government should be such as to give just ground for dissatisfaction, the Inhabitants have, by their Representatives, the means of bringing their grievances under the immediate attention of His Majesty.

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

HOWICK.

W. L. MACKENZIE, Esq. }  
16, Great Smith Street, }  
Westminster. }

No. 70.

DOWNING STREET, 29th June, 1832.

SIR,

I have had the honor of receiving, and laying before Viscount Goderich your letter of the 26th, and I am directed by his Lordship to observe that you do not appear to have quite correctly understood my letter of the 23d.

That letter does not as you seemed to have supposed "shut the

\* They were Messrs. Hume, Viger, and George Ryerson.

door of the Colonial Office, on all that vast mass of facts which you have offered to submit as deputed in behalf of the unrepresented land owners, and inhabitants of Upper Canada." On the contrary Lord Goderich has expressly stated his perfect readiness to have any facts or observations which you may think it necessary to bring under his consideration, he only declines, as you have no authority from any recognized body, to enter into any official discussion with you upon the public affairs of the Colony, or to admit that you are the organ of those whom you term the unrepresented land owners and inhabitants of Upper Canada.

Lord Goderich cannot form his judgment as to the wishes and opinions of the people of Upper Canada from the unauthorised statements of individuals in opposition to those of the Assembly in which he is convinced that all classes of the inhabitants are fairly represented.

With reference to the petition of Mr. Morrison to which you refer, I am directed to observe that your letter upon that subject was duly attended to, (altho' according to the rules of the office it ought to have been sent thro' the Governor.) A despatch was written to Sir John Colborne on the 8th September 1831, in which he was directed to allow that gentleman the land he had formerly been promised.

Mr. Balfour has laid before Lord Goderich your letter of yesterday, in consequence of which I am directed to say that his Lordship will be ready to receive you with the gentlemen you mention, on Monday at two o'clock.

I am Sir, your obedient servant,

HOWICK.

To WM. L. MACKENZIE, Esq. &c. &c. &c.

COLONIAL OFFICE, July 26th 1832.

SIR,

Lord Goderich has desired me to acknowledge the receipt of your papers, and I have the honor to inform you that his Lordship regrets he cannot appoint an earlier day than Friday the 3d of August, on that day, however, at 2 o'clock he will be glad to see you at this office.

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

CHARLES DOUGLASS.

W. L. MACKENZIE, Esq. 19 Wake- }  
field-Street, Brunswick Square. }

DOWNING STREET 15th August, 1832.

GENTLEMEN,

I have the honor to acknowledge the receipt of your letter of the 8th inst. enclosing "The humble address of the inhabitants of the District of Niagara in the Province of Upper Canada, framed pursuant to resolutions passed at a general meeting of the Freeholders, called by the Sheriff and duly convened in the District Court House in the Town of Niagara, on Saturday the 31st. day of March 1832" and to acquaint you that I have laid the same before His Majesty.

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

GODERICH.

To JOSEPH HUME, D. B. VIGER. AND }  
WM. L. MACKENZIE, Esquires. &c. &c. }

No. 71.

Reply to an application for copies of Memoirs addressed to the Colonial Office.

Lord Howick presents his compliments to Mr. Mackenzie, and in compliance with his request, herewith returns the accompanying papers forwarded to the Colonial Department by Mr. Mackenzie on the 25th July and 3d inst., in order that he may retain copies of them.

DOWNING STREET, 18th August, 1832.

To WM. L. MACKENZIE, Esquire.

No. 72.

*Downing-Street, 8th September, 1832.*

SIR,

I am directed by Viscount Goderich to acknowledge the receipt of your letters of the 27th August and 5th September. In answer to these communications I have to inform you, that the other addresses as well as that from the Niagara District have, in the usual manner, been laid before His Majesty, and you are at liberty to state this fact to the persons by whom they have been signed without receiving a separate answer to each.

With respect to the War Losses and the state of the representation although, of course, he can enter into no discussion with any private individual on such subjects, Lord Goderich is willing to receive and to pay such attention as they may appear to require to any further written statements you may think fit to submit to him, if you have any thing to offer which can only be verbally communicated, His Lordship will not refuse on his return to town to afford you such opportunities of addressing him as his other avocations will allow.

Mr. Thomas Appleton's petition having been received unaccompanied by any acknowledgment from the Lieutenant Governor, it was sent to Sir John Colborne by the July mail, with directions to return it to Mr. Appleton with a copy of Lord Goderich's circular letter of 2d May, 1831. You did not even allude to Mr. Appleton's petition in your letter of the 13th of June, nor for some weeks subsequently, and Lord Goderich, therefore, presumed that it had been forwarded by the individual himself direct from Upper Canada.

On the subject of the papers which you request to have returned, Lord Goderich directs me to observe, that it is the practice of this office to retain for the purpose of reference all papers which are enclosed in letters addressed to the Secretary of State, and that a departure from this rule might lead to the greatest inconvenience. As, however, you appear to have been ignorant of this being the case, and in consideration of the nature of some of the papers you are anxious to recover, Lord Goderich has directed them to be returned, but he thinks it necessary that you should be distinctly warned that such an indulgence will not again be extended to you, and that all papers you may, in future, transmit to him, will be deposited in this office as public documents.

With respect to the mode of transmitting petitions to this country, Lord Goderich is not aware in what manner he can render more explicit the information you have already received. You have been told that the letters enclosed in mine of the 13th ult. were sent by a mistake of the clerk by whom that letter was put up, and it has been pointed out to you that my letter of the 13th August distinctly refers to one enclosure only.

Lord Goderich does not feel himself at liberty to make any application to his Grace the Postmaster-General on the subject of the petition which has been sent to you. The inhabitants of Upper Canada have a secure and easy mode of transmitting their complaints to the Throne, by the regular official channels, and permission could not, without much risque of abuse, be granted to individuals acting in no public capacity to receive packets free of postage.

I am, Sir,

Your most obedient Servant,  
HOWICK.

To W. L. MACKENZIE, Esquire.

No. 73.

COLONIAL OFFICE, }  
Tuesday 26th. }

SIR,

I am desired by Lord Goderich to propose to you to call here on Saturday next at two, instead of tomorrow at half past twelve, as the House of Lords meet at one o'clock to send up an Address to His Majesty.

I am, Sir,

Your Humble Servant,  
B. J. BALFOUR.

To W. L. MACKENZIE, Esquire,

W

No. 74.

COLONIAL OFFICE, }  
November 2d, Friday. }

SIR,

Lord Goderich has desired me to express his regret that the pressure of business should have prevented him seeing you since his return to Town. He now begs leave to propose one o'clock on Tuesday next at this office for the interview which you desire.

I am, Sir,

Your Obedient Servant,

B. J. BALFOUR.

W. L. MACKENZIE, Esquire.  
&c. &c.

No. 75.

COLONIAL OFFICE, }  
November 5th. }

Lord Goderich presents his compliments to Mr. Mackenzie, he finds himself obliged to change the proposed hour for interview tomorrow, to twelve o'clock, instead of one; which he hopes will not be inconvenient to Mr. Mackenzie.

WM. L. MACKENZIE, Esquire.

No. 76

COLONIAL OFFICE, }  
November 5th. }

Lord Goderich is sorry to be again obliged to put Mr. Mackenzie off, he has now to propose twelve o'clock on Wednesday instead of twelve tomorrow.

To WM. L. MACKENZIE, Esquire.

## MEMORANDUM.

On Wednesday the 7th of November 1832, I had the honour of a very long interview with the Secretary of State, and on the day following the despatch was written, which is an answer in part to my representations.

1st Jan. 1835.

WM. L. MACKENZIE.

No. 77.

*Selections from Mr. Mackenzie's Official Letters to Lord Viscount Goderich, His Majesty's Principal Secretary of State for the Colonies, transmitted by His Majesty's Government to His Excellency Sir John Colborne, K. C. B. for publication in Upper Canada, and by him laid before the House of Assembly, together with the Despatch of the 8th of November, 1832.*

- A.—The Legislative Council.
- B.—Do. Do.
- C.—The Bank Influence.
- D.—Education.
- E.—State Churches—Clergy in U. C.
- F.—Government patronage, L. C.
- G.—Evidence of Colonial Misrule.
- H.—Colonial Officers.
- I.—Justices of the Peace.

ALSO,

- K.—Trade of the Canadas.
- L.—The Land Granting System.

A.

*From a Memoir addressed to the Secretary of State; received at the Colonial Office on the 25th of July, 1832, and enregistered there, as "2888, Upper Canada."*

**The Legislative Council.**

The organization of the Legislative Council (the effects of which I am also desirous fully to detail in a separate paper,) is such as to deprive that Honorable Body of even the appearance of

independence in its proceedings. Its chief purpose, at present, appears to be the introduction of unpopular measures into the Colonial Legislature, and the shielding, in as great degree as possibly may be, the several Colonial Governors, from that unpopularity, blame and reproach, which would be their portion if it fell to their lot, (as it annually does to the lot of the Councils Legislative of their nomination and choice) to negative and put down measures originating in the Assembly, of a character greatly desired by the whole body of the people.

Hitherto, the Houses of Assembly have scarcely excited even a momentary attention in this Country when they forwarded complaints; for as it appears to me, by observation, there is so much domestic business of a very important character to be transacted, that it is found impossible for His Majesty's Ministers to spare the time necessary to a full understanding of the state of society in Upper Canada. The Legislative Council, therefore, has been enabled to render what I would call *useful Legislation* upon measures of great and general interest (during the last 12 years at least, as may be seen by a reference to the Journals,) *abortive*.

The Government has annually supplied itself with the revenues of the Province, utterly disregarding every resolution of the Assembly in the 10th Parliament, to correct the evil. Information even as to the objects to which their (the people's) money is applied, is annually refused in respect to a great part of the funds of the Colony, by the Colonial Governors, to unanimous addresses of successive Assemblies (See Journals of 1829, 1830, and 1831) the Royal Instructions being the plea of such refusals.

### B.

*From a memoir addressed to the Secretary of State for the Colonies; received at the Colonial Office July 25th, 1832, unregistered there, and numbered "2889, Upper Canada."*

#### The Legislative Council.

A change in the Legislative Council, its system, is asked for only from a conviction generally entertained that, as very little harmony is found to prevail between the present imperfect representative system and the Council, (as may be seen by the Legislative Council's Journals of last session, 1832, also 1830, 1829, 1828, 1827, &c.) a true representation would but widen the breach unless indeed the Council would yield to the clearly expressed sense of the country in a greater degree than it now does—and I admit that before any change is made in the Constitution, the trial ought to be made and the sense of the whole Province ascertained in the most unequivocal manner.

### C.

#### The Bank Influence.

*[FROM the appendix to a memoir received at the Colonial Office, July 25th, 1832, and enregistered No. "2888, Upper Canada.]*

"The Government and its officers" have the Bank under their control and direct its vast powers at their pleasure. It is not necessary for me to assume it as a fact that they use these powers (one of which is to loan millions yearly of paper for which they are not individually responsible to the Bill holder) for the purpose of rewarding political partizans, the history of all political parties in such a government as that of Upper Canada, will enable the reader to draw a proper inference. The Bank has agents in the several Districts who are believed to be in the receipt of large incomes drawn from the agencies.—They are usually found among the most active partizans of those in authority. In the year 1830, the Assembly appointed a committee on the currency, with powers to enquire into the management of the Bank, which had solicited an extension of its stock, I was Chairman of that Committee & reported certain resolutions for information desired from the Bank. The House by an unanimous vote sustained the resolutions, and the Bank refused the information\* contrary to the terms

\* See Assembly's Journals 1830, Reports on the state of the currency, 1st and 2nd. In the Appendix.

of its charter, for which see pages 263 and 322 of the revised statutes. The dissolution of that Parliament together with my expulsion from the succeeding one, enabled the Bank to obtain its charter without disclosing the general condition of its affairs to the body which granted it a large additional share of the powers of the government. The report of the majority of the committee appointed by the House of Representatives of the United States to examine into the proceedings of the Directors of the United States Bank before renewing its charter, and made this year to Congress by Mr. Clayton, shews that members of Congress and editors of public journals had been tampered with, and the press subsidized to a very great extent, and that the whole Board of Directors had been parties to this undue influence exercised. If these things are in a government like the United States, where there is a great responsibility to public opinion acknowledged by public men, what may not be presumed in a secret institution like the Upper Canada Bank in the hands of the politicians? If a capitalist's monied interest can succeed in influencing representation and the press, that representation will become more and more its instrument and a bandage over the eyes of the public, "the powerful, and, in the hands of a bad administration, the irresistible and corrupting influence (observes Mr. McDuffie, the chairman of the committee of ways and means, in his report to the House of Representatives of the United States, 1830) which a Government Bank would exercise over the elections of the country, constitutes an objection more imposing than all others united. No matter by what means an administration might get into power, with such a tremendous engine in their hands, it would be almost impossible to displace them without some miraculous dispensation of providence."

*[From a memoir enregistered in the Colonial Office, as "2888, Upper Canada, 1832."]*

### D.

#### Education.

The establishing places of learning for the children of persons holding situations under the local government, and a few other wealthy or influential individuals, at great public cost, but placed beyond the controul of public opinion, and from which the sons of the yeomanry derive no benefit or advantage, while the exceedingly numerous and very reasonable petitions of that yeomanry for public support to the all important cause of general education throughout the colony are steadily resisted by persons in authority, in and out of the Assembly, and even declared to be unnecessary in the present state of the public finance,\* has the effect of preventing that steady increase of capable men fit for jurors, for township and county officers, and for the halls of Legislation, whose feelings and interests would be the most closely united and identified with the welfare, the happiness, the general prosperity of their native country, and whose minds would (under a better order of things) become fitted for the correct transaction of the public business of the colony by previous observation, study, and contemplation. [The existing system raises up and multiplies greatly in the colony the friends and supporters of arbitrary and exclusive principles and institutions.] I am desirous of making general education the subject of a separate communication—[See also the Report of the Select Committee of the House of Assembly on Education, Journal Assembly, 1829—Appendix].

### E.

*[FROM THE SAME.]*

#### State Churches—Clergymen in the Council.

The just and necessary influence of the Assembly is weakened by the government taking the money of the people of

\* See Mr. Robinson's Report on Mr. Osgood's Petition, Assembly's Journals.

England and Canada, and in opposition to the continual remonstrances of the inhabitants, sending forth the priesthood of three separate and distinct churches, salaried by the state, to preach and preach the most opposite and conflicting religious doctrines at the public expense. These preachers are taught to meddle in the political quarrels of factions and parties by their leaders being accommodated with seats in the political councils of the state; a bench of spiritual Peers of conflicting creeds; Bishops and Archdeacons, legislating for British North America, in the 19th century! It is generally believed that the Orange Lodges and the disputes engendered between the Irish emigrants of different persuasions would never have been revived in the colony but for the policy of the government to keep in pay a political priesthood of the most discordant materials, the clergy of the minority too—in order to regulate public opinion.

## F.

(FROM THE SAME MEMOIR.)

*Difficulties in Lower Canada relative to Government patronage, influencing the actions of the House of Assembly.*

Lower Canada did not, like the Upper Province, adopt the English law as a rule of decision in all cases of controversy concerning the people's civil rights; accordingly we find its Legislature attempting to remedy the evil so far as relates to the purity of Elections, by introducing and passing Bills, which, it would appear, this Government disapproved of, (though the Law of England) is applied to Lower Canada, for the late Administration had either advised the King to withhold the Royal Sanction, or else they had declined to advise his giving his assent. In the Session of 1831, Mr. Neilson introduced in the Assembly the two following resolutions, which were adopted without material variation by the House:—

First "That until such time as the Royal Assent shall be given to a Bill conformable to the resolution of this House of the 17th March, 1825, for vacating the seats of Members accepting offices, and similar to the bills passed by this House in the years 1825, 1827, 1828 and 1830, the second and fourth of which were reserved for the signification of His Majesty's pleasure, the seat of any Member of this House who shall accept of any office or place of profit under the Crown in this province, or become accountable for any public money raised within this Province, shall, by this acceptance, be deemed by this House to be vacant, and a new writ shall be issued for a new election, as if such person so accepting was naturally dead; nevertheless such person shall be capable of being again re-elected, and of sitting and voting in this House, as if his seat had not been vacated as aforesaid."

Second, "That any Member of this House, sitting and voting therein after such acceptance, without such re-election, be expelled the House."

## G.

(FROM THE SAME MEMOIR.)

2,888, Upper Canada, 1832.

*Some few evidences of colonial misrule and of the neglect which His Majesty's late Government and the Lieutenant Governors appointed under them have treated the efforts made by the ninth and tenth Parliaments to give effect to the opinions of the landowners of the colony:*

1st. The Local Legislature (in Assembly) resolved, that the annual appropriation of £10,825 derived from sales of land was improvidently misapplied. (See their Journal, page 67, 1829.) *The abuse was continued.*

2d. They resolved, (see same page) that the Local Govern-

ment had abused the application of the fund granted for the administration of justice. No remedy was provided.

3d. They resolved (page 68) that the loyalty and attachment of the people to His Majesty's person and government, would, if possible, be strengthened by leaving them with their local legislature and the executive to their own internal concerns, and by discountenancing all private and injurious representations made for the purpose of counteracting the best directed exertions for the correction of public abuses; which private and injurious representations have hitherto been too successfully made to promote misrule and protect the authors of it.

The valuable series of resolves from which these are taken, were communicated to the Lieutenant Governor; doubtless his instructions prevented him from attending to them, NOR WERE THEY ATTENDED TO HERE.

On the 4th day of January last, the Legislature of the state of New-York assembled at Albany: Mr. Throop sent them a message, from which I will make but one short extract. Since witnessing the means taken by His Majesty's Government to reform abuses in the representation here, I have indulged the expectation very shortly to see the same language held by a British Governor in Upper Canada to a fairly chosen Legislative Assembly. It would, indeed, be the true, the abiding interest of this great nation, so to speak to the freemen of Upper Canada; for it would promote the public good.

Mr. Throop's remarks were as follow: "The wealth, the trade, and the external pomp of a nation do not always indicate a happy condition of the people who compose it. Thro' the perversions by man of the blessings which a kind Providence designs for all his reasonable creatures, we sometimes witness the incongruity of great apparent national prosperity, while a large proportion of the population deprived of every comfort are absorbed in the cares of procuring the means to sustain life. It is not so with us.—Here national prosperity is the prosperity of every individual; not a cent is contributed by way of tax, not a dollar is expended from the public coffers which is not assented to by the people, and employed to enlarge their means of enjoyment."

In Upper Canada, as this report abundantly shews, the opinions of the people are as much unrepresented in the present Parliament as they were fourteen years ago when the Gag-law passed, making it a crime for them to meet and complain. With us in Canada, "national prosperity" is the prosperity of "the few," the poverty of the many. Such remarks are unpleasant, but it is here where relief can be had that they ought to be made.

4th. The ninth Parliament sent an address to the King on the subject of the Post Office Department—and addressed the Lieutenant Governor, requesting him to forward it to London. (See Journal of Assembly, 1825-6, pages 58, 69, and 113). To this day, I believe, it remains unanswered, and when I was chairman of the Post Office Committee of Enquiry, I could not obtain from the Postmaster General's Deputy at Quebec, any information of the revenue raised in the Colony. That functionary however continues to tax every newspaper that passes through the Post Office in the two Canadas, a penny each, which, besides his salary, he puts in his pocket as a perquisite of office. The removal of this odious and evidently useless impost, authorized by no law, would have been the work but of a moment, but all the remonstrances of all the presses and Legislatures of Upper and Lower Canada have weighed as nothing, thus far, when placed against an ancient and venerable abuse from which a colonial officer derives great revenue, the tax being paid at the expense, in many cases, of that sum which would have assisted in giving the rudiments of education to a son or a daughter of a settler.

5th. In the report of a select committee of the Assembly on the attempts made to disgrace Captain Matthews, (which report was received by the House in opposition to the Go-

vernment influence and ordered to be printed, as also entered again on the body of the Journal for 1828) the Colonial system as seen in Upper Canada is thus described :

"If every effervescence of feeling upon every jovial or innocent occasion is, in these Provinces to be magnified into crime by the testimony of secret informers. If there can longer exist a political inquisition which shall scan the motives of every faithful servant of the public. If the authorities in Canada shall humble the independence of the Legislature by scandalizing its members and causing them to be ordered to Quebec and thence to England, to sustain a fate which under such corroboration as Lord Dalhousie received, might cover them with ignominy, or bring them, however innocent, to the block; or if the members of our community shall be awed into political subserviency by the fear of oppression, or lured by the corrupt hope of participating guilty favors; then indeed will the prospect before us lower, and this fine Province become a distant appendage of a mighty empire, ruled by a few aspiring men with the scourge of power."\*

6th. Another extract will serve to show how little influence the House had with the Government here, and in Canada, when it presumed to censure:

A Mr. Forsyth complained to the House of misconduct in the Crown Officers and of other grievances, including a charge against Captain Philpotts of the Royal Engineers, of violent conduct as a military officer in a case mentioned.

The House appointed a committee of enquiry, of which Mr. Rolph was the chairman; and the report of that committee (which censured † Captain Philpotts and the local Government) was referred back to the committee, additional evidence taken, and the whole reported to the House and ordered to be printed. On another of Mr. Forsyth's petitions, a ‡ select committee unanimously reported, among other things, that "it appeared to them upon examination that some of the most daring outrages against the peace of the community have passed unprosecuted, and that the persons guilty, have, from their connexions in high life, been promoted to the most important offices of trust, honor and emolument in the local Government. It appears that the Crown Officers, who exercise an exclusive right to conduct criminal prosecutions at the Courts of Oyer and Terminer and General Gaol Delivery, are in the habit, even in the first instance, of being retained and taking an active part in the defence of the civil action for the wrong, by which it is inevitable that prosecutors will be discouraged to apply to them for professional aid, and justice therefore, in many cases, fail, unless the rights of prosecutors and of the Bar are asserted and upheld, as in England. From the testimony given, your Committee do not hesitate to come to that conclusion, in which they are supported by the testimony of the Honorable Mr. Justice Willis, and nearly all the witnesses examined." The reports and evidence are printed in the appendix in the Journal of 1828; but they only afforded additional proof of the utter powerlessness of the House to do aught relative to public wrongs except to complain of them, to the personal injury perhaps of many members who might act thus independently. *So it was in the present instance.*

Of this Report the accused took no public notice, but the then Attorney General addressed a secret communication to

\* See Assembly's Journal, 1828, page 122; and do. do. for 1826-7, pages 31 and 68, and Appendix P.

† Not long since arrived from the colony of Upper Canada.

‡ I caused the Reports of these Committees to be published and commented in the severest terms upon the affair of Capt. Philpotts and the Crown Officers, inasmuch that the grand jury presented me for libel—that is to say, the Government intended to prosecute) but no inducement could prevail upon the present Chief Justice, then first Crown Officer, to let the matter go to trial, and it never was tried. The late Surveyor General, when asked to attend and give evidence at the House of Assembly, said he must first obtain the Governor's leave, as an executive officer, and the Legislative Council's permission, as a legislator; and so fearful must Colonels Givins and Coffin have been of implicating those in authority, that they chose to go to jail, for contempt, rather than give their testimony before the Committee of Enquiry into Capt. Philpott's case; so they remained in jail till after the prorogation.

the Lieutenant Governor, for the Colonial Department, which it duly reached, in which he *thus* characterized some of the most distinguished Members of the House, his fellow Representatives. "If a preference is felt for the system in use there, [in England,] I have never heard it expressed by any persons, and that it is decidedly my belief, with very good means of observation, that whatever prejudices may in time be excited, any dissatisfaction with the present system of conducting criminal prosecutions, in the Courts of Oyer and Terminer, is at present confined to a very few individuals in the Assembly, whose opposition to every arrangement and institution of the Government is very indiscriminating."

This communication was made, as I have before stated, in secret—it was never intended to be made known to the persons attacked. They had no opportunity to refute the calumny: and, at first, when interrogated by a Committee of the Assembly, Mr. Robinson declined to avow the authorship, considering the document from which it had been taken, secret and confidential.\* It was, however, soon after made public. The charge it contained was of a most serious nature; it was that of an unprincipled opposition to all the measures and institutions of the Government. "Mr. Robinson might as well have secretly charged his brother members with having been combined in a traitorous conspiracy against the Government under cover of a faithful discharge of their Parliamentary duties. The charge was not offered to the notice of the people among whom the parties lived, where it could be openly and fairly met, but was transmitted to persons at a distance, who could judge of the accusation only from the solemn and confidential manner in which it was preferred, and from the standing and official character of the accuser, who was himself high in their confidence. It was intended to protect his own pocket from the hand of legal retribution; and in order to do this, he attempted to prejudice one branch of the government of which he was a confidential servant, against another of which he was a member; as a member of the House of Assembly, he so far forgot and betrayed his duties, as to endeavour by a clandestine unconstitutional exercise of a high and important office, which he held, to prejudice a co-ordinate branch of the government against its measures; at the same time this calumnious representation was made to those who had no business with it. Whether the charge were well or ill founded, the government had nothing to do with it. The individuals charged, were in no ways answerable to the Government. On this account the accusation was as uncalled for as it was unfounded and unjust. The slander was intended to poison the Royal Ear, and to prejudice the mind of His Majesty and His Government against those who most naturally look up to him for protection. It was calculated to defame, in the very quarter where a man of honour would most wish his character to be regarded with esteem and respect."

Except in so far as it afforded Mr. Robinson the private opportunity of traducing the Committee of the Assembly, the Report effected nothing, and a subsequent address to the King on the same subject adopting the opinion of the Committee as that of the Legislature, was answered by the exaltation of Mr. Robinson to the Presidency of the Executive Council of the Colony.

7th. Sir Peregrine Maitland soon dismissed Mr. Justice Willis. Why he did so, the characteristic despatches sent by him to the Colonial Office, and which have since seen the light, will shew. They are specimens of the system of espionage to which many a worthy man in Upper Canada has fallen a victim. Sir P. Maitland appointed the Custom House Officer at the Port of Kingston to a seat on the Bench of Justice in Mr. Willis' room, the other puisne Judge of the Colony having then been recently exalted from the Custom House either of Brockville or Prescott. His Excellency about this time quarrelled with the ninth Parliament, on the Alien Question and other matters, and being very generally disliked through the Colony, was promoted to the important Govern-

\* See Assembly's Journals, 1828. Evidence in Appendix.

ment of Nova Scotia, carrying with him many affectionate Addresses at parting, containing thousands of signatures. Among the most prominent Acts of the last year of his administration, was his receiving Addresses, in which the House of Assembly was characterized as factious demagogues with an expression of high satisfaction.\* Lord Dalhousie did the same to the most violent declamations against the Assembly of Lower Canada.†

8th. On the 12th of January, 1829, an Address by the House of Assembly, passed in the 10th Parliament to the new Governor, Sir John Colborne, by a vote of 37 to 1, praying against the injurious policy of the Provincial Administration, and lamenting that His Excellency's confidential advisers were persons who had deeply wounded and injured the best interests of the country, in which, (they stated,) the administration of justice had not risen above suspicion.

9th. On the 14th of March of the same year, the House addressed His Majesty, praying that individuals deeply entangled in Provincial politics, might not be called to the Court of King's Bench as its Judges, but that they might be selected from the English Bar; that Mr. Justice Willis, of whose conduct they approved, might be restored to the country. They also enumerated many wrongs in the administration of justice, and assured the King, that it was "from such Courts and such Judges that the people desired to be relieved."‡

His Majesty's Ministers promptly answered their Addresses by selecting one of the Executive Council, who had counselled Mr. Justice Willis' dismissal, to be a Puisne Judge; Mr. Robinson, who had defamed them to be Chief Justice, and Speaker of the Legislative Council. (His whole public life had been one continued attack on popular rights.) His brother, Mr. Peter Robinson, had a new office, at £1,200 a year carved out for him: His relation, the Solicitor General was given the vacant Attorney Generalship. Dr. Strachan had the control for the new College, Glebe Lands, and large grants of valuable public property near York: Mr. Campbell (who had, like Mr. Powell, been placed in the Chief Justiceship, *pro tempore*.) had a pension of £1,200 sterling, a year, and was knighted; and the other Judge had £1,000; and in all this the Colonists were never once consulted—their opinion to the contrary was on record. But in these days the Assembly was not, as now, considered by the Government to speak the sense of the people. Such proceedings were well calculated to disgust spirited and independent men, and prevent them from accepting seats in a body treated with such supreme contempt. However bad the public Officers might have acted, there was no Court of Impeachment nearer than the Privy Council in this capital.

## H.

Extracts from a Memoir, addressed by special permission, to Lord Viscount Goderich, his Majesty's Principal Secretary of State for the Colonies, received August 3d, 1832, at the Colonial Office, and registered there as "No. 3,019, Upper Canada:"—

### COLONIAL OFFICERS.

Your Lordship has been pleased to convey an assurance to the people of Lower Canada that "if any public officers can be named, who are guilty of an abuse of their power, and of remissness in their duties, His Majesty would not be slow in removing such persons from his service," and "that if it can be shewn that the patronage of the Crown has been exercised upon any narrow or exclusive maxims, they cannot be too entirely disavowed and abandoned. His Majesty can have no desire that such invidious distinctions should be maintained," a belief that the same principle would be extended to Upper

Canada, induced me to become a petitioner for enquiring into the public conduct of that officer, in respect to which, I now, with your Lordship's permission, respectfully submit the following observations:—

The situation of Lieutenant Governor and Commander of the Forces of Upper Canada is one of, perhaps, greater emolument than any other on the Continent of North America, with the exception of the Governorship in Chief of British America and the Presidency of the United States: the salary of the incumbent is £3,000 sterling a-year, besides a share of certain seizures; great patronage; a splendid mansion upheld by the Province; and the income and other advantages attached to the Chief Command of the Troops; while the expenditure in a country, like Canada, where the necessaries, and many of the luxuries of life, are very low in price, is comparatively small.

Whether the acquirement of greater wealth and property, or of personal comfort in a temperate climate with the pleasing task of aiding the establishment of British Freedom in a lovely, a magnificent country, be the objects more immediately in view, the high office of representative of His Majesty in Upper Canada is, in my humble opinion, far preferable to office in London with a salary of £6,000 or even £8,000 a year.—It is equal to the official value of 20,000 acres of the best surveyed public lands in fee-simple. Land which will be worth ten times the estimated selling price, under any Government which can continue to exist in the Colony for any length of time. It may be inferred that an individual thus amply recompensed by the country, and honored by his Sovereign ought to spare no exertion to prove to the colonists that the security of property and civil rights, the improvement of the Province, the economical expenditure of its resources, the redress of real grievances, and the advancement of general education, are objects which may be as fully attained under a Lieutenant of His Majesty, chosen with the advice of a Council, possessing *wise, liberal* and enlarged views, as they would be if the Chief Magistrate were chosen by themselves from among their most respected and tried statesmen, as is the case in the adjoining Republics. What a remarkable contrast is presented to the eye of the Canadians who compare the last ten years' messages of the Governors of New-York State with the last ten years' speeches of the Lieutenant Governors of Upper Canada. \* \* \* \* \*

The Governor of Upper Canada, if he does his duty has a task requiring a good temper, great forbearance, a freedom from religious prejudices, and a disposition to avoid giving offence to his Majesty's subjects because their views of Government in Church and State may not, in every respect, accord with his own. Above all things, he ought not to estimate a man's loyalty to his King by the degree of respect he manifests for the wealth and worldly power of the church by law established in this part of the island of Great Britain, nor range himself as a controversialist and partizan of the few, overstep the bounds prescribed by the functions of his high office, and wantonly injure the feelings of the many by attacking the ministers of religion, whom they esteem, and whose influence and hearty co-operation is greatly to be desired in many matters connected with the general welfare. He should be a careful observer of the signs of the times, the genius of the people, and the various indications of public opinion: he is placed in a situation to attain much valuable information concerning the effect of the laws regulating trade, commerce and manufactures in Canada, and the adjoining Republic—to judge of the consequences of the present corn-laws in drawing away or preventing Emigration to the opposite shores—to reason and reflect on the probable operation of those changes so much desired by the colonists, both as affecting interests here and interests beyond the Atlantic.—Should difficulties occur on the Continent of Europe of an unforeseen and unexpected nature, and Britain have her hands full, it would be an important point gained to have tranquilized Upper Canada in the first instance, while time remained for that purpose, by doing that justice to the attachment of its people to His Majesty's Government and the British nation, which their patriotism has merited, and would still

\* See Files of the Upper Canada Official Gazette.

† See Printed Reports on Grievances with the Evidence, printed by order of the Assembly of Lower Canada (printed 1829). See also Lower Canada Official Gazette.

‡ See Assembly's Journal, 1829, page 60.

more fully merit. Send to Upper Canada a Governor accustomed to civil rule, of kindly dispositions, and who will not second the Rev. Doctor Strachan's views for converting the population to the Established Church of this country, and a great advantage will be gained to England and to her colonists. If a more just and equitable policy were pursued towards the colonies, if it were kept in memory by all who seek to preserve the unity of the Empire, that the Canadians however great their interests and inclinations to remain connected for ages to come, with the Parent State, under good government, would suffer far less from an easy separation from Gt. Britain than would Britain herself, with whom their commerce, in a colonial state, may be greatly augmented, if it were recollected that although England engrossed three-fourths of the trade of the 13 colonies, now the United States\* before 1796, even interest gave away to patriotism when the colonists of that day thought their free institutions were about to be subverted and their religious privileges interfered with, in such case the results would be more satisfactory than ever can a system supported by wealth and undue influence in the hands of a few, and used to the disadvantage of the community.

In the remarks I am about to make respecting the conduct of Sir John Colborne, I would not be understood to attach much blame to himself individually, but to the system he perhaps willingly followed, but which he must have followed whether with or against his will, in order to remain in Upper Canada as its Chief Magistrate. He came into the country a stranger to the people, their customs and their manners; he found the persons who had guided his predecessor prepared to advise him; he found Dr. Strachan and his colleagues in possession of the wealth, honors, emoluments, influence, and resources of the Province, while the House of Assembly was neglected, and its remonstrances utterly despised; he found that the government was carried on without any supplies, and that the policy of England's rulers in those days, was to conciliate the people, be as moderate as possible, but trust the people with nothing, keep them powerless and obedient. Sir Peregrine Maitland had been raised to higher honors after having pursued a most unpopular course in Upper Canada; Dr. Strachan had had offices and grants of land, and dignities conferred on him for standing a firm tho' not very consistent supporter of high church pretensions in a country where very few, even of the few Episcopalians it contains had the least desire for temporal pre-eminence His Excellency resigned himself entirely to the guidance of those whom the Rev. Dr. could influence at his will, became a firm supporter of established abuses, interfered with the religious privileges of the people, and in a most ungracious and inappropriate moment declared his belief of all the slanders which had been heaped upon the dissenters, outdoing even Dr. Strachan himself in his expressions of aversion and dislike to a numerous and respectable body, the extension of whose influence he deplored while he regretted the small numbers of his own sect. I know no one public individual who has been more caressed, and honored, and promoted to greater wealth, influence and distinction by the British Government than Dr. Strachan; and it is probable Your Lordship will doubt my judgment when I affirm as I now most sincerely do my conviction that the Dr. has (I dare say unintentionally) done more to wean the affections of the people from British rule, and to impress upon their minds (if it were possible) a sense of British injustice, than any other individual now living. He is an Executive Councillor, a Legislative Councillor, President of the College, and member of its Council, a Civil Magistrate, Rector of York, Missionary to the Society for promoting Christian Knowledge, member of the Land Council, President of the Provincial Board of Education, Senior Member of the Boards of Education in Eleven

\* A late arret of this Court against the admission of British manufactures produces a great sensation in England. I wish it may produce a disposition there to receive our commerce in all their dominions on advantageous terms. This is the only balm which can heal the wounds that it has received. It is but too true that that country furnished markets for three-fourths of the exports of the eight northernmost States: a truth not proper to be spoken of, but which should influence our proceedings with them. (Jefferson's Memoirs, letter 98, dated Paris, Aug. 1785, and addressed to the late Colonel Munro.)

Districts, and a very extensive Land-owner—receiver of the new Glebe Rents, member of the Clergy Corporation, one of the principal proprietors of the Province Bank, and (if my memory serves me) he once sat at the Discounting Board as a Director of that institution, Archdeacon of the Church of England, Doctor in Divinity, a Commissioner under the Heir and Devisee Act for proving titles to Estates, a Trustee of the Royal Institution, and in fact holds more situations than I can call to my remembrance. About 8000 persons petitioned the House of Commons against his misrepresentations while here, the Canada Committee's report exposed them, and successive Houses of Assembly complained of them, as if to shew the Province that the Doctor was of more importance than the opinion of the whole country, new honors were heaped upon him, new grants of the choicest portions of the public Land bestowed on him as an especial mark of the Royal favor, and his rebukes fell with increased weight on the unfortunate Dissenters from his adopted creed when conveyed last September thro' the channel of the King's Lieutenant Governor. For the sake of the peace and prosperity of Canada, I trust the day is not far distant when this Rev. person will be strictly confined to the performance of his functions as a minister of the everlasting Gospel—would a minister of State expect to conciliate the Catholics of Ireland, or to retain the affections of the Catholics of Lower Canada, by honoring that functionary who shall act towards them as Sir John Colborne and his chief adviser Dr. Strachan have done to the Methodists and other Dissenters in Upper Canada?

Upper Canada will expect an intelligent active individual as a successor to Sir John Colborne, a Governor who will appear to take a personal interest in the prosperity and improvement of the Colony, and favourably consider those great general measures, the people have so much at heart, but which the Legislative Council constantly reject; such as the amendment of the Jury Laws, a more adequate provision for general Education, an alteration in the Primogeniture Laws, moderate Law Fees, and more satisfactory and efficient regulations for the management of the affairs of Townships by their officers. His success will greatly depend upon himself; at 3,500 miles distance, it will be at all times, easy to evade his instructions, however positive and peremptory, if he possess that fondness for military power, and love of arbitrary authority which Rochefoucault tells us "are in every region of the globe, the usual attributes of such delegated trusts."

The Assembly in 1829, addressed Sir John Colborne, desiring the removal of Dr. Strachan and his colleagues from the administration, because "they had deeply wounded the feelings and injured the best interests of the country,"† to which His Excellency answered‡ that he was convinced "that in many instances the most upright intentions had been discoloured by the medium through which they had been seen" and took no further notice of the subject, although their vote was almost unanimous.

Next year, 1830, they repeated their request, and assured him with scarcely any dissentients§ that they entertained a settled conviction that the continuance about His Excellency of those advisers who from the unhappy policy they pursued

\* The following brief but significant commentary on the policy pursued by the government towards the people of Upper Canada, is but one of a hundred I could bring forward to prove that the United States keep a watchful eye upon the progress of events in the colonies. The brief commentary "but the people do not like it" speaks volumes to me. *Education in Upper Canada*, through the favor of the Royal Governors, the Episcopal Clergy seem to be playing the same game in Upper Canada that they did in New York before the revolution, in obtaining possession of all the lands and other perquisites that are appropriated for the purposes of religion or education. They have gained some of the lands appropriated to the support of colleges, and established an institution called King's College, but the people do not like it.—*New York Evangelist*.

† See Journal, 1829, page 7.

‡ See Journal, 1829, page 10.

§ See 11th page Assembly's Journals, 1830.

had long deservedly lost the confidence of the country, was highly inexpedient, and calculated seriously to weaken the expectations of the people from the impartial and disinterested justice of His Majesty's Government."

Sir John Colborne, did not as in the case of the Methodists give his reasons for pursuing a course directly opposed to the public wish, but clung still more closely to the Strachan interest—saw them soon after, more and more engross and monopolise the power of the Colony, and with great brevity replied to the Assembly "Gentlemen, I return you my thanks for your Address."\*

How different this from his answers to Addresses wherein great and influential bodies of the people under his government are branded as seditious rebels, disaffected, led by demagogues, and so forth.

Few military men make good civil rulers in colonies, under a popular form of government, their previous habits requiring more implicit obedience to their mandates than is consistent with the habits of a free people, especially in America, where every man lives upon his own land, and thence imbibes high notions of liberty and independence.

It is difficult to imagine any motives other than a mistaken notion of what his duty required, *united with bad advice*, previous habits of military life, and an unpopular sentiment in favour of making converts to high church principles, a probable consequence of his education, which could have induced a brave and gallant officer like Sir John Colborne to pursue a line of conduct in Upper Canada so very much opposed to the interests of Britain and Canada, as his has been.

## I.

### Justices of the Peace.

[From the same.]

The exclusive and excessively unpopular manner in which His Excellency distributes the patronage of the Government is a source of perpetual annoyance to the wealthy and spirited land-owners of the Colony. In the Home District a few officers of the Government with Dr. Dunlop, an officer of a company of speculators in land, here, set as a board of control over the local affairs of the two counties; disposing of the produce of the taxes, judging offences, regulating improvements, constituting courts of general quarter sessions, police magistrates, every thing; while the task of the Farmers is to collect the taxes and pay it (them) into their Treasury, to be, in too many instances, wasted, and seldom fully accounted for. It might be admitted, even by the most captious friend of arbitrary power, that it would be but reasonable to give this local power, at least partly, into the hands of the principal land-owners, as justices, and that the Members of the Assembly for the time being, in their districts, would be as fit checks at least as the Legislative Council. His Excellency thinks otherwise; seldom indeed has a popular individual entered the magistracy, nor have Colonial Governors, either in Upper or Lower Canada, forgotten to make such changes as might warn aspirants to, or possessors of, the office of justice of the peace, how necessary it was that their political opinions should agree with the administration. Sometimes the land-owners have prayed for the appointment of certain capable and independent men as justices, but I never once knew an instance of such a petition being listened to.

There are no doubt some few very independent men in the commission of the peace, but in general the justices all

over the Colony act with other office-holders and the pensioned or salaried clergy, to uphold the existing system.

## K.

### Trade of the Canadas.

*From a Memoir addressed to Lord Viscount Goderich, and delivered at the Colonial Office on the 27th of August, 1832, to Mr. Charles Douglass, His Lordship's Private Secretary.*

\* \* On the subject matter of this letter I had an interview with his Lordship of about two hours on the 7th of November, 1832.

While the citizens of the United States are enabled to trade freely with the Chinese and are popular with them—while the tea trade is about to be made free of all duties to the people of the Union, the King's subjects in Upper Canada and the other Colonies are made a monopoly of for the benefit of the East India Company, and compelled to pay a dear price for an inferior quality of tea, purchased by the Company at an inferior price in the Chinese market, expressly for the use of Canadians and Nova Scotians, as your Lordship will perceive by the testimony given before the East India Company Committee of the House of Commons in 1830, questions 1234, 1235, 1236, 1237, 1238, 1239. The profits too, centre in England, in that Company exclusively, and are considerable as is evident by the statements annexed to Mr. Melvill's answer to question 5875. History might have taught England the expediency of adopting another policy. If the principle of 2d a lb. tax on tea was unpopular in Boston, in 1775, it is not likely that a knowledge of the Canadians of the above facts, and that 1s. to 1s. 6d. sterling is paid in profits and taxes in Leadenhall Street on every pound of this inferior tea they consume, will interfere with the views I have ascribed to the American Government.

With regard to trade generally England declines to give the Colonists a monopoly of her markets for their produce, and she declines to permit them to supply themselves with such things as they want from abroad at the cheapest market. At the ports of Liverpool and Glasgow, there is no protecting duty in favor of a cargo of Canadian flour beyond what is allowed to a cargo of flour from the rear of New York, Pennsylvania, Michigan and Ohio, ground on the North bank of the St. Lawrence—while, should the Canadian owner desire to buy tea in China or foreign goods in the Union, he finds a prohibition on the former and heavy protecting British duties against the latter. The Americans carefully exclude the people of Upper Canada from the use of their Canals and grain and produce markets by prohibitory duties—while England orders American produce, wheat, flour, beef and pork to be admitted into Canada duty free, for domestic use and exportation. A British Agricultural Emigrant who shall carry his capital and industry to the South shores of the St. Lawrence and great Lakes, will find himself possessed of a free access to the Canadian Market, the British West India Market, the Domestic American Market and the American Markets in Foreign Ports—he may send his grain down the Canal to New York or down the St. Lawrence to Montreal, while the inhabitant of Canada is restricted to Montreal only! The Americans have a virtual monopoly of the supply of the British West India Markets with produce, while the North American Colonists, who profit little by the West India trade, purchase vast quantities of West India produce which the Americans carefully exclude. Can Your Lordship even for one moment suppose that the shrewd and sagacious statesmen of the Union are ignorant of the effects produced on the minds of the Colonists by a system like this? Knowing as they do the internal state of the Colonies and the petty vexations to which they are subjected it is not to be wondered at that they expend very little money in fortifying their Canada frontier. \* \* \* \* \*

\* See page 13th Assembly's Journals, 1830.

## L.

## The Land Granting System.

[FROM THE SAME.]

Mr. Richards, the Commissioner for enquiry, appointed by Sir George Murray could not learn much of the people's feelings and temper by merely passing through Canada. (I was for years a resident in the Upper Province before I fully comprehended the state of parties.) Mr. Richards, however, in his report to your Lordship, judiciously alludes to "the value to which this beautiful Province (meaning Upper Canada) might have been raised under a more economical management of its land resources." There he is right, but he is in error when he says that the present and late administrations are not to blame. We of Upper Canada well know that a few families have borne sovereign sway in Upper Canada during the last fifteen years—that they in reality are the administration and the Government, and the Judiciary—that they are every thing and the people nothing. If the mismanagement complained of by Mr. Richards, which drove the 29,000 emigrants from Canada in 1827 and 1828, and which wasted the landed sources of the Colony, be a fact, it is also a fact that a few individuals who have been enabled under every government here, to promote their own personal interests at the expense of the freeholders (with those who permitted them) are to blame. But for them Upper Canada would have been twice as populous as it is—but for them the National Debt of Upper Canada would not now have exceeded that of the American Union—but for them and their influence here, the War Losses would long ere now have been paid, and England not asked for a shilling towards the payment. No one directly blames either Your Lordship or Your Noble & Hon'ble Predecessors in this matter. Had any one or two of the Colonial Office Bearers who have made so many voyages between Upper Canada and Downing Street, of late years, in search of pensions, places, offices, and appointments, taken the pains to enlighten Ministers as to the least burthen-some means by which the claims could be liquidated, as their local knowledge of the Colonial Revenues enabled them to do, this Memorial would have been unnecessary.

## No. 78.

From the Records of the House of Commons, 1833.

## Upper Canada.

Return to an Address of the Honorable the House of Commons, dated 18th July, 1833, for Copy of a Despatch addressed by the Secretary of State for the Colonies, to the Lieutenant Governor of UPPER CANADA, dated 8th November, 1832, on the subject of Petitions from the people of that Province for the REMOVAL of HIS EXCELLENCY; the DISSOLUTION of the LEGISLATURE, and the remedy of certain alleged GRIEVANCES; and of any ADDRESSES to HIS MAJESTY from the Legislative Council or from other Inhabitants of the Province agreed to in consequence of the said Despatch.

JOHN LEFEVRE.

COLONIAL DEPARTMENT, }  
Downing Street, 20th August, '33. }

[Mr. HUME.]

Ordered by the House of Commons to be Printed, 20th August, 1833.

Copy of a Despatch addressed by the Secretary of State for the Colonies to the Lieutenant Governor of UPPER CANADA, dated 8th November, 1832, on the subject of PETITIONS from the people of that Province, for REMOVAL of His Excellency; the DISSOLUTION of the Legislature, and the remedy of certain alleged GRIEVANCES; and of any ADDRESSES to HIS MAJESTY from the Legislative Council, or from other Inhabitants of the Province, agreed to in consequence of the said Despatch.

## SCHEDULE.

697.

A.—Copy of a Despatch from Viscount Goderich to Major General Sir John Colborne, dated Downing Street, 8th November, 1832.

B.—Copy of a Despatch from Major General Sir J. Colborne, to Viscount Goderich, dated Upper Canada, 16th Fe-

bruary, 1833, enclosing Addresses from Legislative Council and House of Assembly.

C.—Address to His Majesty from the inhabitants of Lennox & Addington.

D.—Address to His Majesty from the Inhabitants of Cobourg.

## A.

DOWNING STREET, }  
8th November, 1832. }

Duplicate, No. 162.

SIR,

During several months past I have been in occasional communication with Mr. William Mackenzie, upon the subject of the Grievances said to exist in Upper Canada, and for redress of which various petitions have been addressed to His Majesty.

As Mr. Mackenzie has been the bearer of those petitions to this country, I have gladly availed myself of his residence here to obtain such information as it is in his power to give respecting the opinions and wishes of that portion of the inhabitants of the Province by whom he has been deputed to act, and although I have adhered to the general rule of declining to explain the views of His Majesty's Government, on questions of Canadian policy, to any person except the Governor of the Province, I have been anxious to afford Mr. Mackenzie the most ample opportunity of doing justice to the case which he laid before me.

From the voluminous mass of that gentleman's correspondence, I have selected three documents which profess to embody the entire substance of that case as it affects the present condition of Upper Canada: of these documents I have the honor to enclose copies for your information.

I propose in this Despatch to follow Mr. Mackenzie through those parts of his statement respecting the representation of the inhabitants in the House of Assembly, which appear to me essential to the consideration of the practical questions he has undertaken to agitate. But confining myself to what I consider as really relevant, I shall necessarily pass over in silence some details which have been introduced with no perceptible tendency to elucidate the subjects in discussion, and much invective and sarcasm which would have been far more conveniently spared.

It is with no intentional disrespect to Mr. Mackenzie that I remark that he has adopted a style and method of composition singularly ill adapted to bring questions of so much intricacy and importance to a definite issue; but however discursive may be his papers, or however acrimonious their tone, I am not on that account disposed to withhold my attention from any useful suggestions they may contain for the public good.

I am the more induced to devote to this discussion such leisure as I can command, because I am solicitous that the comparatively small body of persons whom Mr. Mackenzie represents should have no reason to think that their complaints had been overborne by the contrary declarations of the much more numerous bodies opposed to them.

Mr. Mackenzie indeed would have himself understood as speaking the sentiments of the entire population of Upper Canada, excepting only a few public functionaries whose interests are opposed to those of the people at large. It is not necessary, however, to have a very long experience of public controversies of this nature to be aware of the levity with which such pretensions are continually advanced upon the slightest and most inadequate ground.

Almost all complaints, the most opposite and contradictory not excepted, which reach this office are nearly as a matter of course, preferred in the name of the collective society: and it becomes necessary to distinguish carefully, in such cases, between mere rhetorical embellishments, and statements made in the cautious and measured tone of truth.

Now, in the present instance, I find that Mr. Mackenzie's views are supported by forty-four petitions, which have been signed on the whole by 12,075 persons.—On the other hand I have before me no less than thirty-three petitions from the different Counties, Districts, Towns, and Townships of the Province, signed by 26,854 persons, who concur in expressing their cordial satisfaction in those laws and institutions which the other sort of petitioners have impugned. Such a body is far too numerous, and many of the individuals composing it are far too considerable in their station and character to justify the supposition that they can be in a state of dependance on the local government, or controlled by any

unworthy influence in their public conduct. I am driven to the dilemma of either supposing this great mass of the people of Upper Canada ignorant or corrupt, or of concluding that a very small minority of the whole population concur in Mr. Mackenzie's views. The former supposition is as improbable as it is offensive.—The latter, however contradictory to Mr. Mackenzie's assertions, is verified by many of the particular facts which he has advanced or admitted; but tho' I conceive this gentleman's constituents to be opposed by the general current of public opinion, I do not in the slightest degree mean to dispute their collective or individual respectability, and there is no class of the Canadian people, however small, nor individual amongst them, however obscure his station, to whose petitions His Majesty does not require that the most exact and respectful attention should be given.

I shall, in the first place, advert to the paper to which Mr. Mackenzie has given the title of "Observations on the state of the representation of the people of Upper Canada, in the Legislature of that Province." In performing this task, however, I must decline to pursue the discussion into those redundant and misplaced details with which Mr. Mackenzie has encumbered it. Thus, for example, I shall pass over in silence whatever is stated respecting the case of Mr. Stuart, the Attorney-General of the adjoining Province, and the state of the borough of William Henry, for the representation of which, in the Assembly, Mr. Stuart was a candidate; neither shall I enquire into the justice of the reproaches with which Mr. Mackenzie assails the conduct of former administrations, both in this kingdom and Upper Canada, upon occasions which have long since passed away, and questions now become wholly obsolete. I can address you only for some practical purpose, nor is there any measure suggested by the Petitioners or their Agent with a view to which, such a retrospect seems to me either necessary or desirable. I must add that if it were fit to review the past history of the Province, it would be impracticable to assume Mr. Mackenzie's paper as the basis of such an enquiry, since it is drawn up in an utter disregard of method, and in such a manner as to render the difficulty of distinguishing between assertion and proof, deliberate statements and the exaggerations permitted to an advocate, almost insuperable. I shall limit myself to the single consideration whether he has brought to light any grievances, for which His Majesty, in the legitimate exercise of the authority or influence of His Government, can be called upon to remedy.

The great object of Mr. Mackenzie's censure is the Election Law, which was passed by the Lieutenant Governor, Council and Assembly of Upper Canada, in the year 1820. I might, perhaps, not without reason, raise a preliminary objection to the discussion of that question at all. If the Election Laws of the Province require amendment, the change must originate not with the Executive Government, but with the popular branch of the local Legislature. Any interference of the Ministers of the Crown, would be reprobated probably by Mr. Mackenzie himself, and certainly by his brother journalists, as an unconstitutional encroachment. If therefore I advert to the question at all it is because, in the prospect that such a discussion will be provoked by the Petitioners, I think it fit that you should be apprised of the views which His Majesty's Government entertain on this subject, that you may not be destitute of a rule for your guidance in the acceptance or rejection of any bill which may be passed by the Legislative Council and Assembly for the amendment of the Election Laws.

If I have found occasion to lament the redundancies, I cannot less regret the deficiencies of Mr. Mackenzie's documents. He has travelled through this protracted discussion without finding himself called upon to notice, still less to refute the arguments by which it has been usual to vindicate the constitution of the Provincial House of Assembly. Yet it is impossible that he can be ignorant of them, nor credible that he should regard them as deficient, at least in plausibility. An ignorant reader of his papers might be left with the impression that the question was altogether new, and that the existing constitution had never been vindicated on the principles and on the example of the most free and independent governments. How utterly remote this is from the fact is clear to every man whose attention has been given to the affairs of Upper Canada, for the last few years. Mr. Mackenzie has therefore imposed on me the necessity of drawing a general outline of that defence of the law of 1820, which he has passed over in silence, but which is far too important to be disregarded by any fair and impartial inquirer.

It is a fact familiar to all who are conversant with the Legislative history of North America, either in the United States or in the British possessions that a problem of no light difficulty has continually arisen respecting the distribution of the Elective Franchise amongst the inhabitants resident in different parts of the same State or Province. The surface of the country is gene-

rally divided for political purposes into sections of nearly equal areas, but those counties or Townships which are in the immediate vicinity of the capital or which are intersected by great navigable streams, or bounded by lakes, are peopled with far greater rapidity than the more remote Districts. Hence it has frequently happened that a single metropolitan or trading county has contained a population exceeding in wealth and number many newly settled counties of similar dimensions. Accordingly, when capital and numbers have been made the exclusive basis of the representation, one portion of the State or Province has acquired an influence in the Legislature which has reduced to comparative insignificance the weight of all the other divisions of the country. The favoured District has thus been able through its representatives to throw upon the less fortunate sections, a most unequal weight of taxation, and to refuse to them a fair participation in the benefits of the judicial and other institutions, to the support of which the revenue was applied. Local interests have predominated over the general interests, and discontents have been engendered, threatening the stability of the Government and tending to an abrupt severance of one part of the State or Province from the rest.

In the State of Maine, as I am informed, this difficulty was so sensibly felt as to have led to the introduction of the system adopted in Upper Canada in the year 1820. In apportioning the elective franchise among the inhabitants, the Legislature did not confine its attention exclusively to the question of property and of numbers, but introduced a new element into the calculation. They considered that a small number of persons occupying one county might reasonably claim as large a share in the Representation as a much larger and wealthier body occupying another county of equal dimensions. By this method members were drawn from every part of the Province: the local wants of every part were explained, and the interests of each vindicated. In a densely peopled country like Great Britain, possessing such internal communication as to secure the immediate diffusion of intelligence from one end of the kingdom to the other, this precaution might be the less necessary, since no part is so remote or inaccessible as not to be rapidly reached by information of every projected law, or as to be destitute of the means of making an early protest against any measure injurious to its welfare. Yet even in this kingdom, where the subject has within the last two years undergone the most public and rigid scrutiny, no one, so far as I am aware, has seriously advanced the opinion that the Representation of the metropolis should bear to that of the country at large the proportion which the wealth or population of London bears to that of England collectively.

Such a principle would have given to the metropolitan districts between forty and fifty members, a scheme which I need scarcely say would have been rejected by the entire body of the people, as altogether unequal, though resting upon a foundation of the most perfect nominal equality.

It appears, however, to have been perceived by the Upper Canadian Assembly, in the year 1820, that by simply adopting the rule to which I have referred, they might extricate the Province from one difficulty at the expense of another yet more considerable. A county might contain a very inconsiderable body of persons for some time after it was first redeemed from the wilderness, and thus a choice of members might virtually be committed to a very few electors, who might themselves be subject to some unworthy influence. It was therefore required that no county should be represented in the Assembly by a distinct member until the inhabitants numbered one thousand, at least. But with the foresight which is perceptible in every part of this law, it seems to have been perceived that there was considerable danger in leaving any body of new settlers wholly unrepresented; and to obviate that inconvenience, the inhabitants of each county whilst yet below the required number, were authorised to vote in the least populous adjoining county.

Thus without being betrayed into a sacrifice of the substance of good government by a superficial attention to a merely nominal equality, the Legislature of Upper Canada, in the year 1820, justified the confidence reposed in them by the constitution. They were too conversant with the real business of life to suppose that a great social system could be practically carried on without advancing a little beyond the most obvious and elementary maxims, or that the inevitable intricacy of the public affairs of the Province could be met without some degree of complexity in its political institutions. They therefore embraced in their law provisions for the protection of all classes, however obscure and remote from the notice of the local Government, for the control of that undue influence which mere wealth and density of population would, otherwise, have exercised, and for the gradual enlargement of the representative body as the constituency should itself increase.

I cannot suppose that a gentleman who has taken so active a part in the affairs of the Province as has fallen to the share of Mr.

## Seventh Report of Committee on Grievances.

Mackenzie, should have been really unapprised of considerations so familiar to every man acquainted with the subject as these to which I have adverted, though as a controversial writer he may perhaps have not consulted ill for the momentary success of this argument, in suppressing all allusion to them.

I proceed to the next objection which Mr. Mackenzie has made to the Act of 1820, which, in his own language is, that it created a "borough interest." In less invidious terms the fact appears to be that it gave one member to every town in which the Quarter Sessions of the District might be holden, and which contained, at least, one thousand inhabitants. Those towns were, therefore, placed in precisely the same predicament as the counties of the Province.— Now if Mr. Mackenzie's principle, that wealth is the proper criterion, be just, this civic representation was wisely established, for it can scarcely be denied that one thousand persons inhabiting the same town will, generally, be the proprietors of a larger collective capital than a rural population of the same extent. If the principle of numbers be correctly assumed by Mr. Mackenzie, then, also, it follows that the Towns were rightly enfranchised, since it is in the Towns that the most rapid enlargement of population usually takes place, and since if members had been refused to them on the ground of paucity of numbers a similar refusal must have been extended to all the newly settled counties. But I greatly understate the argument. A town possessing a thousand inhabitants will yield a much larger number of actual voters than a county equally populous, supposing the qualification to be, in either case, of equal amount. In the one case the franchise is exercised with the greatest facility, and in the other at an expense of time and labour which, comparatively, few will incur. Nor can I forget that, in every part of the world, civic population is more intelligent & more disposed to watch over public subjects, than a rural population of equal numbers; because the first enjoy the constant advantage of mutual intercourse, and co-operation in public affairs, of which the latter are in a great measure destitute. It is not at all surprising that so enlightened a people as are the great body of the inhabitants of Upper Canada should have expressed in very strong terms their dissent from the views which Mr. Mackenzie thus advocates; or that a people so conspicuous for their zeal for civil liberty should be so decidedly opposed, as by their petitions they appear to be, to plans which would sacrifice its substance to a very superficial theory.

It is further objected that the law of 1820, placed the projected University in the list of constituent bodies, and from the terms of the charter subsequently issued, it is inferred that the University was to become what is termed "a nomination borough, under the especial patronage of the Church and State." I should scarcely have anticipated that any man, and least of all a man devoted to literary pursuits, would have denied the propriety of giving a representation to the principal seat of learning in the Province. It would be superfluous to expatiate on the importance of institutions for the education of youth in literature, science and religion, especially in a newly settled country, and I am well assured that neither in the Council nor Assembly could a single gentleman be found who would not gladly receive as a colleague a person representing the collective body of literary and scientific men in Upper Canada, or who would not gladly support, by that distinguished honor, the cause of sound learning.

You will observe that I do not here refer to an University constituted in the manner proposed by the original charter of incorporation. Every man in Canada, however, knows, nor could Mr. Mackenzie have been ignorant, that so far from any anxiety having been felt by the King's Government to maintain that charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their representatives the decision of the question, in what form and on what principles the College should be founded. It is indeed Mr. Mackenzie's fortune to be opposed to a large majority of the House of Assembly; but it can scarcely be expected that in deference to any individual, or to the small, though respectable, minority for whom he acts, the King's Government should entertain the slightest distrust of the wisdom or fairness of the resolutions which it may be the pleasure of the Assembly to adopt on this or any other subject.

It is next made the subject of complaint that the law as interpreted by the court of King's Bench entitles the County Members only to wages, and that the efforts of successive houses to ensure a certain degree of pecuniary independence to the new village representation has been rendered ineffectual by the Legislative Council. On what grounds the objections of the Council may rest I am not distinctly apprised. I might indeed conjecture their reason to have been that counties could with difficulty find representatives within themselves on other terms, while towns will always possess commercial and other inhabitants to whom a temporary residence at the seat of government would be attended with no inconvenience. I have no right to interfere with the de-

liberations of the Council, but I am able to signify to you His Majesty's pleasure that you should not oppose any objection to any law which may be presented for your acceptance, for placing the Town and the County Representatives on the same footing in this respect.

It is made a subject of complaint that in the year 1821, attempts were made first to deprive the land-owners of the honor of assessing themselves to pay their members wages, and secondly to establish the right of voting in persons possessing a license for the occupation of Crown Lands without having actually received a grant, and that the last of these schemes was revived 1827. I will not pause to investigate the propriety of measures which were never carried beyond an ineffectual attempt. It is enough for me to know that upon subjects strictly within their cognizance, the House of Assembly adopted a decision by which any such projects were frustrated. Whether they are well judged or otherwise the King's Government are not in any sense responsible for them, and the discussion of public affairs would be utterly interminable if every unsuccessful motion made several years ago in either House of the Provincial Legislature, were to be made the subject of censure and inquiry, at any distance of time.

The remark that various religious bodies are excluded from the elective franchise because their members cannot conscientiously take an oath, raises a question which well deserves serious consideration. You will call upon the Law Officers of Upper Canada to report what is the law on this subject. You will have the goodness to acquaint me whether you perceive any practical objections to placing the various denominations of christians mentioned by Mr. Mackenzie on the same footing, in this respect, as the Society of Friends. I shall be happy to introduce a bill into Parliament for amending this part of the Constitutional Act of 1791, unless there should appear to be some difficulty in that measure which does not occur to me at present.

Mr. Mackenzie then objects to the law which requires that every member of the House of Assembly should possess an unincumbered estate in land assessed at £80 or upwards. This regulation he attributes to the Officers of the Government. On what grounds they are entitled to the credit, or responsible for the discredit of having originated this law, does not appear, nor does that question seem to myself of much importance. I will not digress into the discussion of the great general principle involved in this enactment. Should any bill for the amendment of it be reserved for His Majesty's consideration, I can only state, that the most careful attention will be bestowed upon the subject.

It is, however, not to be overlooked, that the Government are said to have retained in their own hands the possession of all the un-cleared territory, that they might thus avail themselves of the last mentioned law, and qualify a favorite whenever it might be deemed expedient. I might, perhaps, not unreasonably express my surprise that Mr. Mackenzie, acting as the delegate of so many persons in Canada, should have passed over in silence the fact that His Majesty had been graciously pleased, upon my humble advice, to interdict the gratuitous disposal of the Crown Lands, and to render them all the subject of public competition, to the utter exclusion of any such favoritism as is thus deprecated.

If the law which disqualifies any British subjects from voting at elections till the expiration of seven years after their return from a residence in a foreign country, be still in force, I subscribe to Mr. Mackenzie's opinion, that it cannot be too soon repealed; and you will adopt all constitutional means in your power for promoting the repeal of it. On this subject I concur in Mr. Mackenzie's reasoning, however much I may be disposed to think that the weight of his arguments would have been enhanced had he confined himself to the use of language more in accordance with the ordinary tone of official communications than that which he has chosen to employ.

I must entirely decline, as perfectly irrelevant to any practical question, the enquiry whether at a comparatively remote period, prosecutions against the Editors of newspapers were improperly instituted or not. It is needless to look beyond Mr. Mackenzie's journal to be convinced that there is no latitude which the most ardent lover of free discussion ever claimed for such writers, which is not enjoyed with perfect impunity in Upper Canada.

The law of 1818, which prohibited public meetings, is again made a subject of remonstrance, although it was repealed two years afterwards. To what end such complaints are preferred, I am wholly at a loss to surmise. Yet it is not unimportant to remark, that the Assembly which repealed this Statute was, if I mistake not, the same which enacted the election law, and that the zeal which they avowedly exhibited for the liberties of the people in the one case, is scarcely consistent with the imputations made by Mr. Mackenzie against their motives in the other.

It is not a little singular that in the present year I should receive a lengthened repetition of the complaints upon the alien question, which came before me in the year 1827, when I formerly held the seals of this department. Mr. Mackenzie describes the instructions which I then issued "as just and equitable," and as having "removed one grand cause of discontent." I do not feel therefore, that after the adoption of a measure so characterized, I can be again required to enter upon a detail of the very grievances for which it is admitted that an effectual remedy has been provided.

In following the order adopted by Mr. Mackenzie, I next reach a statement that the local government encourage dependent persons holding offices at pleasure, and "debarred by the laws of England from being concerned at elections, to use the great influence attendant upon office, to secure seats in the representative body, in order that its voice may be wholly under executive control although," adds Mr. Mackenzie, "it is an undoubted truth that the interests of the local authorities and those of the colonists are separate and distinct." As a writer habitually engaged in political controversies, Mr. Mackenzie may not be fully alive to the injustice of advancing charges against the servants of the public, unsupported by distinct evidence of their truth; but it is my duty to refuse credit to such imputations as I have quoted, unless they should be clearly substantiated by evidence. For widely as I dissent from the assertion so confidently made, that the interests of the local government are distinct from those of the inhabitants at large, I admit that an abuse of the influence attendant upon office, for the purpose of exercising an improper control over elections, would justly expose to the heaviest censure those to whom it could with truth be imputed. On this subject, however, in the absence of any more definite statements, I can only instruct you that His Majesty expects and requires of you neither to practice, nor to allow on the part of those who are officially subordinate to you, any interference with the right of His Subjects to the free and unbiassed choice of their Representatives.

It is represented that with a view to raise up and multiply the friends of arbitrary and exclusive principles, persons in authority, in and out of the Assembly, resist all plans of general education, and that places of learning are established only for the children of those who hold Government offices, and a few other influential and wealthy individuals. It is not easy to repress the expression of those feelings with which I cannot but receive such unworthy imputations upon the character of so many upright and enlightened men, unsupported by any proof whatever, except a general reference, which I am unable to verify, to a report said to have been made on some occasion by the present Chief Justice of the Province, on the case of Mr. Osgood.

Even assuming, which is most improbable, that Mr. Robinson really obstructs to the utmost of his power the advance of general education and knowledge, from the base motives so lightly imputed by Mr. Mackenzie, I utterly deny that the King's Government, either in this country or in Upper Canada, are responsible for the opinion which Mr. Robinson may some years ago have advocated in the House of Assembly. It is, however, not unimportant to advert to this subject, because Mr. Mackenzie cannot assert more peremptorily than I deny the existence of any such narrow and preposterous policy as that of consigning the children of the yeomanry to ignorance, lest knowledge should render them independent in action or in thought. On the contrary, there is no one object connected with every part of his extensive dominions which His Majesty has more at heart than the general diffusion of sound knowledge in the legitimate and most enlarged sense of that term. This is not merely the first and highest interest of society, but is essential to the right use and peaceable enjoyment of every other civil and social privilege. The Legislature of Upper Canada have already been invited to consider in what manner the University can be best constituted for the general advantage of the whole society; and His Majesty has studiously abstained from the exercise of his undoubted prerogative of founding and endowing literary or religious corporations until he should obtain the advice of the Representatives of the people for his guidance in that respect. In the same spirit, His Majesty now directs me to instruct you to forward to the very utmost extent of your lawful authority and influence, every scheme for the extension of education amongst the youth of the Province, and especially among the poorest and most destitute of their number, which may be suggested from any quarter with a reasonable prospect of promoting that great design. All minor distinctions should be merged in a general union for this important end; and that the head of that union, the local government, should be sound encouraging and guiding, and to the utmost of its power assisting all the efforts which may be made to create or to foster a taste for intellectual enjoyments and pursuits. A large portion of the unappropriated wilderness has already been set apart for the purpose. If any other system of local assessment, for the building of school houses and the maintenance of Teachers,

should be thought desirable, your assent will of course, be cheerfully given to any such law. Or if the Provincial Legislature should be of opinion that such funds would be more advantageously raised by a general duty, of which they would retain to themselves the specific appropriation from year to year, I should hail with the utmost satisfaction the enactment of a statute of that nature. This, however, is a subject involving so many and minute details, that it is, of course, impossible for me to advance beyond the expression of a general but most earnest solicitude for the furtherance of the cause of education, in its most comprehensive sense, in Upper Canada. Confident in your own concurrence, and in that of the members of the Legislature in those views, I cheerfully remit to you and to them the office of originating the necessary plans for reducing the general principle into a definite shape, requiring of yourself in the first instance only, that you should quicken the attention of the Legislative Council and Assembly to this subject, should you have reason to apprehend that it is in danger of being overlooked or forgotten.

Mr. Mackenzie announces his design to deliver separate papers respecting the organization of the Legislative Council, and, in the mean time, assails that body with charges in the highest degree derogating from their character, though too vague to admit of any precise discussion. Amongst these general charges, I, however, find a statement, that the "Government has annually supplied itself with the revenues of the Province, utterly disregarding every resolution of the Assembly, in the tenth Parliament to correct the evil. Information even (he adds) as to the objects to which the people's money is applied, is annually refused, in respect to a great part of the funds of the Colony, by the Colonial Governors, to unanimous addresses of successive Assemblies—the Royal Instructions being the plea of such refusals." To whatever facts the writer may in this passage refer, I am happy in an occasion of stating to you, that if the Royal Instructions are supposed to forbid the most unreserved communication to the House of Assembly of the manner in which the public money of the Province, from whatever source derived, is expended, such a construction is foreign to His Majesty's design. There is no portion of the Royal revenue, whether the proceeds of Crown Lands or from whatever other source derived, of the employment of which the House of Assembly should not have the most ample and particular information which they may at any time think proper to call for. Nothing is gained by a concealment upon questions of this nature, and a degree of suspicion and prejudice is not rarely excited, which, however ill founded, often appears in the result, to be incurable.

Mr. Mackenzie condemns the present House of Assembly not less vehemently than the local Government, and the Legislative Council, representing that they were chosen by the people in a state of dejection and despondency as to the Reform of abuses. To sustain his argument he is thus compelled to draw a picture of the Canadian character, in which I am confident he does His Majesty's subjects, at large, great injustice. I am well persuaded that no people on earth are less likely to yield themselves to the unmanly weakness of despairing of the public good, and of betraying their own most sacred duties in so pusillanimous a spirit. And in truth, Mr. Mackenzie must have persuaded himself that a degree of ignorance exists in this country respecting the affairs of Canada which would be absolutely ludicrous, if he can really expect credit for the statement that in the year 1830, an utter despair of vindicating the public liberties had taken possession of the mind of the inhabitants.

I deeply regret that in some parts of his papers Mr. Mackenzie should have left in much obscurity the simple matters of facts which it might have been really important to consider. Thus he speaks of preachers taught to meddle in the political quarrels of factions and parties, and of their leaders being "accommodated with seats in the political councils of the State, and of the Government keeping in pay a political priesthood." It would surely have been as impressive and more useful to have stated that the Bishop and the Archdeacon are both on the list of the Legislative Council, but that it is expected of those gentlemen that they should altogether abstain from interference in any secular matters which may be agitated at that board. Whether even under this restriction their holding such seats is really desirable, is a question upon which I am fully prepared to listen with the utmost attention to any advice which I may receive from yourself, from the House of Assembly, or from any other competent authority. I have no solicitude for retaining either the Bishop or the Archdeacon on the list of Councillors, but am, on the contrary, rather pre-disposed to the opinion that by resigning their seats they would best consult their own personal comfort, and the success of their designs for the spiritual good of the people. But any such resignation must be voluntary since the office is held for life, and were it otherwise, no consideration could induce me to advise His Majesty to degrade the Bishop or the Archdeacon from the stations they oc-

## Seventh Report of Committee on Grievances.

copy, except upon the most conclusive proof of misconduct. But even Mr. Mackenzie does not impute any violation of duty to them. With respect to the charge shewing an undue preference to preachers of religion belonging to the established churches of this country, it is so utterly at variance with the whole course of policy which it has been the object of any despatches to yourself to prescribe, that I cannot pause to repel it in any formal manner.

Much complaint is made of the expense of elections, and it is said that public officers are enabled by their superior affluence to overpower by a lavish and corrupt expenditure those who have no other recommendation than their personal character. If there is the least foundation for this complaint as to the expense of elections (which I have not the means of ascertaining) you will signify to the Legislative bodies that it is the earnest desire and recommendation of His Majesty that every practical method should be taken for correcting what would be so great an evil, by reducing the cost of elections within the narrowest possible limits. —I cannot however omit observing that even if it should turn out to be true that the cost of elections is as great as it is represented to be, the official return of the civil establishment of the colony sufficiently shews that it is quite impossible that the salaries received by public servants can enable them to avail themselves of this circumstance in the manner which has been alleged.

Mr. Mackenzie states that an enquiry into the state of the representation was instituted by the present House of Assembly on his own motion, and he has transcribed the resolutions adopted by the committee, but he adds that "such propositions were not suitable to the majority in the present Assembly," that they appointed a new committee which reported that no alterations were required in the existing laws, except by giving the County of York one additional member, and that on receiving this report, the House instead of giving York a member took one from it; and as I understand increased the number of members for the District of Bathurst.

It suits the present view of this gentleman to call upon the Executive Government to censure and dissent from the resolutions of the representatives of the people, adopted after two solemn enquiries and supported by a body of Petitioners far exceeding in numbers those for whom he acts. In what language, however, such an interference of Government would be denounced by Mr. Mackenzie himself on any occasion on which he concurred with the majority of the House, it is not difficult to conjecture. It cannot be expected that any decision of the Legislature upon a subject of so much general interest as the Election Laws should escape without the most vehement and unmeasured censure from the parties unfavorably affected by it. Looking, however, not to individual but to general interests, not to the excitement of any dissatisfied party, but to permanent principle, I must positively refuse upon a question so peculiarly within the cognizance of the House of Assembly to place the King's Government in hostility with that body. I have every reason to suppose that the course they adopted was wisely taken: and even if I thought otherwise their authority would compel me to distrust my own judgment.

Mr. Mackenzie has concluded this paper by predictions of bloodshed and civil war, and a dissolution of the connection between Upper Canada and this kingdom. He may well suppose that such a prospect would be regarded by His Majesty's Government with a degree of concern and anxiety to which it would be difficult to give any adequate expressions. But against gloomy prophecies of this nature, every man conversant with public business must learn to fortify his mind. They have ever been the resource of those who endeavor to extort from the fears of government concessions, in favor of which no adequate reasons could be urged. I will not adopt the injurious opinions which Mr. Mackenzie seems to entertain of the people of Upper Canada. I reject as a libel on that loyal and enlightened race of men, the supposition that they would violate their sworn fidelity to the King, and desolate their native land with blood, because His Majesty defers to the judgment of His Faithful Commons in Provincial Parliament assembled, supported by large bodies of the most respectable and numerous petitioners, rather than to the opinions of a far less numerous, though probably a highly respectable portion of his subjects. I will not for a moment speculate upon the probabilities of such a revolt. It is a subject which it would be utterly indecorous to agitate. The people of Upper Canada have the highest claims to the attachment of their Sovereign and of the British nation; and whatever efforts may be made to excite discontents among them they will, I am persuaded, believe that His Majesty and the Parliament of this Kingdom, in common with the entire mass of the population of Great Britain and Ireland, cherish towards them no other sentiments than those of the most profound respect for their constitutional rights, and the

most earnest desire for their social welfare. In that spirit His Majesty's Ministers are, and have ever been, prepared to refer to the Provincial Legislature the consideration of every question directly or remotely affecting the interests of the Province, and even to anticipate their probable wishes as far as is consistent with the discharge of those Executive duties which the constitution has devolved upon the local government and its various functionaries. I am unconscious of a solitary instance in which my colleagues and myself have sanctioned any attempt to derogate from the privileges of the Provincial Legislature or the rights of any class of His Majesty's Canadian subjects; and in the consciousness of having acted under the constant guidance of these principles, we can cheerfully appeal to the people at large for that just appreciation of the measures of government, which, if I could credit Mr. Mackenzie, I might suppose was not to be expected.

I proceeded to the second paper, entitled, "An argument intended to shew that it is expedient to dissolve the present Provincial Parliament of Upper Canada, and summon a new one."

After enumerating the various topics embraced in the former paper, Mr. Mackenzie proceeds to state that the metropolitan county condemned the conduct of the majority of the present Assembly; first by his own election in January 1832, and secondly by his election in February last. He adds that the decision of the County of Grenville, in rejecting Mr. Jones, and choosing Mr. Norton, testified their concurrence in his views. For the reasons already explained, I must be permitted to believe that the electors for the metropolitan county, enlightened and worthy of all respect as they certainly are, cannot be considered as perfectly impartial judges upon the question of representation. The proposed change would invest them with an influence of which the counties remote from the seat of government would have the strongest reason to complain—Not is the voice of the County of Grenville entitled to outweigh the decisions of many others, counties and towns which are obviously opposed to it. It is then said that the present House should be dissolved "because it is manifest that the great body of the people are justly dissatisfied with their proceedings." It is easy to make such assertions, but not so easy to substantiate them. I must upon such a question give more weight to the recorded opinions of the 26,854 persons who have expressed their dissent from Mr. Mackenzie's views, than to that gentleman's declaration supported by similar attestations.

The writer then enumerates various acts of misconduct which he attributes to the present Assembly. These are the rejection of bills for the regulating of township officers, for education, and for amending the jury laws. They also are charged with having granted a permanent civil list without stipulating for the independence of the judges—and this measure is said to have been passed both by the Assembly and the Council in an unusual and indecent haste. Respecting judicial independence, it must have been known to Mr. Mackenzie, that without waiting any solicitations from the Province, His Majesty had long before the date of this paper, directed you to suggest the enactment of a bill for that purpose. His Majesty would rejoice to give his assent to such a bill, and doubts not that it will speedily be enacted. The indecorous haste which is said to have occurred in granting the civil list seems to be very harshly ascribed to the House. The King had, without any request from them, placed at their disposal the revenues of which the law had vested the appropriation in himself; and if in a courteous and respectful acknowledgement of so frank a concession, the ordinary forms of business were dispensed with, it is surely neither wise nor gracious thus to censure a proceeding intended and calculated to strengthen the bonds by which the Sovereign and his people are happily united. The question of Juries and Township Officers are precisely such as to admit an infinite diversity of opinion respecting each specific measure proposed to the House; and no unprejudiced person would assume that a dissent from his own views on such topics implied any failure of zeal for the public good.

This paper proceeds to accumulate a body of charges against the Assembly, into the justice of which it is utterly impossible that I should enter. Whether their appropriations of public money have been prudent—whether Mr. Mackenzie himself was properly expelled—whether a reduction of fees ought to have been made—whether the term "misguided individual" was correctly applied to Mr. Mackenzie and others, in the address to His Majesty, are topics on which I conceive it to be the duty of the King's Government rather to defer to the judgment of a body enjoying the most extensive means of local information than to oppose to them conjectural opinions of their own.

The same conclusion is next urged on the ground of the angry and excited state of the public mind. I should have thought that, assuming the accuracy of this statement, anger and excitement were precisely those tempers of mind in which men would

least qualified to exercise a wise and dispassionate judgment on the great question which it is proposed to refer to their determination.

The recent dissolution of Parliament in this kingdom is quoted as a precedent in favor of a similar proceeding in Upper Canada. I will not discuss the accuracy of the analogy of which it is thus attempted to draw between the two cases; but content myself with saying that I believe no impartial man will deny that no real similarity exists between them. However well adapted such a topic may be for popular effect it would be at variance with all sound principles to accept it as a ground for a great political measure.

Mr. Mackenzie appears to have foreseen that a very numerous body of petitioners would protest against his recommendations.—It is satisfactory to find that in his attempt to reel their effect by anticipation, he has no specific statement to make or argument to urge, but that in his opinion, such petitions would shew “the follies of the advisers of the government, and their own inexperience.”—With what propriety “foily” is thus freely attributed to more than 26,000 persons, or “inexperience” to those who are in the same breath condemned for having exercised an improper authority from the very infancy of the Province, it were needless for me to state.

The House themselves, it appears, refused to concur in an address for their own dissolution. In favor of the motion, eighteen members voted, and twenty-seven against it. The two parties it is said each representing populations numerically equal. But it is added that nineteen of the majority were persons holding offices or places at the pleasure of the Crown. Upon what grounds Mr. Mackenzie makes this assertion I am at a loss to conjecture. I have before me a list of the majority who voted upon the occasion referred to, and on comparing it with the annual return of the civil establishment of the colony for 1830, I cannot discover that it includes more than six gentlemen holding any public employment. Of these six, one fills a situation of which the emolument is little more than nominal, being only £9 a year—of the remaining five, two are the law officers of the crown, whom I presume Mr. Mackenzie can scarcely hold it to be desirable to exclude from the Assembly. If it could be shown that the Crown really possessed an undue influence in the Provincial Legislature, His Majesty would not hesitate to assent to any law which might be passed for the purpose of limiting the number of persons holding offices at pleasure who should be permitted at one time to sit there. I cannot however believe that any such undue influence could possibly be exercised. The popular system of election which exists in Upper Canada, would enable the inhabitants speedily to dismiss from the Assembly any representative who might be capable of betraying his duty to his constituents by supporting a line of policy injurious to their interests, for so paltry a consideration as £50 or £60 a year, which seems to be the amount received by some of the persons to whose presence in the Assembly Mr. Mackenzie objects. If the majority of the electors of any town or county think fit to return as their representative a gentleman who is in the public service, this only proves that the general policy of the Government by which he is employed, is in their opinion entitled to approbation; nor if so, can I see the slightest objection to such a choice: on the contrary I think the presence in the Assembly of a certain number of gentlemen holding official situations, and able to explain the views and objects of the Government on the different subjects which come under discussion, is calculated very much to promote the public interest.

Mr. Mackenzie further contends that the petitions of which he is the bearer should be credited as expressive of the general opinion of the Province, because they accord with the votes of the House of Assembly of Lower Canada—because they are in harmony with the views of the last Assembly of Upper Canada—because this present Assembly has vacillated in some of its measures; because the present House has sanctioned resolutions, bills and addresses, negatived by the Council or rendered ineffectual by yourself—because they correspond with the petitions presented to the House—because they are in coincidence with certain petitions approved by the Assembly in 1828—with others presented to the House of Commons in 1831—and with another address to yourself in December last; and finally because they are supported by a mass of facts and testimony.

These statements do not, as far as I perceive, invalidate the inference which I am bound to draw from the facts that Mr. Mackenzie and his constituents are opposed by a body of petitioners who very greatly outnumber themselves: desirous to attribute to popular opinion, when deliberately formed and calmly expressed, the weight which it is indeed impossible to deny it, I am by that very consideration compelled to believe that in acceding to the

prayer for a dissolution of the House, His Majesty would be acting not in consonance with the judgment of the people but in opposition to it. I must believe myself better informed than Mr. Mackenzie, respecting the affairs of Lower Canada, as I have much more ample sources of information, and I therefore deny that the cases of the two Provinces are so parallel, or alike, that the resolutions adopted in the one could, with any propriety, be transferred to the circumstances of the other. I cannot assume that the ninth Provincial Assembly, were it now sitting, would retain the opinions it held in a former and different period. The changes of opinion in the present House of Assembly rather prove that that body are attentive to the wishes of their constituents than the reverse, and certainly afford no argument to shew that they have lost the public confidence. The “facts,” and the “testimonies” to which reference is made, I have considered in the former part of this Despatch.

The dissolution of the House is again urged upon His Majesty, because the same principle of extending the representation to meet the increase of the population was recognized in the Lower Canada bill of 1829—because His Majesty assented to a reformed representation in this country—because it is desirable to conciliate the people of Upper Canada—because the Canada Committee of 1828, advised a conciliatory and constitutional system of Government to be observed in the Canadas; and because Mr. Hume has, on some occasion, which is not explained, excited expectations in the Province which the refusal of a dissolution would disappoint.

I answer that for whatever language Mr. Hume may have employed, that gentleman alone is responsible; and His Majesty's Government cannot be called upon to answer for any disappointment which they may have had no share in producing. I further answer that the advice to conciliate the Canadas by a constitutional system of Government, has been constantly borne in mind, by my colleagues and myself; but that I know not what principle of the constitution calls upon us to advise His Majesty to oppose the decided voice of the House of Assembly, and the voice of the great apparent majority of the people.

To retain their affections is the great object of His Majesty's policy; but how am I to suppose that this object would be promoted by thwarting the declared wishes of so preponderating a majority of them? The Royal Assent to the Reform Bill in this kingdom, proceeded on no principle which could be applied to the present question; and the reference to Lower Canada and the Election Law of that Province of 1829, proves only how very imperfectly Mr. Mackenzie is acquainted with the real history of that law.

I have thus pursued the two first papers laid before me by Mr. Mackenzie in the most ample detail. If it should occur to you that I attach to them more importance than can be fairly claimed for the views of a single man writing under the irritation of personal resentment, I would reply that I have always felt it to be my duty to consider any representation which may be laid before me upon important public questions, with reference to the intrinsic merits of the questions themselves rather than to any matter personal to the individual from whom they may immediately proceed; and in this case I have received these documents from Mr. Mackenzie, not merely as expressing his own opinion, but also as explanatory of the views of those who have deputed him to represent what they consider their grievances to His Majesty. To them the utmost possible respect is due; and although they have not succeeded in satisfying me that their opinions are right and their views correct, I have been anxious at least to prove that they had undergone the most careful scrutiny which it was in my power to bestow upon them. The only object which His Majesty's Government can have in view is the improvement and welfare of the Province; and it is highly gratifying for them to believe, from all accounts which reach this country, that whilst upon some questions of internal policy, and the state of the law, in certain respects, differences of opinion may prevail, the prosperity of the Province is rapidly advancing in a manner calculated to draw closer the bonds of attachment by which the people are united to the Mother Country. It is the duty of His Majesty's Government at home, and of His Representative in the Province, to keep those great objects steadily in view, relying with confidence upon the good sense, the right feeling, and the warm loyalty of the people at large. It is by such a course that errors may best be amended, imperfections removed, abuses corrected, and all the sources of public good developed and enlarged.

Having written this despatch with a view to publicity, you have my authority to make it public in whatever manner you may think most convenient.

I have the honor to be,

Sir,

Your most obedient Servant,

GODERICH.

Major General

Sir JOHN COLBORNE, K. C. B.

&c. &c. &c.

No. 79.

## B.

Copy of a Despatch from Major General SIR JOHN COLBORNE, to Viscount GODERICH, enclosing Addresses from the Legislative Council and House of Assembly.

UPPER CANADA, }  
York, 16th February, 1833. }

MY LORD,

I have the honour to acquaint Your Lordship, that being persuaded much inconvenience must arise from delaying to promulgate Your Lordships' Despatch of the 8th November last, I took an early opportunity of laying this Despatch and the voluminous Documents to which it referred before the Legislative Council and House of Assembly.

The documents were the occasion of a very angry discussion in both Houses; and I beg leave to transmit to your Lordship, the accompanying Addresses which I have received, respecting the several allusions in your Lordship's observations, which the two Houses have considered themselves called on to notice.

Under the circumstances of the case, and with reference to the petitions carried home by Mr. Mackenzie, having been received by the House of Assembly last Session, I have no doubt that Your Lordship will approve of the course which I have pursued in giving publicity to Your Lordship's Despatch.

I have, &c.  
(Signed) J. COLBORNE.

No. 80.

To His Excellency Sir John Colborne, Knight, Commander of the Most Honourable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

WE, His Majesty's dutiful and loyal subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave to express our thanks to Your Excellency for laying before us an original despatch, written to Your Excellency by the Right Honourable the Secretary of State for the Colonies, on the 8th of November last, containing his Lordship's observations at great length, upon a variety of statements made to him by Mr. W. L. Mackenzie, an inhabitant of this town. Having perused this Despatch, we comply with your Excellency's desire in returning it to your Excellency, taking it for granted that the only reason for laying it before the Legislative Council was the direction contained in the Despatch that it should receive publicity.

The statements upon which these comments have been framed have also been laid before us by your Excellency; but without entering into any particular consideration of their contents, with which the Council had little desire to become acquainted, enough appears in the tenor of his Lordship's observations, to make it manifest that those statements have been made with a very unusual disregard of truth, and in a spirit of wanton and intemperate hostility to the Legislative and Executive authorities in this Province. If sufficient internal evidence of this character did not present itself to His Majesty's Secretary of State, in all such parts of those documents as relate to the affairs of this Colony we must infer, from the observations of his Lordship, that it was abundantly displayed in the principles, motives and conduct ascribed to His Majesty's Ministers in England, upon which his Lordship has necessarily the means of forming a correct opinion.

We cannot say that it may not possibly give satisfaction to some persons in this Province to observe the condescending and respectful manner in which representations of so peculiar a description, proceeding from an individual, have been received and replied to, notwithstanding it was evident they were outrageously insulting to all the constituted authorities of this Colony, and scarcely less so to the people at large, in imputing to them sentiments and feelings by which they never have been, and we are convinced never will be, actuated. It is not in the nature of things, however, that the Legislative Council, or that any portion of the people in this Province, of sound hearts and understand-

ings, having the truth under their view, can regard such statements, as compose Mr. Mackenzie's voluminous correspondence with His Majesty's Secretary of State, in any other manner than with the most unqualified contempt, a contempt which, upon every principle on which character is acquired or lost, we think it must be more conducive to the public interests and honor, and to all the ends of good government to avow than to disclaim; so far, therefore, as the despatch of His Majesty's Secretary of State is to be considered as a reply to those statements, or as a commentary upon information derived from the same source, we cannot regard it as calling for the serious attention of the Legislative Council; but it is scarcely necessary to say, that in any other point of view, this expression of the sentiments of His Majesty's Government upon several of the matters discussed by his Lordship, must be received by us with the greatest interest. Upon some of these matters it may become the duty of the Legislative Council to address themselves respectfully to their Gracious Sovereign, because they deeply concern the permanent interests of this Province; but we think we shall best consult the respect due to the other branches of this Legislature, as well as to ourselves, by forbearing to enter into any discussion upon them in connection with these documents.

We appeal, however, to the intimate knowledge of this colony which Your Excellency has acquired during a residence of four years, for a confirmation of our remark, that upon several of the questions which in this despatch are most elaborately discussed, no dissatisfaction or difficulty prevails, or ever has prevailed; that no person living here ever heard, or imagined before, that they were seriously talked of or thought of as grievances; and that the minds of the people are so far from being disquieted by them, that it is probable not a word would be heard upon them in travelling from one extremity of the Province to the other, and in mingling with its industrious population throughout every portion of it. We appeal also to Your Excellency for a confirmation of the statement, that from the day on which the author of those abusive papers left this Province to the present hour, the people of Upper Canada have pursued their avocations as contentedly and as happily, with as kind and liberal a confidence in the justice of their government, and as respectful a submission to the laws, as can have prevailed throughout the same period in any part of the dominions of the Crown, not excepting the most peaceable county that could be pointed out in either of the United Kingdoms.

It cannot but be highly gratifying to the Legislative Council to observe how rightly His Majesty's government estimates the sincere and ardent attachment which binds the great body of this people to the person and government of their Sovereign, and to the constitution under which they live. It would indeed be folly to expect, that in so large a population, there may not, at any time be found some individuals who desire to disturb the existing order of things, from the same motives, and for the same purposes, which have prompted to similar attempts in all ages and countries, and under all forms of government.

And it is not strange that there should be, among 300,000 persons, a very considerable number who, from a want of information, or of sufficient reflection, or from dispositions unfavorable to candid inquiry, may be too easily deceived, and brought to unite, for a time, in measures which they would not and could not approve of, if the truth could be brought clearly under their view. But in respect to our fellow subjects in Upper Canada, speaking of them collectively as a people, we do them sincerely the justice to believe, that it is not necessary to conciliate their good will by overlooking, upon any occasion, the broadly marked distinctions between truth and intentional mistatement, between honor and dishonor, patriotism and sedition.

Upon the manner in which His Majesty's government might choose to notice the petitions of any number of the inhabitants of this Province upon public or private grievances, expressed, as we must conclude they would be, in the ordinary language of serious remonstrance or complaint, it would be presumptuous in us to offer any remark; but the documents before us are the productions of an individual, supplied and reasoned upon as matters of information, upon the general policy of this government, and the conduct of its officers; and they consist, in a great measure, of extracts from articles that have, from time to time, appeared in the columns of a newspaper, and which cast unmerited insults upon the representative of His Majesty in this Province, upon both branches of the Legislature, upon members of each House individually and by name, and upon some of the most worthy and irreproachable inhabitants of the country. These strung together with little order or connection, and bearing upon the face of them the most palpable marks of a reckless mind, have been unscrupulously thrown before His Majesty's Government, in disregard of the respect due

to the high authority to which they were addressed, and in violation of the official form and decorum which constitute in general some protection against contumely and abuse.

It has been painful to the Legislative Council to see, that in a discussion founded upon these documents, the office of Lieutenant Governor of this Province, and the names of some of the most responsible of the King's servants, are even hypothetically connected with imputations, which no one can easily tolerate to find associated with his name.

We confess it has not been without some degree of alarm, that we have observed the great stress laid by His Majesty's Secretary of State, in the course of his discussions, upon the fact, that the petitioners, who, it seems, have supported by their signatures some of the statements advanced by Mr. Mackenzie, are very much outnumbered by the signers of petitions avowing opposite opinions. The Provinces of Canada are a most valuable portion of the British Empire, and their rapidly growing importance well justifies the anxious interest, and the minute attention, with which the welfare and the wishes of their people are consulted by our paternal Government; but for the sake of the very numerous population which now inhabits this portion of the King's dominions, and for the sake of the millions, who, at no distant period, will be comprehended within their limits, we earnestly hope, that the stability of those institutions upon which our social happiness depends, is so far secure, that there are some points which, from their vital importance, will be firmly and inflexibly maintained, and for reasons more satisfactory and conclusive than an accidental preponderance in the number of petitioners on one side or the other; and that the Government of our mother country will feel it to be an indispensable duty to uphold them with constancy against any unfounded prejudice or complaint, however supported. The Legislative Council feel it right also in candour to declare to your Excellency, that they have perceived in various parts of his Lordship's despatch, and not without extreme regret, that to the complaints urged against the Executive Government of this Colony, and its officers, charging them with actual misconduct, or with culpable indifference to the interest of the Colony and the happiness of its people, it seems to have been thought material, if not satisfactory, to reply in substance, that if indeed such imputations could be truly made, no blame can attach to His Majesty's Government in England, either because these abuses occurred in times that are past, or because the responsibility rests wholly with the persons inculpated; and in some instances a degree of color is given to the complaint, by an express direction to your Excellency not to practise or to suffer any such abuse in future, or to give your utmost attention to the particular subject in discussion, which it might from thence be supposed has thus been brought, for the first time, under the attention of His Majesty's Government.

The Legislative Council trust they may be permitted to remark, that if the many faithful subjects of His Majesty in this country, whose knowledge of the truth, and whose sentiments led them justly to appreciate the acts and intentions of His Majesty's Government, had always contented themselves with vindicating them in the same spirit against aspersions unsupported by evidence, and advanced for the sole purpose of weakening the respect which should be felt for them, there might have been found somewhat less of that confidence in the government of the Mother Country, which every good man has felt it to be his duty to maintain and cherish. And they cannot but think it much to be deplored, that on some most interesting public questions, whatever the Government and the Legislature of this Colony have done, and are doing, in the zealous discharge of their duty, seems to have been unfortunately for the time lost sight of, so much as to leave ground for the inference, that it was necessary to quicken attention even to the obvious duty of promoting the religious and moral instruction of the people, by enforcing the suggestions of an individual, who unhappily employs the education he has received in misleading public opinion, and in sowing discontent among a happy and loyal people. We have not failed to remark, that in the observations which His Majesty's Secretary of State has made upon the subject of the Legislative Council, it seems not to have been present, at the moment, to his Lordship's recollection, although it must, of course, have been familiarly known to his Lordship, that that branch of the Legislature is not composed here, as in many chartered governments, of the same body which constitutes the Executive Council of the Governor.— It is therefore, as we most respectfully suggest, not accurately spoken of as a Board, being in fact a deliberate assembly, distinct from the Executive department, constituted by a British Act of Parliament, and composed of members from various districts of the Province who hold their office for life, whose duties are exclusively Legislative, and in which all that is done is openly and publicly discussed, and proceeded in according to the same formalities as are observed in the representative branch of the Legislature. Under

this constitution which created and preserves them an independent body, the Legislative Council has, for a long series of years, and for many successive parliaments, proceeded in a spirit of perfect harmony with the House of Assembly, with but one interruption, occasioned by a discussion on a point of privilege, in which each branch doubtless maintained those principles which it thought essential to its just independence.

However different may have been the opinions formed in the two Houses upon the principles or details of particular measures, neither has manifested the inclination to deny to the other the free exercise of their judgment upon all questions, and they have constantly proceeded in a spirit of cordial co-operation in the advancement of objects and undertakings, by the aid of which this Province is making the most rapid and satisfactory progress, and is attaining to great importance as an agricultural and commercial country. It is the very intention of our constitution that the several branches of the Legislature should act as mutual checks upon each other, in order to prevent the too hasty adoption of measures of doubtful expediency; but when this check is interposed and felt, it is not unlikely to happen that persons of impatient and impetuous tempers look thenceforward with an unfavourable eye upon the barrier which obstructs the fulfilment of their wishes, and exert unscrupulously every effort to undermine or overturn it.

For a just and steady support against every such attempt, the Legislative Council had always relied with a natural and habitual confidence upon the consideration and prudence of the Parent State; but they confess with pain that this confidence was in some degree impaired when they found a committee of the House of Commons, a few years ago, in the course of an inquiry into the affairs of the Province of Canada, proposing to such individuals as happened to be at hand a variety of questions apparently framed for the very purpose of drawing forth expressions of dissatisfaction with the manner in which the Legislative Councils were constituted, and really pressing upon them, as it were, to give a sanction by their voice to the opinion, that the Councils should be rendered elective, a change which we are convinced no portion of the people of this province had even to that moment contemplated, and which we venture to say is one of the very last changes which any friend to the best interests of these Colonies would desire to see adopted.

To lead, however, to this conclusion, a variety of questions were proposed relative to the conduct of the Councils in rejecting or amending bills, and these were proposed to individuals in no measure responsible for the acts of the Council, nor competent in any degree to account for or explain them.

It could not be otherwise than that, by such a proceeding, an injury must be inflicted upon the character of the Council, by which its efficiency might be more or less impaired, a consequence certainly not to be desired, and of which the prospect was more painful to this Council from the consciousness that no conclusion to their prejudice would have been drawn by candid men, after that explanation of their proceedings, which alone could make them intelligible, and which the gentlemen conducting the enquiry were wholly without.

The Legislative Council feel it necessary also at this time, after perusing the Despatch of His Majesty's Secretary of State, to declare, with what disappointment and regret they perceive that in an official communication which is directed to be made public, and which has been elicited by the extraordinary representations alluded to, His Lordship has thought it necessary to make express and particular reference to individual members of the Council, commenting upon the profession to which they belong, declaring the line of conduct which His Majesty's Government has enjoined upon them while they continue to be members, and intimating His Lordships' preference that they should resign their seats.

In respect to that part which the members alluded to shall take in the measures and deliberations of the Legislative Council, it is well known to the Council, that nothing could have been less called for than the injunction which has been thus publicly announced, and it is much to be regretted that the expression of this injunction upon such an occasion, and in such a manner, should now render it difficult for those gentlemen to persevere in a line of conduct into which their own inclination and convenience had led them, but which they could not honorably have consented to adopt either upon compulsion, or upon any other suggestion than that of their own judgment.

The Council takes this occasion to remonstrate respectfully but earnestly, against this assumed right of influencing the conduct or controlling the attendance of individual members.

They claim to be regarded as a perfectly independent branch of the Legislature; they feel it to be their duty to the people of

this Province, no less than to themselves, that they should really maintain that character; and they are painfully sensible that the honour of the Council collectively, and of each member of it individually, is concerned in their asserting to the full, the privileges which the Constitution has vested in them.

They observe, with pleasure, the declaration of His Lordship, in one part of his Despatch, that His Majesty's Government has no right to interfere in the proceedings of the Council; and they should have felt most happy, if the same conviction which had dictated that declaration had also suggested that no individual member can constitutionally be instructed upon the part which he may take in those proceedings. If, instead of being appointed to the Council for life, the members of that body had held their seats at the pleasure of His Majesty, it would seem, but a reasonable consequence, that either that pleasure should be conclusively expressed, by absolutely removing the member, or that he should be left to be freely governed by his own discretion in respect to the frequency of his attendance in his place, as well as the extent to which he may participate in the acts and deliberations of the House.

The Legislative Council observes, That His Majesty's Secretary of State, adverts in the Despatch to a statement that Mr. Hume had excited expectations of certain measures in regard to this Colony, which expectations ought not to be disappointed. Upon this point it is not unimportant, in the opinion of the Council to observe, that if reliance could be placed on the same source of authority, on which most of those assertions rest, which have occupied so much of the attention of His Majesty's Government, Mr. Hume would indeed be responsible in no small degree for any discontent which may in time be produced in this Province in respect to its constitution and Government; but the Council sincerely trusts that it is not with truth represented that the measures beginning to be introduced into this prosperous Colony for establishing Political Unions, which threaten alike the peace and the liberty of the people, are pursued under his recommendation; the Council, indeed, are bound at present to discredit it. It would be difficult to conceive what motives would justify, or what feeling could impel, any one of our fellow subjects, in England, to such a proceeding. The people of Upper Canada are at this moment, among the most favoured on earth; they enjoy peace, liberty, security and abundance; on a fertile soil, and in a healthful climate, with an almost total exemption from burthens of any kind, and they enjoy those at a time when distress, tumults, and the prospect of war, occasion suffering and anxiety in most countries of the world.

If under these circumstances there can be any considerable number who are really not contented with their lot as inhabitants of Upper Canada, the only cause of their unhappiness must be, that they have not a disposition to be thankful.

The Legislative Council, after a perusal of this despatch of His Majesty's Secretary of State, has thus frankly expressed to your Excellency those sentiments which, if they had forborne to give them utterance, must, nevertheless, have remained impressed upon their minds. It is their earnest hope that they will not be thought to have departed on this occasion of unusual delicacy, from that respect to his Majesty's Government of which they are conscious that the Legislative Council has never been unmindful.— They do not entertain the thought that a Minister of the Crown can ever apply himself to the affairs of this colony with any other wish or intention than to do good, and they recognise in the voluminous despatch which has been placed before them the most anxious desire to place in their true point of view some questions to which the attention of His Majesty's Government had been called, not merely, as the Council is aware, by the representations of an individual, but by the petitions of a number of His Majesty's subjects in this Province. For the desire thus shown, the Legislative Council cannot be otherwise than thankful; and they lament the more, that in a document in which an anxiety to allay prejudice is, on the whole, so manifest, occasion should have been given for the expression of deep regret at the impressions which some of its passages are calculated to produce. The Council, with the greatest deference to His Majesty's Government, beg further to add, that although they are far from thinking that no importance should be attached to the respectability of the source from whence information upon the public affairs of this colony, or the conduct of its government, is sought and derived, yet, with respect to various opinions expressed, it would have seemed to the Council to evince a departure from all former usages, almost equally to be regretted, to have found His Majesty's Government involved in public discussions upon the composition and proceedings of the Legislative Assemblies of this colony, in consequence of the representations of any one of its most respectable inhabitants.

Your Excellency having transmitted to the Legislative Council the despatch and documents referred to, as the only method which we feel could have been consistent with the dignity of the government for giving to them the publicity required by His Majesty's Minister, we have thought it the more regular and respectful course

to address to your Excellency our unanimous sentiments upon them under the expectation, however, that your Excellency will deem it proper to transmit a copy of this Address to His Majesty's Secretary of State for the Colonies.

JOHN B. ROBINSON,  
Speaker.

Legislative Council Chamber, }  
2nd day of February, 1833. }

To His Excellency SIR JOHN COLBOURNE, Knight  
Commander of the most Honorable Military  
Order of the Bath, Lieutenant Governor of the  
Province of Upper Canada, Major General  
Commanding His Majesty's Forces therein, &c.  
&c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, return our thanks for Your Excellency's Message of the twelfth day of January last, transmitting a Despatch of the Right Hon. the Secretary of State for the Colonies, in answer to certain letters and documents addressed to his Lordship for the purpose of proving that the people of this happy and prosperous Colony are oppressed and burthened with grievances, and have become so discontented, that there is danger of revolt and bloodshed, unless those alleged burthens and grievances are removed and redressed.

We most readily concede that the Noble Secretary of State was actuated by the best motives in framing the Despatch in question; but we cannot refrain from expressing our great regret, that it did not occur to his Lordship, that allegations thus deeply affecting the character of His Majesty's subjects of Upper Canada, rested on no better testimony than that of an individual who had been twice expelled this House, and who, in consequence of his having fabricated and reiterated libels of the grossest description, had been declared unfit and unworthy a seat in the Assembly during the present Parliament. If this fact had occurred to his Lordship, it is reasonable to suppose that he would not have felt himself at liberty to recognise the author of this additional calumny on the people of this Province, as the Agent, or as speaking the sentiments of any portion of the loyal inhabitants of the Province of Upper Canada; and would, therefore, have considered it utterly unnecessary to enter into so elaborate an examination or refutation of any thing advanced by him.

The House of Assembly are unwilling to occupy Your Excellency's time or attention by commenting on the details of the despatch, or on the different matters referred to in it, as constituting grounds of complaint on the part of a few of the people of this Province; they will merely remark, that the remedy for any ill alleged to exist, is placed in the hands and is within the constitutional power of the Legislature of the Colony, and the Noble Secretary of State does the people of this Province but justice in believing "that there are no people on earth who are less likely to yield to the unmanly weakness of despairing of the public good, and of betraying their most sacred duties in a pusillanimous spirit."

Acting upon principles and feelings diametrically opposite to those imputed to them, we are confident that they will take care to exercise their rights as freemen and British subjects in such a manner as will ensure the election of representatives, who will maintain our excellent constitution, guard our rights, and with the concurrence of the other branches of the Legislature, adopt such measures as may appear necessary for removing any just grounds of complaint.

[Signed] ARCH. McLEAN, Speaker.

Commons House of Assembly, }  
9th day of February, 1833. }

No. 81.

C

ADDRESS to His Majesty from the inhabitants of Lennox  
and Addington.

To the King's most Excellent Majesty,

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects,  
inhabitants of the counties of Lennox and Addington, in the Mid-

land District, and Province of Upper Canada, beg leave humbly and respectfully to tender our most hearty and sincere thanks to Your Majesty, for the consideration which Your Majesty has been pleased to bestow upon the representations and petitions of Your Majesty's subjects in this Province, as evinced by the despatch of Lord Goderich, Your Majesty's Secretary of State for the Colonies, dated 8th November, 1832, and transmitted by His Excellency the Lieutenant Governor Sir John Colborne, to the House of Assembly, during the recent session of our Provincial Parliament. Trusting, as we do, that the paternal care manifested in that despatch, and a free, unrestrained and direct communication between Your Majesty's Government and the people of Upper Canada, will be the means of perpetuating the bonds of loyalty, affection and gratitude which bind us to Your Majesty's person and government, and believing that the various measures of reform mentioned in the despatch, many of which have long been most anxiously desired by a large majority of the people of this Province, if adopted, cannot fail to render Your Majesty's faithful subjects more prosperous, contented and happy.

(Signed) HENRY LASHER,  
(And 1604 other signatures.)

## No. 82.

## D.

ADDRESS to His Majesty from the inhabitants of Cobourg.

To the King's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY :

We Your Majesty's dutiful and loyal subjects of the Town of Cobourg and its vicinity, beg leave to renew the pledges of our fidelity and loyal attachment to Your Majesty's person and government, and to express our unfeigned gratitude for the interest Your Majesty has always taken in the welfare of this Province, and especially for Your Majesty's benevolent concurrence in the liberal suggestions contained in the despatch of Your Majesty's Colonial Secretary, the Right Honorable Lord Viscount Goderich, bearing date the 8th of November last.

It has occasioned no less surprise than regret, that this wise and conciliatory act of Your Majesty's Government, which reflects the highest honor on their justice and liberality, and which has called forth the grateful feelings of Your Majesty's loyal subjects in Upper Canada, has not been met with corresponding sentiments by our local legislature.

We owe it to Your Majesty, and to Your Majesty's Government, as well as to ourselves, to give our unhesitating assurance, that the sentiments of gratitude thus conveyed are in common with those of the great body of the people, and that Your Majesty's kindredness has thereby strengthened the bond which unites both countries together.

That Your Majesty will continue to pay a paternal regard to the just complaints of Your Majesty's Canadian subjects, and that Your Majesty's Government will always consult the prosperity and happiness of the province, we confidently anticipate; and we pray that Your Majesty may long reign over a prosperous, happy and united people.

(Signed) GEO. BOSWELL,  
(And 595 other signatures.)

## No. 83.

## Upper Canada Legislature.

RETURN to an Address to His Majesty, dated 6 Feb. 1833:—for,

RETURNS of the NAMES of the MEMBERS of the LEGISLATIVE and EXECUTIVE COUNCILS and HOUSE of ASSEMBLY of Upper and Lower Canada, on the 1st July 1832; stating the various Offices, Employments and Public Situations each of them held under the British and Colonial Governments, Clerical and Lay; with an Account of the Pay, the

Salaries, the Allowances and the Amount of all Fees or other Emoluments received by each for each Office; showing also, whether any, and if so, what Half-pay, Pension, Superannuated or Retired Allowance each receives, and for what Office or Situation, and the Aggregate Amount received by each in the year for all such offices or Employments; and stating the dates of Appointment to each Office, Employment and Situation, the Authority by which appointed, and the Tenure by which held; also, whether there are any duties to be performed, and whether the duties of those Offices are performed wholly in Person or by Deputy or Deputies, and what Pay, Allowance, Fees or Emoluments each of such Deputies receives, and whether paid by the Principal of the Office or by the Government, or other Funds, or by Fees, and how much by each; showing also from what Funds, British or Colonial, any and all of the Pay, Pension, Superannuated or other Allowances and Emoluments are paid:—Also, A RETURN of all Grants of Land or other Public Property made at any time by the British Government, or by the Governments of Upper and Lower Canada, to any of the Members of those Councils or Houses of Assembly, or to any of their children, stating the date and extent of each such Grant.

A RETURN of the TITLES of all BILLS of a Public or General character, which, having originated in the Houses of Assembly of Upper and Lower Canada during any of their ten last Legislative Sessions, were rejected or declined to be acted upon by the Legislative Councils of those Colonies; or which, having been so sent up, were altered by the Legislative Councils so as to cause their subsequent rejection in the House whence they originated; or which having originated in, and been passed by the Legislative Council, were afterwards rejected by the Assembly; stating also the TITLES of any BILLS, which having been passed in the Legislative Council and Assembly of either Province have been refused His Majesty's Sanction.

(SO FAR AS RELATES TO UPPER CANADA.)

R. W. HAY.

Colonial Department, Downing Street, )  
1 June, 1833. )

(Mr. Hume.)

Ordered, by the House of Commons, to be Printed,  
25 June, 1833.

## LIST.

- 1.—LETTER from Lieutenant Governor Sir John Colborne to the Right Hon. Lord Viscount Goderich, dated 28 March, 1833.
- 2.—A RETURN of the Names of the Members of the Legislative and Executive Councils and House of Assembly, on the 1st of July, 1832, stating the various Offices, Employments and Public Situations each of them held under the British and Colonial Governments.
- 3.—LIST of the Titles of all Bills of a Public or General character, which, having originated in the House of Assembly during the ten last Legislative Sessions, were rejected or declined to be acted upon by the Legislative Council; or which having been so sent up were altered by the Legislative Council so as to cause their subsequent rejection in the House whence they originated; or which having originated in, and been passed by the Legislative Council, were afterwards rejected by the Assembly:—Also, of the Titles of Bills, which having been passed in the Legislative Council and Assembly have been refused His Majesty's sanction.

**Upper Canada Legislature.**

(1.)—LETTER from Lieutenant Governor Sir *John Colborne* to the Right Hon. Viscount *Goderich*.

Upper Canada, York, 28th March, 1833.

MY LORD,

With reference to Your Lordships Despatch of the 20th August last, I have the honour to forward the ac-

companying Returns, containing the information requested in the Address to the King from the House of Commons on the 10th of August; and to observe, that in consequence of the delay experienced in procuring a statement from each Member of the Legislative Council and of the House of Assembly, of the grants of land received from His Majesty's Government, this document could not be sooner prepared.

I have, &c.

(Signed) J. COLBORNE.

The Right Hon. Lord Viscount GODERICH,  
&c. &c. &c.

Seventh Report of Committee on Grievances.

(2.) A RETURN of the Names of the Members of the LEGISLATIVE and EXECUTIVE COUNCILS and HOUSE OF ASSEMBLY on the 1st July, 1832, stating the various Offices, Employments and Public Situations each of them held under the British and Colonial Government.

NAME.	Offices, employments and Public Situations, Clerical and Lay, held by each member.	Account of the pay, salary and allowances, and amount of pension received by each officer.		Aggregate amount received in the year for all Offices and Employments.	Date of Appointment to each office, or Situation.	Authority; and the Tenure by which each appointment is held.	Whether there are any Duties to be performed, and whether performed wholly in person, or by Deputy or Deputies.	Amount of Pay, Allowances, Fees or Emoluments, each Deputy receives, & whether paid by the Principal of the Office, or by the Government or other Funds, British or Colonial.	A Statement of all Grants of Land or other Public Property received at any time from the British Government, or by the Governments of Upper or Lower Canada, to himself or any of his Children, with the date and extent of such grant.			
		£ s. d.	£ s. d.						£ s. d.	Date of Grant.	No. of acres.	Total.
<b>LEGISLATIVE AND EXECUTIVE COUNCILLORS.</b>												
James Baby,	Inspector-general of Public Accounts, - - Executive Councillor.	615 . . . .	- - - -	715 . . . .	Feb 1815 July '92	Sir G. Drummond His Majesty's mandamus.	Various duties, Performed in person,	- - - -	13 July 1797 14 . . 1798 1 . . 1798	1* 100 6,000	7,201	
John M'Gill,	Late Receiver general,	- - - -	450 . . . .	450 . . . .	16 Jan. 1818	His Majesty,	- - - -	- - - -	1795 1798	2,560 3,000	5,560	
Thomas Clark,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1794 1802 1808 1822 1815	200 400 600 1,200 142	2,414½	
Wm. Dickson,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	400 800	1,200	
Wm. D. Powell,	Late Chief Justice, - -	- - - -	1000 . . . .	1000 . . . .	1 Oct. 1816	His Majesty's mandamus.	- - - -	Grantees. W. D. Powell, sr	10 Feb. 1797 1 Dec. . . . 1 May 1798 21 . . 1803 30 . . . . 1 Mar. 1797 27 May . . . 2 Dec. 1802 3 Aug. 1799 10 . . 1801 9 Jan. 1798	1,000 2,000 300 900 800 700 200 40 500 400 1,200 1,200 1,200 1,200 1,200 1,200 1,200 800 800	16,403	
Geo. Crookshank,	Late Commissary Genl	- - - -	136 17 6 sterling.	130 . . . . sterling.	- - - -	- - - -	- - - -	- - - -	- - - -	31 Dec. 1798 1804 20 May 1818	1,200 1 800	2,001
John Strachan,	Archdeacon of York, Executive Councillor, President of the Gen. Board of Education.	300 . . . . 100 . . . . 270 . . . .	- - - -	670 . . . .	12 Oct. 1827 1815 1824	His Majesty, His Majesty's mandamus, Sir P. Maitland,	Various duties; performed in person	- - - -	28 Feb. 1804 6 July 1825 5 Jan. 1804 16 Jan. 1816	1,200 2,000 1 1	3,202	
Joseph Wells,	Executive Councillor, Bursar of the University of King's College, Treasurer U. C. Coll. Special Receiver of Forfeited Estates.	100 . . . . 135 . . . . - - - - - - - -	- - - - 250 . . . .	485 . . . .	7 Apl. 1831 1 Jan. 1828 1830 1820	His Majesty's mandamus, Sir P. Maitland, Ditto, Ditto,	Various duties; performed in person	- - - -	- - - -	1,200	1,200	
Duncan Cameron,	Secretary & Registrar	300 . . . .	636 commuted in lieu of 1800 contingencies, fees	1116 . . . .	3 Mar. 1818	His Majesty's mandamus & commission under the great seal of the Province,	Various duties; performed in person and assisted by deputy.	£150, by warrant out of the Provincial fund.	1 Jan. 1809 5 Oct. 1825 9 July 1832	1,200 100 700 800	2,800	
G. H. Markland,	Executive Councillor, Registrar Kings College, Secretary & Receiver Clergy Corporation, Secretary & Treasurer Board of Education.	100 . . . . 135 . . . . 135 . . . . 90 . . . .	- - - -	460 steg.	6 July '27 5 Sep '28 - - - - - - - -	His Majesty, Lieut. Governor, Ditto Ditto	Various duties; performed in person	- - - -	30 Oct. 1816 28 Feb. 1812 5 May 1819 1 . . 1817	2-5 200 400 2-5	600 4-5	
John H. Dunn,	Receiver General, -	1080 . . . .	- - - -	1,080 steg.	- Apr '20	Under Great Seal of England,	Duties performed in person.	- - - -	- - - -	- - - -	- - - -	
William Allan,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1801	600 600 1,000	2,200	
Wm. Campbell,	Late Chief Justice,	- - - -	1200 sterl'g	1,200	17 Oct 1825	- - - -	- - - -	- - - -	12 Nov 1812	1,200	1,200	
Peter Robinson,	Commissioner of Crown Lands, Executive Councillor, Surveyor General of Woods, -	500 . . . . 100 . . . . 500 . . . .	- - - -	1,100	1827 - - - - - - - -	The King, under the Sign Manual,	Various duties; performed in person	- - - -	16 Jan 1816 12 July 1820 .. ..	200 1 800	1,001	
Charles Jones,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	16 Feb 1809 9 July 1802	1,000 200 800	2,000	
James Gordon,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1818 1821	600 500	1,100	
John B. Robinson,	Chief Justice of the Province, Speaker of the Legislative Council,	1500 . . . . 360 . . . .	- - - -	1,830 steg	July 1829 Jan 1830	By Commission under the Great Seal of the Province,	Duties performed in person.	- - - -	1813 .. .. 1821	200 1,000 500	1,700	
Alex. M'Donnell,	Inspector of Shops, Still and Tavern Licences, H. District, Late Assistant Secretary, Indian Department, U. C.	90 p'cent 31 7 9 fecs.	- - - -	206 11 1 Sterling.	Oct 1828 June '16	Colonial Acts, Commander of the Forces, U. C.	Duties performed in person,	- - - -	1784	2,000 1 100 1	2,102	

\* Town Lot.

Seventh Report of Committee on Grievances.

RETURN RELATING TO THE LEGISLATIVE COUNCILS AND HOUSE OF ASSEMBLY.—CONTINUED.

NAME.	Offices, Employments, and Public Stations, Clerical and Lay, held by each Member.	Account of the pay, salary and allowances, and amount of fees or other emoluments received by each officer.	Amount of Half-pay, pension, superannuation, or retired allowance, and for what office or station.	Aggregate amount received in each year for all offices or employments.	Date of Appointment to each office, or situation.	Authority by which each appointment is held.	Whether there are any Duties to be performed wholly in person, or by Deputy or Deputies.	Amount of Pay, Allowances, Fees or Emoluments, each Deputy receives, and whether paid by the principal of the office or by the government or other funds, British or Colonial.	A Statement of all Grants of Land or other Public Property received at any time from the British Government, or by the Governments of Upper or Lower Canada, to himself or any of his children, with the date and extent of such grant.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.				Date of Grant.	No. of acres.	Total.
Leg. & Executive Councillors—cont'd.											
Z. Burnham,									1808 1824	400 300	700
John Elmley,	Executive Councillor, Reduced Lieut. Royal Navy,		91 5 ..	91 5 ..	20 17 Aug '24	His Majesty's mandamus, Admiralty,	Duty performed in person,				
A. Baldwin,										1,200	1,200
Jno. H. Hamilton											
Walter Boswell,	Commissioner on Half Pay, Royal Navy,		150 .. ..	150 .. ..	1814	Lords Commissioners of the Admiralty			1818	1,000 200	1,200
Peter Adamson,	Reduced Major,		173 7 6	173 7 6					29 Oct 1824	1,000	1,000
James Kerby,	Reduced Major, Incorporated Militia, U. C.		173 7 6	173 7 6						1,200 1,000	2,200
John Kerby,										200	200
James Crooks,									11 Nov 1806	1,200 800 1 170 200	2,371½
Alex. M'Donnell,	Bishop of Regiopolis,	600 .. .		600 .. .	1824	Recommendation of the British Government. Appointment of the Sec of Rome,	Duty for some years performed in person,	£500 from U. C. Government, out of Canada Company's Funds; 1000 from the Government of Lower Canada,	1802 1827	1,200 1,300	2,400
Alexander Grant,										200	200
Arthur Lloyd,									1820	1,200	1,200
Abraham Nelles,									1793 1794 1807 1823 1827	200 200 200 600 800 200	2,200
MEMBERS OF THE ASSEMBLY.											
B. C. Beardsley,											
H. J. Boulton,	H. M.'s Att'y General,	300 .. .		300 .. .	July 1829	Great Seal,	Wholly in person,		5 Feb. 1795	1	1
Wm. Berczy,	Judge W. Dist. Court,	10 .. .		10 .. .	5 Apr. 1826	Great Seal of the Province	In person		1818	2,400	2,400
M. S. Bidwell,											
G. S. Boulton,	Registrar of co. of Northumberland,	70 .. .		70 .. .	July 1. 24	Privy Seal of the Lieut. Governor.	Duties generally performed by Deputy.	£25 paid by Principal,	1822	600	600
John Brown,										200	200
Wm. Buell,											
Mahlon Burwell,	Registrar co. of Middlesex, Collector of Customs,	84 4 8 76 9 ..		160 13 8	1809 1820	Under Provincial Statute. His Majesty's Government.	Duties sometimes performed by Deputy.	All emoluments due to the Principal.	1810	1,000 4,200	5,200
John Campbell,											
Wm. Chisholm,	Deputy Postmaster,	20 .. .		20 .. .	1824	Deputy Postmaster General, Quebec.	Duty performed by Deputy.	No stated sum.	1811	200	200
John Clark,									1802	200	200
John Cook,									1820	100	100
Wm. Crooks,										1,200 800	2,000
Chas. Duncombe,											
Wm. Elliott,									1822 1816	800 600	1,400
A. Fraser,	Reduced qr. master late Canadian Reg't,		54 .. .	54 .. .					1819	500	500
R. D. Fraser,	Collector of Customs,	152 6 0		152 6 0	30 Dec 1831	Lieutenant Governor	Duties requiring three Deputies.	One Deputy at £20 per annum; two receive one-fourth of their seizures.	2 May 1802	200 800	1,000
C. A. Hagerman,	Solicitor General,	200 salary 360 fees,		560 .. .	April 1829	Patent	Duty performed in person.		1814	1,000 200 1,200	2,400

RETURN RELATING TO THE LEGISLATIVE COUNCILS AND HOUSE OF ASSEMBLY.—CONTINUED.

NAME.	Offices, employments and Public Situations, Clerical and Lst., held by each member.	Account of the pay, salary and allowances, and amount of fees and other emoluments received by each officer.		Amount of Pension sum- perannuated or retired allowance, and for what office or situation.	Aggregate amount received in the year for all Offices and Emoluments.	Date of Appointment to each office, Employment or Situation.	Authority; and the Tenure by which each appointment is held.	Whether there are any Duties to be performed, and whether performed wholly in Person, or by Deputy or Deputies.	Amount of Pay, Allowances, Fees or Emoluments, each Deputy receives, & whether paid by the Principal of the Office, or by the Government or other Funds, British or Colonial.	A Statement of all Grants of Land or other Public Property received at any time from the British Government, or by the Governments of Upper or Lower Canada, to himself or any of his Children, with the date and extent of such grant.		
		£ s. d.	£ s. d.							£ s. d.	Date of Grant.	No. of acres.
Members of Assembly—con'd.												
M. M. Howard,	.	.	.	.	.	.	.	.	.	.	.	.
Thomas Horner,	Registrar co. Oxford,	102 10 ..	.	.	102 10 ..	June 1800	Lieutenant Governor Hunter.	Duty sometimes performed by Deputy.	Deputy receives emoluments during perf. of duty.	.	600	600
W. B. Jarvis,	Sheriff Home District,	100 salary fees from £400 to £800	.	.	From £700 to £1,100 out of which there are large disbursements, net amount, (including salary) for last year, £550.	May 1827	Great Seal of the Province	By Principal assisted by a Deputy and Bailiff.	Deputy receives half of the emoluments.	.	.	.
Henry Jones,	Postmaster town of Brockville	90 .. ..	.	.	90 .. ..	Mar. 1820	Deputy Postmaster General of British North America.	During absence of the Postmaster the duty is performed by a clerk.	The clerk receives £50 per annum out of the emoluments received by Principal.	11 June 1826	500	500
Jesse Ketchum,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	9 .. 1804	200	200
John B. Lewis,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	800 10 1	811
James Lyon,	- - - -	No Return	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.
Duncan M'Call,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.
Archd. M'Donald	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1819	800	800
Donald M'Donald	Treasurer Ottawa District,	30 .. ..	- - - -	- - - -	30 .. ..	1822	By magistrates of the District at the General Quarter Sessions of the Peace,	Duty performed by Deputy,	Deputy receives all fees.	.	.	.
Arch'd M'Lean,	Speaker, House of Assembly, Registrar, Stormont & Dundas, Registrar, Surrogate Court, Clerk of the Peace,	180 .. .. 74 14 5 17 8 .. 162 3 8	- - - -	- - - -	562 1 1½	10 Feb '17 3 Apr. .. 25 Jan '17	Lieutenant Governor,	By Deputy during absence of Principal,	Deputy Co. Stormont, £50 per annum, Deputy for Dundas, half gross receipts, paid wholly by Principal,	1816 1823	600 800	1,400
Alex. M'Martin,	Postmaster, . . .	6 10 ..	- - - -	- - - -	6 10 ..	1825	Deputy Postmaster General,	During the absence of Principal duty is performed by a Deputy,	Deputy receives the per centage in full,	1811	200	200
Allan M'Nab,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	31 July 1817	500	500
Jean B. Macon,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	14 Dec. 1820	400	400
William Morris,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	1,000	1,000
Roswell Mount,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1822	200	200
Wm. H. Merritt,	Collector of Customs, Deputy Postmaster, St. Catharines.	100 .. .. 50 .. ..	- - - -	- - - -	150 .. ..	.	Lieutenant Governor, Deputy Postmaster General,	Duties wholly performed by Deputies,	The Deputies receive all the emoluments arising from the discharge of their duties.	19 Feb. 1816	200 800	1,000
Hiram Norton,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.
Peter Perry,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.
Hamnet Pinhey,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1819 or 1820	1,000	1,000
Robert Randall,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	23 Feb. 1800	1,000	1,000
Wm. B. Robinson	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	3 Dec. 1828	200	200
John P. Roblin,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1829	200	200
James H. Samson	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1823	200	200
Absalom Shade,	Deputy Postmaster,	12 10 ..	- - - -	- - - -	12 10 ..	1824	Deputy Postmaster General,	By Deputy during absence of the Principal,	Deputy receives all emoluments.	.	.	.
Peter Shaver,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	1800 1830	200 500	700
Hugh C. Thomson	Deputy Clerk of the Crown, Midland Dist.	20 .. ..	- - - -	- - - -	20 .. ..	1831	Clerk of the Crown,	Duty performed in person,	.	1815 1819 1817 1819	200 200 1 1	402
P. Vankoughnett,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	18 Mar. 1818 3 Sep. .. 3 Dec. ..	200 1 500	701
Asa Werden,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.
Benben White,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	1 1	1½
John Willson,	Inspector of Shop, Still & Innkeepers' Licences,	54 .. ..	- - - -	- - - -	54 .. ..	April 1816	Lieutenant Governor,	Duty performed in person,	.	1806 1815	200 200	400
Wm. Wilson,	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	- - - -	.	.	.

Each Member of the House of Assembly is allowed the sum of 10s. per day during attendance upon his Parliamentary duties.

(3.)—LIST of the TITLES of all BILLS of a Public or General character, which, having originated in the House of Assembly during the Ten last Legislative Sessions, were rejected or declined to be acted upon by the Legislative Council, or which having been so sent up, were altered by the Legislative Council, so as to cause their subsequent rejection in the House whence they originated; or which having originated in, and been passed by the Legislative Council, were afterwards rejected by the Assembly; also of the TITLES of BILLS which, having been passed in the Legislative Council and Assembly, have been refused His Majesty's Sanction.

*Fourth Session, Eighth Provincial Parliament. (1824.)*

Titles of Bills originated in the House of Assembly, and rejected by the Legislative Council, or declined to be acted upon by that House:

An Act to repeal part of, and to amend an Act passed in the 50th year of the reign of his late Majesty George the Third, intituled, "An Act for granting to His Majesty a duty on Billiard Tables."

An Act to divide the county of Halton, in the Gore District.

An Act to repeal the 15th clause of an Act passed in the 38th year of his late Majesty's reign, intituled, "An Act for the better division of this Province, and to declare the counties of Lennox and Addington separate and independent Counties."

An Act to confirm certain Marriages in this Province.

An Act to authorize Ministers of the Society of Methodists to solemnize marriage in this Province.

An Act to provide for the erection of the county of Prince Edward into a separate District; and for other purposes therein mentioned.

An Act to amend the laws now in force respecting the Courts of Probate, and Surrogate Courts in this Province.

An Act to repeal part of the sixth clause of an Act passed in the second year of His Majesty's reign, chapter third, and also part of the 23d clause of an Act passed in the 38th year of his late Majesty's reign, intituled, "An Act for the better division of the Province, and to provide for the better division of the District of Newcastle."

An Act to repeal an Act passed in the 44th year of the reign of His late Majesty George the Third, intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof."

An Act to repeal part of and extend the provisions of an Act passed in the 38th year of his late Majesty's reign, intituled, "An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of this Province."

Titles of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council:

An Act to repeal the Laws now in force for the preservation of the Salmon Fishery in this Province, and to make more effectual provision for a limited time, for the preservation of the said Fishery.

Titles of Bills originated and passed in the Legislative Council, and rejected by the House of Assembly:

An Act to repeal an Act of Parliament made in England in the 21st year of the reign of his late Majesty King James the First, intituled, "An Act to prevent the destroying and murdering of Bastard Children," and to make other provisions in lieu thereof.

An Act to make further provision for settling the affairs of the pretended Bank of Upper Canada.

Titles of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld:

None.

*First Session, Ninth Provincial Parliament. (1825.)*

Titles of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House:

An Act to extend to Persons charged with Felony the full benefit of Counsel.

An Act to authorize the Governor, Lieutenant-governor, or person administering the Government, to declare, by proclamation, the county of Prince Edward to be a separate District.

An Act to remove certain disabilities affecting *Unitas Fratrum*, or the United Brethren, Quakers, Menonists, Tunkers and Moravians, so far as to enable them to hold places of trust and profit in this Province.

An Act to incorporate sundry persons under the style and title of the Trustees of the Waterloo School-house, in the township of Kingston.

An Act to repeal an Act passed in the 44th year of his late Majesty's reign, Chap. 1. intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof."

An Act to enable certain Religious Societies to hold Lands for the purposes therein mentioned.

An Act to provide for the payment of Wages to Representatives of Towns in this Province.

An Act granting to His Majesty a sum of Money in aid of the Funds for defraying the expense of the Administration of Justice, and support of the Civil Government of this Province.

TITLES of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council:

None.

TITLES of Bills originated and passed in the Legislative Council, and rejected by the House of Assembly:

An Act to repeal the several Laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of that institution.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld:

An Act to alter and amend the Laws now in force for regulating the Commercial Intercourse between this Province and the United States, by land or inland navigation, and to make further provision for the same.

An Act to allow of the evidence of Quakers, Menonists, Tunkers and Moravians or members of the Protestant Church, called "*Unitas Fratrum*," in criminal cases and proceedings.

An Act to make perpetual an Act passed in the fourth year of His present Majesty's reign, intituled "An Act granting to His Majesty a sum of money for the purposes therein mentioned."

An Act for the relief of Reuben Alward.

*Second Session, Ninth Provincial Parliament. (1826.)*

TITLES of Bills originated in the House of Assembly and rejected by the Legislative Council or declined to be acted upon by that House:

An Act for allowing persons tried for Felony, the benefit of a full defence by Counsel.

An Act to provide for the payment of the Representatives of Towns in this Province.

An Act for the more equal distribution of the Property of persons dying intestate.

An Act to remove certain disabilities affecting the people called Quakers, Menonists, Tunkers, and Moravians, so far as to enable them to hold places of honour and profit in this Province.

An Act to provide for the erection of the County of Prince Edward into a separate District.

An Act to secure to certain inhabitants of this Province rights and privileges as British subjects.

An Act to provide for the arrest in this Province of certain offenders against the laws of the United States, and for their being delivered to the constituted authorities of the same.

An Act to afford relief to Debtors in execution for debt in certain cases.

An Act to divide the Midland District, and erect the County of Prince Edward into a separate District.

An Act to grant to His Majesty a sum of money for the purposes therein mentioned.

TITLES of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council:

An Act to repeal an Act passed in the 44th year of his late Majesty's reign, Chap. 1, intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof"

An Act to enable Societies professing Christianity to hold Lands for certain purposes.

An Act to confirm and make valid certain Marriages heretofore contracted, and further to provide for the future solemnization of Marriages within this Province.

An Act to provide for the building a Goal and Court House in the District of Gore, and to authorize the Magistrates to loan a sum of money for that purpose.

TITLES of Bills originated and passed in the Legislative Council, and rejected by the House of Assembly :

An Act to repeal the several Laws now in force relating to the late pretended Bank of Upper Canada, and to make further provision for settling the affairs of the said institution.

An Act to confirm and quiet in the possession of their Estates, and to admit to the civil rights of subjects, certain classes of persons therein mentioned.

An Act to render Justices of the Peace more safe in the execution of their duty.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

None.

### Third Session, Ninth Provincial Parliament. (1827)

TITLES of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House :

An Act to allow persons tried for Felony the benefit of full defence by Counsel.

An Act to enable Religious Societies to hold Lands for certain purposes.

An Act to allow the same compensation to Members representing Towns as is now allowed by law to the Representatives of Counties in this Province.

An Act to provide for the erection of the County of Prince Edward into a separate District.

An Act for the more equal distribution of the property of persons dying Intestate.

An Act to authorize the sale of the Clergy Reserves within this Province.

An Act to authorize the use of an Initial Letter in the name of a Deponent making an affidavit in any Court in this Province, when one baptismal name shall be given in full.

An Act to authorize the holding the Courts of Oyer and Terminer, Assize, and Nisi Prius, and General Gaol Delivery, in the District of Ottawa.

An Act to incorporate certain persons by the name of "The Bath School Society."

An Act to authorize the holding of the inferior Courts in each County within this Province as therein mentioned.

An Act to repeal part of and amend the Law in force for the regulation of Juries.

An Act to confirm and make valid certain Marriages heretofore contracted, and further to provide for the future solemnization of Marriage within this Province.

An Act to compel the several proprietors of Lands adjacent to the principal highway leading through this Province, from the eastern to the western extremity thereof, to perform certain duties upon the said Road, or to place an inhabitant upon such lands within the period therein prescribed.

An Act to repeal the Law now in force establishing District Courts in this Province, and to make further provision respecting District Courts.

An Act to grant to His Majesty a certain sum of money for the purposes therein mentioned.

TITLES of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council :

An Act to repeal an Act passed in the 44th year of his late Majesty's reign, intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof."

An Act to abolish the punishment of Whipping and Pillory.

An Act to close the proceedings under an Act passed in the 54th year of his late Majesty's reign, intituled, "An Act to declare certain persons therein described Aliens, and to vest their estates in His Majesty, after a limited period, and for other purposes therein contained."

TITLES of Bills originated and passed in the Legislative Council, and rejected by the Assembly :

None.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

An Act to provide for the more easy recovery of Estrays.

An Act to repeal part of an Act passed in the 4th year of His present Majesty's reign, c. 5. intituled "An Act to divide the County of Carleton, in the Bathurst District."

An Act to provide for the Naturalization of such persons resident in this Province, at the period therein mentioned, as may not now be entitled by law to be regarded as natural born subjects of His Majesty.

An Act to confirm British subjects in their titles to Real Estates in this Province, derived through Aliens.

An Act to authorize the holding the inferior Courts in the different Counties of this Province, where the same are not now by law holden.

### Fourth Session, Ninth Provincial Parliament. (1828.)

TITLES of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House :

An Act to repeal an Act passed in the 44th year of his late Majesty's reign, intituled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof."

An Act for the more equal distribution of the Property of Persons dying Intestate.

An Act allowing persons tried for Felony the benefit of full defence by Counsel.

An Act to repeal part of and amend the Law now in force for the regulation of Juries.

An Act to alter the Law of Imprisonment for Debt.

An Act to provide for a Police in the Town of Belleville.

An Act to erect the County of Prince Edward into a separate District.

An Act to provide for the erection of the County of Norfolk into a separate District, and to re-annex the Townships of Walpole and Rainham to said County, and the better to establish the limits of said County.

An Act to extend the limits of Gaols in this Province.

An Act for the relief of Robert Randal, and to give to the Honourable John Walpole Willis certain powers therein mentioned.

An Act to enable the Canada Company the more conveniently to perfect Titles to Lands sold by them.

TITLES of Bills originated in the House of Assembly, but afterwards rejected by that House, by reasons of amendments made to them by the Legislative Council :

An Act for the more easy recovery of Dower.

An Act to amend the Laws respecting the appointment of Overseers of Highways and Pound Keepers.

An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province.

An Act to ascertain the numbers of the different Religious Denominations within this Province.

TITLES of Bills originated and passed by the Legislative Council, and rejected by the House of Assembly :

An Act to enable Creditors to receive their just Debts out of the effects of their absent or absconding Debtors.

An Act authorizing the formation of Militia Rifle Companies.

An Act directing the proceedings against Forcible Entry and Detainer, and providing a more speedy remedy for Landlords against obstinate Tenants.

An Act to provide for the erection of Partition Fences.

An Act to provide for the more summary punishment of certain Trespassers.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

An Act for the relief of Daniel Erb and other Persons whose names are therein mentioned.

*First Session, Tenth Provincial Parliament. (1829.)*

**TITLES** of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House:

An Act to repeal an Act passed in the 56th year of the late King, granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province.

An Act for the more equal distribution of the Property of Persons dying Intestate.

An Act to declare the boundaries of the County of Norfolk, and to erect the same into a separate District.

An Act to enable the denomination of Christians called Unitarians to hold Land for certain purposes therein mentioned.

An Act for the remuneration of Robert Randal, Esq. for valuable services rendered this Province while in England.

An Act to provide for the disposal of a part of the Clergy Reserves in this Province.

An Act for the payment of Wages to Town Members.

An Act to erect the county of Prince Edward into a separate District.

An Act to extend the limits heretofore assigned to the respective Gaols in this Province.

An Act to amend the Law respecting Contracts and Evidence in certain respects.

An Act to amend the Law respecting the Police of the Town of Kingston.

An Act to borrow a sum of Money in England.

An Act to grant a certain sum of money to His Majesty for the remuneration of the persons therein mentioned.

An Act to amend the Laws now in force for preventing the sale of Spirituous Liquors without licence.

An Act to authorize the appointment of Commissioners of Roads and other officers for the management of the Highways, at the several Township Meetings within this Province.

An Act to facilitate the issuing, service and return of Process in the District Courts in the several Districts of this Province.

An Act granting to His Majesty a sum of Money for the improvement of the Roads and Bridges in this Province.

An Act to continue for one year certain Acts relating to Shop and Tavern Licences.

An Act to remove difficulty respecting the appropriation of certain Fines imposed by law, and thereby to provide more effectually for the carrying into operation certain Acts for punishing breaches of the Sabbath and other offences.

An Act to repeal an Act passed in the 7th year of His present Majesty's reign, intituled, "An Act to authorize the raising by Debenture a sum of Money, to be applied in erecting Buildings for the use of the Legislature," and to authorize the repair of the old Parliament buildings.

An Act to regulate Partition Fences and Ditches in Sandwich, in the Western District.

**TITLES OF BILLS** originated in the House of Assembly, but afterwards rejected by that House by reason of Amendments made to them by the Legislative Council:

An Act to incorporate the Trustees of the Grantham Academy

An Act for the appointment of Commissioners to treat on the part of this Province with Commissioners on the part of the Province of Lower Canada, on matters of mutual interest between the said Provinces.

**TITLES OF BILLS** originated and passed in the Legislative Council, and rejected by the House of Assembly:

An Act directing the Proceedings against forcible Entry and Detainer.

An Act to provide for the more summary punishment of certain Trespassers.

An Act to confirm British Subjects in their Titles to Real Estates in this Province derived from or through Aliens.

**TITLES OF BILLS** passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld:

An Act for the relief of Mary Lawrence.

An Act to encourage Emigration from foreign parts into this Province.

*Second Session, Tenth Provincial Parliament. (1830.)*

**TITLES** of Bills originated in the House of Assembly and rejected

by the Legislative Council, or declined to be acted upon by that House.

An Act to make valid certain Marriages heretofore contracted, and to provide for the future solemnization of Matrimony in this Province.

An Act to erect the County of Prince Edward into a separate District.

An Act for the more equal distribution of the Property of Persons dying Intestate.

An Act to repeal the law now in force granting a Salary to the Chaplain of the House of Assembly.

An Act to allow persons tried for Felony the benefit of full defence by Counsel.

An Act to incorporate certain persons by the style and title of "The Associated Farmers Company of the Home District, and parts adjacent."

An Act to provide for registering of Deeds and other Conveyances within this Province, the same being executed in foreign countries.

An Act to provide for the disposal of a part of the Clergy Reserves in this Province.

An Act to render Sheriffs and their Deputies ineligible to a Seat in the House of Assembly in certain cases.

An Act to declare the Boundaries of the County of Norfolk, and to erect the same into a separate District.

An Act to appoint Commissioners, on the part of this Province, to treat with Commissioners on the part of Lower Canada, on matters of mutual interest.

An Act assigning Yards for the benefit of the health of Debtors confined in the respective gaols in this Province.

An Act concerning the Law of Libel.

An Act to declare and define the duties of Steward.

An Act the better to provide for the return and empannelling of Juries.

An Act to require the Justices of the Peace, and the Treasurers of the several Districts of this Province to publish their District Accounts.

An Act to remunerate Robert Randal, Esquire, for valuable services rendered this Province while in England.

An Act for the better preservation of Salmon within this Province.

An Act to provide for filling vacancies that may occur by the death, removal, or neglect, or refusal to act, by any of the Commissioners appointed by an Act passed in this present Session of Parliament, intituled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in this Province."

An Act to exclude the Judges from the Legislative and Executive Council.

An act to provide good understanding among neighbours, and to lessen the number of expensive Law-suits, by establishing Courts of Pacification in this Province.

An Act to incorporate certain persons under the style and title of "The President, Directors and Company of the Commercial Bank of Upper Canada."

An Act to relieve the Quakers, Menonists and Tunkers from the payment of Fines or Commutation Money in lieu of the performance of Militia duty in time of peace.

An Act to establish Upper Canada College.

An Act to repeal an Act passed in the 56th year of the reign of his late Majesty, intituled, "An Act for granting to His Majesty a sum of money towards defraying the expenses of the Civil Administration of the Government of this Province."

An Act to provide for the service of process and other legal proceedings upon certain persons carrying on business in this Province under the name and style of the Canada Company.

An Act to continue for a limited time an Act passed in the 4th year of His Majesty's reign, intituled "An Act further to regulate by law the commercial intercourse of the Province of Upper Canada with the United States of America, so far as regards the duty imposed on Cider and Beer."

**TITLES** of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council.

An Act to provide for the erection of Line or Division Fences in this Province, and for the construction of Watercourses in the Eastern and Western Districts.

An Act to repeal part of and amend the Laws now in force for preventing the sale of Spirituous Liquors by Retail without Licence.

An Act for the Regulation of District Offices in this Province.

TITLES of Bills originated and passed in the Legislative Council, and rejected by the House of Assembly :

An Act for the protection of the interests of certain bodies of Indians in this Province.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

An Act for the relief of Henry Weeks.

An Act to impose an additional Duty on Shop Licences, and to revive and continue, with modification, for a limited time, the Law which has recently expired for imposing a Duty on Licences to sell, by wholesale, Wine, Brandy and other Spirituous Liquors.

*First Session, Eleventh Provincial Parliament. (1831.)*

TITLES of BILLS originated in the House of Assembly, and rejected by the Legislative Council, or declined to be acted upon by that House :

An Act to allow persons tried for Felony the benefit of full defence by Counsel, and to regulate, in some other respects, the practice in Criminal Cases.

An Act to prevent the consumption of Wine, Brandy, Rum, and other Spirituous Liquors within Shops.

An Act to incorporate certain persons under the style and title of "The President, Directors and Company of the Commercial Bank of Upper Canada."

An Act for incorporating the President and Board of Police of Brockville, and for establishing a Market in the said Town.

An Act to repeal part of, and amend the laws now in force establishing a Police in the Town of Kingston, and to provide for the election of a Council to regulate the Police of the said Town.

An Act granting a sum of money for the encouragement of the Grantham Academy.

An Act granting to His Majesty a sum of money to remunerate Valentine Gill and certain officers and servants of the Legislature, for services rendered by them.

TITLES of BILLS originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council :

An Act to appoint Commissioners to treat with Commissioners appointed on the part of the Province of Lower Canada, for the purposes therein mentioned.

An Act to make certain regulations relating to the office of Sheriff, and to require the several Sheriffs of this Province to give security for the due fulfilment of the duties of their office.

TITLES of BILLS originated and passed in the Legislative Council and rejected by the House of Assembly.

An Act to remove doubts respecting the Jurisdiction of Commissioners of Customs in this Province.

An Act for the discharge of Debtors in execution for small debts, from imprisonment, in certain cases.

An Act to dispense with the necessity of taking certain Oaths and making certain Declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper as a qualification for offices, or for other temporal purposes.

An Act to facilitate summary proceedings before Justices of the Peace, and to afford to such Justices reasonable protection in the discharge of their duty.

An Act to remove doubts respecting the Jurisdiction over Offences committed upon the Lakes and Rivers in this Province.

An Act to prevent the operation within this Province, of an act of Parliament made in England in the 21st year of the reign of King James the First, intituled "An Act to prevent the destroying and murdering of Bastard Children," and to make other provisions for the prevention and punishment of Infanticide.

An Act to provide that none of the Ordinances made by the Governor and Legislative Council of the Province of Québec, shall continue to have the force of law in this Province.

TITLES of BILLS passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

None.

*Second Session, Eleventh Provincial Parliament. (1832.)*

TITLES of BILLS originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House :

An Act to repeal so much of the Law now in force as authorizes the payment of a Salary to a Chaplain of the House of Assembly.

An Act concerning the Law of Libel.

An Act to appoint Commissioners to treat with Commissioners appointed or to be appointed on the part of the Province of Lower Canada, for the purposes therein mentioned.

An Act to regulate the Prices to be charged for Printing Official Advertisements.

An Act to repeal part of an Act passed in the 33d year of the reign of King George the Third, intituled, "An Act to fix the time and places of holding the Courts of General Quarter Sessions of the Peace within the several Districts of this Province, and to authorize the holding of the Quarter Sessions of the Midland District at Kingston and Belleville alternately.

An Act to repeal so much of an Act passed in the 59th year of the reign of his late Majesty King George the Third, intituled, "An Act to repeal part of and amend the Laws now in force for establishing Public Schools in the several Districts of this Province, and to extend the provisions of the same, as relates to the opening and keeping the District School for the London District at the Town of Vittoria, and to authorize the holding of the said District School at the Town of London in the said District."

An Act to regulate Line Fences and Water-courses.

An Act for the more equal distribution of the Property of Persons dying Intestate.

An Act to allow persons tried for Felony, the benefit of full defence by Counsel, and certain other privileges therein mentioned.

An Act relating to the Bailiff, Commitment, Removal and Trial of Prisoners in certain cases.

An Act granting to His Majesty a sum of money, to be raised by Debenure, and expended in the improvement of Roads and Bridges in the several districts of this Province.

An Act granting a sum of money for the encouragement of the Grantham Academy.

An Act to remunerate the Arbitrator therein referred to for certain services rendered by him.

An Act granting to His Majesty a sum of money for the support of the Civil Government and the Administration of Justice in this Province.

TITLES of BILLS originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council :

An Act to provide for the completion of the Parliament Buildings.

TITLES of BILLS originated and passed in the Legislative Council, and rejected by the House of Assembly :

An Act to provide that none of the Ordinances made by the Governor and Legislative Council of the Province of Québec shall continue to have the force of law in this Province.

An Act to dispense with the necessity of taking certain Oaths and making certain Declarations in the cases therein mentioned, and also to render it unnecessary to receive the Sacrament of the Lord's Supper as a qualification for Offices, or for other temporal purposes.

An Act to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench.

An Act to authorize the Transporting of Offenders.

An Act for the relief of Roman Catholic Congregations in this Province.

An Act to facilitate legal remedies against Corporations.

An Act to make further provision for carrying into effect an act passed in the 56th year of the reign of King George the Third, intituled "An Act to afford relief to persons holding or possessing Lands, Tenements or Hereditaments in the District of Niagara."

An Act to protect the interests of persons whose Lands shall be sold for the payment of Assessments in Arrear.

TITLES of BILLS passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

An Act to protect the interests of Captain Alexander Shaw.

*Third Session, Eleventh Provincial Parliament. (1833.)*

TITLES of BILLS originated in the House of Assembly and re-

jected by the Legislative Council, or declined to be acted upon by that House :

An Act to declare the qualification of Voters for Members to represent certain Towns in the House of Assembly in this Province.

An Act to incorporate certain persons under the style and title of "The President, Directors and Company of the Saint Catharines Bank, in the Niagara District."

An Act to establish a Police in the Town of Prescott, in the Johnstown District.

An Act to repeal part of an Act passed in the 33d year of the reign of King George the Third, intituled "An Act to fix the times and places of holding the General Quarter Sessions of the Peace in the several Districts of this Province; and also to repeal part of a certain other Act passed in the 41st year of the reign of King George the Third, "intituled, "An Act to remove doubts with respect to the authority under which the Courts of General Quarter Sessions of the Peace and other Courts have been erected and holden, and other matters relating to the administration of justice done in the several Districts of this Province, and also to fix the times of holding the Quarter Sessions of the Peace in and for the same, and to authorize the holding of the General Quarter Sessions of the Peace of the Midland District, at Kingston and Belleville alternately."

An Act to explain the provisions of an Act passed at the last session of the Legislature, intituled, "An Act for altering and amending the Charter of the President, Directors and Company of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company."

An Act to repeal and reduce into one Act the several Laws now in force establishing District Courts, and regulating the practice thereof; and also to extend the powers and jurisdiction of the said District Courts and further to regulate the practice of the said District Courts.

An Act to establish a Police in the town of Cornwall, in the Eastern District.

An Act to authorize His Majesty's Receiver General to issue Provincial Notes, chargeable upon the public Revenues of this Province.

An Act granting to His Majesty a sum of Money to remunerate certain services therein mentioned.

TITLES of BILLS originated in the House of Assembly, but afterwards rejected by that House, by reason of Amendments made to them by the Legislative Council :

An Act for the more convenient recovery of Estreats.

An Act for amending the Law of Evidence in certain cases.

TITLES of BILLS originated and passed in the Legislative Council, and rejected by the House of Assembly :

An Act to authorize the transporting of Offenders. \*

An Act to facilitate the remedy of Replevin.

TITLES of Bills passed by the Legislative Council and House of Assembly, from which the Royal Assent was withheld :

An Act to extend to certain persons the Civil and Political Rights of Natural-born Subjects.

JAMES FITZGIBBON,  
Clerk of Assembly.

Clerk of Assembly's Office, }  
York, Upper Canada, }  
26 March, 1833. }

### LIST

Of the Titles of all the BILLS which having originated in the House of Assembly during the two last Sessions of the Legislature 1833-4 and 1835.) were rejected, or declined to be acted upon by the Legislative Council, or which having been sent up were altered by the Legislative Council so as to cause their subsequent rejection in the House whence they originated; or which, having originated in and been passed by the Legislative Council, were afterwards rejected by the Assembly. Also, of the titles of Bills which having been passed in the Legisla-

tive Council and Assembly, have been refused the Royal Assent, or been reserved for the signification of His Majesty's pleasure thereon :

*Fourth Session, Eleventh Parliament, (1833-4.)*

Titles of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House.

An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank.

An Act to erect the County of Norfolk into a separate District, and to authorise a loan of money for the purpose of building a Gaol and Court House therein.

An Act to repeal an Act passed in the eighth year of His late Majesty's reign, entitled, "An Act to require the Justices of the several Districts of this Province, to publish a statement of their District Accounts" and to make further provision for publishing District Accounts and disposing of the District Funds.

An Act to establish the present survey of certain side Lines in the Second Concession West of Green Point in the Township of Sophiasburg.

An Act to erect the County of Hastings into a separate District.

An Act to incorporate certain persons under the style and title of the President, Directors and Company of the Bank of Cobourg.

An Act affording relief to a Religious Denomination called "Christians."

An Act to encourage the destruction of Wolves.

An Act to incorporate certain persons under the style and title of "The Upper Canada Glass Manufacturing Company."

An Act to incorporate a Joint Stock Company for the Manufacture of Salt, in the Township of Saltfleet, in the District of Gore.

An Act to provide for the sale of the Clergy Reserves in this Province for the purposes of General Education in the same.

An Act to establish a Police in the Town of Cobourg.

An Act appropriating certain monies in the hands of His Majesty's Receiver General raised under the provisions of an Act passed in the second year of His Majesty's reign, entitled, "An Act to impose an additional duty on Licenses to vend Wines, Brandy and Spirituous Liquors, towards the payment of the sum of £25,000, granted for the improvement of the roads and bridges in this Province by an Act passed during the present Session entitled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province."

An Act to amend and extend the provisions of an act passed in the third year of His Majesty's reign, entitled, "An Act to raise a sum of money to improve certain roads in the vicinity of the town of York, and for other purposes therein mentioned."

Titles of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council.

An Act to declare that certain persons therein described shall not be privileged from Arrest by Mesne Process.

An Act to amend and extend the provisions of an act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, entitled, "An Act to incorporate the Midland District School Society."

Titles of Bills originated and passed in the Legislative Council and rejected by the House of Assembly.

An Act to amend an Act passed in the second year of the reign of His late Majesty King George the IV. entitled, "An Act to repeal part of and amend an act passed in the 37th year of His late Majesty's reign, entitled, 'An act for the better regulating the practice of the Law, and to extend the provisions of the same.'"

An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esq. deceased."

An Act to enable suitors in the District Courts to procure the attendance of Witnesses from any District in this Province.

An Act to allow the issuing of Writs of Error from the Court of King's Bench.

Titles of Bills passed by the Legislative Council and House of Assembly and reserved for the signification of His Majesty's pleasure.

An Act to authorise the persons therein named to hold or convey certain lands in the Townships of Waterloo and Woolwich in the District of Gore.

An Act to form certain Townships in the London District into a

County, and to attach certain Townships to the Counties of Middlesex and Kent in London and Western Districts.

An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect.

An Act to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail Road Company.

An Act to extend to certain persons the civil and political rights of natural born subjects.

An Act for imposing a Tax on lands adjoining Canboro' and Simcoe.

An Act to incorporate certain persons for the management of certain Lots of Land in the Township of Sandwich belonging to the Roman Catholic Congregation of the Parish of L'Assomption in the Western District, and for vesting the same in the said Corporation.

An Act to enable John B. Yates, to hold lands in this Province, and for other purposes therein mentioned.

#### First Session, Twelfth Parliament, (1834.)

Titles of Bills originated in the House of Assembly and rejected by the Legislative Council, or declined to be acted upon by that House.

An Act to authorise the Trustees of the Grantham Academy to dispose of real Estate, and for other purposes therein mentioned.

An Act to authorise His Majesty's Justices of the Court of King's Bench to hold a Court of Oyer and Terminer, Assize, of Nisi Prius and of General Gaol Delivery in and for the District of Ottawa.

An Act to amend the Jury Laws of this Province.

An Act to define the limits of the Town of Brantford in the District of Gore, and to establish a Police and Public Market therein.

An Act for the Disposal of the Clergy Reserves in this Province, for the purposes of General Education.

An Act for the more equal distribution of the property of persons dying Intestate.

An Act to grant the sum of Four Hundred Pounds for the construction of a Bridge at Parrott's Bay.

An Act to provide for a Survey in the Township of Loughborough.

An Act to erect the County of Hastings into a Separate District.

An Act to divide the township of Hawkesbury in the Ottawa District into two separate townships of East and West Hawkesbury.

An Act to repeal the several laws now in force imposing fines on Quakers, Menonists, and Tunkers, for non-performance of Militia Duty in time of Peace.

An Act to incorporate sundry persons under the style and title of the "President, Directors and Company of the Bank of the Niagara District."

An Act granting to Adam Dixon, of Moulinette, in the township of Cornwall, certain privileges contained therein.

An Act to promote Education.

An Act to amend the Court of Requests Law.

An Act to repeal the Law authorising the appointment of a Commission to take the evidence relative to the trial of Contested Elections.

An Act to impose a duty on various articles imported from the United States of America into this Province.

An Act to amend the Charter of King's College.

An Act to promote the freedom, peace and quiet of Elections of Members to represent the several Counties, Ridings, Cities, and Towns in this Province, in the House of Assembly, and further and more effectually to secure the independence of that House by adopting the mode of voting by Ballot.

An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province.

An Act to form the County of Norfolk into Ridings, and also to erect the same into a separate District, and for other purposes therein mentioned.

An Act to amend the Police Laws of the Town of Prescott.

An Act to authorise the erection of a Mill Dam upon the River Thames in the London District

An Act relating to the granting of the Waste Lands of the Crown.

An Act to authorise the issuing of Licenses for the sale of Wine.

An Act to make a grant to the Grantham and Bath Academies.

An Act to promote the freedom of Election in the County of Leeds.

An Act to remunerate Francis Hall, Esq., Civil Engineer, for services at the Burlington Bay Canal.

An Act granting further aid to the Burlington Bay Canal.

An Act to provide for holding Elections in the County of Leeds.

An Act granting a sum of money for the improvement of the Harbour at Kettle Creek and for other purposes.

An Act for the relief of John Pearce and others, and to complete the Lock and Canal between Pigeon and Sturgeon Lakes, in the Newcastle District, and for other purposes.

An Act granting to His Majesty a certain sum of money to enable His Majesty to pay to Joseph Turton the balance of his account for work and labour performed by him as Contractor for part of the buildings occupied by the Legislature.

An Act to ensure the more regular and economical printing of the Statutes of this Province, and of those Statutes of the Imperial Parliament which may concern this Province, to provide that the said statutes be printed by contract, and also for their distribution.

Titles of Bills originated in the House of Assembly, but afterwards rejected by that House, by reason of amendments made to them by the Legislative Council.

An Act to naturalize certain persons therein named.

An Act to continue and amend an Act providing a bounty for the destruction of Wolves in the several Districts of this Province. (*Amended by the Legislative Council, and amendments rejected by the Assembly, it being considered a Money Bill.*)

Titles of Bills originated and passed in the Legislative Council, and rejected by the House of Assembly.

An Act to allow the people called Separatists to make a solemn affirmation and declaration instead of an oath.

An Act to amend the law respecting Bills of Exchange and Promissory Notes.

An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose.

An Act for the further amendment of the Law, and the better advancement of Justice.

An Act to make the remedy in cases of seduction more effectual, and to render the fathers of illegitimate children liable for their support.

An Act to allow persons to be admitted Attornies upon a service of five years under articles in the office of the Clerk of the Crown and Pleas.

An Act to abolish the distinction between Grand and Petit Larceny and to enable Courts of General Quarter Sessions of the Peace, and any Court having the like powers to try all cases of simple Larceny under certain restrictions, and to amend the Laws respecting the Punishment of Larceny.

An Act to constitute a new Court of Appeal for revising the judgments of the Court of King's Bench.

Titles of Bills passed by the Legislative Council and House of Assembly, and reserved for the signification of His Majesty's pleasure.

An Act to confirm British subjects in their titles to real estate derived through Aliens.

An Act to incorporate sundry persons under the style and title of the President and Directors of the Upper Canada Life Insurance and Trust Company.

An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank.

An Act altering and amending the charter of the President Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the capital stock of the Company.

An Act for the relief of the Heirs of the late Peter Desjardins.

JAMES FITZGIBBON,

Clerk of Assembly.

Clerk of Assembly's Office, }  
Toronto, April 17, 1835. }

No. 83. (A.)

SESSIONS PAPER (1830.) No. 574.

[From a Return to an Address of the House of Commons dated 7th of June, 1830.]

Extract of a despatch from Major-General Sir John Colborne to

the Right Honorable Secretary Sir George Murray, dated York, Upper Canada, 16th February, 1829:

With respect to the constitution of the Executive and Legislative Councils, on which subject you require information, it is evident that whatever persons may be appointed members of the Executive Council, there will be a considerable degree of jealousy existing in this limited community of their influence & authority; they must necessarily reside at York, and will seldom be able to accept the charge without holding other offices under the Crown. On many accounts it is very desirable that the Chief Justice should retain his seat in the Executive Council; but there can be no doubt that occasionally he must, as a Judge, be led too deeply into the political affairs of the Colony.

Composed as the Legislative Council is at present, the Province has a right to complain of the great influence of the Executive government in it. The Legislative Council consists of seventeen members, exclusive of the Bishop of Quebec; of these, from accidental causes, not more than fifteen ever attend to their Legislative duties. Thus, out of the number generally present, six are of the Executive Council, and four hold offices under the Government; I have, therefore, intimated my intention of recommending to His Majesty's Government to increase the Legislative Council.

It is exceedingly difficult to find persons qualified for it; but if about eight or ten more can be selected from different parts of the Province, and the majority be considered independent, there can be no good reason assigned for excluding the Executive Council.

Since the date of the despatch from which the above extract has been taken, the Right Rev. Doctor Macdonell, Roman Catholic Bishop, and John Elmsley, Esq. two additional members, have been added to the Legislative Council; and it is not intended that the Chief Justice of Upper Canada should continue a member of the Executive Council.

Downing-Street, 14th June, 1830.

*Proceedings in England, with Acts of the Colonial Legislature.*

On the arrival of the Acts of a Session of a Colonial Legislature at the Colonial Office, they are referred by the Secretary of State to the Law Counsel for the Department, who reports on them in point of Law—that is, 1. Whether they are consistent with the Governor of the Colony's Commission and Instructions.—2. Whether in the language of the statute 7 & 8, Will. 3d, ch. 22, sec. 9, they are or are not repugnant to the laws of Great Britain; and 3. Whether each act is so framed as to give full effect to the purposes for which the Colonial Legislature framed it.

The Law Counsel reports to the Secretary of State. The acts thus reported on, and the report, are communicated by the latter to the President of the Privy Council, and laid before the King in Council for his Majesty's consideration. At the then ensuing Council Board, the acts and reports are referred to the Lords of Trade and Plantations, of the Committee of whom the Secretary of State is one. This Committee select the most difficult statutes and get the opinions of the Crown Lawyers upon them.

The Committee then report on the acts under three heads:—

1. Acts disallowed.
2. Acts of public and general importance requiring special confirmation.
3. Ordinary acts left to their operation.

No Colonial acts can be disallowed, save by a regular order of the King in Council.

The Clerk of the Council announces to the Secretary of State the decision of the Council on the acts, which is communicated to the Governor of the Colony, together with the original order in Council. A list is also made and sent of acts neither confirmed, nor disallowed, with an intimation that they will be left to their operation.

Comparatively few statutes are either confirmed or disallowed.

No. 34.

DOWNING STREET,  
29th December, 1832. }

SIR,

I am directed by Viscount Goderich to acknowledge the receipt of your letter dated the 18th instant, and to return you the following answer.

Lord Goderich does not consider it consistent with the duties of his office to enter into any explanation with yourself or with any other private person, of the views which His Majesty's Government may entertain respecting the propriety of dissolving the present Assembly of the Province of Upper Canada.

With respect to the warnings and predictions which you have thought it your duty to address to His Lordship in the name of the people of Upper Canada collectively, not only on the present, but on former occasions, Lord Goderich directs me to say that he cannot acknowledge or suppose that your views are really those of the majority of the inhabitants of that important part of His Majesty's dominions. Opinions directly opposite to those which you maintain, are advanced in petitions addressed to His Majesty, and to the Lieutenant Governor, by bodies of the inhabitants far more numerous than those who have signed the petitions entrusted to your care. With the most unaffected anxiety to consult the deliberate wishes of the people of the Province upon all questions of local interest, Lord Goderich would be acting in direct opposition to that principle, if he were to defer to the desires of the comparatively small minority, for whom you act, rather than to those of the far greater body, by whom the counter petitions have been signed.

With reference to your statement that the question of the Union of Montreal with Upper Canada is "agitated by authority emanating from Downing Street," Lord Goderich directs me to state that he is totally at a loss to understand your meaning, but will be greatly obliged to you if you will place him in possession of proof that any person in British North America or elsewhere has agitated that question under any pretended authority from this Department, because His Lordship would feel it his duty to disavow in the most unqualified terms the having directly or indirectly imparted any such authority to any person whatever.

I am, Sir,

Your most obedient servant,

HOWICK.

W. L. Mackenzie, Esquire.

No. 35.

To the Right Honourable Lord Viscount Goderich, His Majesty's Secretary of State Colonial Department, Downing Street.

2, POLAND STREET,  
January 9, 1833. }

MY LORD,

I greatly rejoice to perceive that Your Lordship is most anxious to consult the deliberate wishes of the people, because I am convinced that the safety, the honour, the strength of governments at a distance, are best preserved and maintained by ascertaining and following the judgment of the better informed part of the community. Being assured that I am expressing opinions and stating facts relative to Upper Canada in accordance with that public sentiment, and a strict regard for truth, I think it my duty to submit to the government some of the reasons which have led me to conclude (without seeing the "counter petitions") that His Majesty's Government have been deceived, misled, and grossly imposed upon, with regard to the real numbers and character of the memorialists who express "opinions directly" opposite to those which I maintain. I feel assured that upon in-

investigation it will be found there is some mistake in the estimate, and I court that enquiry with the least possible delay—I beg I entreat Your Lordship that I may be permitted to examine the statements and signatures of the supposed "far greater body," spoken of by Viscount Howick in his letter of last Saturday week, as having signed those "counter petitions."

The whole population of Upper Canada, when I left it last April, was believed to be under 240,000, of whom about one-sixth were male adults, capable either of signing their names or making a mark; and if every man of them had come forward to petition His Majesty on the state of the Province—which was not the case—the whole number of petitioners would probably have fallen below 40,000.

It is a fact of which I have a distinct personal knowledge that the number of signatures attached to the petitions addressed to the King and entrusted to my care, far exceeded 20,000, and that these petitions were agreed upon at from one to two hundred District, County, Town, Township, and Village public meetings, at which vast numbers of the people attended. If, then, a large majority of the whole population capable of petitioning, entrusted their Addresses to your humble correspondent, Your Lordship cannot have received through the Lieutenant Governor petitions of an opposite character signed by a still greater number of persons. Either I have been the bearer of spurious petitions, or a great part of the addresses sent by Sir John Colborne deserves that designation—unless indeed it be assumed that thousands of the good people of the Colony signed first on the one side, and then went & affixed their names on the other "for uniformity's sake," certainly a very improbable surmise, when their high character for integrity and intelligence is taken into consideration.

If I could have doubted for a moment as to whether I was expressing the deliberate opinions of the people of Upper Canada, I never would have consented to cross the Atlantic upon such an errand as has now detained me here seven months, and which to all appearance is likely to hinder me seven more. Although the popular representation is very imperfect, and the influence of the Executive Government, and the monopolies which uphold it, very great, Your Lordship will do me the justice to keep in memory that I have continually pressed upon the attention of Government a dissolution of the Legislature, and the calling of a new Provincial Parliament as the only true way of ascertaining public opinion. *What could the petitioners by me have gained by a dissolution if they had not felt beyond a shadow of doubt that they were strong enough in numbers, wealth and respectability, to counteract the whole influence of the Executive now upheld in Upper Canada to the injury of the British Nation, and in despite of the people of the Colony?* If your Lordship will cast a glance over the petitions you will find that it is through the House of Assembly the petitioners propose to carry into effect nearly all these plans of reform & improvement to which they solicit Your Lordship's countenance. It would have been quite a Quixotic project to send me here at a vast expense to pray the dissolution of the present House if the petitioners had not felt perfectly secure that they could send a very different class of members to the new one. I assured Your Lordship in presence of Mr. Hume and Mr. Viger, on the very first day Your Lordship honored me with an audience, that if that point alone was gained before the then next annual session I should return to Upper Canada well satisfied that I had no doubt the petitioners would be so also. But instead of a dissolution we had the Legislature hurried prematurely into session, and expulsion, not by a majority, but by a few government functionaries, not one half the House being in attendance.

Your Lordship will remember that, in 1828, the Wesleyan Methodists and Protestant Dissenters, from one general and thirty-nine local committees, humbly petitioned the House of Commons against Dr. Strachan's misrepresentations, and in favour of equal religious privileges, and that their petitions signed by 8,000 men and presented by Mr. Hume, on the 3rd of May were referred to the Canada Committee of the House of Commons whose favorable report thereon, it has not

pleased His Majesty's Government, thus far, to act upon. I appear here as a member, and the accredited agent of the general committee to whom these 8,000 men entrusted their memorials, and whatever may be the number of signatures sent to your Lordship's office, by Sir John Colborne, I would require very powerful evidence indeed to induce me to believe that public opinion had changed on the important questions these petitions embrace. I am the same person who procured from a large majority of the present House of Assembly, the explicit declaration recorded on its journals, in favour of the principles laid down in these petitions and against the recognition of exclusive, dominant religious establishments. Therefore, it was, most probably, that I was unanimously selected to support the same opinions here.

I appear as the accredited agent of the Committee of Friends of Civil and Religious Freedom, of all denominations whose petitions signed by 10,000 freeholders and inhabitants, Mr. Hume presented to the House of Commons in 1831, Mr. Hume, as well as Captain Ryerson assured the people of Canada that the Reform Ministry would carefully enquire into the allegations of the petitioners. Years have elapsed, but their complaints remain unredressed; and what is worse than all, I am now informed that the petitioners are in the minority. On the merits of their case nothing is said, but I can readily infer that on this ground also, they are held to have been found wanting, and that Governor Colborne's squabbles with the Methodists are justified.

I was the bearer, this summer, of the petitions of 10,000 inhabitants of Upper Canada, praying for a change in the character of the Legislative Council, an enquiry into the conduct of the Lieutenant Governor, and the redress of many grievances. These petitions were presented to the House of Commons by Mr. Hume, who informed me, as I did the petitioners, that the Government would cause full enquiry to be made. I must suppose that this has been done; and after an interval of six months, at length I am assured by your Lordship that the petitions do not express public opinion.

A majority of all the male adult population of Upper Canada have expressed their opinions and wishes in 61 humble and respectful addresses to the King during the last 18 months.—Of these addresses and memorials, two, not numerous signed, were presented to His Majesty by Lord Brougham; one from Hastings, reached your Lordship with some difficulty through the Post-office and Home Department; and the rest I remember having personally deposited in the Colonial Office at several times myself. Even this indication of public sentiment appears to have been neutralized, as well in regard to the merits of the case, as by a far greater majority of the signatures of persons holding opinions directly opposite, and compared to whom the Reformers of Upper Canada are "a comparatively small minority."

I have long and successfully advocated the principles embraced in the petitions I brought over, both within and without the walls of the House of Assembly.—And as the representative of a sixth at least of the whole Colony, I thought I might be entitled to be considered by His Majesty's Government on that ground alone a tolerably fair indication of public opinion in that District where the acts of the Government are best known.

According to my understanding of Viscount Howick's letters of the 23d and 29th of June, and 29th of December last, your Lordship has laid down several rules or principles for the guidance of those who sent me here. I humbly ask leave to apply these rules or principles to the case of the petitioners.

I am told, that the unauthorized statements of individuals are not to be received in opposition to those of the Assembly of Upper Canada, and that your Lordship is convinced that all classes of the inhabitants are fairly represented in the House of Assembly.

That your Lordship is desirous to consult the deliberate wishes of the people of Upper Canada upon all questions of local interest.

And, that as opinions directly opposite to those which I maintain are advanced in petitions addressed to the King and his Lieutenant Governor by far more numerous bodies of the inhabitants than those who have signed the petitions entrusted to me, your Lordship would not be consulting the deliberate wishes of the people of Upper Canada if you were to comply with the requests of the comparatively small minority for whom I act, in opposition to the far greater body who have expressed opinions directly opposite.

It so happens in the present instance, that in many, if not in most cases, the petitioners by me ask that those things may be recommended by His Majesty's Government to be done, which the present as well as the two last Houses of Assembly have vainly essayed to accomplish. I find it somewhat difficult to reconcile this fact with a refusal of these requests, upon the ground that to grant them would be deferring to the minority, even while it is readily admitted that the House of Assembly correctly represents the sentiments of the majority. For example:—

1. The present House of Assembly have passed a bill for the more equal distribution of the estates of persons dying intestate—so did the last House—so did the House before that. The petitioners by me humbly pray that this most important and much-to-be-desired measure may be perfected by receiving the Royal Approbation. Three successive Houses have proved the unchangeableness of public opinion on this point. Yet it is refused, because your Lordship is in possession of "the unauthorised statements of individuals" whom you conscientiously believe to be a majority of all the petitioners from the Colony, but who in this case are "in opposition to the Assembly."

2. The present House of Assembly have declared the College Charter a grievance—so did the last House—so did the House before that—so did the Committee of the House of Commons sitting upon one of the petitions for which I am the agent—so do the petitioners by me. Yet has it not received a liberal charter.

3. The present House of Assembly solemnly declared its opposition to any pecuniary union of Church and State, and to all undue preferences given to the Ministers of particular Religious Sects, and prayed that the Clergy Reserves might be sold and general education promoted with the proceeds.—So did the House elected in 1824, and the House elected in 1828.—So did the petitioners by me.—They are unsuccessful.

4. The last and present Houses of Assembly have enquired by address, and in other ways, from time to time, into the amount and application of that secret revenue which it has been usual to collect as well as expend without the knowledge or approbation either of the people of England or of Canada. They enquired in vain. The petitioners by me make the same request. Your Lordship admits that there ought to be no concealment. But the concealment continues.

5. The present House of Assembly prayed that the Timber Trade might not be burthened with an inland tax, which is equal to about 25 per cent. on the value of the rafts. The Ministry declined to remove the impost thus unanimously complained of. The petitioners by me are opposed to its continuation.

6. The present House addressed the King in favor of the independence of the Judges—So did the two last Houses—So have the petitioners. Yet the Judges (political partizans) have been made more than ever dependant upon the military government, while they are perfectly independent of the country!

7. The present House of Assembly refused or declined to comply with the prayers of the Freeholders of the County of York last winter and the winter before, asking a fair share of the representation. I observe by the debates of this Session. that they are now hastening to give it six Members instead of one—the very thing I was sent here to ask for, after it had been refused there. I doubt its becoming a law; it is too

good a measure to originate with the local authorities or to be countenanced by them.

8. The Committee of the House of Commons on the Government of Canada, strongly recommended an amendment of the defective system of summoning Juries, under which Marshals or Sheriffs enjoying large incomes at the pleasure of the Colonial Executive, are entrusted with the arbitrary selection both of Grand and Petty Jurors all over the Colony. The last House of Assembly and the one before it passed bills in vain for remedying the evil, and the present House has acknowledged its existence. I am not aware that His Majesty's Government has taken any step whatever to remove this grievance, although the petitioners by me have made it a principle ground of complaint, as striking at the very root of the administration of justice.

9. The present House endeavoured to provide for the payment of the War Losses, but were checked by the Legislative Council, which is to say, the Government. The petitioners by me, though disagreeing as to the best mode of payment, wish that speedy justice may be done these long-neglected and ill-treated claimants upon British justice.

10. A Bill was introduced last winter, in the present House, to diminish law-costs—it passed, with two dissentient voices, and was lost in the Council. The petitioners pray that law-costs may be diminished.

11. In the question of the Chaplaincy of the House of Assembly, as it appears on the Journals, is involved the whole merits of the petitioners' claims to be relieved from the undue interference of the Government in matters of religion. In accordance with the petitions of the country, a bill and an address to His Majesty passed the House last Session. Nothing has, however, been done by the Government, as far as I know, and now the objection is raised that there are counter-petitions emanating from "bodies of the inhabitants far more numerous than those who have signed the petitions entrusted to my care."

If the House of Assembly, who agree with the petitioners by me in the above and many other essential points, are as it is assured by the Government they are, the true representatives of public opinion, what shall we say of the counter-petitions, in favor of whose wishes, though directly the reverse of those of the Assembly, His Majesty's Government has thus far inclined to decide?

I am, &c.

W. L. MACKENZIE.

No. 86.

2, POLAND STREET, LONDON, }  
January 19, 1833.

MY LORD,

Your Lordship having signified your desire that I should explain what I meant by saying that the question of the union of Montreal with Upper Canada is "agitated by authority emanating from Downing Street," I have now the honor to afford that explanation:

So far back as 1828, the evidence of Sir R. J. Wilmot Horton, and others before the Canada Committee, goes to shew that the question was then under serious consideration in this country, and also that it was not unfavorably regarded by certain members of the government.

In 1829, I recollect of Mr. Fothergill, the late government printer, bringing the question of the dismemberment of Lower Canada before the House of Assembly in the shape of resolutions, which the majority, of which I was one, entirely disapproved, as we had the unjust and iniquitous measure of the Union proposed at an earlier period. Mr. Fothergill kept up

the excitement by placing the measure on the order of the day of the Session of 1830, and Colonel Elliott, another official person, gave a like notice in 1831-2, which was copied into, and commented on by the opposing Journals in the Sister Colony, producing, as might be looked for, any thing but good feelings.

The government having at length obtained the upper hand in the House of Assembly at York, and having also succeeded, notwithstanding my expulsion and the petitions to the contrary of which I was the bearer, in convincing your Lordship that all classes were fully and fairly represented in it, we find the Law Officers of the Crown, the President of the Bank, the High Sheriff of the Home District, and other official persons employed in organizing public meetings, getting up petitions, and setting the example to the Province of agitating the Province in favor of this plausible scheme of aggrandizement and spoliation.

His Majesty's government in Upper Canada forms a part of his government here—his administration of the public affairs of his subjects there is a part of the general government of the Empire and doubtless controlled by that general government. It is not the usual practice of the members of the King's government, (so far as I understand that practice,) to agitate out of doors, or bring forward and support in the House of Commons, measures of the deepest general interest, such as the reform of a Parliament or the dismemberment of a nation or province, without having first given such measures a grave consideration and obtained the royal countenance and approbation; nor was I aware until honored with the last communication by Viscount Howick, that it was either usual or decorous for his Majesty's Attorney and Solicitor General to exhibit themselves as the prime movers in public meetings of the people of Upper Canada, of difficult and dangerous questions, beyond the control of a Colonial Government, and the very discussion of which was evidently calculated to excite and keep up a deep feeling of alarm and dissatisfaction in the minds of so many thousands of his Majesty's subjects in the sister Colony, until these functionaries had first sought and obtained the sanction of his Majesty's government, or that of the Lieutenant Governor of the Province, on its behalf, as their warrant for such interference. Judging from a late instance here, that of Sir Henry Parnell, who ceased to be a member of the government when he ceased to think and act with his colleagues, I readily inferred that the Crown Lawyers had acted under the very highest authority; nor was I alone in that opinion, the same observation was often made by the Canada Journalists, as well as in private conversation—I should suppose that there are very few individuals in the Canadas who bestow attention on public affairs that did not form the same opinion as myself when they saw his Majesty's servants clothed with the authority and influence of office held during the Royal pleasure, placing the dismemberment of Lower Canada as a prominent feature in the reply to the speech from the throne at opening the Legislative Session. The question had been long before the country, a great deal of angry discussion had arisen, and it seemed to me just and reasonable to conclude that the officers of the Government in the Assembly when they voted and carried such a resolution through that body on such an occasion, had not failed to ascertain from the head of the Colonial Department what was the Royal pleasure—I felt assured from the ill success of my own efforts to effect the least change, that they possessed in the fullest degree, your Lordship's confidence, and that of the Lieutenant Governor of the Colony. I had known instances not a few, where the people of Upper Canada, and 19-20ths, of the representatives of their choice, had condemned the conduct of the officers of the local administration, *but in all my experience I had never once found that any course of proceeding adopted by these officers on any occasion failed to receive the sanction of his Majesty's government here.* I do not perceive any very essential difference in the effects of a series of political measures, whether they are originated here, or invariably justified and acquiesced in, however much opposed to public opinion, British practice, or the views of the best informed classes of society in whatever manner expressed in the Colonies in which they are to be put in operation.

The Crown Lawyers and their associates in the Assembly, have told His Majesty that it was necessary that 60,000 persons should be transferred from one Government to another, without their consent asked or obtained, including, of course, property of immense value, and the first commercial city in the British American Colonies. These high legal functionaries, supposed to be selected for their superior knowledge of the law and the love they bear to the first principles of British justice, would, it appears, readily violate the articles of the capitulation of Canada, and principles of public law, which secure to the natives their property and civil institutions—they would unsettle rights long established—they would place 60,000 men, women and children, under the immediate operation of that absurd jumble of British and Provincial Statute Enactments, (primogeniture and all,) which have proved so irksome to the Upper Canadians, and which the sister Province knows nothing of—they would oblige a population who speak French, to select gentlemen versed in the English laws and language, in order to legislate at York or Kingston for an English Colony—they would even abstract the speaker of the House of Assembly of Lower Canada from the body of which he has for many years been the distinguished ornament—And for why?

Permit me to copy the substance of their resolutions:

Commons House of Assembly, }  
York, U. Canada, Nov. 6th, 1832 }

*Report of the Committee of the whole House to whom was referred His Excellency's Speech, at the opening of the Session.*

SIXTH RESOLUTION.

"We nevertheless feel the strongest assurance that the acquisition by this Province of a Port of Entry from the sea, where our revenue of customs may be collected by our own officers, and our foreign trade carried on unshackled by the enactments of a sister Colony, is the *only method* by which Upper Canada can obtain the full advantage of her own Commerce."

YEAS,

Messrs. Attorney General, Solicitor General, Register of Northumberland, Collector of Customs, Port Talbot, do. do. Brockville, Collector of Excise, Gore, Postmaster of Delaware, High Sheriff of York, and nine others.

NAYS,

Messrs. Keitchum, Buell, Howard, Cook, McCall, A. McDonald, Morris, Norton, Perry, and Shaver—10.

They would parcel off Lower Canada, just as a Russian Potentate parcels off his serfs, or as the European invaders of America parcelled off the possessions of its aboriginal inhabitants—and that, too, with far greater injustice. In the dismemberments of Poland, of which British Historians and British Statesmen have seldom spoken with much approbation, the unprincipled victors can at least plead the right of conquest—a right, such as it is, which the King's advisers in Upper Canada have not pleaded.—Your Lordship will see, however, that the same plea which was so long and so successfully urged in the British Parliament by the traders in human blood and owners of slaves ships, is here forwarded by His Majesty's legal advisers, and transmitted to England as "the deliberate wishes of the people of Upper Canada,"—namely, the encouragement of foreign trades, commercial interests, money, profit. *The wages of injustice!* The authorities of Upper Canada do not appear to have profited by the History of Naboth's Vineyard.

If I could, even for a moment, bring myself to believe that the honest, unsophisticated yeomanry of Upper Canada, were capable of entering into the feelings and views of the authorities in such a matter as this, I would never desire to put foot into the country again, further than to remove my family to a more kind and benevolent clime; but I know them well, and I acquit them of the least intention to co-operate in such a disgraceful act as has been proposed to be done ostensibly for their benefit. Neither in the petitions to His Majesty, of

which I was the bearer—nor, I trust, in those other addresses far more grievously received, which contain opinions “directly opposite” to those which I maintain, will any design or purpose be found for enriching the Exchequer of Upper Canada, and improving her commerce by the wanton plunder and spoilation of 60,000 French Canadians. The honor of that scheme, if there be any—now that his Majesty’s Government have disclaimed any participation in it—is exclusively due to the chosen few who have been upheld by Government (in the belief that it was for the public advantage) in all their projects, (some of which I have explained in former papers,) for dividing the people of the Canadas as Ireland is divided, and for governing them as Ireland is governed. The authorities say they want more money, more commercial profit—well would it be for the Colonists if the income of the Government were a great deal less! Wherever the English people have had the opportunity, in the free States of North America, they have established frugal governments and mild laws. I am firmly convinced they would do so in the Canadas, if His Majesty’s Government would let them, as also that England would gain by the change.

If there are any difficulties in the way of the apportioning the revenue raised at Quebec, the British Act regulating the trade between the two Colonies provides an easy and obvious remedy. Lower Canada years ago passed an Act appointing Commissioners to meet Commissioners to be appointed by Upper Canada, to confer upon the questions of trade and revenue, and prepare the way for their final and satisfactory adjustment. The same Bill, word for word, except the Commissioners names, was introduced into the Assembly of Upper Canada, and agreed to, year after year—but failed always in the Council—that is, with the Government,) consequently nothing was done.

Thus have feelings of the most unpleasant nature been kept alive—and had not the great body of the people in both Provinces seen through the flimsy veil with which the executive officers of Upper and Lower Canada attempted to conceal the true object they had in view, bitter quarrels would have been the inevitable consequence. It is, however, clearly understood on the other side of the Atlantic, that the proposed dismemberment is but one of many plans devised by men hitherto unfortunately upheld by the gigantic power of this great nation in all their schemes, the effect of which would be the dividing and weakening the Colonists; and the sincere friends of the peace and happiness of England and Canada, look forward to the time in which full enquiry will be made and justice done.

In the 4th article of the October number of the Edinburgh Review, the critic says—“We confess that we like to see men left to act for themselves. We like the variety of human nature. We like to see different races of mankind advancing, each by its own road, to civilization. The minds of men are then in a more vigorous and healthy state. We dislike the lonely dead level of an universal or far extended empire, whether Roman, or Russian, or British.”—Should sentiments like these be entertained by the great council of the nation, now about to assemble, the people of the Island of Montreal will have nothing to fear from the machinations of the enemies of Canada, and the Canadians may look forward with well grounded confidence to a lengthened period of internal prosperity.

I have the honor to be,

My Lord,

Your Lordship’s most obedient,

And most humble servant,

W. L. MACKENZIE.

The Right Honorable Lord Viscount GODERICH,  
His Majesty’s Principal of State, Colonial  
Department, Downing Street.

No. 87.

DOWNING STREET,  
22d January, 1833.

SIR,

I am directed by Viscount Goderich to acknowledge the receipt of your letters of the 5th and 9th and 12th instant. With reference to your statement that “the Government must have been deceived and imposed upon,” and that “the majority of Anti-Reformers is but an imaginary one,” and with reference to the following expressions in your letter of the 9th instant, “I beg, I entreat that I may be permitted to examine the statements and signatures of the supposed far greater body spoken of by Viscount Hewick in his letter of last Saturday week, as having signed these Counter petitions;” I am directed to state, for your information, that in the absence of any specific ground for supposing that the signatures to petitions transmitted through the Lieutenant Governor of Upper Canada to be laid before the King are spurious, Lord Goderich does not think it necessary to institute such a scrutiny as you propose to undertake. If that course of proceeding were adopted, the petitions of which you were the bearer, must, in equal justice, be transmitted for the same purpose to your political opponents. The result of such investigations would unavoidably be to embarrass with an unprofitable mass of mere personalities, a discussion already oppressed with a variety of irrelevant topics which have been introduced into it.

With reference to your statement that the number of signatures attached to the petitions addressed to the King, and entrusted to your care, far exceeded twenty thousand. I am directed to acquaint you that in the month of November last, Lord Goderich directed the number of signatures to be counted, and that the result exhibited a number considerably less than twenty thousand. But upon receiving the statement made by you on this subject, His Lordship immediately ordered the enumeration to be repeated, and he finds the result entirely to coincide with the account contained in your letter. The consequence is that the difference between the number of persons who signed the petitions entrusted to your care, and those who signed the addresses evincing opposite opinions is less than was originally supposed, although there is a considerable majority of signatures to the addresses. Lord Goderich is happy thus to admit and correct the error into which he was led by the inaccuracy of those to whom he confided a duty, which from its nature was necessarily placed in the hands of subordinate persons; I must observe, however, that the question whether the number of petitioners who entrusted their petitions to you, was greater or less than that of their opponents, was one on which Lord Goderich did not rely in estimating the correctness of the opinion advanced on either side, or in deciding on the advice to be tendered to His Majesty on the subject. It is upon its own merits that the whole case has been weighed. The reason of adverting to the numerical majority of the petitioners hostile to your views, was the claim so frequently urged by you that you should be understood as speaking the general and deliberate opinions of the great body of the people of Upper Canada; a claim which the great number of signatures attached to the counter petitions before Lord Goderich directly repelled.

With respect to your remark that when Mr. Randall came to England to complain of injustice, Lord Goderich “not only discussed the question with him, but also gave him a written official letter pledging His Majesty’s Government to do certain things,” and that “his lordship has been less indulgent to you and to those who sent you than he was to Mr. Randall,” I am directed to observe that the two cases were wholly dissimilar. Mr. Randall repaired to England to remonstrate against the final enactment of a Provincial Statute there, awaiting His Majesty’s decision, which deeply affected the interests of the body by whom he was deputed to act. Lord Goderich discussed that specific grievance with Mr. Randall, as he would have discussed with any other individual or body of persons any other specific measure in which they had a peculiar interest. You on the other hand invite a discussion of every measure connected with the administration of the Provincial Government, of every principle by which it is guided. That demand is made in the language of open and undisguised hostility, not with a view of affording the Secretary of State such information and such suggestions for the public good as your experience might enable you to supply, (in which light your communications would have been thankfully received) but in furtherance of a direct accusation against the Legislature, the Lieutenant Governor, the judges, and the Public Officers of Upper Canada collectively. Under such circumstances to engage with you in the wide range of enquiry upon which you seek to enter, would be to direct the official correspondence of this department from its proper channel, and would place the Legislature and judicial and executive authorities of Upper Canada in a position of which they would have the best reason to complain, and in which they could not continue to conduct the public service.

With reference to your renewed application for permission to consult the proceedings of the House of Assembly of Upper Canada, deposited in this office, and especially to consult the public journals of that House, I am desirous to acquaint you that Lord Goderich is far from wishing to present obstacles to your enquiries respecting any part of the Public Affairs of the Province in which you may desire to obtain information. The Proceedings of Colonial Legislatures used formerly to be bound up with the correspondence between the Governors and Secretary of State, and it is contrary to established custom to allow strangers to have access to that correspondence. This was the ground on which it was deemed necessary that your former application should not be complied with.—But considering the importance which you appear to attach to an opportunity of referring to the journals, and having also ascertained that, in the case of Upper Canada, there are very few years for which the proceedings of the Assembly are not possessed in volumes separate from the correspondence of the Department, Lord Goderich has instructed the Librarian to place any Papers of that nature before you, whenever it shall suit your own convenience to make a personal application for them.

The bill which you state to have passed the Provincial Assembly, for increasing the representation of the County of York to six Members, has not been received at this Department.—Should your information on that subject prove to be accurate, the most conclusive proof will have been given, that the House are willing to concur with the other branches of the Legislature, in relieving the people at large from any grievance under which they may be supposed to labor.

With reference to the remarks which you made on the case of Mr. Christie, and on the different mode of proceeding adopted by Lord Goderich on the subject of that gentleman's expulsion, and with regard to your own, it is necessary to remind you of the wide difference between the two cases.—Mr. Christie preferred a petition to His Majesty for a redress of a grievance under which he represented himself to labor, and His Majesty could not, unless it had been thought proper entirely to suppress a complaint from one of His Subjects, pursue any other course than was adopted. Lord Goderich does not understand that you have ever invoked the aid of Government in the same manner.—To have addressed a communication to the Assembly of Upper Canada on your case, would have been a gratuitous interference with the proceedings of that body. Had you preferred a petition to His Majesty respecting any grievance under which you deem yourself to labor, it would undoubtedly have been the duty of His Majesty's Government to give their best consideration to that, as to any other petition proceeding from any of His Majesty's Subjects.

I am, Sir,  
Your most Obedient  
Humble Servant,

HOWICK.

No. 83.

Lord Howick presents his compliments to Mr. Mackenzie and will be happy to see him, if he will be good enough to call on him, Monday, at 12 o'clock.

Colonial Office, }  
7th March, 1833. }

*Memo.*—This note was addressed to me on the occasion on which the Colonial Officer resolved to change the Attorney and Solicitor Generals of Upper Canada, in answer to my representations as to their conduct.

W. L. MACKENZIE.

1st January, 1835.

E2

No. 83. (a.)

### Dismissal of the Crown Lawyers.

In the first week in March 1833, certain representations were made by Mr. Mackenzie, a member of this committee, to His Majesty's Government, respecting the conduct and proceedings of the Attorney and Solicitor General of Upper Canada; these representations were taken into immediate consideration, and despatches transmitted to Upper Canada. The following account of the dismissal from office of Mr. Boulton and Mr. Hagerman was sent to the Editor of the York Courier by the present Chief Justice of Newfoundland; and the commentary of the Editor is annexed.

[From the Courier of Upper Canada, of May 1, 1833.]

#### DISMISSAL OF THE CROWN OFFICERS OF UPPER CANADA BY LORD VISCOUNT GODERICH.

In a postscript to a considerable proportion of the last Saturday's Courier, which were mailed for the country, we announced the fact, that Henry John Boulton, Esquire, and Christopher Alexander Hagerman, Esquire, had been removed from the offices of Attorney and Solicitor Generals, of this Province; but neither space nor time admitted of our explaining the causes of that removal in that Postscript.

Since that publication we have received the following communication, together with the accompanying documents, from Mr. Ex-Attorney General Boulton, which we hasten to lay before the people of Upper Canada:—

To the Editor of the Courier of Upper Canada.

York, April 30, 1833.

SIR:

Having filled for the last sixteen years the situation of a Law Officer of the Crown—first as Solicitor General, and latterly as Attorney General of this Province: and having, without a previous intimation of any part of my conduct, official or political, being disapproved of by His Majesty's Government, been suddenly removed from office, I feel it to be an act of justice to myself, as well as Mr. Hagerman, who is now absent from the Province, and whose dismission is announced in the same despatch, not to leave room for unfounded and injurious surmises, as to the cause of our removal. I do not know that I can adopt any measure so satisfactory for this purpose, as the publishing merely without comment, the official correspondence which has attended this unexpected measure of His Majesty's Government.

Your obedient servant,

(Signed)

H. J. BOULTON.

GOVERNMENT HOUSE, }  
April 29, 1833. }

SIR:

I have the honor, by the direction of the Lieutenant Governor, to transmit to you the accompanying copy of a despatch from the Secretary of State for the Colonies, in which his Excellency is instructed to inform you and the Solicitor General, that His Majesty regrets he can no longer avail himself of your services; and that you are to be relieved from the duties of your respective offices.

I have &c.

(Signed)

WM. ROWAN.

HENRY JOHN BOULTON, Esquire,  
&c. &c. &c.

No 118.

(COPY)

DOWNING STREET, }  
March 6, 1833. }

SIR:

By the accounts I have lately received of the proceedings of the Legislature of Upper Canada, I have learnt that the Attorney and Solicitor General of that Province, have in their places in the Assembly, taken a part directly opposed to the avowed policy of His Majesty's Government. As members of the Provincial Parliament, Mr. Boulton and Mr. Hagerman, are of course, bound to act upon their own view of what is most for the interest of their constituents, and of the Colony at large—but if upon questions of great political importance, they unfortunately differ in opinion from His Majesty's Government, it is obvious that they cannot continue to hold confidential situations in His Majesty's service, without either betraying their duty as members of the Legislature, or bringing the sincerity of the Government into question, by their opposition to the policy which His Majesty has been advised to pursue.

His Majesty can have no wish that Mr. Boulton and Mr. Hagerman should adopt the first of these alternatives—but on the other hand, he cannot allow the measures of His Government to be impeded by the opposition of the Law Officers of the Crown. In order therefore,

that these gentlemen may be at full liberty as members of the Legislature, to follow the dictates of their own judgement, I have received His Majesty's commands, to inform you that he regrets that he can no longer avail himself of their services, and that from the time of your receiving this despatch, they are to be relieved from the duties imposed upon them in their respective offices.

You will transmit copies of this despatch to Mr. Boulton and Mr. Hagerman.

I have the honor &c. &c.

(Signed)

GODERICH.

M. G. SIR JOHN COLBORNE, K. C. B.

&c. &c. &c.

York April 29. 1833.

Sir :

Under the circumstances in which I find myself suddenly placed, without any previous intimation from His Majesty's Government, and more especially in the absence of the Solicitor General, who is equally affected by the measure with myself, I feel it due to him as well as to myself, and to our respective friends, to request that His Excellency will have the kindness to inform me for what breach of public duty His Majesty has been advised to remove us from office ?

I have the honor &c.

(Signed)

H. J. BOULTON.

To Lt. Col. ROWAN,

Private Secretary to the Lieut. Governor.

GOVERNMENT HOUSE. }  
April 29. 1833. }

Sir :

I have the honor to acquaint you in reply to your letter of this day, that the Lieutenant Governor understands, that the part of your political proceedings to which the despatch of the Secretary of State particularly adverts, is that you and the Solicitor General, promoted the repeated expulsion of a member of the Assembly, although the constitutional objections to that course had been conveyed to his Excellency by His Majesty's Government, and were, it is concluded, communicated by him to you.

I have the honor, &c. &c.

(Signed)

Wm. ROWAN.

To H. J. BOULTON, Esquire.

&c. &c. &c.

This is a summary procedure most assuredly—and as high-handed and arbitrary a stretch of despotic power as has been enacted before the face of high heaven, in any of the four quarters of this hither world, for many and many a long day. The Duke of Wellington's conge to Mr. Huskisson was cavalier enough in all conscience, but the Duke did not divest Mr. Huskisson of his office, until Mr. H. had made a conditional tender of his resignation to his Grace—and yet the conduct of the Duke in displacing Mr. H. even under those circumstances, without offering him further opportunities for explanation, viewed by the whole empire as being unjustifiably capricious and arbitrary. But this dismissal of the Crown Officers of Upper Canada by the Lord Viscount of Goderich, because these gentlemen, in the independent discharge of their Legislative duties and in obedience to the known and decidedly expressed sentiments of three fourths of the whole people of Upper Canada, and nine-tenths of their own immediate constituents, concurred with a large majority of the Representatives of the Canadian people, in expelling from the House of Assembly a worthless and degraded member of that body; who libelled and grossly abused the House and the Speaker of the House, and who, setting all the forms and usages of the Legislative bodies at utter defiance, completely put a stop to the business of the country: the dismissal, we say, of these gentlemen by Lord Goderich, for such a reason, or rather, under such a pretence, upon mere heresy evidence too, through Mackenzie or the newspapers, without any previous intimation of his Whigship's high displeasure, and without affording them a moment's time to defend themselves, or explain their conduct, is an infinitely more high handed and despotic measure, than any even yet ascribed to the Duke of Wellington, or, we venture to say, was ever thought of by that Nobleman.

The dismissal of these gentlemen, for such reasons, cannot be viewed as a mere personal question, affecting not only the interests of the two officers who have been removed; but it is a public question deeply affecting the rights and liberties of the people of this Colony—the freedom of election, and the privileges of the people's representatives. For, if the colonial minister for the time being assumes to himself the power of dictating to the representatives of the Canadian people, what they shall do and what they shall not do in their Legislative capacity, and punishes such of those representatives as he has the power of punishing, for not acting agreeably to his dictation, it is very easy to see that the Legislature must soon degenerate indeed into a band of "slaves and syc-

phants;" since no member who holds a public office, and no member who desires to obtain a public office will dare to oppose the mandate of the existing colonial minister.

And what would be a still more degrading and demoralizing effect of such a system, if persisted in, it would render the Representative body as inconsistent and unprincipled, as it would be slavish and sycophantic; since the members of that body, in order to please the government for the time being, must of course, chameleon-like, change their political hue, with every ministerial change, of these ever changeful. Such, however, is the mandate of this sapient Lordling; who declares, we are informed, that all persons holding offices under the government, are expected to support the views and directions of that government, or they will be instantly removed from office!!

Further marks of His Lordship's displeasure at the recent proceedings of the two Houses of the Provincial Parliament, we understand are threatened. And nobody can tell what ridiculous caper this political imbecile may next enact. The dissolution of the Parliament; the recall of the Governor; the dismissal of the Chief Justice; and many other equally mad & ruinous projects are said to be in the contemplation of this foolish Colonial Minister. One of the very worst effects of such a condition of affairs is, that it reduces every thing in the country to a state of uncertainty: with the past acts of this minister the great bulk of the people are displeased or disgusted; and with reference to his future acts, they apprehend nothing but mischief and disaster, both to the Colony and the Empire. The minds of all the well affected people in the country (and they, to the certain ultimate discomfiture of the united factions of Mackenzie, Goderich and the Yankee Methodists, are a vast majority) begin to be unhinged. Instead of dwelling with delight and confidence upon their connexion with the glorious Empire of their sires, with a determination to support that connection as many of them have already supported it, with their fortunes or their blood, their affections are already more than half alienated from the Government of that country, and in the apprehension that the same insulting and degrading course of policy towards them is likely to be continued, they already begin to "cast about" in "their mind's eye," for some new state of political existence, which shall effectually put the colony beyond the reach of injury and insult from any and every ignoramus whom the political lottery of the day may chance to elevate to the chair of the Colonial Office.

This is strong language: The fools and the knaves of the Yankee Republican faction, whom Lord Goderich delighteth to honor—and the fools and knaves of the Canadian Republican press [and they are all fools or knaves] will affect to condemn and ridicule that language—but, IT IS TRUE! It is not the mere circumstance of the dismissal from office of Mr. Boulton, or Mr. Hagerman, but it is the disposition which this Lordling of the Colonies, has evinced to countenance and protect the odious, despicable, unprincipled and puny faction, which has been labouring for years to dis sever the Colony from Britain, and to set up democratic Republicanism in its stead; and the equally despicable and unprincipled emissary of that faction: and the disposition, which he has at the same time, as a consequence, shewn to annoy, insult, and injure the feelings of the great and respectable majority of the Canadian population, who disavowed and condemned the conduct and the representations of that emissary and that faction; it is this we repeat, and not merely the dismissal of the gentlemen in question (which constitutes only one prominent instance of the disposition and designs of the Colonial Secretary) that has alienated the affections and produced the feelings of resentment, and the views with regard to the future, which we have described.

"Fools never learn wisdom;" or, one might have hoped that the experience which the present foolish ministry\* have had of the consequences of setting up their opponents and putting down their supporters; of taking their enemies by the hand, and throwing cold water in the faces of their friends, would have ere this taught them the propriety of abandoning this amicable iniquity; but, the ruinous folly which has been enacted in Ireland, in Jamaica, and in the Mauritius; is, it appears, in spite of dear bought experience, to be re-enacted in Upper Canada, and the Lord knows, perhaps in all the other colonies of the Empire.

In Ireland, in accordance with this imbecile policy, the Government have alienated the affections, and made deadly enemies of the fastest friends of the British Throne—while they have added tenfold to the power and to the enmity of their former foes: and 20,000 additional bayonets, are consequently, required to keep the people of Ireland from weltering in each other's blood, and from annihilating every vestige of order, government and law.

\* From this general character there are two or three distinguished exceptions.

In Jamaica, in pursuance of the same policy, they have stimulated the blacks to cut the throats of the whites—and now in order to prevent the blacks from cutting any more throats, or to protect them in doing so (for there is really no telling which is the object of our sapient Minister), the same Cabinet are obliged to send 5,000 additional swords and bayonets to that devoted Island.

In the Mauritius—in accordance with a similar policy, the same measures have been pursued, and the same necessity for resorting to additional bayonets has been the consequence.

And now the same imbecile experiment is to be pursued in Upper Canada—but if it is persisted in—the moral and physical force of the great and overwhelming majority of the Canadian people, whom it will be necessary for Lord Goderich to deal with, will be too powerful to be subdued or influenced by any demonstrations of this kind.

We hope, however, for the best—we hope that though “fools may not learn wisdom,” they may, at least, be arrested in their career of folly; and that the consequences, which no honorable or patriotic mind can contemplate without shuddering, may therefore be averted.

No. 89.

*Colonial Office,  
May 17th, 1833.*

SIR,  
I am desired by Mr. Secretary Stanley to acquaint you, that he will be enabled to see you on Monday, at half past one o'clock, if you can call here at that time.

I am,

Yours Obediently,

RICHARD EARLE.

Wm. McKenzie, Esq.

No. 90.

*Downing Street,  
14th May.*

SIR,  
I am directed by Lord Althorp to acknowledge your letter of the 22d August, and to thank you for the information contained in it.

I have the honor to be,

Sir,

Your Ob't Servant,

W. L. WICKHAM.

W. Mackenzie, Esq.

No. 91.

*S. G. O. Toronto, U. C.  
7th April, 1835.*

SIR,  
In compliance with the wishes of the Committee on Grievances, I beg leave to enclose to them a paper containing certain Queries, transmitted to me yesterday, with the blanks filled up as requested.

I have the honor to be,

Sir,

Your Ob't Servant,

S. P. HURD, S. G.

*The Chairman of the }  
Committee on Grievances, }  
&c. &c. &c.*

No. 92.

J. COLBORNE,

The Lieutenant Governor transmits to the House of Assembly, in compliance with the Address of the 10th instant a

Return of the Justices of the Peace, and Commissioners of the Courts of Requests, for the several Districts, with the dates of their commissions.

In reply to the inquiries contained in the same Address, the Lieutenant Governor acquaints the House, that the Justices of the Peace are appointed by commission, under the great seal of the Province, the selection being made by the Lieutenant Governor for the time being, acting in the name of the King.

The Commissioners in the Courts of Requests, are appointed in a manner directed by the second section of the Statute 3d William 4th, Chap 1.

A copy of the instructions which have been issued by the Inspector General to Collectors of Customs is annexed. The Lieutenant Governor is not aware of any other instructions having been given either to Collectors, Sheriffs, or Clerks of the Peace, respecting their personal attendance to the duties of their situations. When the right to appoint a deputy is conferred by law it cannot be disputed by the Executive Government. The officers, however, holding these appointments become responsible to the law of the land for their conduct and for a correct discharge of their duties; and are liable to be removed by the crown.

The Lieutenant Governor transmits, in compliance with the same address of the House of Assembly, a Return of persons who were members of the last House of Assembly, and who have accepted offices of emolument under the Provincial Government since the General Election in 1830.—The places and situations which they hold, were conferred in the same manner as appointments have been always made to similar officers, and in the manner required by the laws of the Province.

The Lieutenant Governor, in compliance with the same address of the House of Assembly, transmits also a Return of all members of the present House of Assembly, who hold offices or employments of profit and emolument under the British or Colonial Governments, or who enjoy pensions, half pay, or retired allowances, so far as the Lieutenant Governor has the means of procuring information on these subjects.

When the duties of such officers are not precisely directed by law, the Lieutenant Governor can only assume the nature and extent of them from the statements of the parties themselves, which have for this purpose been called for, and to which the Lieutenant Governor refers the House.

The Lieutenant Governor is requested by the same address to give whatever information it may seem to him proper to communicate in respect to the powers, duties, and responsibilities of the Executive Council; how far that body is responsible for the acts of the Executive Government, and how far the Lieutenant Governor is authorized by His Majesty to act with or against their advice.

Upon this request of the House of Assembly the Lieutenant Governor acquaints the House, that in respect to the powers of the Executive Council—in no case, he believes, are powers committed to them, except by the express provisions of British or Colonial Statutes, which are known to the House of Assembly.

In respect to the duties of the Executive Council in addition to those which are imposed by statutes, it is necessary that the Executive Council should concur with the Lieutenant Governor in deciding upon applications for lands, pursuant to His Majesty's instructions, and in making regulations relative to that department of the Government. It is also the duty of the Executive Council to afford their advice to the Lieutenant Governor upon all public matters referred to them for their consideration. The responsibilities under which the Executive Council discharge this important and confidential duty depend upon the principles of our constitution, and upon the law of the land; and the Lieutenant Governor possesses no sources of information upon this question, which are not equally accessible to every inhabitant of the Province. It is, of course, generally understood that the Lieutenant Governor, for the time being, and members of the Executive Council, are responsible to His Majesty's Government for their conduct, and are removable at the pleasure of the King.

In reply to the last enquiry contained in the address, the Lieutenant Governor acquaints the House, that where the provisions of any statute require the concurrence of the Executive Council to an act of the Government, it cannot be dispensed with, and whatever responsibility attaches to the particular act, must obviously be shared by the Executive Council.

In other cases, it is to be presumed that the Lieutenant Governor for the time being, exercises his judgment in regard to demanding

the assistance and advice of the Executive Council, except he is confined to a certain course by the instructions of His Majesty. Upon the subject of these instructions, the Lieutenant Governor is of opinion, that it would be inconsistent with his duty, as the House of Assembly appear to conclude, to enter into particular explanations without the consent of His Majesty's Government.

Government House, 20th February, 1835.

No. 92. (A.)

### The Executive Council.

Statements copied by W. L. Mackenzie, Esq. from the Records of the Executive Council, in the Colonial Office:

[COPY.]

"Quebec, 14th Sept. 1811.—Sir:—Herewith you will receive an additional instruction from His Royal Highness the Prince Regent, appointing you in the name and on the behalf of His Majesty, as the Senior Officer, commanding the troops in Upper Canada, Senior Member of the Council of that Province, to enable you to succeed to the civil administration of it upon His Excellency Lieutenant Governor Gore's availing himself of the leave of absence which has been transmitted to him by this opportunity."—

"I have the honour to be, &c.

(Signed) GEORGE PREVOST.

"To Major General Brock."

[COPY.]

"In the name and on the behalf of His Majesty—"George, P. R.

#### ADDITIONAL INSTRUCTION.

[L. S.] To our trusty and well beloved Sir James Henry Craig, K. B., and K. C., our Captain General and Governor in Chief in and over our provinces of Upper and Lower Canada in America, or in his absence to our Lieutenant Governor or Commander in Chief of our Province of Upper Canada for the time being.

Given at our Court at Carleton House, the 13th day of July, 1811; in the 51st year of our reign.

WHEREAS by the fourth article of our general instructions bearing date the 29th day of August, 1807, WE did nominate and appoint certain persons therein named to be members of the Executive Council of Our province of Upper Canada, NOW WE do hereby revoke, annul, and make void so much of the said fourth article of our said instructions as relates to such nomination and appointment. And We are hereby pleased to constitute and appoint Gordon Drummond, Esq. Major General of our Forces, or the Officer commanding our Province for the time being, Thomas Scott, Esq. our Chief Justice, or the Chief Justice of our Province for the time being, Jacob, Lord Bishop of Quebec, James Baby, Alexander Grant, John McGill, and William Dummer Powell, Esquires, to be members of the Executive Council of our said Province of Upper Canada."

"(Signed) GEORGE P. R."

"To SIR JAMES H. CRAIG, K. B."

It appears that it is the duty of the Lieutenant Governor to take the opinion of the Executive Council only in such cases as he shall be required to do so by his instructions from the Imperial Government, and in such other cases as he may think fit. It appears by the following transactions that the Lieutenant Governors only communicate to their councils so much of the private despatches they receive from the Colonial Office as they think fit, unless in cases where they are otherwise specially instructed:

Colonial Office, 20th May, 1808.—F. Gore, Governor, requested the advice of the Executive Council, relative to the time of dissolving the present Parliament and convoking a new one—they respectfully concur with His Excellency in opinion that the writs, &c. should issue forthwith.

[COPY.]

Council Chamber, at York, Sat. 8th Oct. 1808.—Present F. Gore, Lieutenant Governor, Chief Justice Scott, John McGill.—His Excellency laid before the Council the following extract of a let-

ter addressed to him from Lord Castlereagh, Principal Secretary for the Colonies, dated Downing Street, 14th June, 1808.

"His Majesty has been graciously pleased to approve of your recommendation of Mr. McGill to succeed Lieut. Colonel Shaw as one of the ordinary members of the Executive Council, and Mr. Powell and Mr. Selby to be honorary members of that board."

"In conformity to the above signification of His Majesty's pleasure, His Excellency did administer the oaths required to be taken by the members of the Executive Council to William Dummer Powell and Prideaux Selby, and they took their seats as members."

25th Oct. Lieutenant Governor Gore, came to the Council and ordered summonses to Messrs. Powell and Selby to attend each council as ordinary members.

At the Council Chamber, York, 13th July, 1809, Lt. Governor Gore laid before the Council the following extract of a letter that had been addressed to him by the Secretary, Lord Castlereagh:

"His Majesty has been graciously pleased to approve of your recommendation of Mr. Justice Powell to succeed Mr. Russell as an ordinary member of the Executive Council."

No. 93.

### Upper Canada.

RETURN of the Magistrates of the Western District appointed under a Commission of the Peace dated the 11th November, 1833.

After the Members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

Francis Baby,  
Jean Baptiste Baby,  
George Jacob,  
William Duff,  
John Dolson,  
William McCrae,  
William McCormick,  
William Jones,  
Israel Smith,  
Claude Gouin,  
Isaac Bell,  
George Jacob the Younger,  
William Berczy,  
Jean Baptiste Maçon,  
Charles Eliot,  
John G. Watson,  
Charles Berczy,  
Lewis Gordon,  
George Kirby,  
Duncan McGregor,  
James Askin,  
Francis Caldwell,

Matthew Elliott,  
Charles Fortier,  
William Elliott Wright,  
John Prince,  
Joseph Woods,  
Robert Jones,  
Duncan Warren,  
James W. Little,  
Joseph Smith,  
Alexander Walker,  
Henry Jones, Senior,  
George Hyde,  
Alfred Toulmin,  
Robert Watson,  
Frome Talfourd,  
Henry Jones, the Younger,  
George Durand,  
Alexander Thomas E. Vidal,  
Field Talfourd,  
Lewis Rendt,  
Harry Alison,  
Arthur William Freear,

ROTHWELL.

John Scratch,  
Prideaux Girty,

William Ambridge,

Secretary's Office,  
Toronto, 13th Feb. 1835. }

I certify that the foregoing is truly extracted from the Registry in this office—Book G. Folio 134.

D. CAMERON,  
Secretary and Registrar.

No. 94.

### Upper Canada.

RETURN of the Magistrates of the District of London, &c

*pointed under a commission of the peace, dated the 25th July, 1833.*

After the Members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

Peter Teeple,	Charles Prior,
Thomas Hornor,	John Brewster,
James Mitchell,	Peter Hamilton,
Joseph Ryerson,	Colin McNeilledge,
Thomas Boulby,	Captain Andrew Drew,
Mahlon Burwell,	Major James Barwick,
George C. Salmon,	James Hutton,
James Hamilton,	Peter Carroll,
James Graham,	James Ingersoll,
James Racey,	John Burwell,
Leslie Patterson,	Robert Grey Kirkland,
Ira Schofield,	Alexander Richardson,
Henry Warren,	Roswell Mount,
John Bostwick,	Joseph B. Clench,
John Hatch,	James Nevills,
Solomon Lossing,	Samuel Eccles,
Israel Wood Powell,	William Young,
William Wilson,	Colonel Alexander Whalley
Andrew Dobie,	Light,
Edward Allan Talbot,	John Warren,
Duncan McKenzie,	Captain Robert Dunlop,
Henry White,	Edward Buller,
James McKinlay,	Captain Philip Graham,
Isaac Draper,	Christopher Beer,
Jacob Potts the Younger,	Thomas Radcliff,
John Kirkpatrick,	Edward Ermatinger,
Duncan Campbell,	James Clement Crysler,
Henry Carroll,	John McFarlane,
John Waddell,	Captain Robert Johnson,
Gilbert Wrong,	Eliakim Malcolm,
Samuel Edison,	Benjamin Springer,
John McDonald,	John Boys,
Duncan Warren,	William Gordon, (of Zorra)
William Robertson,	John Philpot Curran,
John G. Lossey,	Walter McKenzie,
John Burdeck,	Henry Allison,
John Scatchard,	Richard N. Star, Esqrs.--74.
Benjamin Wilson,	

SECRETARY'S OFFICE,  
Toronto, 13th Feb. 1835. }

I certify that the foregoing is truly extracted from the Registry in this office—Book G. folio 117.

D. CAMERON,  
Secretary & Registrar.

No. 95.

**Upper Canada.**

RETURN of the Magistrates of the District of Niagara, appointed under a Commission of the Peace, dated the 31st May, 1833.

After the members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

James Muirhead,	William Anthony,
Robert Nelles,	John Claus,
William Crooks,	Geo. Stevens, late 76th Reg.
Robert Grant,	of Foot,
Peter Ball,	Robert H. Dee,
Samuel Street,	David Thompson,
George Adams,	Henry William Nelles,
George Keefer,	Smith Griffin,
Thomas McCormick,	Benjamin Canby,

F2

Alexander Hamilton,  
James Cummings,  
James Macklem,  
John D. Servos,  
William Hamilton Merritt,  
Warner Nelles,  
George Ball,  
John Usher,  
Robert Hamilton,  
Henry Warden,  
Daniel McDougall,  
Mordon Crysler,  
Thomas Merritt,  
John Powell Tweed,  
Henry Nelles,  
James Black,  
James H. Mackenzie,  
William Mylue,  
Dr. John Lefferty,  
George Rykert,  
James Birdsall,  
George Connolly,  
Bartholomew Tench,  
William Nelles,  
William Duff,  
William Smith,  
Alexander Douglas,  
James Johnson,  
Lieutenant Colonel Arthur Jones,  
Edmund Ricely,  
Henry Mittleberger,  
William Adams,  
James W. O. Clark,  
John McGlashan, Jun.  
Cyrus Sumner,

Edward Evans,  
Thomas Butler,  
George Ridout,  
General John Murray,  
Robert Mellville,  
James Lockhart,  
John C. Ball,  
William Ball,  
John Mewburn,  
Lewis Clement,  
Ogden Creighton,  
James Robinson of the Falls,  
Lieutenant Colonel Philip Delatre,  
Malcolm Lang,  
Jacob Keefer,  
Elias Smith Adams,  
Captain ——— Tench,  
Isaac Johnson,  
Michael Graybiel,  
Amos Bradshaw,  
Duncan McFarland,  
Leslie Patterson,  
John Cleveland Green,  
Nathaniel Pauling,  
John Gibson,  
Richard Woodruff,  
John S. Alma,  
Crowell Wilson,  
Lieut. Charles Jones, R. N.  
James Cooper, near Queenston,  
Samuel Birdsall, (Canboro')  
Wm. M. Ball, (Niagara) Esquires—84.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this office, Book G. folio 103.

D. CAMERON,  
Secretary & Registrar.

No. 96.

**Upper Canada.**

RETURN of the Magistrates of the District of Gore, appointed under a Commission of the Peace, dated the 2nd April, 1833.

After the members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

William Crooks,	John Secord,
John Willson,	Philip Sovereign,
James McBride,	Manuel Overfield,
Hugh Willson,	William Proctor,
William Ellis,	Thomas Lepard,
James Racey,	Thomas Smith,
Matthew Crooks,	William Holme,
Daniel O'Reilly,	Elijah Secord,
Robert Murray,	Thomas Fyfe,
Richard Beasley,	Hugh Crene,
William Chisholm,	Charles Prior,
William Scollick,	John Brewster,
William Dunlop,	John Spraut,
William Richardson,	Daniel K. Servos,
Thomas Stephens,	Daniel Lewis,
William McKay,	Absalom Shade,
Robert Land,	Alexander Roxborough,
Peter Hunter Hamilton,	Edward Richie,
William B. Van Every,	David Archibald MacNab,
Benjamin Wilson,	Michael Aikman,
Nathaniel Bell,	Edmond Huntley,

Alexander Proudfoot,  
Henry Trout,  
John Chalmers,  
John Sterritt,  
Henry Strange,  
William Heath,  
Samuel Crawford,  
John Watson,  
John Inglis,  
Job Loder,  
William Birt,  
James Winniett,  
James Gilpin,  
William Muirhead,  
Thomas Armstrong,  
Hiram Smith,  
Andrew Gage,  
James Wilson,  
Charles Kennedy, of Erin,  
John Burns,

Geoffry Lynch,  
Colin Campbell Ferrie,  
Osmond Charles Huntley,  
— Haycock,  
Joseph Bowes,  
George Brown,  
Charles Biggars,  
John Williamson,  
John Lowe,  
Thomas Choate,  
Geo. Chisholm, the Younger,  
Andrew Todd Kirby,  
John Aickman, the Younger,  
Thomas Harris,  
James Hamilton,  
James B. Ewart,  
William Reynolds,  
Rowland Wingfield,  
George Hamilton,  
Francis Leonard, Esqrs.—82.

SECRETARY'S OFFICE,  
Toronto, 13th Feb. 1835. }

I certify that the foregoing is truly extracted from the Registry in this office—Book G. folio 93.

D. CAMERON,  
Secretary & Registrar.

No. 97.

**Upper Canada.**

RETURN of the Magistrates of the Home District, appointed under a Commission of the Peace, dated the 27th March, 1833.

After the members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

Alexander Wood,  
William Chewett,  
Grant Powell,  
Stephen Jarvis,  
William Thompson,  
William Tyler,  
D'Arcy Boulton,  
James Miles,  
James Fitzgibbon,  
Francis Hewson,  
Frederick Star Jarvis,  
Robert Charles Horne,  
John Beikie,  
William Benjamin Robinson,  
John Scott,  
William Parsons,  
Christopher Widmer,  
James O'Brien Bouchier,  
William Dunlop,  
Robert Stanton,  
John Gamble,  
William Proudfoot,  
Wm. Johnson, of Georgina,  
William Turner,  
William Crookshanks,  
Lewis Algo,  
Arad Smalley,  
John Galbraith,  
John Bagwell,  
Peter McDonald,  
Hector McQuarrie,  
Joseph Carter,  
Samuel Ridout,  
Charles Coxwell Small,  
John Lemon,  
William Birdsall,

John Borlase Warren,  
Alexander Armstrong,  
George Ramsay,  
William Woodin,  
Thomas Gummersal Anderson,  
James W. Hamilton,  
Edward O'Brien,  
John C. White,  
Edward Favel Davis,  
Malcolm Ross,  
Arthur Carthew,  
Charles Stanley Monck,  
James Adam,  
Robert Oliver,  
William B. McVity,  
William Warren Baldwin,  
James Winniett,  
William Gamble,  
John King,  
George Monro,  
Andrew Mercer,  
Thomas Birchall,  
Alexander Murray,  
Robert Gillespie,  
John Ross,  
John Spread Baldwin,  
James Frederick Smith,  
Peter Paterson,  
James G. Chewett,  
David Stegman,  
Thomas Gibbs Ridout,  
Walter O'Hara,  
George T. Dennison,  
Robert Harding,  
John Scarlet,

Peter Milne,  
Benjamin Monger,  
Joseph Adamson,  
Lawrence Hayden,  
Joseph Wadsworth,  
James Baldwin,  
Thomas B. Phillips,  
William Campbell,  
Josias Taylor,  
John Lynch,  
Francis Campbell,  
James Young,  
George Lount,  
William Algo,  
John Dawson,  
William Laughton,  
James Henderson,  
Archibald Barker,  
John Button,  
Peter Reesor,  
John Anderson,  
Francis Leys,  
Francis R. Tincombe,  
Charles Fothergill,  
A. McLean, of Scarborough,  
Robert Douglas, Hamilton,  
William Raines,

Benjamin Thorne,  
Richard Gapper,  
John Barrick,  
Simon Lee,  
John Mills Jackson  
Francis Osburne  
William Gibbs  
Thomas Mossington, of Eldon  
William Bagshaw, of Brock  
Matthew Cowan,  
Elmes Steel,  
Edward Ryall,  
John Coates,  
Thomas McConkey,  
John Carthew,  
John Thompson, of Orillia,  
Anthony B. Hawke,  
Thomas Henderson,  
Andrew Mitchell,  
Samuel Richardson,  
Frederick Stephens, of Tecumseth,  
Robert Newcomen Algeo,  
Meyrick Lally,  
Edward W. Thomson, Esquires—122.

Secretary's Office,  
Toronto, 13th February, 1835.

I certify that the foregoing is truly extracted from the Registry in this Office, Book G. folio 90.

D. CAMERON,  
Secretary & Registrar.

No. 98.

**Upper Canada.**

RETURN of the Magistrates of the Newcastle District, appointed under a Commission of the Peace, dated the 9th January, 1835.

After the Members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

Elias Jones,  
Alexander Fletcher,  
Richard Hare,  
John David Smith,  
Robert C. Wilkins,  
John Platt,  
Robert Henry,  
Samuel Street Wilmot,  
Archibald McDonald,  
Charles Rubidge,  
James G. Bethune,  
Benjamin Cumming,  
John Taylor,  
John Hutchinson,  
William Ouston,  
Sheldon Hawley,  
John Covert,  
John Williams,  
William Sowdon,  
Peter Paterson,  
William Falkner,  
John Brown,  
William Shaw,  
Joseph A. Keeler,  
John Lester,  
Robert Reid,  
Robert Fairbairn,

Richard Lovekin,  
Cheeseman Moe,  
John Thompson,  
George Hughes,  
Thomas Murphy,  
Edward Spring Hickson,  
Ephraim Sanford,  
Edward Duff,  
Robert Hamilton,  
Daniel Griffith,  
Jackson S. Stephenson,  
J. Dunbar Moody,  
Walter Crawford,  
James Thompson,  
Robert Jameson,  
James Wallis,  
Alexander M'Andrew,  
John Darcus,  
Thomas Need,  
George A. Hill,  
Robert P. Madge,  
William Smart,  
John Hay,  
David Campbell,  
Francis Shea,  
Thomas Masson,  
John B. Crowe,

William Warren,  
Patrick M'Guire,  
John Huston,  
Eliakim Barnum,  
James Rogers,  
Francis Connin,  
Thomas Car,  
Thomas Walker,  
John Steel,  
Richard Birdsall,  
Alexander M'Donell,  
John Hall,  
John Burnham,  
George G. Bird,  
Alexander Sharp, senior,  
Robert Brown,  
John Logie,

William Robertson,  
John Gilchrist,  
Benjamin Throop,  
John Crease Boswell,  
George Ham,  
Ebenezer Perry,  
Robert P. Butcher,  
Charles G. Buller,  
Thomas Reed,  
Henry Duffield,  
Walter Crawford,  
William Kingsmill,  
Dugald Campbell,  
John Knowlson,  
Allan Wilmot,  
Henry Monroe,  
Asa E. Walbridge, Esqrs—88.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this Office. Liber E, folio 8.

D. CAMERON,  
Secretary & Registrar.

No. 99.

**Upper Canada.**

RETURN of the Magistrates of the District of Prince Edward, appointed under a Commission of the Peace, dated the 15th March, 1834.

After the Members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

John Stinson,  
James Cotter,  
Reuben Bedle,  
Henry M'Donell,  
Robert C. Wilkins,  
Simeon Washburn,  
James Dougall,  
Alexander M'Donell,  
Hugh M'Donell,  
Griffith Howell,  
Henry Dingman,  
Gwilliam Demorest,  
Andrew Deacon,  
Benjamin Hubbs,  
Samuel Solmes,  
Charles Biggar,  
David Smith,  
David Walt,  
Archibald M'Faul,  
Thomas Nash,  
Owen M'Mahon,

Donald Bethune,  
Charles Bocker,  
David B. Stevenson,  
William Dougall,  
Daniel Haxe,  
David Stinson,  
James Thompson Lane,  
Thomas Flagler,  
Paul Clapp,  
John P. Rotlin,  
John B. Way,  
Thomas M'Mahon,  
Andrew Kerr,  
John Lane,  
Henry Van Duzen,  
Jacob Howell,  
John Pepper Dowens,  
James Fairfield,  
Peter W. Ruttan,  
George Drewry,  
Benj. Weller, Esquires—42.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this office. Book, G. folio 155.

D. CAMERON,  
Secretary & Registrar.

No. 100.

**Upper Canada.**

RETURN of the Magistrates of the Midland District

pointed under a Commission of the Peace, dated 13th December, 1834.

After the members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

Robert Williams,  
John Embury,  
Thomas Markland,  
William Crawford,  
Jacob B. Chamberlain,  
Solomon Hazleton,  
Matthew Clarke,  
Thomas Empey,  
Thomas Sparham,  
Benjamin Fairfield,  
Isaac Fraser,  
John Church,  
Samuel Dorland,  
Christopher German,  
Charles Anderson,  
Allan McPherson,  
James Samson,  
Anthony Marshall,  
John Macaulay,  
Alexander Pringle,  
Colin McKenzie,  
Robert Richardson,  
Richard Lowe,  
John Turnbull,  
William Johnston McKay,  
Jonathan Allan,  
Jacob Rambough,  
John Marks,  
Richard Hitchens,  
Orton Hancox,  
Jacob Shibley,  
William Ketcheson,  
Thomas Parker,  
Peter Perry,  
Anthony Manahan,  
Samuel Clark,

Archibald Caton,  
William Bowen, Junior,  
Henry Smith,  
George A. Ridley,  
Lawrence Herchmer,  
Samuel Casey,  
James McGregor,  
Adam Krien,  
Archibald McNeil,  
James McFarlane,  
George Baker,  
William H. Gray,  
Archibald McDonell, of Hazel Bank,  
John Portt,  
Edward Fidler,  
Allan Munro,  
Elijah Ketcheson,  
Thomas D. Appleby,  
Solomon Solms,  
Calvin Wheeler,  
Donald Murchison,  
Benjamin Seymour,  
Peter Davy,  
Edward Howard,  
Davis Hawley,  
William Holditch,  
William Simpkins,  
Horace Yeomans,  
William Logie,  
Alexander Cowan, Senior,  
Thomas Askew,  
John Strange,  
Elijah Beach,  
George H. Detler, Esquires—70.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1834. }

I certify that the foregoing is truly extracted from the Registry in this office—Book E, folio 4.

D. CAMERON,  
Secretary and Registrar.

No. 101.

**Upper Canada.**

RETURN of the Magistrates of the District of Johnstown, appointed under a Commission of the Peace, dated the 22nd July, 1833.

After the members of the Executive and Legislative Councils and the Judges of the Court of King's Bench.

Joel Stone,  
Gideon Adams,  
Stephen Burritt,  
Richard Arnold,  
Hugh Munro,  
Daniel Burritt,  
Uri Scovill,  
Phillip Phillips,  
Lewis Grant,  
Sylvester Wright,

Terence Smith,  
Jonathan Fulford,  
John Weatherhead,  
Justus S. Merwin,  
Archibald McLean,  
Alpheus Jones,  
Henry Jones,  
Elnathan Hubbell,  
Dunham Jones,  
William Brown,

Seventh Report of Committee on Grievances.

Benjamin R. Munsell,  
Richard D. Fraser,  
Thomas Fraser,  
Alexander Morris,  
Thomas D. Campbell,  
Rufus C. Henderson,  
William Wells,  
Abraham Dayton,  
Alexander McMillan,  
Bartholomew Carley,  
William H. Bottom,  
William Morris,  
Truman Hurd,  
Henry Burrett,  
Philip Dulmage,  
George Breakenridge,  
Joseph K. Hartwell,  
John Leggett,  
Walter Atkins,  
Robert Powell,  
William Freeland,  
George Crawford,  
Samuel Thomas, Junior,  
George Longley,  
William Weatherhead,  
William Brooks,  
Paul Glasford,  
John Patton,  
John L. Reade,  
Hamilton D. Jessup,

James Morris,  
William R. F. Berford,  
John McLean,  
John McDonald,  
William L. Whiting,  
Philip Shook,  
John Deming,  
William Kay,  
William P. Loucks,  
Basil R. Church,  
Jonas Jones,  
William McQueen,  
James McIlmoyle,  
William J. Scott,  
Peter Scofield,  
Henry Bradfield,  
James L. Schofield,  
Nicholas Horton,  
Thomas Shuffield,  
John Kilburne,  
James Shaw, (Crosby),  
John Hobson,  
Robert Harvey,  
Hiram Norton,  
John R. Berford,  
Richard Johnson,  
Joseph Goff,  
Robert Edmonson,  
Nicholas Brisee, Esqrs.—79.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this office—Book G, folio 115.

D. CAMERON,  
Secretary & Registrar.

No. 102.

Upper Canada.

RETURN of the Magistrates in the District of Bathurst, appointed under a Commission of the Peace, dated the 12th November, 1833.

After the Members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

Alex. Thom,  
William Morris,  
William Marshall,  
George Thew Burke,  
Alexander M'Millan,  
William B. Bradley,  
James Dent Weatherly,  
John Benning Monk,  
Joseph Maxwell,  
Charles H. Sache,  
Henry Graham,  
Christopher J. Bell,  
Robert Stephens,  
Archibald MacNabb,  
George Lyon,  
John B. Lewis,  
Robert Shirif,  
Daniel Baird,  
Henry Glass,  
John Ferguson,  
John Burford,  
Hamnet Pinkey,

Josias Tayler,  
Sewell Ormsby,  
Benjamin Street,  
John Watson,  
Roderick Matheson,  
Alexander Fraser,  
Anthony Lesslie,  
Donald Fraser,  
John F. Elliott,  
Edward Logan,  
James Grierson,  
John Hutchinson,  
James Rae,  
James Wilson,  
John Le Briton,  
James Hume,  
Anthony Philip,  
John M'Intyre,  
Francis Hall,  
George William Baker,  
Matthew Connell,  
Daniel O'Connor,

William Rutherford FitzWilliam Burford,  
Daniel Fisher,  
Matthew Leach,  
Daniel M'Kinnon,  
John Grenville,  
Edward Samuel Bradley,  
John Richey,  
Alexander M'Vicar,  
George Tennant,

Benjamin Billings,  
Simon Fraser,  
Thomas M'Kay,  
Alpine M'Millan,  
John Grant,  
Andrew Buchanan,  
James Wylie,  
Ebenezer Wilson,  
Joshua Adams, Esquires—62.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this office. Book G, folio 137.

D. CAMERON,  
Secretary & Registrar.

No. 103.

Upper Canada.

RETURN of the Magistrates of the Eastern District, appointed under a Commission of the Peace, dated the 15th day of December, 1834.

After the members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

Samuel Anderson,  
John M'Intyre,  
Lawrence M'Kay,  
Benjamin French,  
Alexander Mackenzie,  
William Morgan,  
Alexander M'Martin,  
Duncan M'Donell,  
Guy C. Wood,  
Alexander Rose,  
Ambrose Blacklock,  
Allan Cameron,  
Alexander Chisholm,  
Alexander Fraser,  
John M'Gillivray,  
James Pringle,  
D. Thompson,  
Philip Vankoughnet,  
Duncan Cameron,  
Simon Fraser,  
John Duncan Campbell,  
Hugh M'Gillis,  
Peter Shaver,  
James M'Donell, of Matilda,  
John M'Donell, of Grey's Creek,

John Chrysler,  
Joseph Anderson,  
Angus M'Donell,  
John M'Lellan,  
Alpin Grant,  
David Jones,  
John Cameron,  
Simon Clark,  
Michael Empey,  
John Archibald,  
William Bruce,  
John Waldroff, junior,  
Donald A. M'Donell,  
Alexander M'Lean,  
William Cline,  
Alexander M'Donald, [late of Glengarry Light Infantry.]  
John M'Bean,  
Donald Catenach,  
Alexander M'Nab,  
Archibald M'Donald,  
Neil M'Donald,  
Duncan Clark,  
James W. Powell,  
Angus Catenach, Esquires—49.

SECRETARY'S OFFICE,  
Toronto, 13th February, 1835. }

I certify that the foregoing is truly extracted from the Registry in this office. Book E, folio 1.

D. CAMERON,  
Secretary & Registrar.

No. 104.

UPPER CANADA.

RETURN of the Magistrates of the Ottawa District, appointed

under a Commission of the Peace, dated the 17th March 1834.

After the Members of the Executive and Legislative Councils, and the Judges of the Court of King's Bench.

John McDonell, David Pattie, Joseph Kellogg, Philo Hall, John Brush, Chauncey Johnson, Charles Shiriff, Joseph P. Cass, John Cairnes, James Molloy, John Chesser, James Fox, Archibald McDonell, of Os- goode, Peter McLaren, Alexr. McDonell, Hugh McLachlin,	George Hamilton, Charles A. Low, William Coffin, John Roe, Peter Sterling. Bradish Billings, Neil Stewart, Daniel Wyman, Elijah Kellog, Thomas McKay, Matthew Connell, Simon Fraser, George S. Jarvis, Elisha Loucks, Archibald Sterling, Wm. Wait, of Longuiel, Es- quires-32.
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SECRETARY'S OFFICE,  
Toronto, 13th February, 1835.

I certify that the foregoing is truly extracted from the Registry in this Office—Book G. folio 157.

D. CAMERON,  
Secretary & Registrar.

No. 105.

A RETURN of the Commissioners of the Courts of Requests for the several Districts of Upper Canada, shewing the date of the respective Commissions.

EASTERN DISTRICT.

Division.		
1st.	{ John McLennan, Alexander McKenzie, Donald McPherson, Angus Catenach, John McBean, Angus McGillis, John Millar,	} 10th March 1834.
2nd.	{ John McGillivray, Alexander Fraser, Alexander McMartin, David Thompson, John McIntyre, Alexander McKenzie,	} 10th March 1834.
3rd.	{ Alexander Chisholm, Angus McDonell, Allen Cameron, Archibald McDonald, Angus McGillivray, Alexander McNab,	} 10th March 1834.
4th.	{ Allan Cameron, Donald Catenach, Alexander McDonell (Teacher), John McDonell, Neil McDonald, Alexander Fisher, Duncan McPherson,	} 10th March 1834.
5th.	{ Joseph Anderson, Philip Vankoughnet, Guy C. Wood, James Pringle, Alexander McLean, William Cline, Noah Dickinson, William Mattice, Angus McDonell, Benjamin French, Simon Fraser,	} 24th August, 1833.

6th.	{ Simon Clark, Michael Empey, John Archibald, William Bruce, Duncan M-Millan, John Waldruff, Jacob W. Empey, Joseph Boccus,	} 24th August, 1833.
7th.	{ Alex. Rose, George Marklay, Jacob Weagant, John Crysler, William Kyle, John W. Loucks, William Swayue,	} 10th March, 1834.
8th.	{ John Marsels, John Cook, John Dillabaugh, James M'Donell, Duncan Clark, Jacob Brouse,	} 20th Sept 1833.
9th.	{ George Brouse, James West, Alexander Wylie, Hugh M-Cargar, David Brown,	} 10th Sept. 1833.
10th.	{ John Madock, John Crysler, Duncan M-Millan, John Link, junior, Hector M'Lean, Alexander M-Millan,	} 20th Sept. 1833.
11th.	{ James H. Crysler,	} 19th May, 1834.

OTTAWA DISTRICT.

Division.		
1st.	{ Charles P. Treadwell, David Pattie, Chauncey Johnson, Peter Stirling, William Wait, John Wurtele Marston,	} 28th May, 1834.
2d.	{ John Kearns, James Molloy, John Paxton, John Chesser, John Buchanan, John Brush, Bradish Billings, Archibald M'Donell,	} 20th August, 1833.
3d.	{ Thomas M'Kay, Colin M'Nab, William Smith, Neil Stewart, Elijah Brown, Charles Hersey,	} 20th August, 1833.
4th.	{ John M'Cann, William Teasdale, Donald M'Leod,	} 28th May, 1834.

JOHNSTOWN DISTRICT.

Division.		
1st.	{ George Longly, Hiram Norton, John Patton, Samuel Thomas, Philip Dulmage, Alexander M-Millan, Angus M'Donell, William M'Queen, Duncan Clarke, John L. Read, Thomas Back,	} 22d August, 1834.
2d.	{ John Kilborne, Basil R. Church, Terence Smith, Stephen Burrett, Hamlet Burrett, Andrew Moore, Henry Burrett,	} 22d August, 1834.
3d.	{ William R. Bethune, William Kay, Truman Hurd,	} 22d August, 1834.

6th.	{ Henry Sherwood, George Malloch, J. B. O. Ford, John Bogert, Paul Glasford, Joseph K. Hartwell,	} 22nd August 1834
7th.	{ John Weatherhead, John McDonell, Benjamin K. Munsell, Archibald McLean,	} 22nd August 1834
8th.	{ Ephraim Koyl, Benjamin Hamblin, Joseph Goff, Wyatt Chamberlain, William Green, William R. De Rinzy,	} 22nd August 1834
9th.	{ George Brackenridge, Peter Schofield, John Deming, Seneca Washburn,	} 22nd August 1834
10th.	{ John Leggett Benjamin Tett, Samuel Halliday, James Stanton, William Manhard,	} 22nd August 1834
11th.	{ James L. Schofield, William P. Loucks, James Shaw, William Simpson, William Brooke.	} 22nd August 1834

BATHURST DISTRICT.

Division.		
1st.	{ William Morris, Donald Fraser, Alexander McMillan, Josias Taylor, Roderick Matheson, John McKay, Charles H. Sache, Robert Bell, Anthony Philips, John McEwen,	} 24th August 1833.
2nd.	{ George Lyon, George T. Burke, James Hume, J. B. Lewis, Sewell Ormsby, Joseph Maxwell,	} 20th Sept. 1834.
3rd.	{ Daniel McKinnon, Daniel Fisher, G. W. Baker, William Thomson, Daniel O'Connor, Simon Fraser, J. Anderson, Matthew Connell, John Grierson, George Clark.	} 24th August 1833.
4th.	{ Edward Logan, Henry Edwards, Hamnett Pinhey,	} 24th August 1833.
5th.	{ Archibald McNab, James Morris, Andrew Dickson, J. McMillan, Andrew Buchannan, George Buchannan, William Rogerson,	} 24th August 1833.
6th.	{ James Hudgon, James Rea, James Wylie, John Hutchinson,	} 19th January 1835
7th.	{ Matthew Leach, George Tenant, John Hall, John Smith,	} 24th August 1833.

8th.	{ Neil McNeil, John Levingston, John McIntyre, John Armour, John Bennett; Peter Campbell, James Gilmour, John Clarke, Daniel Fisher, Francis Hall,	} 24th August 1833.
9th.	{ Christopher J. Bell, Frederick J. Daniel, Thomas B. Moore, Israel Webster.	} 10th Sept. 1833.
10th.	{ Alexander Duer, Finlay McEwan, Colin McLaren,	} 19th Jan'y, 1835.

MIDLAND DISTRICT.

Division.		
1st.	{ Hugh C. Thomson, Henry Smith, James McFarlane, William H. Gray, Alexander Pringle, John Strange, Archibald McDonell, Walter McCuniffe,	} 24th August, 1833.
2nd.	{ Jacob Shibley, William Holditch, William Lattimore, Junr. Lewis Daly, Peter Switzer,	} 1st April, 1834.
3rd.	{ Isaac Frazer, William J. McKay, Orton Haucox, Benjamin Seymour, William Fairfield, Junr. Jacob Rambough, Samuel Clark, William J. P. Bartells, Archibald McNeil, John Campbell, Calvin Wheeler, James Frazer, David L. Thorpe, Peter Perry.	} 24th August, 1833.
5th.	{ Samuel Dorland, Samuel Casey, Jacob Dettlor, William Sills, Allan McPherson, James McGregor, William Bowen, Archibald Caton, Donald Murchison,	} 23rd June, 1834
7th.	{ John Turnbull, Thomas Parker, William Ketchison, Junr. Solomon Hazleton, Henry Hagerman, Henry Baldwin, — Zwick,	} 24th August, 1833.
8th.	{ Isaac Denike, Richard Newton, Edward Fidler, John Anderson,	} 10th March, 1834.

PRINCE EDWARD DISTRICT.

Division.		
1st.	{ Hugh McDonell, Henry Dingman, Henry McDonell, Andrew Kerr,	} 12th April, 1834.
2nd.	{ Owen McMahon, Benjamin Richards, John Lane, Henry Vandosen, Peter Huff,	} 12th April, 1834.

3rd.	{ James Dougall, James Coiter, William Rorke, Benjamin Hubbs, Simeon Washburn, Roger B. Conger, Samuel Solmes,	} 12th April, 1834.
4th.	{ Gwilliam Demorest, Griffith Howell, Peter W. Rattan.	} 12th April, 1834.
5th.	{ Archibald McFaul, John McPherson, John German, Stephen Niles, Thomas Flagler, Paul Clapp,	} 12th April, 1834.
6th.	{ Charles Biggar, Robert C. Wilkins, John P. Roblin, William Brickman, William Anderson, Thomas McMahon,	} 12th April, 1834.

NEWCASTLE DISTRICT.

1st.	{ Robert C. Wilkins, Elijah W. Meyers, William Robertson, Sheldon Hawley, John V. Murphy,	} 24th Aug. 1833.
2nd.	{ John Steele, Thomas Reed, Thomas Bailey, Donald Campbell, Joseph A. Keeler, James G. Rogers, E. Barnum, Benjamin Ewing, Richard Hare, John Taylor, John Grover, James G. Bethune, Robert Henry, Walter Crawford, Elias Jones,	} 2nd October, 1833.
3rd.	{ Asa A. Burnham, William Hartwell, Charles G. Boller, Archibald McDonald, George Ham, Richard Bullock, John D. Smith, William Sowden, John Burnham, D. Smart, Thomas Benson, William Wallis, Samuel S. Wilmot, William McIntosh, Richard Lovelock, William Warren, John Scott, Asa E. Walldridge, David Burke, G. Smart, G. Hughes, William Lawson, Patrick McGuire, John Thompson, George Elliott, Alexander Brown, John Huston, Christopher Knowlson, Sen'r, Henry Ewing, Duncan Cameron, Daniel Williams, Eldridge Irish, Israel Ferguson, Kenneth McCaskill, Thomas Mitchell, Angus McDonald, William Cottingham, Richard W. Marmion,	} 24th Aug. 1833.
4th.		} 24th August 1833.
5th.		} 24th August 1833.
6th.		} 24th August 1833.
7th.		} 24th August 1833.
8th.		} 10th March, 1834.
9th.		} 10th March, 1834.

10th	{ Charles Rubidge, John Hall, William Smart, Daniel Griffiths, Ephraim Sanford, Edward Hickson, Robert Reed, Richard Birdsall, Thomas Walker,	} 10th March, 1834.
11th	{ Thomas Carr, Adam Starke, James Thompson, Robert Reade,	} 24th August 1833.
12th	{ Robert Brown, Thomas Trail, Samuel Strickland, Isaac Blair, John Platt, Junr.	} 24th August 1833.
13th	{ James Platt, David Cummings, Comfort Curtis, Robert P. Madge,	} 10th March, 1834.
14th	{ Thomas Need, John Darcus, John Tice,	} 24th August 1833.
15th	{ Thomas Allan, Benj. Butler Ranney, Philip Le Vescount, R. N. Cheeseman Moe,	} 28th June, 1834.
16th	{ John Logie, William Purdy, David Culbert, Asa E. Walldridge, Thomas J. Grover,	} 27th May, 1834.
17th	{ Robert Adair, Edward Drewry, Alexander Coulter,	} 27th May, 1834.

HOME DISTRICT.

Division.		
1st.	{ Lawrence Hayden, John B. Warren, Alexander Armstrong, John Farquharson, Daniel Griffin, Charles Fothergill, Francis Leys.	} 24th Aug. 1833.
2nd.	{ John Galbraith, H. Boys, Alexander Wood, Robert Gillespie, James Edward Small,	} 24th August 1833.
3rd.	{ John G. Spragge, William Hepburne, Benjamin Monger, Francis Campbell, John Lemon, John Scott, C. J. Baldwin, William Campbell, John Coates, Edward W. Thomson, John Gamble, William Thomson,	} 24th August 1833.
4th.		} 10th May, 1834.
5th.		} 14th August 1833.
6th.	{ F. S. Jarvis, J. McGill, Thomas Magrath, James Miles, Hector McQuarrie, William Parsons, Benjamin Thorpe, Simon Lee, David Bridgford, William Crookshank,	} 24th August 1833.
7th.		} 24th August 1833.
8th.	{ John Anderson, James Young, Richard Gapper, William B. Robinson, James Henderson, Thomas Henderson, William Roe, Francis Hewson, Lewis Algeo, Samuel Lount, George Ramsay, John Dawson,	} 24th August 1833.
9th.		} 24th August 1833.
10th.		} 24th August 1833.

Seventh Report of Committee on Grievances.

11th.	{ Arad Smalley, James O'Brien Bouchier, William Johnson, Henry Stennett, Matthew Cowan,	} 24th August 1833.	12th.	{ William M'Kay, George Chisholm, Joseph Ireland, Manuel Overfield, Thomas Racey, James B. Ewart, Andrew T. Kirby, James Durand,	} 24th August, 1833.
12th.	{ George Spence, John Cobean, George Snell,	} 19th May, 1834.	13th.		
13th.					
14th.					
15th.	{ James William Hamilton, Thomas G. Anderson, William Woodin, Andrew Mitchell, Samuel Richardson, William Simpson, Robert Oliver, Edward F. Davis, Edward O'Brien,	} 24th August 1833.	Division. NIAGARA DISTRICT.		
16th.	{ Arthur Carthew, John Carthew, John Thompson, Elms Steele, William Turner, William Gibbs, L. McLean Cameron, John Edward White, Duncan Cameron,	} 24th August, 1833.	1st.	{ Robert Grant, Robert Melville, James Lockhart, Richard Woodruff, William Servos, William M. Ball, Daniel M'Dougall, John Lyons,	} 20th August, 1833.
17th.			2d.	{ Ogden Creighton, Gilbert M'icking, John C. Green, James Robinsen, Malcolm Laing, George Mackenzie, Alexander Douglass, William Powell, James Johnson, William Smith,	} 16th Oct. 1834.
GORE DISTRICT.			3d.	{ — Tench, Crowell Wilson, junior, Duncan M'Farland, Phineas Robinson, Michael Graybiel, James Black, George Keefer, William Adams, Charles K. Fell, Moses Brady, John M'Glashan, junior, John Clark, William Hamilton Merritt, George Adams, Robert Burns,	} 20th August, 1833.
Division.			4th.	{ Joseph Clark, Henry Mittleberger, Oliver Phelps, William White Ramcock, Henry Nelles, Smith Griffin, Henry W. Nelles, John Paterson, William Nelles, Benjamin Canby, William Robertson, Thomas Hardy, John Upper, Philip Dean, William Hardy, Andrew Thompson, Samuel Birdsall, Alpheus S. St. John, Warner Nelles, James Winnett, Edward Evans, David McFarlane Field, Geoffrey Brock Hall, James Stewart, William Steel, William Wilson, James Hector Mackenzie,	} 20th August, 1833.
1st.	{ Richard Beasley, Daniel K. Servos, Elijah Secord, John Young, David McNab, John Willson, James Gage, Hugh Willson, Henry Benner, John L. Law, Matthew Crooks, Alexander Roxburgh, Job Loder, John Aikman, Junr. John Haycock, William Richardson, James Racey, James Winnet, Reuben Leonard, William Holme, William Muirhead, William Dickson, junior. Absalom Shade, Robert Murray, John Smith, George Stanton. Robert Bellingal, William Wedd, William Scollick, Rowland Wingfield, William Heath, Thomas Smith, William Reynolds, David Gilkison, George Wilson, James Webster, Henry Strange, Edmund Huntley, George J. Mackelcan, George Lamprey, Robert Alling, William Trout, John M'Kee, Donald M'Millan, Thomas Fyfe, John Burns, James Laidlaw, Alexander Campbell, James Hume, Alexander Proudfoot, George Chalmers, Charles Biggar, Peter Henry, Levi Willson,	} 24th August, 1833.	5th.		
2nd.			6th.		
3rd.			7th.		
4th.			8th.		
5th.			9th.		
6th.			10th.		
7th.					
8th.					
9th.					
10th.					
11th.					
LONDON DISTRICT.			Division.		
			1st.	{ George C. Salmon, Colin McNeilledge, John Kirk-Patrick, William Wilson, William Salmon, James Graham, James Blaney, Donald Fisher, Henry Webster, Donald McLennan,	} 29th Sept'r, 1834.
			2nd.		

3rd.	{ John Burwell, Robert Grey Kirkland, Isaac Draper, Andrew Dobbie, Gilbert Wrong, Phillip Hodgkinson, Henry Warren, John Bostwick,	} 24th August, 1833.
4th.	{ Edward Ermatinger, John Waddle, James Hamilton, John Warren, Lesslie Patterson, John Pierce, Stephen Baccus, Donald Currie, George Munroe, John C. Gillies, Ewen M'Kinlay, J. B. Askin, Ira Schofield, B. B. Brigham, William Robertson, Walter M'Kenzie, Benjamin Springer, R. N. Starr, William Young, William Radcliff, James Peel Bellair, Christopher Beer, Robt. Johnston, Thomas Radcliff.	} 24th August, 1833
5th.	{	} 9th August, 1833.
6th.	{	} 18th Sept. 1833
7th.	{	} 28th July, 1834.
8th.	{ James Craig, Joseph B. Clench, John Philpott Curran, Harry Cook, Peter Carroll, James Ingersoll, William Gordon, Joseph Woodroe, Solomon Lossing, William Hardy, James Barwick, Andrew Drew, James Hutton, Alex. W. Light, John Hatch, E. Buller, Thomas Horner, Eliakim Malcolm, John Kelly, John Weir, John Moore, William Dunlop, Robt. Dunlop, Charles Prior, John Brewster,	} 28th July, 1834.
9th.	{	} 24th Aug. 1833.
10th.	{	} 24th Aug. 1833.
11th.	{	} 24th Aug. 1833.
12th.	{	} 24th Aug. 1833.
13th.	{	} 24th Aug. 1833.

WESTERN DISTRICT.

Division.		
1st.	{ William Elliott, Charles Askin, Alexander Chewett, John L. Williams, Charles Baby, Charles Berczy, Robert Reynolds, Francis Caldwell, William Duff, Prideaux Girty, Joseph Wigle, Thomas Renwick, J. Scratch, James W. Little, James D. Dolson, John J. Roe, James Price, Jeremiah Declute,	} 24th Aug. 1833.
2d.	{	} 28th May, 1834.
3d.	{	} 24th Aug. 1833.
4th.	{	} 28th May, 1834.

5th.	{ Joseph Wheatley, William Mash, David Baldwin, Duncan Warren, James Carswell, Duncan M'Gregor, George Jacob, junior, Peter Paul Lacroix, Robt. S. Taylor, Christopher Arnold, senior, Henry Van Allen, William M'Crae, George P. Kerby, Samuel Arnold, Nathan Cornwall, Alex. Wallen, William Taylor, James Bogert, Henry Jones, William Jones, Claude Govin, James Henderson, Angus M'Donald, G. Hyde, Alfred Toulmin, Robert Watson, Frome Talfourd, Field Talfourd,	} 10th March, 1834
6th.	{	} 5th Nov. 1833.
7th.	{	} 10th March, 1834
8th.	{	} 10th March, 1834

WILLIAM ROWAN,  
*Civil Secretary.*

GOVERNMENT OFFICE,  
20th February, 1835. }

No. 106.

INSPECTOR GENERAL'S OFFICE;  
Toronto, 17th February, 1835.

SIR,  
In obedience to His Excellency's commands, I have the honor to state for the information of the House of Assembly that Collectors and Inspectors, on their appointment, are given to understand that they must be resident at the ports and places which have been duly established for those offices.

It having been intimated to the Lieutenant Governor some time since, that in all cases there was not a proper compliance with those instructions, I had the honor of transmitting a circular, the copy of which is herewith inclosed.

I have the honor to be,

Sir,  
Your obedient humble servant,

GEORGE H. MARKLAND,  
*Inspector General,*

To COLONEL ROWAN,  
&c. &c. &c.

No. 107.

INSPECTOR GENERAL'S OFFICE;  
4th November, 1833.  
(CIRCULAR.)

SIR,  
I have the honor by the direction of His Excellency the Lieutenant Governor, to acquaint you, that as His Excellency understands that the duties of Collectors of Customs are in several instances altogether performed by Deputy, he requests that the Collectors of the Province may be informed, that it will not be in his power to continue any Collector in office who does not reside at the post under his particular charge, and execute the duties demanded of him.

I have the honor to be,

Sir,  
Your most obedient humble servant;

GEORGE H. MARKLAND,  
*Inspector General.*

To COLLECTORS.  
[A true copy.]

Seventh Report of Committee on Grievances.

No. 108.

A RETURN of Persons, who were Members of the last House of Assembly, who have accepted offices of emolument under the Provincial Government, since the General Election 1830, with the places or situations given them.

NAMES.	PLACE OR SITUATION.	DATE.
Richard D. Fraser,	Collector of Customs, Brockville,	30th December, 1831.
Philip Vankoughnet,	Inspector of Licences, Eastern District,	10th October, 1832.
Donald McDonald,	Do. do. Ottawa District,	8th March, 1834.
William Chisholm,	Collector of Customs, Oakville,	19th August, 1834.

Government Office, 20th February, 1835.

WILLIAM ROWAN, Civil Secretary.

No. 109.

A RETURN of all Members of the Present HOUSE OF ASSEMBLY who hold Offices or Employments of Profit and Emolument under the British or Colonial Governments, or who enjoy Pensions, Half Pay, or Retired Allowances during the Pleasure of the Crown, describing the Offices so held and the nature and extent of the Duties to be performed by the Incumbent.

NAMES.	Offices, or Employments, of Profit, Pensions, Half Pay, or Retired Allowances, held during the Pleasure of the Crown.	Description of the Offices so held, and the nature and extent of the Duties to be performed by the incumbent.
George S. Boulton,	Registrar, County of Northumberland.	The Office of County Registrar is established by the Provincial Statute 35 Geo. 3, ch. 5, in order that if any lands after being confirmed by a Grant from the Crown, be transferred or alienated, that a Memorial of such transfer or alienation shall be Registered for the better securing and more perfect knowledge of the same; and the duties of the Officer are to Register the said Memorial, also to make searches in and give Certificates from the Office; and to administer the oath of allegiance in certain cases.
Francis Caldwell,	Collector of Customs at Amherstburg.	The nature and extent of the duties of a Collector of Customs are defined by several Provincial Statutes.
Alexander Chisholm,	Lieutenant on half-pay.	No duties.
David Jones,	Judge of the District Court Eastern District, Commissioner of Customs Johnstown District.	As Judge to hold plea in all matters of contract from forty shillings to fifteen pounds, and when the matter is liquidated or ascertained either by the act of the parties or the nature of the transaction to forty pounds; and also in all matters of tort, respecting personal chattels, when the damages to be recovered shall not exceed fifteen pounds, and the title to Land shall not thereby be brought in question. As a Commissioner of Customs to hear and determine, with one or more Commissioners in a summary way, seizures of goods to the value of forty pounds, and to try informations for penalties under the Act of the 11th Geo. 4th, Chap. 11th.
Christopher A. Hagerman,	Solicitor General.	Conducting Crown prosecutions and attending to such other duties as appertain to the office of Crown Officer.
Alexander McDonell, Northumberland,	Agent to the Commissioner of Crown Lands.	Attending sales of the Crown Lands and Clergy Reserves, in the District of Newcastle, and the locating of Emigrants.
Alexander McDonell of Prescott,	Sheriff of the District of Ottawa.	The duties of which are, viz: carrying into execution the sentence of the law—empannelling Juries for the several Courts and serving the different writs and executing the judgments of the same within the said District.
Donald Macdonell,	Sheriff of the Eastern District.	Do. Do. Do.
Donald A. Macdonell,	Lieutenant on half-pay 98 Regiment.	No duties.
Archibald McLeann,	Clerk of the Peace, Eastern District. Registrar of Counties, Stormont and Dundas. Registrar, Surrogate Court, Eastern District. Captain on half-pay, incorporated militia.	As Clerk of the Peace to keep Records of General Quarter Sessions and make out indictments, &c. in prosecutions pending therein, and also Collectors Rolls, &c. &c. &c. As Registrar of the Surrogate Court to record Wills, and keep all the Records of the Court. The office of County Registrar is established by the Provincial Statute 35th Geo. 3, Cha. 5, in order that if any land, after being confirmed by grant from the Crown, be transferred or alienated, that a memorial of such transfer or alienation shall be registered for the better securing and more perfect knowledge of the same, and the duties of the officer are to register the said memorial, also to make searches in, and give certificates from the office, and to administer the oath of allegiance in certain cases. No duties as Captain on half-pay.
Wm. H. Merritt,	Collector of Customs, Port Dalhousie, Deputy Post Master, St. Catharines,	Resigned, resignation dated the 1st February, 1835. To keep an office open for the receipt and delivery of Letters every day in the year, furnishing fire and candle; and to perform the other duties generally appertaining to such an office—for which no direct allowance is made.
Charles Richardson,	Clerk of the Peace, Niagara District.	As Clerk of the Peace the incumbent generally attends all Courts of Quarter Sessions of the Peace, as well as adjourned and Special Sessions, and when absent with the approbation of the Chairman and other Justices, he appoints a Deputy, for whose acts he holds himself personally responsible. There are various Provincial Acts, by which the incumbent is guided in the discharge of his duty as Clerk of the Peace.
Josias Taylor,	Post Master at Perth,	To keep an office open for the receipt and delivery of Letters every day in the year, furnishing fire and candles; and to perform the other duties generally appertaining to such an office, for which no direct allowance is made.
Francis Legh Walsh,	Registrar, County of Norfolk,	The office of County Registrar is established by the Provincial Statute 35 Geo. 3rd, Chap. 5, in order that if any lands, after being confirmed by grant from the Crown, be transferred or alienated, that a memorial of such transfer or alienation shall be registered for the better securing and more perfect knowledge of the same—and the duties of the officer are to register the said memorials; also to make searches in and give certificates from the office, and to administer the oath of allegiance in certain cases.
	Registrar Surrogate Court, London District	This office is established by Provincial Statute 33 of Geo. 3, Chap. 8, and the duties of the Registrar of the Surrogate is to preserve, amongst the Records of the Court. Wills and Testamentary Writings committed to his charge; and the practice has been to record such wills and papers in the office together with papers to the granting of administration of the goods and chattels of persons dying intestate, and for the guardianship of minors.
John Alex. Wilkinson,	Lieut. on half-pay, 24th Regiment,	No duties.

Government Office, 20th Feb'y, 1835.

Wm. ROWAN, Civil Secretary.

No. 110.

Address to His Excellency for information relative to the Post-Office Department.

To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that your Excellency would be pleased to obtain from the Deputy-Postmaster-General at Quebec, and that there be laid before this House, for its information, at as early a period in the present Session as the nature of the enquiry will admit of,

A return of the establishment of the General-Post-Office in Upper and Lower Canada, and in each of the other Colonies in North America for the years 1832, 1833, and 1834, stating the number of Postmasters and Deputy-Postmasters in each Province, the amount of salary, allowances and emoluments; and the name of each Postmaster and Deputy-Postmaster in Upper Canada; shewing the salary, allowances, fees and the whole income they severally receive, and from what sources it is derived, and the authority under which the same is paid them; stating also the gross amount of Revenue collected at each Post-office in Upper Canada, and the whole expense of collecting the same; with the contingent expenses incurred in the Canadas in detail, so far as it can be shewn; particularly the expense of conveying the Mails, with the name of each Mail-Contractor, the amount received by him, and the rates at which the Mails are conveyed;

A return of the gross amount of postage in Upper and Lower Canada, and each of the other Colonies in North America, distinguishing each, during each of the years 1832, 1833, and 1834; distinguishing also the amount of newspaper and pamphlet postage charged from the amount of letter postage received at each office, and shewing in what manner the proceeds have been applied.

A statement of the gross amount of newspaper postage paid by each printer or proprietor of newspapers in the Canadas and other Colonies in North America, in each of the years 1832, 1833, and 1834, shewing in what manner the proceeds have been appropriated, with copy of any orders, despatches or other authority under which such postages have been exacted in the Colonies during the last ten years.

A statement, shewing in detail, the emoluments of the Deputy Postmaster-General of British North America, whether from salary, fees, allowances, newspaper postages, pamphlet postages, per centages on the collection of United States letter or newspaper postage, or from any other source whatever, during the years 1832, 1833, and 1834, and shewing the authority under which he receives the several items of income.

A statement shewing the postage paid by the Patriot newspaper, first published at Kingston, and now in Toronto, from the commencement of the series, with the dates of the several payments.

A statement shewing the sums remitted by the General-Post-office Department in Canada and the other British Colonies to the General-Post-office, London, and also the United States postage, remitted to the Post-office Department of the United States, in and for the years 1827, 1828, 1829, 1830, 1831, 1832, 1833, and 1834, and stating the balance now in the hands of the Deputy-Postmaster-General at Quebec, and the period up to which the last remittance to London was made.

A statement of the amount of monies found in the dead or misdirected letters in the British Colonies in North America,

from 1827 to 1834, both years inclusive, and shewing the purposes to which it has been applied.

A statement of the amount of Colonial postage, whether on letters or newspapers, charged at Quebec and Halifax, to the Department in London, and collected, or intended so to be, in England or other parts of the King's dominions beyond North America for 1832, 1833, and 1834.

A return, shewing the several classes of persons who frank letters, or who have the privilege of transmitting letters thro' the Post-office at reduced rates of postage, with the extent to which their privileges extend.

Had it been practicable to make out a separate and distinct statement of the revenue raised by taxation in the Post-office Department in this Colony, with the expenditure, we would have confined our enquiries to Upper Canada, but as the amounts of the several Colonies are blended together, we have requested such information as would shew the effects of the system now in operation, and which it has been recommended to us to alter and amend.

M. S. BIDWELL, SPEAKER.

Commons' House of Assembly, }  
21st day of Feb'y, 1835. }

ANSWER TO THE ABOVE ADDRESS.

GENTLEMEN,

I will direct a copy of of this Address to be transmitted to the Deputy Postmaster General at Quebec, in order that he may furnish the information required by the Assembly.

(Copy)

GENERAL-POST-OFFICE;

QUEBEC, 6th March, 1835.

SIR,

I hasten to acknowledge the receipt of your letter of the 26th February, enclosing copy of an address from the House of Assembly of Upper Canada respecting the Post-office Department under my charge, and requesting me, by command of His Excellency the Lieutenant-Governor, to furnish, for the information of the Assembly, the Returns required by them as soon as possible.

I beg leave in answer to your communication to inform you, for the information of His Excellency, that I shall immediately set about collecting and compiling the great amount of information required, or as much of it as the means at my disposal will enable me to obtain; but as an act of justice to myself and to prevent disappointment, should the voluminous Returns called for not be ready so soon as might have been expected, I must observe, that the task prepared for me is a heavier one than can be imagined by any one not conversant with the subject, and will, with my very limited assistance and the necessity of keeping the current duties of the Department going, necessarily occupy a considerable length of time.

I have the honor to be, &c.

T. A. STAYNER,  
D. P. M. Gen'l.

Lieut. Col. Rowan, }  
City of Toronto, }  
Upper Canada. }

No. 111.

Indian Department.

No part of the Expenditure of the Judicial, Civil or Ecclesiastical Establishments in Upper Canada is defrayed by England:— all these expenses are now paid from the Revenues derived

from the people of the Province; and that too, on a scale of extravagance far surpassing any other part of the North American Continent, and in most cases without the consent of the people themselves and in direct opposition to their wishes and interests.

"The Blue Book" shews that a small sum is annually expended out of funds derived from England on what is called "The Indian Department," it is so inconsiderable as scarcely to be worth notice; but small as it is, the following extract from the Sessions papers of the House of Commons for 1833, will shew that it is fast progressing towards a total abolition.

The Blue Book mentions that the following persons were paid from England last year—the sums in Halifax Currency, opposite their respective names, on the whole and it is probable that a sum under £2000 a year is remitted to keep up sinecures and pensions, under this title.

Jas. Givins, Chief Superintendent Indian Department,	£412
J. B. Clench, Superintendent	do. 241
T. G. Anderson,	do. do. 241
G. Ironside,	do. do. 241
J. Winniett,	do. do. 241
W. Jones, Assistant,	do. do. 123

EXTRACT from the Estimates for the Indian Department in Canada, for Five Quarters to 31st March, 1833, ordered by the House of Commons to be printed.

DOWNING STREET, 14th FEBRUARY, 1832.

SIR,

I am directed by Viscount Goderich to transmit to you for the consideration of the Lords Commissioners of the Treasury, the inclosed estimate of the charge of defraying the expense of the Indian department in Upper and Lower Canada, for the year 1832 amounting to £20,000.

This Estimate is now for the first time submitted to their Lordships in its present form. They are, however, doubtless aware that the expense for which it is meant to provide has for many years been defrayed by this country, the charge for the presents having been voted in conjunction with that for liberated Africans, convicts, &c. while the salaries and pensions of the officers of the Indian Department have been paid from the Military Chest provided for out of the Army Extraordinaries.

This practice is so extremely irregular, that Lord Goderich is decidedly of opinion that it ought no longer to be continued; and he has therefore directed the sum required to meet the whole expense of this service to be included in the accompanying estimate.

His Lordship greatly regrets the necessity of proposing that Parliament should be asked for so large a grant. He has, however, to observe, that the presents which for a long series of years have been annually distributed to the Indians, are due to them partly on the faith of Treaties for the purchase of their Lands, and for services rendered by their Tribes in former Wars; the remainder by custom so long established that all the general officers who have served in Canada concur in opinion that any sudden alteration of the system would excite great dissatisfaction amongst them, and be productive of considerable inconvenience to the Local Governments.

Under these circumstances it would be alike impolitic and unjust suddenly to discontinue the issue of the customary presents, but Lord Goderich trusts that their amount may gradually be diminished in proportion as the Indians can be induced to settle and to adopt the habits of civilized life. By the accounts, which have been at various periods transmitted to the Lords Commissioners, it appears that very great reductions have already been made in the expense of this department; the amount of the presents having been reduced since 1816 from £117,500 sterling, to about £16,000, and the charge of the establishment and pensions from £16,200 to £4,400.

Even this sum for the establishment may appear considerable, but the duties of the officers of the department in time of peace, according to the statements of Sir James Kempt, are various and important; much discretion is required for their faithful and satisfactory discharge, and from the remote, and in some measure uncontrolled situations in which these officers are sometimes placed, it becomes necessary to rely almost implicitly upon their integrity and judgment.

For these reasons it is essential that the salaries should be sufficient to induce persons of character and responsibility to fill the appointments; indeed such alone can obtain the confidence of the Indians.

The strength of the establishment has also been recently diminished, and the present scale was fixed after much consideration by Sir George Murray.

Lord Goderich is therefore of opinion that it is impossible at present to make any further reduction either in the number of the individuals employed or in the amount of their salaries, without impairing the efficiency of the department in a manner which must necessarily be productive of very serious inconvenience.

The presents to be distributed are purchased under the directions of the Board of Ordnance, according to the requisitions furnished by the local authorities, and which they have received the strictest injunctions to keep within the narrowest limits.

The presents being, as I have already stated, partly given to the Indians in exchange for the lands of which they have resigned possession, a portion of the expense ought to fall upon the Revenue derived from the sale of those lands, and Lord Goderich trusts that an arrangement for that purpose may, before next year, be effected; but as the largest part of this charge has been incurred under Treaties entered into with a view of securing the services of the Indians in wars for British and not for Colonial interests, his Lordship is of opinion that the burden cannot be thrown (as at first sight would appear reasonable) upon the inhabitants of Canada.

I am Sir,  
Your most obedient humble servant,

HOWICK.

To the Hon. J. K. Stewart.

**Indian Department, Upper and Lower Canada.**

ESTIMATE of the Charge of defraying the expense of the Establishment of the Indian Department in Upper and Lower Canada, from the 1st day of January, 1832, to the 31st day of March, 1833.

£25,000,

Clear of Fees and all other deductions.

		PAY AND LODGING MONEY.	
		STERLING.	
LOWER CANADA.		£	s. d.
Secretary,.....	Quebec,.....	239	0 0
Superintendent, ..	Ditto,.....	239	0 0
Interpreter,.....	Ditto,.....	107	3 4
Ditto,.....	Ditto,.....	102	3 4
Missionary,.....	Ditto,.....	75	0 0
Ditto,.....	Ditto,.....	50	0 0
Schoolmaster,...	Ditto,.....	20	0 0
Superintendent, ..	Montreal,.....	231	0 0
Interpreter,.....	Ditto,.....	102	3 4
Ditto,.....	Ditto,.....	102	3 4
Resident,.....	Ditto,.....	131	0 0
Interpreter,.....	Ditto,.....	102	3 4
Missionary,.....	Ditto,.....	50	0 0
Ditto,.....	Ditto,.....	50	0 0
Ditto,.....	Ditto,.....	45	0 0
		1,645 16 8	
UPPER CANADA.		£	s. d.
Chief Superintendent,.....		400	0 0
Superintendent at the Bay of Quinte and Rice Lakes,.....		221	0 0
Superintendent at the River Thames, Chenail, Ecarté & River St. Clair, ..		231	0 0
Assistant Ditto, ..	Ditto,.....	137	0 0
Interpreter,.....	Ditto,.....	102	3 4
Superintendent at Machedasch and Lake Simcoe,.....		231	0 0
Interpreter,.....	Ditto,.....	102	3 4
Superintendent at the Grand River, ..		231	0 0
Interpreter,.....	Ditto,.....	102	3 4
		1,757 10 0	

**Pensions.**

LOWER CANADA.		£	s.	d.
Madame de Montigny, Widow of Capt. de Montigny,.....	30	0	0	
Madame de Malliony, Widow of Capt. Malliony,.....	30	0	0	
Madame la Mothe, Widow of Capt. la Mothe,.....	50	0	0	
Mary Vincent, Widow of L. Vincent, Schoolmaster,.....	10	0	0	
Abigail Hare, Pensioner for past services,.....	20	0	0	
Duncan Murchison,.....do.....do.....	21	13	4	
Amable Chevalier,.....do.....do.....	21	13	4	
5 Chiefs of Indian Tribes, for wounds received in action,.....	108	6	8	
4 Warriors of ditto, for do. do.....	60	13	4	
				352 6 8
UPPER CANADA.				
Alex. McDonell, Retired Assistant Secretary,.....	91	5	0	
David Price, Retired Store-keeper, Clerk and Interpreter,.....	85	3	4	
Sarah Elliott, Widow of Colonel M. Elliott,.....	80		0	
Theresa McKie, Widow of Major McKie,.....	70		0	
Catherine Brant, Widow of Captain Brant,.....	91	5	0	
Hester Hill, Widow of D. Hill (a Mohawk Chief),.....	20	0	0	
Barnabas Cain, Superannuated Blacksmith,.....	42	11	8	
Timothy Murphy,.....Ditto,.....	42	11	8	
John Higgins,.....Ditto,.....	42	11	8	
7 Warriors of Indian Tribes, for wounds in action,.....	106	3	4	
				671 11 8
Expense of Indian Presents, Stores, &c.....	15,572	15	0	
For one year,.....	20,000	0	0	
Add for first quarter of 1832,.....	5,000	0	0	
	25,000	0	0	

A quarterage of £1 5s. currency, for tuition, and five shillings for contingencies is paid by each scholar, in that department of the College which is called the Preparatory School.

The terms at the College Boarding House, are £30, currency, per annum, for Board and Tuition.

The requisite Books and materials are furnished by the College and charged to the pupils, in addition to the above terms. A sufficient stock of Books, &c. is ordered every year from England, from which the College is enabled, after covering the expenses of shipment, &c. to supply the boys at a cheaper rate, than the same articles could be purchased in the city.

To QUES. 7.—No. of Scholars, &c.

The number of scholars whose names have been entered at U. C. College since its commencement, up to the present time, is 324—but as the names of some scholars who have been withdrawn for a time, and afterwards sent back to the College, appear more than once on the list, the number of individual boys who have received Education at the College may be stated at 320.

Scholars in U. College in the several quarters, ending at the annexed dates.

[NOTE.—The address of the House of Assembly desires a statement of the numbers on the 5th of January, April, June and October; but as the College quarters end as below, and the lists are then formally entered, the following is the most accurate return that can be rendered—and I trust it will be found to approach sufficiently near to the prescribed dates, to answer the purpose intended.]

	SCHOLARS IN					
	1830.	1831.	1832.	1833.	1834.	1835.
March 20th.....	89	124	101	114	114	124 at this date.
June 10th.....	106	124	106	117	113	
Middle of August (summer vacation).....	105	126	99	121	116	
Christmas.....	119	109	107	116	115	

NOTE.—A similar return to this, up to December, 1832, with other information respecting U. C. College, was furnished to a Committee of the House of Assembly in December, 1832, to which I beg leave to refer. Observing in explanation that the slight discrepancies between the numbers here given, and those in the document just referred to, for the year, 1832, is to be accounted for, by the fact, that at that time no formal record was kept of the number of pupils at the College, in each separate quarter, and that it was therefore difficult so to exhibit them. But since that time a quarterly list has been regularly preserved, from which the numbers after 1831 are now extracted.

TABLE shewing "the number of scholars sent from the country" to U. C. College (i. e. of the Boarders) "and of those belonging to this City, (i. e. Day Boys) for the last three years."

	DAY BOYS.	BOARDERS.	TOTAL.
<b>1832.</b>			
March 20th.....	70	31	101
June 10th.....	74	32	106
August.....	75	25	99
Christmas.....	68	39	107
<b>1833.</b>			
March.....	75	39	114
June.....	76	41	117
August.....	79	42	121
Christmas.....	71	45	116
<b>1834.</b>			
March.....	76	38	114
June.....	76	37	113
August.....	79	37	116
Christmas.....	83	32	115
<b>1835.</b>			
March 12.....	88	36	124

No. 112.

COPY.

U. C. COLLEGE. }  
March 13th, 1835. }

SIR,

In obedience to His Excellency's request I beg to transmit to you such statements as I am able to furnish respecting Upper Canada College, in reply to the requisitions of an Address from the House of Assembly to His Excellency, a copy of which I received on the 10th instant. As regards the expenditure connected with the institution and its financial concerns generally, I have not the means of giving any information, they being conducted by the Bursar, the Honorable Colonel Wells.

I have the honour to be, &c.

JOSEPH H. HARRIS.

Lieut. Col. ROWAN, }  
&c. &c. &c. }

**ANSWERS**

To such Enquiries contained in an Address of the House of Assembly to His Excellency the Lieutenant Governor respecting Upper Canada College as the Principal's knowledge enables him to return:—

To QUES. 4.—"Rates of Tuition."

A quarterage of £2, currency, for tuition, and five shillings for contingencies (that is, pens, ink, fuel, &c.) is paid by each scholar in the College forms.

Answer to QUES. 8.

The course of Education at the College, and books used are given separately. To the detached questions the following are answers.

VACATIONS.

*At Christmas.*—From the Saturday preceding Christmas day to the Monday fortnight following.

*At Whitsuntide.*—A week.

*In the Summer.*—From the Friday on or before the 13th of August, to the Thursday six weeks following.

There are no children taught at Upper Canada College, without being liable to the payment of fees.

No part of the Scholars are required to conform to, or be instructed in, the peculiar creeds, or religious exercises, of any Christian denomination.

JOSEPH H. HARRIS,  
*Principal of U. C. College.*

*Course of Education at present pursued at Upper Canada College.*

PREPARATORY SCHOOL.

Scholars in the Preparatory School are instructed in English Reading and Spelling, Writing, the elements of Arithmetic, and the first rudiments of Latin Grammar.—They are removed into the first, or lowest of College form, when they are familiar with the Latin Accidence. The following is the general arrangement of the daily work of the Preparatory School:

- 1st division,\* . . . . . Latin Accidence,
- 2nd do. . . . . English Reading and Spelling,
- 3rd do. . . . . Reading (twice a week),
- 4th do. . . . . Writing and Arithmetic.

FIRST COLLEGE FORM.

*Monday.*

- Division
- 1. Writing,
  - 2. Reading, and Recitation from Testament,
  - 3.
  - 4. Recapitulation of Classical Lessons,

*Tuesday.*

- 1. Latin Syntax, Construe Corderius,
- 2. Parse Corderius—Read English,
- 3.
- 4. Arithmetic.

*Wednesday.*

- 1. Latin Exercise,
- 2. Writing,

*Thursday.*

- 1. Latin Grammar—Construe Corderius,
- 2. Read, and Parse English,
- 3. Arithmetical Tables,
- 4. Arithmetic.

*Friday.*

- 1. Writing,
- 2. Latin Grammar,
- 3.
- 4. (2 to 3)—Parse Corderius,
- 5. (3 to 4)—Scripture Reading and Recitation.

\* The day is divided in the business of the College as follows:—  
1st division—From a quarter before 9 to a quarter past 10.  
2nd do. From 25 minutes past 10 to 10 minutes before 12.  
3rd do. From 12 to 1.  
4th do. From 2 to 4.

Besides the above, a class composed of such boys in the College as are qualified, attend the Writing Master three times a week, for Book Keeping—from 4 to 5 o'clock.

On Wednesday and Saturday, which are half holidays, the College closes at 12 o'clock—and at present those boys whose parents desire it, have the opportunity of instruction in Landscape Drawing, &c. from 12 to 2 on those days, at a charge of \$1 per quarter.

*Saturday.*

- 1. Arithmetic,
- 2. Latin Grammar—English Spelling.

*Books used in the first form.*

English—Bible—Murrays introduction.  
Latin—Lily's (or Westminster) Grammar—Corderius Colloquies—Howard's Introductory exercises.

SECOND COLLEGE FORM.

*Monday.*

- Division,
- 1. Reading and Recitation from Testament,
  - 2. Writing,
  - 3. Arithmetical Tables,
  - 4. French.

*Tuesday.*

- 1. Latin Grammar—Latin Exercises,
- 2. Arithmetic,
- 3.
- 4. Recapitulation of Classical Lessons.

*Wednesday.*

- 1. Arithmetic,
- 2. Latin Grammar—Lectiões selectæ (Construing and Parsing.)

*Thursday.*

- 1. English Reading and Dictation,
- 2. Latin Grammar—Latin Exercises.
- 3. Writing,
- 4. French.

*Friday.*

- 1. Latin Grammar—Construe Lectiões Selectæ,
- 2. Geography,
- 3. French,
- 4. (2 to 3)—Writing,
- 5. (3 to 4)—Scripture Reading and Recitation.

*Saturday.*

- 1. Latin Grammar—Parse Lectiões Selectæ.
- 2. Arithmetic.

*Books used in the second Form.*

ENGLISH—Bible—Blair's Class Book—Turner's Geography.  
LATIN—Grammar—Exempla Minora—Lectiões Selectæ,  
FRENCH—Grammar—Exercises.

THIRD COLLEGE FORM.

*Monday.*

- Division
- 1. Testament, Reading and Recitation,
  - 2. Drawing,
  - 3. Writing,
  - 4. Arithmetic.

*Tuesday.*

- 1. Arithmetic,
- 3. Latin Prosody—Cornelius Nepos, or Phædrus,
- 3. Arithmetical Tables,
- 4. French.

*Wednesday.*

- 1. Latin Exercises,
- 2. Geography.

*Thursday.*

- 1. English History,
- 2. Arithmetic,
- 3. French,
- 4. Recapitulation of Classical Lessons.

*Friday.*

1. Latin Grammar—Nepos or Phædrus,
2. Writing,
- 3.
4. (2 to 3)—Elements of Greek,
5. (3 to 4)—Scripture Reading and Recitation,

*Saturday.*

1. French,
2. Latin Prosody—English.

*Books used in the third Form.*

ENGLISH—Bible—History of England—Turner's Geograghy,  
 LATIN—Grammar—Exercises—(Exemple Minora)—Cornelius  
 Nepos or Phædrus,  
 GREEK—Howard's Introductory Exercises,  
 FRENCH—Levizac's Grammar—Dialogues—Telemachus.

## FOURTH COLLEGE FORM.

*Monday.*

## Division.

1. Testament Reading, and Recitation.
2. Mathematics.
3. Arithmetical Tables.
4. Recapitulation of Classical Lessons.

*Tuesday.*

1. French.
2. Drawing.
3. Writing.
4. Latin Exercises—Ovid's Metamorphoses, or Cæsar.

*Wednesday.*

1. French.
2. Greek Grammar—Greek Delectus.

*Thursday.*

1. Arithmetic.
2. Writing.
- 3.
4. Greek Exercises—English History.

*Friday.*

1. Latin Grammar—Ovid, or Cæsar.
2. Mathematics.
3. Arithmetic.
4. French.
5. (3 to 4) Scripture Reading and Recitation.

*Saturday.*

1. Greek Grammar—Greek Exercises.
2. Mathematics.

*Books used in the Fourth Form.*

ENGLISH—Bible; History of England.  
 LATIN—Grammar; Ovid's Metamorphoses; Cæsar; Exercises.  
 GREEK—Bloomfield's Abridgment of Matthiæ's Grammar;—  
 Howard's Introductory Exercises; Valpy's Delectus.  
 FRENCH—Levizac's, and Le Tellier's Grammars; Dialogues;  
 Telemachus.

## FIFTH COLLEGE FORM.

*Monday.*

## Division.

1. Arithmetic.
2. Greek Testament—Recitation from English Testament.
3. French.
4. Ovid's Epistles, or Sallust; History of Rome.

*Tuesday.*

1. Mathematics.
2. Repetition from Ovid; Greek Delectus, or Anelecta Minora.
3. Writing.
4. Recapitulation of Classical Lessons.

*Wednesday.*

1. Greek Grammar—Greek Exercises
2. Drawing.

*Thursday.*

1. French.
2. Mathematics.
3. Arithmetic.
4. Greek Grammar; Greek Delectus, or Anelecta Minora.

*Friday.*

1. Mathematics.
2. Latin Grammar—Latin Exercise.
3. Writing.
4. (2 to 3) Ovid, or Sallust.
5. (3 to 4) Scripture Reading, and Recitation.

*Saturday.*

1. Mathematics.
2. Greek Grammar—History.

*Books used in the Fifth Form.*

ENGLISH—Bible; Goldsmith's Rome.  
 LATIN—Grammar; Ellis's Exercises; Electa ex Ovidio and  
 Tibullo, Sallust.  
 GREEK—Grammar; Valpy's Delectus; Analecta Græca Minora;  
 Testament; Valpy's Exercises.  
 FRENCH—Le Tellier's Grammar; Henriade, &c.

## SIXTH COLLEGE FORM.

*Monday.*

## Division

1. Mathematics,
2. Greek Testament, and Recitation from English Testament,
- 3.
4. Repetition from Virgil—Virgil or Cicero Construed.

*Tuesday.*

1. Greek Grammar—Homer, or Analecta Minora,
2. Mathematics,
3. French,
4. Greek Exercises—Elements of General History.

*Wednesday.*

1. Mathematics,
2. Latin Grammar—Latin Exercises.

*Thursday.*

1. Mathematics,
2. Greek Grammar—Homer, or Analecta Minora, alternately with elements of History.
3. Arithmetic,
4. Recapitulation of Classical Lessons.

*Friday.*

1. French,
2. Re-translation of Cicero,
3. Writing,
4. (2 to 3)—Mathematics,
5. (3 to 4)—Scripture Reading and Recitation.

*Saturday.*

1. Greek Grammar—Virgil or Cicero, alternately with Elements of History,
2. Drawing.

*Books used in the sixth Form.*

ENGLISH—Bible—Goldsmith's Græce—General History,  
 LATIN—Grammar—Virgil—Cicero's orations—Ellis's Exercises  
 —Steps to sense verses.  
 GREEK—Grammar—Homer—Analecta Minora—Testament—  
 Valpy's Greek Exercises.  
 FRENCH—Le Tellier's Grammar—Henriade—Boileau.

## SEVENTH COLLEGE FORM.

*Monday.*

## Division.

1. Greek Testament and Recitation from English Testament.
2. Latin Prose Author—Classical Antiquities, or Geography.
- 3.
4. Mathematics.

*Tuesday.*

1. Elements of Natural Philosophy.
2. Greek Poet.
3. French.
4. Mathematics.

*Wednesday.*

1. Greek Grammar—Greek or Latin Re-translation, alternately.
2. Mathematics.

*Thursday.*

1. Greek Grammar—Horace.
2. Arithmetic.
- 3.
4. Mathematics.

*Friday.*

1. Repetition from Greek Poet—Greek Exercises.
2. Drawing.
- 3.
4. (2 to 3)—Greek Prose Author.
5. (3 to 4)—Scripture Reading and Recitation.

*Saturday.*

1. Repetitions from Latin Poet—Latin Exercises.
2. French.

## BOOKS USED IN THE SEVENTH FORM.

ENGLISH.	Bible—Conversations on Natural Philosophy.
LATIN.	Grammar—Valpy's <i>Elegantæ Latinæ</i> —Cicero de <i>Officiis</i> —Horace—Scriptores Romani—Roman Antiquities.
GREEK.	Grammar—Valpy's Exercises—Testament—Collectanea Majora, vols. 1 and 2—Greek Antiquities.
FRENCH.	Le Tellier's Grammar—Boileau, &c.

Each of the six lower forms, it will be seen by the above detail, has a recapitulation day in classics, each week, i. e. a day on which certain of the Lessons which have been done during the previous days of the week, are gone over a second time. It is so arranged that on every alternate recapitulation day, each form recapitulates to the principal, who is thus enabled from time to time, to judge of the general progress, and also has an opportunity of becoming acquainted with the abilities and character of every boy in the College.

A public examination embracing all the departments takes place annually in the week preceding the Christmas Hollidays—at the conclusion of which prizes of books are distributed to those scholars, whose proficiency and good conduct during the past year, have been most distinguished.

The *regular course* at the College is completed in the seven forms, according to the detail now given. But to meet the views of those parents who are not desirous of giving their sons a thorough classical education, pupils who have been *not less than two years* pursuing the College course, or who have completed the course of the third form, are allowed, at the especial request of their friends, to discontinue classical studies, and confine their attention to the other departments—a similar exception is occasionally made, in the case of a boy being, at admission of *too advanced an age* to make it advisable that he should then *begin* the study of Latin—such boys form what is called the partial class—whose occupation is as follows:—

## PARTIAL CLASS.

## MONDAY.

## DIVISION.

1. Scripture Reading and Recitation.
2. Arithmetic.

3. Writing.
4. Mathematics.

## TUESDAY.

1. Mathematics.
2. French.
3. Writing.
4. English Grammar, Composition and History.

## WEDNESDAY.

1. Arithmetic.
2. Geography or Drawing.

## THURSDAY.

1. Drawing.
2. French.
3. Arithmetical Tables.
4. English (as Tuesday.)

## FRIDAY.

1. Mathematics.
2. Drawing or Geography.
- 3.
4. Writing.
5. Scripture Reading and Recitation.

## SATURDAY.

1. Mathematics.
2. Arithmetic.

The preceding sheets contain such information in reply to enquiries contained in an Address of the House of Assembly to His Excellency, the Lieutenant Governor, relating to Upper Canada College, as I have the means of furnishing—and which I beg leave respectfully to submit.

JOS. H. HARRIS, D. D.

*Principal of U. C. College.*

UPPER CANADA COLLEGE, }  
March 12th, 1835. }

## No. 113.

*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

WE, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to furnish this House with copies of all correspondence between His Majesty's Government in England and the Government of this Colony relating to the several expulsions from this House of William Lyon Mackenzie, Esquire; as also relative to the summary removal from the office of Attorney General, Henry John Boulton Esquire, (now Chief Justice of Newfoundland) and of Christopher Alexander Hagerman, Esquire, from the office of Solicitor General, together with all correspondence between the King's Government and Your Excellency respecting the reappointment of the said C. A. Hagerman to the office of Solicitor General, and the appointment of Robert S. Jameson to the office of Attorney General, in the room of the said H. J. Boulton.

MARSHALL S. BIDWELL,

*Speaker.*

Commons House of Assembly, }  
19th day of June, 1835. }

*Answer.*

GENTLEMEN:

Copies of the Despatches applied for in this address cannot be laid before the House of Assembly without the sanction of His Majesty's Government.

No. 114.

**Case of Francis Collins.**

THURSDAY, 22d January, 1829.

Mr. Dalton seconded by Mr. James Wilson, moves that the address to His Excellency respecting the case of Francis Collins, be now read a second time.

Which was carried, and the address was read a second time.

On the question for concurrence being put, Mr. James Wilson, seconded by Mr. Dalton, moves that the House do resolve itself into a Committee of the whole on the address in behalf of Francis Collins.

Which was carried, and Mr. Peterson was called to the chair.

The Speaker resumed the Chair.

Mr. Peterson reported that the Committee had considered the address and amended it.

On the question for receiving the report the House divided, and the yeas and nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Bull, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Leflerty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, Radenhurst, Randall, John Rolph, George Rolph, Shaver, Smith, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—37.

NAYS—Messrs. Bethune, McLean, and Samson—3.

The question was carried in the affirmative by a majority of thirty-four, and the report was received and the address ordered to be engrossed and read a third time to-day.

Agreeably to the order of the day the Address to His Excellency the Lieutenant Governor, in behalf of Francis Collins, was read the third time, passed and signed, and is as follows :

*To His Excellency Sir John Colborne, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency that we have received a petition from Francis Collins, a prisoner in the York Gaol, under sentence of the late Court of Oyer and Terminer and General Gaol Delivery in and for the Home District, for libel, by which sentence he is doomed to twelve months imprisonment and to pay a fine of fifty pounds to the King, and afterwards to give security for his good behaviour for three years, himself in £400 and two sureties in £100 each, and to stand committed till those conditions be complied with; and having taken the same into our consideration, together with the time he has already been confined, we earnestly entreat Your Excellency to extend to Francis Collins the Royal clemency, by remitting his sentence and restoring him to his family.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
22d January, 1829. }

Saturday, 24th January, 1829.

Captain Matthews, from the Committee to wait upon His Excellency the Lieutenant Governor with the Address of the House on the subject of the enlargement of Francis Collins,

K2

reported delivering the same, and that His Excellency had been pleased to give an answer, which he handed to the Clerk who read the same as follows :

GENTLEMEN,

It is my anxious wish to render service to the Province, by concurring with the Legislature in every thing that can promote its peace, prosperity, and happiness; and I regret exceedingly, that the House of Assembly should have made an application to me, which the obligation I am under to support the laws, and my duty to society, forbid me, I think, to comply with.

I transmit, for the information of the House, Mr. Justice Sherwood's observations, and copies of a Petition from Francis Collins, and of the reply to it forwarded by my direction.

COPY.

York, 5th December, 1828.

SIR,

The following are the principal grounds of my judgment in the case of the King vs. Francis Collins, lately convicted of a libel on the Attorney General.—I think all publications of this kind have the effect to create ill blood in society, and therefore manifestly tend to a breach of the public peace, which is always regarded of the greatest importance by all civilized governments. Such publications also have a direct and undoubted tendency to impede the due administration of public justice, by generating a bad feeling and injurious prejudice in the public mind, and more particularly in the minds of the Jurors who are summoned for the trial of causes. This libel, in my opinion, was intended to obstruct the administration of justice, because it was printed and published during the sitting of the Court, and just before the defendant was tried for printing and publishing an alleged libel on Sir Peregrine Maitland, then the Lieutenant Governor of the Province. Any person who writes and publishes fair and candid opinions on the system of government and constitution of the country, or points out what he honestly conceives to be grievances, and in a proper and decent manner proposes legal means for the redress of such grievances, or if any person, in his publication, enters into a just and useful criticism of the productions of others, and shews the public their errors or absurdities; or if any one, in a decent and proper manner, exposes the errors and wrong opinions of public men; or if he exhibits the evil tendency and unconstitutional bearing of public measures, such person in my opinion deserves encouragement. If such publisher however, stops aside from the high road of decency and peaceable deportment, and adopts a course of public calumny and open abuse against the officers of government generally, or particularly against the principal law officer of the Crown, in the legal execution of his duty in the King's Courts, as the defendant did, then, I think, he should be punished to that extent, which, in human probability would prevent a recurrence of the offence; any thing short of this, would be nugatory, and have an effect contrary to the ends proposed by all punishments.

Taking all the circumstances of the case into consideration, Mr. Justice Hagerman and myself deemed the sentence which we passed on the defendant, both proper and necessary for the public good, and what the case itself required.

I have the honor to be,

LEVIUS P. SHERWOOD.

Z. MUDGE, Esq.  
Secretary to His Excellency  
the Lieutenant Governor.

COPY,

*To His Excellency Sir JOHN COLBORNE, Knight Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General*

*Commanding His Majesty's Forces therein,  
&c. &c.. &c.*

THE MEMORIAL OF FRANCIS COLLINS,

*Editor of the Canadian Freeman,*

HUMBLY SHEWETH:

That Your Memorialist was convicted of libel upon the Attorney General, at the last York Assizes, sentenced to twelve months imprisonment, to pay a fine of fifty pounds and to find security for good behaviour for three years, himself in £400, and two sureties in £100 each; which, sentence if enforced, amounts in fact, to perpetual imprisonment.

In consequence of this ruinous sentence, your memorialist has been kept in close confinement in this gaol, for the last month, and the business by which he supports his family all but ruined, as the entire success of his establishment depended solely on his own personal exertions.

Under these painful circumstances, Your Memorialist looks forward with humble confidence to Your Excellency's clemency, to restore him to his liberty, by a remission of the sentence, and thereby save a young and helpless family from desolation.

And Your Memorialist will ever pray.

(Signed) FRANCIS COLLINS.

York Gaol, Nov. 26th, 1828.

Government House, }  
Dec. 18th, 1828. }

SIR,

I am directed to acquaint you that the Lieutenant Governor regrets that he cannot think it right to comply with your petition, dated the 26th ultimo, but that on the expiration of the specified time of your imprisonment, any application you may wish to make will be taken into consideration, upon the facts alleged in your statement.

I am, &c.

(Signed) Z. MUDGE.

MR. FRANCIS COLLINS.

MONDAY, 26th January, 1829.

Agreeably to the order of the day the House went into Committee of the whole on His Excellency's Answer to the Address to him, on behalf of Francis Collins.

Mr. Ewing was called to the Chair.

The House resumed.

Mr. Ewing reported that the Committee had agreed to two Resolutions, which he was directed to submit for the adoption of the House.

The Report was ordered to be received.

*Resolved*, That this House does not doubt the sincerity of the anxious wish averred by His Excellency in his message, to render service to the Province by concurring with the Legislature in every thing that can promote its peace, prosperity and happiness; but, the imputation which this House apprehends to be conveyed by His Excellency's Message, that they are not equally anxious and industrious for the same great ends, is neither justified by their conduct since his Excellency assumed the government, nor is it what they had reason to expect, and in future hope to receive, in all communications from His Excellency to this branch of the Legislature.

*Resolved*, That while this House does not doubt the disposition of His Excellency, properly to extend mercy to those who supplicate it from the Throne, they owe it to their own honor and dignity to declare, that by their application for the extension of the Royal clemency towards Francis Collins, they have not merited the imputation which they apprehend to be conveyed in His Excellency's Message, that their request was inconsistent with the due support of the laws and their duty to society.

MARCH 10th, 1829.

Mr. Dalton, from the Select Committee to whom was referred the petition of Francis Collins, presented a fifth report, accompanied by several Resolutions and an Address to His Majesty in behalf of Francis Collins, which was received and read.

WEDNESDAY, 11th March, 1829.

Mr. Perry, seconded by Mr. Dalton, moves, that the House do now resolve itself into a Committee of the whole, on the Report of the Select Committee to whom was referred the petition of Francis Collins—

Which was carried, and Mr. Berczy was called to the Chair.

The House resumed.

Mr. Berczy reported, that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House, and asked leave to sit again to-morrow.

On the question for receiving the Report, the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Lyons, McCall, McDonald, McKenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Terry, Wilkinson, James Wilson, and Woodruff—35.

NAYS—Messrs. Berczy, Bethune, Henderson, Longley, McLean, Morris, Samson, and John Willson—8.

The question was carried by a Majority of twenty-seven, the Report was received, and leave granted accordingly.

The first Resolution was then put as follows:

*Resolved*, That while prosecutions have been instituted and encouraged against Francis Collins, H. C. Thomson, M. P. and William Lyon Mackenzie, M. P. Editors of papers opposing the injurious policy pursued by the late Provincial Administration, other papers under the patronage and pay of the Provincial Government, have been allowed to disseminate with impunity far grosser and more dangerous libels against the House of Assembly, as well as against many public and private men.

On which the House divided, and the Yeas and Nays were taken as follows:

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, Geo. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Wilson, James Wilson, and Woodruff—37.

NAYS—Messrs. Berczy, Bethune, Henderson, Longley, McLean, Morris, and Samson—7.

The question was carried by a majority of thirty.

The second Resolution was then put as follows:

*Resolved*, That the document marked B, is a true copy of the Indictment upon which Francis Collins was acquitted at the late Court of Oyer and Terminer and General Gaol delivery for the Home District.

On which the House divided, and the Yeas and Nays were taken as follows :

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—33.

**NAYS**—Messrs. Attorney General, Berczy, Bethune, Hamilton, Henderson, Longley, McLean, Morris, Samson, Terry, Wilkinson, and John Willson—12.

The question was carried in the affirmative by a majority of twenty-one.

The third Resolution was then read as follows :

*Resolved*, That Francis Collins being under prosecution for the said alleged libel on Sir Peregrine Maitland, Mr. Attorney General Robinson, during the said Court at York, endeavored to force him to trial, in the first place by erroneously alleging the defendant had been arraigned at the previous Assizes ; in the second place, when the records of the Court were found to contradict his assertion, by denying the right to traverse altogether, the indictment having been found at the preceding Assizes, and in the third place, by contending that having omitted to traverse the indictment upon his arraignment as the proper time for so doing, he could not be permitted to avail himself of the privilege subsequently ; and that while the latter points were still depending and undetermined, the article for which he was afterwards indicted and convicted of libel, was published.

In amendment, Mr. Radenhurst, seconded by Mr. Dickson, moves, that after the word "Maitland," in the original resolution, the remainder be expunged and the following inserted—"and before the same had been determined, the article for which he was afterwards indicted and convicted of libel was published."

On which the House divided, and the Yeas and Nays were taken as follows :

**YEAS**—Messrs. Berczy, Bethune, Blacklock, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Kilborn, Longley, McDonald, McLean, Morris, Radenhurst, Samson, Shaver, Smith, Terry, Wilkinson, and John Willson—21.

**NAYS**—Messrs. Baby, Baldwin, Brouse, Buell, Cawthra, Dalton, Hopkins, Hornor, Ketchum, Lefferty, Lockwood, Lyons, McCall, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Thomson, James Wilson, and Woodruff—23.

The question was decided in the negative by a majority of two.

In amendment to the original question, Mr. Dalton, seconded by Mr. McLean, moves, that the word "force" be expunged and the word "bring" inserted in its place, and that after the word "erroneously" the following words be inserted—"supposing and."

On which the House divided, and the Yeas and Nays were taken as follows :

**YEAS**—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fraser, Hopkins, Hornor, Ketchum, Lefferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—30.

**NAYS**—Messrs. Berczy, Bethune, Dickson, Fothergill, Hamilton, Henderson, Kilborn, Longley, McLean, Morris, Radenhurst, Samson, Wilkinson, and John Willson—14.

The question was carried in the affirmative by a majority

of sixteen, and the resolution as amended was put and carried as followed :—

*Resolved*—That Francis Collins being under prosecution for the said alleged libel on Sir P. Maitland, Mr. Attorney General Robinson, during the said Court at York, endeavored to bring him to trial, in the first place by erroneously supposing and alleging the defendant had been arraigned at the previous assizes ; in the second place, when the records of the Court were found to contradict this assertion, by denying the right to traverse altogether, the indictment having been found at the preceding assizes ; in the third place by contending that having omitted to traverse the indictment upon his arraignment as the proper time for so doing, he could not be permitted to avail himself of the privilege subsequently ; and that while the latter points were still depending, and undetermined, the article for which he was afterwards indicted and convicted of libel was published.

The fourth resolution was carried nem. con.—as follows :

*Resolved*—That the document marked C, is a copy of the indictment upon which the said Francis Collins was tried, convicted, and punished.

**Present**—Messrs. Baby, Baldwin, Berczy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Longley, Lockwood, Lyons, McLean, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, G. Rolph, John Rolph, Radenhurst, Samson, Shaver, Smith, Terry, Thomson, John Willson, Wilkinson, James Wilson, and Woodruff—44.

The fifth resolution was then put as follows :

*Resolved*—That the Select Committee of the Imperial House of Commons upon Canada affairs, urged in the most especial manner upon His Majesty's Government, that a strict and instant enquiry should take place into all the circumstances attending the prosecutions for libel instituted in Lower Canada, with a view to giving such instructions upon them as should be consistent with justice and policy—which recommendation was properly respected and observed in Lower Canada, and ought not to have been slighted and disregarded in this Province.

On which the House divided, and the yeas and nays were taken as follows :

**Yeas**—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Lefferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, Radenhurst, G. Rolph, J. Rolph, Shaver, Smith, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—37.

**Nays**—Messrs. Bethune, Henderson, Longley, McLean, Morris, Samson, and Terry—7.

The question was carried in the affirmative by a majority of thirty.

The sixth resolution was then read as follows :

*Resolved*—That the document marked D, according to the evidence of those who took down his words, contains a true report of material parts of the charge delivered by Mr. Justice Sherwood to the Jury, which charge was an unwarrantable deviation from the matter of record, and a forced construction of language, contrary to the ends of fair and dispassionate justice.

In amendment, Mr. Dickson seconded by Mr. Radenhurst, moves, that all the words be expunged after "Jury" in the original resolution.

On which the House divided and the yeas and nays were

taken as follows :

Yeas—Messrs. Attorney General, Berczy, Bethune, Dickson, Fraser, Henderson, Morris, Radenhurst, Samson, Terry, and John Willson—11.

Nays—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, G. Rolph, J. Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson, and Woodruff—32.

The question was decided in the negative by a majority of twenty one.

On the original question the House divided, and the yeas and nays were taken as follows :

Yeas—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, J. Rolph, G. Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson, and Woodruff—29.

Nays—Messrs. Berczy, Bethune, Ewing, Fraser, Henderson, Longley, McLean, Morris, Samson, Terry, and John Willson—11.

The question was carried in the affirmative by a majority of eighteen, and it was

Resolved—That the document marked D, according to the evidence of those who took down his words, contains a true report of material parts of the charge delivered by Mr. Justice Sherwood to the Jury; which charge was an unwarrantable deviation from the matter of record, and a forced construction of language, contrary to the ends of fair and dispassionate justice.

The seventh resolution was then put as follows :

Resolved—That Mr. Justice Hagerman, who was one of the persons alleged on the record to be libelled, refused to receive the verdict as first tendered by the Jury, viz : “ guilty of libel against the Attorney General only ”—and directed them to find a general verdict of guilty—with which direction the Jury complied, whereby the defendant was made to appear on record guilty of charges of which the Jury had acquitted him; and whereby false grounds were afforded upon the record for an oppressive and unwarrantable sentence.

On which the House divided, and the yeas and nays were taken as follows :

Yeas—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, G. Rolph, J. Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—28.

Nays—Messrs. Berczy, Bethune, Fraser, Hamilton, Henderson, Longley, McLean, Morris, Terry, Wilkinson, and John Willson—11.

The question was carried in the affirmative by a majority of 17.

The eighth resolution was then put as follows :

Resolved—That it appears from the appended copy of the letter of Judge Sherwood to His Excellency (marked E), that Mr. Justice Hagerman alleged on the record to be libelled, did concern himself, with Mr. Justice Sherwood, in measuring the punishment of the defendant, thereby, without necessity for it, further violating the rule, that a man shall not be a Judge in his own case.

On which the House divided, and the yeas and nays were taken as follows :

Yeas—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Leferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—29.

Nays—Messrs. Berczy, Bethune, Fraser, Hamilton, Henderson, Longley, McLean, Morris, Terry, Wilkinson, and John Willson—11.

The question was carried in the affirmative by a majority of eighteen.

The ninth resolution was then put as follows :

Resolved—That from the language of Judge Sherwood in his said letter : viz. “ If such publisher however steps aside from the high road of decency and peaceable deportment, and adopts a course of public calumny and open abuse against the officers of Government generally, or particularly against the principal law officer of the crown, in the legal execution of his duty in the King’s Courts, as the defendant did, then I think he should be punished to that extent, which in human probability would prevent a recurrence of the offence; any thing short of this would be nugatory, and have an effect contrary to the ends proposed by all punishments,” it too plainly appears that the punishment inflicted upon the said Francis Collins was not confined to the verdict as originally tendered by the Jury.

On which the House divided, and the yeas and nays were taken as follows :

Yeas—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Hamilton, Hopkins, Hornor, Ketchum, Leferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Thomson, Wilkinson, James Wilson, and Woodruff—31.

Nays—Messrs. Berczy, Bethune, Fraser, Henderson, Longley, McLean, Morris, Samson, Terry, and John Willson—10.

The question was carried in the affirmative by a majority of twenty one.

The tenth resolution was then put as follows :

Resolved—That the punishment inflicted upon Francis Collins for the said libel, viz : “ that he should be imprisoned for 12 months, pay a fine of £50 to the King, find securities for his good behaviour after his liberation for three years, himself in £400 and two sureties in £100 each, and stand committed till all those conditions should be complied with,” is, considering the state of the Province and circumstances of the defendant, shamefully disproportioned to his offence—subversive of the freedom of the press, under pretence of correcting its excesses, and destructive of the liberty of the subject, under pretence of punishing an offender.

On which the House divided, and the yeas and nays were taken as follows ;

Yeas—Messrs. Baby, Baldwin, Berczy, Blacklock, Brouse, Buell, Cawthra, Dalton, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Morris, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—39.

Nays—Messrs. Bethune, McLean, and Samson—3.

The question was carried in the affirmative by a majority of thirty six.

The eleventh resolution was then put as follows :

Resolved—That from the state of this Province and the circumstances of the said Francis Collins, the exorbitant and oppressive bail required from him, leaves him no other alternative than perpetual imprisonment or the abandonment of the press by which he maintains himself and a wife with an infant family.

On which the House divided, and the yeas and nays were taken as follows :

Yeas—Messrs. Baby, Baldwin, Berezy, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, George Rolph, John Rolph, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, James Wilson, and Woodruff—39.

Nays—Messrs. Bethune, Buell, McLean, and Samson—4.  
The question was carried in the affirmative by a majority of thirty-five.

The twelfth Resolution was then put and carried *nem. con.*

Present—Messrs. Baby, Baldwin, Berezy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Longley, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, McLean, Morris, Perry, Peterson, G. Rolph, J. Rolph, Samson, Shaver, Smith, Terry, Thomson, John Willson, Wilkinson, James Wilson & Woodruff,—And it was

Resolved, That the document marked F. is a true copy of the Address of this House to His Excellency, with the Yeas and Nays upon the passing thereof—praying for the pardon of Francis Collins; and of the answer of His Excellency to the same.

The thirteenth Resolution was then put and carried *nem. con.*

Present—Messrs. Baby, Baldwin, Berezy, Bethune, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Ewing, Fothergill, Fraser, Hamilton, Henderson, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Longley, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, McLean, Morris, Perry, Peterson, George Rolph, John Rolph, Samson, Shaver, Smith, Terry, Thomson, Wilkinson, John Willson, Jas. Wilson, and Woodruff.—And it was

Resolved, That when the said application from this House was made to His Excellency for the pardon of the said Collins, he had been about three months in gaol.

The fourteenth Resolution was then put as follows :

Resolved, That the doctrine laid down in the letter of Judge Sherwood, viz: that the extent of punishment should be such as will in all human probability prevent the recurrence of the offence—and that any thing short of it would be negatory, and have an effect contrary to the ends proposed by all punishment—is an unjust and imperfect view of such a question, dangerous in a judge entrusted with the administration of the criminal justice of this country, and calculated to render the criminal law, so administered, a scourge to the community.

On which the House divided, and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Buell, Cawthra, Dalton, Dickson, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, G. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—31.

NAYS—Messrs. Berezy, Bethune, Hamilton, Henderson,

Longley, McLean, Morris, Samson, Wilkinson, and John Willson—10.

The question was carried in the affirmative by a majority of twenty-one.

The fifteenth Resolution was then put as follows :

Resolved, That it is inconsistent with the liberty of the press, that a person should, before conviction, be called upon to find bail for good behaviour, upon so indefinite an offence as libel, and that the law under which such proceeding is justified in this Province, is well objected to by Lord Ashburton in the following terms—"I never heard till very lately, that Attornies General upon the caption of a man supposed a libeller, could insist on his giving securities for his good behaviour. It is a doctrine injurious to the freedom of every subject, derogatory from the old constitution, and a violent attack, if not an absolute breach, of the liberty of the press. It is not law, and I will not submit to it."

On which the House divided, and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Henderson, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Lyons, McCall, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, G. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson, John Willson, and Woodruff—32.

NAYS—Messrs. Bethune, McLean, Morris, and Samson—4.

The question was carried in the affirmative by a majority of twenty-eight.

The sixteenth Resolution was then put as follows :

Resolved, That an earnest appeal be made to His Majesty to relax, in this case, the rigor of that law which was made for the happiness and welfare of the people who pray for its relaxation, and that His Majesty be requested to lay these resolutions and documents before the Imperial Legislature.

On which the House divided, and the Yeas and Nays were taken as follows :

YEAS—Messrs. Baby, Baldwin, Blacklock, Brouse, Cawthra, Dalton, Dickson, Ewing, Fothergill, Hopkins, Hornor, Ketchum, Kilborn, Leferty, Lockwood, Lyons, McCall, McDonald, Malcolm, Matthews, Mackenzie, Perry, Peterson, G. Rolph, John Rolph, Shaver, Smith, Terry, Thomson, James Wilson, and Woodruff—31.

NAYS—Messrs. Attorney General, Berezy, Bethune, Fraser, Hamilton, Henderson, Longley, Morris, Samson, and Wilkinson—10.

The question was carried in the affirmative by a majority of twenty-one.

Mr. John Rolph, seconded by Mr. Perry, moves, that it be

Resolved, That the honorable Mr. Justice Sherwood and the honorable Mr. Justice Hagerman, were summoned to appear before the Select Committee of this House appointed to enquire into the case of the said Francis Collins, and having appeared before the said Committee, and being made acquainted with the allegation of the petition, an opportunity was afforded them of offering any explanation; which opportunity was declined by them.

Which was carried.

The Address to His Majesty was then read a second time.

Mr. Perry, seconded by Captain Matthews, moves, that after the word "dominions," in the Address to His Majesty, the following words be added, "and that Your Majesty will be graciously pleased to lay a copy of the resolutions and ac-

## 1 Report of Committee on Petition of W. Forsyth.

“ accompanying documents before Your Majesty’s Parliament of the United Kingdom of Great Britain and Ireland,”—Which was carried, and the Address was concurred in, and ordered to be engrossed and read a third time this day.

THURSDAY, 12th March, 1829.

Agreeably to the order of the day, the Address to His Majesty in behalf of Francis Collins was read the third time.

On the Question for passing the same, the House divided, and the Yeas and Nays were taken as follows :

Yeas—Messrs. Baldwin, Blacklock, Buell, Cawthra, Dalton, Ewing, Hornor, Ketchum, Kilborn, Lafferty, Lockwood, Lyons, McDonald, Mackenzie, Malcolm, Matthews, Perry, Peterson, John Rolph, Shaver, Smith, Thomson, James Wilson, and Woodruff—24.

Nays—Messrs. Dickson, Henderson, Longley, Morris, Radenhurst, Samson, Terry, and Wilkinson—8.

The question was carried in the affirmative by a majority of sixteen, and the Address was signed and is as follows :

*To the King’s Most Excellent Majesty :*

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty’s dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parlia-

ment assembled, humbly request Your Majesty’s most favorable consideration of the Resolutions and Documents accompanying this Address, and humbly pray Your Majesty to extend to Francis Collins the Royal Clemency, by remitting the residue of his punishment—which act of mercy will be most acceptable to the people of this Province, and be regarded by us as a fresh proof of Your Majesty’s gracious disposition to consult the wishes and happiness of Your people in all parts of Your ample dominions—and that Your Majesty will be graciously pleased to lay a copy of the Resolutions and accompanying Documents before Your Majesty’s Parliament of the United Kingdom of Great Britain and Ireland.

MARSHALL S. BIDWELL, SPEAKER.

*Commons House of Assembly,* }  
12th March, 1829.

Mr. Perry, seconded by Mr. Dalton, moves, that an Address be presented to His Excellency the Lieutenant Governor requesting him to transmit to His Majesty the Address of this House, and the Resolutions upon which it is founded, and also the evidence and accompanying documents reported by the Committee to whom was referred the petition of Francis Collins, and that Messrs. Lafferty and Woodruff be a Committee to draft and report the same.

Which was carried.

## REPORT

ON THE

### PETITION OF WILLIAM FORSYTH,

OF THE NIAGARA FALLS PAVILION,

COMPLAINING OF

### MILITARY OUTRAGE, &c.

#### REPORT.

TO THE HONORABLE THE HOUSE OF ASSEMBLY :

The Special Committee on Grievances, to whom was referred the Petition of William Forsyth, of Bertie, late proprietor of the Niagara Falls Pavilion Estate, complaining of the unwarrantable interference of Sir Peregrine Maitland with his civil rights, in the employment of a Military Force to dispossess him of his property, and of other wrongs done him on the part of the Government respectfully report :—

1st. That William Forsyth was in quiet and peaceable possession of certain land and premises, near the Falls of Niagara in 1827, respecting his title to which, as proprietor, some disputes have arisen, which have since terminated in a verdict in favour of the persons to whom he sold the estates, on an action of trespass.

2d. That Sir Peregrine Maitland, acting in his military capacity as Major General Commanding the Forces in Upper Canada, and without consulting the Attorney General, issued his orders to Captain Phillpotts to dispossess Mr. Forsyth and eject him from his property by force.

3d. That Captain Phillpotts in the above year, acting in obedience to the commands of Sir Peregrine Maitland, took with him a

party of soldiers, entered with them upon Mr. Forsyth’s premises, and in defiance of his remonstrances and entreaties cut and threw down his fences, leaving his growing crops exposed, destroyed his Blacksmiths’ shop, and caused him other damage and injury. This they did on the 18th of May, 1827.

4th. That Mr. Forsyth employed persons to build up and repair his fences, and restore his premises to their wonted state of order and regularity, the outrage having been committed at a season of the year in which many strangers visit the Falls.

5th. That Captain Phillpotts and his soldiers, acting as before under the superior authority of Sir Peregrine Maitland, again entered upon Mr. Forsyth’s lands, threw down his fences, destroyed his crops, and did him damage, they paying no attention to his remonstrances.

6th. That this second outrage, like the first, was unknown to the Attorney General, whose first knowledge of these circumstances was acquired after he had been instructed to defend Captain Phillpott’s conduct in an action brought by Mr. Forsyth.

7th. That Mr. Forsyth was baffled in his attempts to obtain redress in the ordinary Courts of Law, and that when the House of Assembly took the matter up, on his petition, Sir Peregrine Mait-

## Report of Committee on Petition of W. Forsyth.

land ordered Colonels Givens and Coffin to disobey their summons, so that the evidence which would have identified the Lieutenant Governor with these matters could not then be obtained, the Colonels choosing to remain in gaol, till the close of that Parliament, rather than give their testimony before the Committee.

8th. That the Select Committee, consisting of Mr. John Rolph, Chairman, Captain Matthews, and Messrs. Randal, Lefferty, and Beardsley, reported that "Richard Leonard," then Sheriff (and to whom the law had entrusted a large discretionary power in the selection of Jurors) "was present countenancing the party committing the trespass," that "both the Crown Officers were engaged in defence of the persons guilty of the outrage," and that "it is clear that a person long in possession of land, like the petitioner, ought to have been ejected by the law of the land, which is ample, when impartially administered, for securing the rights of property, but the interference of the Military, by such acts of violence, for maintaining supposed or contested rights, is justly regarded with jealousy in all free countries, and ought to be seriously regarded in a Colony, where the most unprecedented outrages have been perpetrated without prosecution, and even followed by the patronage of the local government upon the wrong doers."

9. That Mr. Forsyth applied by petition to His Majesty, and that Mr. Mackenzie, a member of this Committee, at his special request, brought the affair under the immediate notice of the Colonial Department in 1832.

10. That the House of Commons addressed His Majesty in its Session of 1832, and again in its Session of 1833, for "Copy of the Reports of two select Committees to whom were severally referred petitions addressed to the House of Assembly of Upper Canada, in the Session of the Provincial Legislature, 1828, complaining of improper conduct on the part of Captain George Phillpotts of the Royal Engineers, and other wrongs, and of the administration of justice; with the evidence attached to these Reports, as presented to the House on the 24th March, 1828, by Mr. Rolph and Mr. Beardsley, with the proceedings of the House in the case of Colonels Givens and Coffin, heads of Departments, who were sent to gaol for refusing to give testimony in the matter of Capt. Phillpotts, they severally alleging to the House that the Major General, then commanding, would not permit them to attend, together with the proceedings, if any, which have been had thereon by His Majesty's Government, or the local authorities." And that these documents were accordingly transmitted by His Excellency Sir John Colborne, and ordered to be printed by a resolution of the Commons House of the Imperial Parliament.

11th. That it appears on a reference to the Despatch of Sir Peregrine Maitland addressed to Mr. Secretary Huskisson on the 29th of March, 1828, that it contained a gross and unwarrantable attack upon the rights, privileges and character of the House of Assembly, and a Committee of its appointment, and that the secrecy of a confidential communication from the Lieutenant Governor of this Colony was taken advantage of to slander and traduce the character of Mr. Forsyth to his sovereign, as "a person notoriously of indifferent character."

12th. That the conduct of Sir Peregrine Maitland in these proceedings was justly condemned by Secretary Sir George Murray, as appears by his despatch to Lieutenant Governor Sir J. Colborne, dated October 20th, 1828, of which a copy is hereto annexed.

13th. That it appears from Mr. Forsyth's petition that, harrassed as he had been by illegal proceedings and wearied with fruitless applications for redress, he concluded to dispose of his valuable estate for less than it was worth, and that no compensation has been made him for the injuries he sustained by the unlawful proceedings taken against him by authority of the late Lieutenant Governor.

14th. That in a letter to Colonel Rowan, dated the 31st of De-

ember, 1832, Chief Justice Robinson, after giving a description of Forsyth's Estate, adds that "Mr. Forsyth does not now occupy any part of the property in question, having sold it to persons who, I am convinced will never pretend that they have a right to enclose the public reservation to which he asserted a claim."

15th. That Messrs. Clark and Street, the persons who purchased the property from Mr. Forsyth have not only asserted their right to enclose it, but have also succeeded in obtaining a verdict for a trespass upon it.

16th. That it appears from the accounts sent down to this House that £127 6s. 6 $\frac{1}{2}$ d. Sterling, were paid to the Attorney General last year, out of the funds raised by duties levied under the Act 14th George III. for "expenses incurred by him in defending two suits with costs in reference to the Military Reserve near the Falls of Niagara."

Your Committee are of opinion that the petitioner, William Forsyth, hath sustained great injury at the hand of Sir Peregrine Maitland, and others acting under his authority, while he commanded the Military force stationed in the Province; and that he is entitled to such compensation for the wrongs done him, as it may be within the power of government to afford, and they recommend, as the proper course to be pursued, that an Address be presented to the Lieutenant Governor, requesting His Excellency to bring the circumstances of the Petitioners' case under the consideration of His Majesty's Government, in order that that redress and remuneration may be afforded him, for which he has so long, and hitherto, so unsuccessfully, applied.

WM. L. MACKENZIE,  
*Chairman.*

T. D. MORRISON,  
DAVID GIBSON,  
CHARLES WATERS.

*Committee Room, House of Assembly,* }  
April 1st, 1835.

THURSDAY 19th MARCH, 1835.

The Committee met, and the petition of Mr. Forsyth was read as follows:—

*To the Honorable the Commons House of Assembly in Provincial Parliament Assembled.*

The Petition of William Forsyth of Bertie, in the Fourth Riding of Lincoln, Yeoman.

HUMBLY SHEWETH :

That Your Petitioner, on the second inst. complained by Memorial to His Excellency Sir John Colborne, in the following terms:—

Stating that in 1821. I (William Forsyth) bought from William Dickson, Esq. Lot 159, with the broken front between it and the Niagara River, adjoining the Falls, also other parts of Lots that had been granted to one Francis Ellsworth about 35 years ago.

That in 1827 Captain Phillpotts, with a Military force, violently and unlawfully wrested from me the valuable strip of land on the high bank and brow of the hill near the Falls, the said Phillpotts acting under the direction of Sir Peregrine Maitland, that my Gardens and Meadows were twice thrown open and my growing crops subjected to waste, my Blacksmith's shop destroyed and thrown over the hill—and that at least 60 acres of growing crops were more or less injured.

That I went to law for my damages and to defend my title—had various success—was harrassed many ways—injured in my circumstances—traduced in my character by the Lieutenant Governor—persecuted for the sake of my valuable estates which others were anxious to obtain—and embarrassed in my business because I had had fortitude to resist executive usurpation—that thus situated I resolved to sacrifice the whole Falls estate to those who were more likely than myself to obtain equal justice—and that I did so at a price at least \$15,000 less than its fair value to the

## Report of Committee on Petition of W. Forsyth.

present owners who had no difficulty in obtaining that justice in the premises which to me (a marked man) had been continually denied.

That your petitioner concluded his statement by praying that the Executive Government would compensate him for the injustice he had sustained—and received in reply an opinion signed by the Attorney General referring to the documents printed by order of the House of Commons 18th July 1833, and affirming that the government had not abandoned its claim to the property in question, and that if it appeared expedient to the constituted authorities it was his intention to proceed against Clark and Street “by the information of intrusion,” the Lieutenant Governor in Council, at same time, stated that the new proprietors were placed in your petitioner’s stead by his sale to them.

Your petitioner has long waited for justice, and he refers to the several lawsuits he has been engaged in—to his humble petitions to your honorable house—to the very favorable reports made on them by the three Select Committees of which John Rolph Esq. B. C. Beardsley Esq. and the late Colonel Hornor were Chairmen—to the attention paid to his case by the enquiries and addresses of the Honorable the House of Commons—to the evidence on the Journals of your Honorable House shewing that he has been the victim of lawless outrage and military violence—to his memorials to his Majesty—and to the many days he has passed in attendance upon the Legislature urging its interposition in his case.

Your petitioner has had his character traduced in the most indecent terms by the late Lieutenant Governor, in his secret communications to the Colonial Office; your honorable house has also been grossly misrepresented to his Majesty as a band of conspirators, and a report in your petitioners favor emanating from some of the most honored members of the Legislature was secretly denounced, to our most gracious Sovereign, by the then head of the government here, as a production “drawn in terms which gratify the malice of an individual or answer the temporary purpose of an unprincipled faction,” meaning your honorable house as it existed in the Ninth Parliament.

Information as to the outrage committed at the Falls was withheld from your honorable house by the express commands of the Lieutenant Governor, who ordered his officers to disobey the summons of the House, and to keep back the facts by which the full extent of the atrocities practised by the Military band under Captain Phillpotts would have been exposed; and although Colonels Coffin and Givens were imprisoned for contempt, the purposes of the enemies of justice were answered, and enquiry was smothered. In order to strike terror into the press and prevent it from exposing these high handed acts, a presentment was made against one of the Editors of this City for expressing his detestation of the cruelty which had been practised towards your petitioner—and the then Surveyor General joined the enemies of investigation by refusing to obey the order of the House or to give that evidence which would have elicited the facts in your petitioner’s favor.

Your petitioner comes before your honorable house as a man marked out by the finger of authority to be oppressed with impunity—and humbly and earnestly implores your assistance, so that justice—tardy justice—may be done him, and the honor of the Crown and the rights of the subject (violated as they have been in his person) duly secured, asserted and maintained.

And your petitioner as in duty bound will ever pray.

WM. FORSYTH.

Niagara Falls Pavilion, February, 1835.

Friday, 20th March, 1835.

ROBERT S. JAMESON, Esq., ATTORNEY GENERAL, called in and examined.

Mr. Forsyth of Bertie, late the proprietor of the Niagara Falls Pavilion, has petitioned the House, complaining that at least \$15,000 have been lost to him in the sale of the Falls Estate, by the opposition made to his claim to a certain part of that Estate by the Executive Government, which claim has, he says, been abandoned by it, since he sold to Messrs. Clark and Street. What information can you afford this Committee concerning his claim for redress?

Answer.—Most of the circumstances to which Mr. Forsyth al-

ludes took place before my arrival in this Province, and are detailed in the documents appended to his petition now before me. With regard to the matters within my own knowledge relating to Mr. Forsyth’s case, I cannot convey the information required of me by the Committee more succinctly than by putting in an extract from the remarks made by me (4th Feb.) upon Mr. Forsyth’s petition to His Excellency, which he has partly set out in the one subsequently presented to the House of Assembly, and which is now before the Committee; my opinions upon the subject being the same as when those remarks were written.

The Petitioner, in alleging that “the private Company” (to whom he states that he had sold his property at the Falls of Niagara) “found little difficulty in obtaining from the Government that justice which had been continually denied to him,” is evidently under a total misapprehension. He seems to suppose that the Government has abandoned to Messrs. Clark and Street that which it saved for the public from the intrusive appropriation of Mr. Forsyth himself. It is true that after having been by two verdicts, and judgments of the Court of King’s Bench, decided to be a public reserve, Messrs. Clark and Street, the present proprietors of the land adjoining, succeeded last year in obtaining a verdict for a trespass upon that small piece of ground on the Bank of the River opposite the Falls, which was in 1793 specially reserved in the Patent to Elsworth; but that verdict was set aside by the Court of King’s Bench, as being contrary to evidence. When this action of trespass came on to be re-tried at the last Niagara Assizes, the principal, and in fact the only important witness for the defence, the Surveyor, who originally laid out the reserve, before the adjoining land was granted, did not obey the subpoena; he being, as he afterwards explained, just recovering from a dangerous sickness, and as the Judge at Nisi Prius did not think it right to accede to my application to allow the case to stand over for a few days until he could attend, no evidence was offered. The verdict however in this personal action I considered as comparatively of little importance, since a suit was at that moment pending on the part of the crown against Clark and Street which would have conclusively settled the title to the land, and which then stood for trial, but from the absence of the witness above mentioned the record was for the present withdrawn. So far from entertaining any doubt as to the right of the crown to the reserve in question, I am convinced that the claim now set up by Clark and Street is an unrighteous one; and unless it should be considered by the Executive Government, for any reason not at present apparent, to be inexpedient, it is my intention to proceed against those gentlemen by the information of intrusion, which I was, for the reason I have just stated, obliged to withdraw. The Committee will observe therefore that the government has not abandoned the claim since the sale of the property to Messrs. Clark and Street; but on the contrary has expressly sanctioned the proceedings adopted for the vindication of what it conceives to be the right of the public to the reserved claim on the top of the bank opposite to the Falls of Niagara, which the government is desirous to keep open as an approach to the view of the Falls.

GILBERT McMICKING, Esq., M. P. P. FOR LINCOLN, called in and examined.

A petition has been referred to this Committee complaining of great wrongs done to Mr. Forsyth of the Niagara Falls, by Captain Phillpotts and the Military.—What do you know of that transaction?—A gross outrage was perpetrated, defiance of the laws—it created very great excitement in the country, but no justice has been obtained against the parties—the transaction has placed the judiciary authority of this Province not above suspicion.

DAVID THORBURN, Esq., M.P.P. FOR THE FALLS OF NIAGARA RIDING, OF THE COUNTY OF LINCOLN, called in and examined.

You presented a petition to the House from Mr. Forsyth, the late owner of the Niagara Falls Pavilion, complaining that he had sustained great injury at the hand of the government, and that a violent outrage had been committed upon his property while at the Falls.—What do you know respecting these matters?—The general feelings of the country was opposed to the outrage by the Military, but I am not aware that Mr. Forsyth ever got any redress.

It appears by the accounts sent down to the Assembly this session that £ sterling have been paid out of the Provincial Revenue, without the consent of the Legislature, to the Attorney General for defending suits with respect to the title of the crown to some part of the property claimed by Mr. Forsyth.—Are you aware what steps Mr. Forsyth, or the persons he has sold to have taken, in these lawsuits?—I am not.

## Upper Canada.

No. 1.

Copy of a Despatch from Major General Sir John Colborne to Viscount Goderich.

UPPER CANADA,  
York, 11th January, 1833. }

MY LORD,

I have the honor to forward to you the accompanying documents with reference to your Lordship's Despatch of the 29th of August, in which was transmitted a copy of Resolutions of the House of Commons, respecting certain petitions addressed to the House of Assembly of Upper Canada in the session of the Provincial Legislature of 1828, and to acquaint your Lordship, that as the circumstances connected with Forsyth's petition could not be understood without a report from Chief Justice Robinson, who was Attorney General at the time Forsyth brought his action for trespass, I have considered it necessary to call on the Chief Justice for such explanations connected with the affair as he might be able to afford, and to forward them for the information of the House of Commons.

I have &amp;c.

(Signed) J. COLBORNE.

Letter from Chief Justice Robinson to Lieutenant Colonel Rowan, Secretary, &c. &c. &c.

YORK 31st December, 1832.

SIR,

I have the honor to acknowledge the receipt of your letter, transmitting some Resolutions of the House of Commons, in consequence of which His Excellency the Lieutenant Governor has been desired to furnish copies of certain proceedings in the Assembly of this Province, upon petitions preferred by William Forsyth.

In reply, I beg leave to state, that the specific call for information which the House of Commons has made, would be answered, as it appears to me, by merely transcribing from the Journals of the Assembly the Reports referred to, and the evidence appended to them, and transmitting those papers to England. If the subject of His Excellency's reference to me is to obtain any further information on the subject of those complaints which it is in my power to give, I can have no objection to state such facts as are within my knowledge, according to the best of my recollection.—The reports alluded to have not, so far as I am aware, engaged my attention in this country, either in the Legislature or out of it, for some years. I have long ceased to think of them; and it is more than three years since I filled the situation under the Government, which gave me official knowledge of the matters they refer to. It is therefore probable that some minor circumstances may have passed from my mind, but I apprehend the following statement will be found to be in substance correct.

The Township of Stamford, and the other Townships on the River Niagara, as well as some other parts of this Province, were surveyed and laid out into lots before the division of the Province of Quebec into Upper and Lower Canada, some time between the years 1785 and 1790, and while General Haldimand administered the Government of Canada. In laying out the lands on the River Niagara, a reservation of a Chain in width (66 feet) was made along the top of the bank, partly, I think, with a view to the Military defence of the Province, and partly for the purpose of preserving a convenient communication.

The River, which in many places is of very moderate width, constitutes a boundary between us and the United States of America; and it no doubt occurred to the government that in the event of war, it might be necessary to construct batteries and other works upon the bank to repel invasion, or to command the passage of the river. In the war which occurred in 1812, batteries were in fact constructed at numerous points along the river.

In more recent surveys, made under the authority of the government of Upper Canada, it has been thought obviously proper for other reasons, and independently of these considerations, to reserve to the Crown, for the public convenience, the space of a chain along rivers and other waters of far less importance than the Niagara; such a reservation, by preserving the land open, affords to all persons access to the water without trespassing upon the lands of private proprietors.

After General Simcoe assumed the government of Upper Canada

as a separate Province, (in the year 1792) the particular public reservations which had been made along the Niagara river, in the original surveys were designated, and reported to him by the Surveyor who had made those surveys under the authority of the Government. Among these, (for there were others at particular points) was the general reservation I have mentioned, of one chain from the top of the bank along the River Niagara.

The Letters Patent afterwards issued by the Provincial Government to the several grantees specified this reservation or exception. It was a matter perfectly notorious and well understood, and no doubt or difficulty, that I have heard of, ever arose upon the subject for nearly forty years, and until Mr. Forsyth in the year 1826 or 1827, took upon himself to inclose with a high post and rail fence, the allowance or reservation of one chain along the bank of the river in front of his own lands; and the effect of making this inclosure in the place and manner in which it was made, was to exclude the public from access to the great natural curiosity, the Falls of Niagara, except such persons as he might permit to go through his house or premises to the bank of the river. Mr. Forsyth kept the principal Inn at that time at the Falls, and owned the adjoining lands for a long distance along the river, including those points to which all strangers resort to view the Cataract.

The public were annoyed at this act of Mr. Forsyth's, and applied by petition to the Lieutenant Governor for redress. This petition I have seen, it was signed by the most respectable inhabitants of the country, and I think the Lieutenant Governor was repeatedly applied to, and the necessity urged upon him of having this unauthorised obstruction removed. I have now in my possession the statements made on oath and preferred to the Lieutenant Governor by the keeper of an hotel in the vicinity, complaining of the oppressive consequences to him of the vexatious usurpation by Mr. Forsyth.

The reservation of a chain along the river, had, it seems, been commonly regarded as made for military purposes rather than for civil, and looking upon it in that light, as I suppose Sir Peregrine Maitland, who then resided in the District of Niagara, and within a few miles of the reserve in question, and who was then Major General commanding, referred to the Engineer officer in charge in that district, and instructed him to see that the space was kept open, as it had been, and as it ought to be. This officer, Captain Phillpotts, after Mr. Forsyth had been requested in vain to remove his fence, thought himself bound by his instructions to see that it was removed, and taking a small party of soldiers in their fatigue dress, he did, in the presence of Mr. Forsyth, cut or pull down the fence, and throw open the land again to the public; and he also pulled down and removed a small blacksmith's shop, made of boards, which had been placed on the reserve. No force was necessary for overcoming any personal resistance, for none was made. To prevent the possibility of encroaching upon Mr. Forsyth's property, Captain Phillpotts procured the attendance of a Mr. Jones, the very same sworn Surveyor who had made the original official survey of the ground nearly forty years before, and it was of the land marked out by him as the public reservation that possession was taken. It appears also, that to prevent a mis-statement of his proceedings, Captain Phillpotts had requested the Sheriff of the District, who lives near the premises, to be present and observe what was done. The Sheriff did attend, but took no part. The soldiers, in obedience to their orders, pulled down the fence; and Mr. Forsyth, who was present, remonstrated and declared that he would prosecute for this trespass, as he called it, upon his property. The pickets and other materials not having been removed from the ground, Mr. Forsyth soon afterwards set up the fence again, and excluded the public as before; and Captain Phillpotts again took it down, and with no additional circumstance of force, and no more direct resistance on the part of Mr. Forsyth.

For these two acts, Mr. Forsyth brought civil actions, one against the Sheriff and Captain Phillpotts jointly, for the first removal of the fence and building, and the other against Captain Phillpotts alone for the second removal of the fence. Captain Phillpotts reported to Sir Peregrine Maitland, that he had been thus prosecuted for acts done in obedience to the orders he had received, and I, being the Attorney General at that time, was instructed to defend those suits, and to take the necessary measures for vindicating the right of the Crown.

My first knowledge of the circumstances I have detailed above, was acquired after I had been so instructed, and I relate the facts from my recollection of the evidence given afterwards upon the trial.

I pleaded specially to the actions, in such a manner as to bring in issue the right of the Crown to the space of land in question, Mr. Forsyth took issue on that right, not relying upon or asserting in his pleadings that any unwarrantable or excessive violence had been used, or any wrong committed in case the land was the property of

## 5 Report of Committee on Petition of W. Forsyth.

the Crown, but simply denying that fact, and asserting the property to be his. To set that point at rest in the most formal manner, I filed an information of intrusion against him on the part of the Crown, for his act in taking possession after the removal of his fence, and to this information he pleaded not guilty. Thus in three several actions or cases, the opportunity was afforded of trying the question by juries of the country. It was fully investigated, and upon the clearest testimony decided against Mr. Forsyth's pretensions. He failed in his action against Captain Phillpotts and the Sheriff, and a verdict was rendered against him on the information of intrusion. Upon this verdict, judgment was entered, and a writ of *amoveas manus* sued out and executed. Upon the trials he maintained his pretensions to the grounds inclosed, by giving a peculiar construction to the words "top of the bank," and endeavouring to apply them to the top of a *lower bank*, confining the river at an inaccessible point, and to which lower bank no person could pass from what is actually the "top of the bank," and more especially after he had inclosed the space in question.

This construction, repugnant to reason, was clearly repelled by various proofs, and especially by the evidence of the very surveyor, still living, who laid out the ground in the year 1786, who was examined as a witness at the trial, and whose explanations were confirmed by a survey recently made by another most respectable surveyor. It was proved that the lines of the lots, as originally marked out, were never produced further than within one chain of the high bank, or commencement of the Table land; and moreover the actual contents of the lots themselves, furnished internal evidence of this fact. I have also in my possession the evidence on affidavit of a man still living, who was chain-bearer on the original survey, and of another respectable inhabitant of the Province, who was residing in Stamford at the time. This additional testimony I became accidentally aware of since the trials, and they are conclusive as it seems to me, upon the point at issue.

It was while his action against Captain Phillpotts and the Sheriff was pending, and a few months before it was to be tried, that Mr. Forsyth made these statements to the Assembly, the natural effect of which would be to elicit a discussion calculated to inflame the public mind, by exciting a jealousy of military interference, and from this excitement he probably expected an advantage in his contest with the government upon the question of right. His petition was entertained and referred to a select Committee, who received such evidence as they chose, and made the report upon it, which appears upon their journals. It will be seen that this report was brought in at the close of the Session; no question upon its reception was ever moved in that body, nor were the opinions expressed on it made the subject of discussion or vote. It has therefore no other sanction than the opinion of the Committee upon an *ex parte* hearing; and if I am entitled to assume that truth must be regarded in a Legislative body, I may venture to assert that such a report could not have been approved if it had been made the subject of open discussion. In the face of whatever attempts were made by the petitioner to excite prejudice, the jury came to the conclusion I have stated. The notes taken of the evidence by the Judge who presided at the trial have *most probably been preserved* by him, and a copy might be procured, if for any purpose it should be desired.

I will add further, that no exception to the verdict of the jury was attempted to be raised by Mr. Forsyth—no new trial was moved for. In the four years that have elapsed since, I do not recollect that in the Legislature or elsewhere, the subject has excited any interest. Mr. Forsyth does not now own any part of the property in question, *having sold it to persons who, I am convinced, will never pretend that they have a right to enclose the public reservation to which he asserted a claim.*

With respect to the reasonableness of the complaint as to military interference, I think it would be difficult to find, in His Majesty's service, an officer less open to the imputation of arbitrary conduct, and a disregard of civil rights than Sir Peregrine Maitland. When he took the step complained of, he was doubtless sufficiently aware how easy it is, in a certain temper of men's minds, to make a trifling matter the cause of an unjust excitement; and had he thought of nothing but his own ease, he would probably have declined giving any direction to the Engineer Officer to remove the nuisance complained of, and he might have told those who petitioned for his interference, that they must submit to Mr. Forsyth's encroachments upon the public right, and await the result of an information for intrusion. An individual whose property had been thus trespassed upon would have had a clear right by law to abate the nuisance, and it seemed no unreasonable expectation that the Government should protect its rights as fully and promptly as individuals may. It was the natural impatience of the public, under the vexatious act of Mr. Forsyth, that led the government, for their sake, to the measure which occasioned for a time, no little trouble.

Whether it would have been more judicious in Sir Peregrine

Maitland to have taken any other course, I need not presume to offer an opinion; having known nothing of the act complained of until after it had taken place, no responsibility rested with me as Crown Officer; and so far as respects any legal question, I need assume no responsibility now; but without pretending to decide the matter in its strictly legal point of view I must say I have not much doubt that if, in any part of England or in the United States of America, an intruder were to insist on incumbering a barrack square with his wagon, or were to plant posts and rails in a parade ground, the nuisance would be removed under the direction of an officer on the spot.

The House of Commons has also called for information respecting "the proceedings of the Assembly of this Province, in the case of Colonels Givens and Coffin, heads of departments, who were sent to gaol for refusing to give testimony in the matter of Captain Phillpotts, they severally alleging to the House, that the Major General then commanding would not permit them to attend; together with the proceedings, if any, which have been had thereon by His Majesty's Government, or by the local authorities."

I was Attorney General at that time, and have a general recollection of the matter here referred to. In that session of the Legislature (1828,) as will be seen by inspection of the Journals, there were a number of Select Committees conducting inquiries into various public matters. It had been the constant usages of the Assembly, in past years, when any of their Committees desired that an officer of the Government should attend them as a witness, to send an address to the Lieutenant Governor, communicating their wish and specifying the subject on which the evidence of the witness was required. The order then proceeded as a matter of course, from the Lieutenant Governor to the officer, to attend the Committee. Whether this was the proper course, having a due respect to the privileges of the different branches of the Government, or whether it was a wholly unnecessary courtesy, I do not pretend to determine, but it had been usually, if not invariably followed. One of the Select Committees in this session required the evidence of Colonel Coffin, the Adjutant General of Militia, and of Colonel Givens, the Chief Superintendent of Indian Affairs; and instead of addressing themselves to the Lieutenant Governor, as had been usual, the Select Committee sent, it seems, a summons directly to those gentlemen. I do not mean to say, speaking as I do merely from memory that this was the first instance of a variance from the former usage spoken of; but at all events the departure from that usage was of very recent date, and the officers in question having received the summons, reported the fact to Sir Peregrine Maitland, and prayed his instruction. The object of inquiry (unless I am much mistaken) was not stated in the summons, and the Lieutenant Governor or Commander of the Forces, in whichever capacity Sir Peregrine Maitland conceived he was acting, (and considering the nature of the duties discharged by those officers, or by one of them, certainly I suppose he acted in the former) being left quite uninformed on that point, desired them not to attend, meaning, I take it for granted, by that course to insist upon the right of being made acquainted with the subject of investigation upon which the testimony of these public officers was desired. Colonels Givens and Coffin obeying the orders of the Lieutenant Governor, did not attend. The Assembly resolved that their refusal was a contempt, and committed them. They afterwards brought an action of false imprisonment against the Speaker, but they did not recover, for the legality of the imprisonment, that is, the right of the House to commit for what they had adjudged to be a contempt, was confirmed by the Court of King's Bench by a solemn judgment rendered in another cause then pending which involved the same question.

If, in making this statement from memory, I have fallen into any error, a reference to the Journals will perhaps correct it; and as Sir Peregrine Maitland is now in England, if I have misapprehended or have stated imperfectly the grounds on which he acted, he can of course more correctly explain them.

I observe it is stated in the resolutions of the House of Commons, that the officers referred to were required to give evidence in the matter of Captain Phillpotts.

I am not under the impression that any connexion between the two matters was expressed in the notice given to the officers to attend, or was understood at the time of the occurrence, though of course, the Select Committee and the Assembly were aware of it, and the Government must soon after have known it, if they did not at first. But however this may be, I am satisfied that no desire to keep from the Select Committee any information that Colonel Givens or Colonel Coffin could give respecting Captain Phillpotts or Mr. Forsyth, could have had the slightest influence with the Lieutenant Governor. I cannot see how there could have been any room for such a motive; I do not recollect that I ever exchanged a word with either of those gentlemen on the

subject of Mr. Forsyth's complaints; but from the very nature of the thing, from their duties and characters and occupations, I am persuaded in my own mind that, whatever Mr. Forsyth may have imagined, they could have had nothing more to tell respecting that transaction that could affect either the Lieutenant Governor or Captain Phillpotts, than any two officers that might have been taken at random from any regiment at that time in His Majesty's service. The House of Assembly did not in any subsequent session require their evidence on any complaint of Mr. Forsyth's, and if they did in fact know any thing that Mr. Forsyth himself considered important it was singular that they were not heard of upon the trial which afterwards took place, when their evidence must have been most material if it could have affected either his rights or the amount of damages which he claimed, and when their attendance could have been procured as a matter of course upon an ordinary subpoena.

In one of the Petitions of Mr. Forsyth there are reflections cast upon the administration of justice in this Province, and particularly upon the conduct of the Crown Officers, upon whom the duty is imposed of conducting criminal prosecutions in the Courts of Oyer and Terminer, and in the evidence given by him before the Select Committee, Mr. Forsyth has made certain statements affecting myself individually.

For more than sixteen years before that time, I had discharged, with one or two short intervals, the duty of Attorney General, and there could scarcely be much foundation for the remarks made upon the administration of justice, without my being implicated considerably in the misconduct spoken of.

Whatever countenance may be considered to have been given to these complaints of Mr. Forsyth by the report of the Select Committee of the Assembly, and through whatever channel and for whatever purpose these matters are now brought under the notice of the House of Commons, I hold myself bound to prove and ready to prove, upon any investigation conducted upon those common principles of justice which regulate the most inferior tribunals in this country, that, as applied to myself, the charges and insinuations are utterly groundless, and I undertake, at this distance of time to repel satisfactorily the attempt to justify them by any one act of mine, during the whole course of my public service as Crown Officer.

In respect to the assertions of Mr. Forsyth, which expressly apply to myself personally, the evidence of the Honorable William Dickson and of the Honorable Thomas Clark, printed in the Appendix to the Journals of the same session, will shew to what credit they are entitled.

I will only add, what indeed I have already stated, that the Report of the Select Committee was never adopted or discussed, or in any manner acted upon in the Legislature of this Province. Against the act of a Select Committee in receiving evidence, and reporting it, by which means it becomes printed in the Journals, there is no remedy; but although the Assembly, neither in that time nor in the four years that have since elapsed, brought Mr. Forsyth's statements, to the test of a public discussion, or of a satisfactory investigation, if the House of Commons has leisure and inclination to examine into my official conduct or private transactions, I shall be happy indeed to undergo the scrutiny; and in the mean time, I content myself with affirming, that His Majesty has no officer in his service, civil or military, in any part of his dominions who has kept himself more entirely free from any pecuniary or private transaction that could interfere with his public duty, or bring in question his character as a man than I have done to the present hour, and I shall be surprised if an individual can be found in the Province of ordinary good character, whatever may be his political bias, who will assert the contrary.

I have &c.

(Signed)

JNO. B. ROBINSON.

CAPTAIN PHILLPOTT'S statement respecting the removal of the fences, &c. put up on the Military Reserve, near the Falls of Niagara, by Mr. William Forsyth.

Mr. Forsyth, who purchased the farm immediately adjoining the Falls of Niagara some years since, on which he erected a large hotel, &c. having, without any permission or authority whatever, taken upon himself to enclose the strip of land originally reserved by the Government for the purpose of securing a convenient access to the river at all times, and having wilfully destroyed a wooden causeway made on this Reserve by a neighbouring inkeeper, Mr. J. Browne, for the accommodation of persons visiting the Falls, so that the only convenient approach to this great natural curiosity was through his

(Forsyth's) own house, and all the most respectable inhabitants in the neighbourhood signed a petition to the Lieutenant Governor, Major General Sir Peregrine Maitland, requesting that the said Reserve might be thrown open to the public.

In consequence of this application His Excellency directed Capt. Phillpotts, at that time commanding the Royal Engineers in that District, and therefore in charge of these Reserves, to make a survey of the Government ground near the Falls, and remove any fences &c. which had been placed thereon.

In compliance with these directions, Captain Phillpotts went to the spot, with a Sergeant and four soldiers, in fatigue jackets without arms, having previously visited the Falls for the purpose of calling on Mr. Forsyth, and informing him that he had placed his fences, &c. on the Government Reserve; and having communicated to him the orders he had received on the subject, he informed him that he should be obliged to carry them into execution, unless Mr. Forsyth would remove the fences himself, which he not only refused to do, but threatened to prosecute Captain Phillpotts if he touched them. In order to prevent the possibility of mistake, Captain Phillpotts had obtained Sir Peregrine Maitland's authority for availing himself of the assistance of Mr. Jones, (a sworn surveyor, who originally laid out that part of the Province, when the country was first settled,) who, on this occasion, made a survey of this Reserve, and pointed out its limits by pickets, for the guidance of persons employed to remove Mr. Forsyth's fences. This took place on about the 18th of May, 1827, and about four days afterwards, Captain Phillpotts, having occasion to visit the Falls, saw that these pickets had been taken away, and Forsyth's fence re-placed on the Reserve, which Captain Phillpotts caused to be again removed, and the Reserve to be marked out with pickets as before.

Major Leonard, the Sheriff of the District, who resides near the Falls, having accompanied Captain Phillpotts to the ground, at his request, Mr. Forsyth brought a civil action against both of them for the alleged trespass, which was tried at Niagara, and a verdict was given for the defendants.

In consequence of his having again placed his fence on the Government Reserve, the Attorney General was directed by the Lieutenant Governor to institute legal proceedings against Mr. Forsyth; a writ of intrusion was filed against him accordingly; and on a subsequent trial, a verdict was given for the Crown; and thus, on two different occasions it has been proved by juries composed of respectable yeomen of the country, that Mr. Forsyth had no cause of complaint whatever against Captain Phillpotts, or the military persons employed under him on this occasion.

GEORGE PHILLPOTTS,  
Captain Royal Engineers, York, U. C.

January, 9th 1833.

No. 2.

COPY of a Despatch from Lieutenant General Sir P. Maitland to the Right Honorable Wm. Huskisson.

UPPER CANADA, }  
York, 29th March, 1828. }

SIR,—During the Session of the Legislature of this Colony, which has just terminated, a proceeding has taken place upon which I am compelled to solicit, very earnestly, the opinion of His Majesty's Government, that I may not be at a loss hereafter how to act under similar circumstances.

On the 16th instant, Colonel Givens, Superintendent of Indian Affairs, acting as head of the department in this Province, in the absence of the Deputy Superintendent General, who resides at Quebec, and Colonel Coffin, Adjutant General of the Militia, communicated to me officially, that they had been summoned to attend a Select Committee of the House of Assembly, and they submitted to me the letters which they had respectively received from the chairman of the Committee, requiring their attendance, copies of which accompany this Despatch.

It has been usual hitherto for the Assembly when they required information from any public department under the Government, or the attendance of any Civil Officer, to address the Lieutenant Governor on the subject, and I do not know that in any instance their request has not been complied with. In some cases, however, the request has been, in the first instance made

## Report of Committee on Petition of W. Forsyth.

to the officer whose attendance was desired, and who has obtained the leave of the Lieutenant Governor, before he attends the Committee. The mode first mentioned has, however, generally prevailed, particularly during the last session, in the course of which I received three or four addresses for the attendance of different officers on Committees of the House.

Colonel Coffin, as *Adjutant General of the Militia*, is, in time of peace, the head of a department in the Civil Government, Colonel Givens is now, and has been for some time, acting as head of a department under the control of the Commander of the Forces. The former conceived he was following the proper and ordinary course in applying to me, as Lieutenant Governor, for permission to attend the Committee of the Assembly; the latter was led by a sense of duty to apply for the same purpose to me as Major General Commanding the Forces in the Province; and they severally sent to the Chairman of the Committee a communication of which I enclose a copy, informing him that they had applied for leave to attend.

For reasons which I shall presently explain, I thought it right to give to the application of these officers the answers which I enclose; they consequently did not attend, but acquainted the Chairman of the Committee that they were not permitted to do so. On the 23rd instant the Chairman of the Committee reported to the House of Assembly that Colonel Givens and Colonel Coffin had not attended, and the House avoiding any communication with me, directed Warrants against them to be issued by the Speaker, that they might be brought up in custody of the Serjeant at Arms. Of the intention to issue the Warrants the two officers were apprised, and as I did not think it proper that the government should interpose in that stage of the proceeding, they were directed entirely by the advice of the professional gentlemen whom they chose to consult. Acting under this advice, they declined voluntary submission to the Warrant, declaring that force must be resorted to, and intimating that if such force were used, they would prosecute the Speaker.

They were taken on the same day, the 22nd instant, having submitted without resistance, after the house, in which they were had been forcibly entered; and being brought to the bar of the Assembly, and charged with a contempt in not obeying the summons of the Chairman of the Select Committee, they stated in their vindication that they had applied for permission to attend, and had not received it, and Colonel Coffin read the letter which I had directed to be written to him in answer to his application. The resolution which is transmitted, was then moved and adopted in the House, 21 voting for it and 11 against it, after two amendments had been negatived.

The Speaker thereupon made his Warrants of which copies are transmitted, and Colonel Givens and Colonel Coffin were received in custody by the Sheriff the same evening, and remained in prison until the 25th instant, when the Legislature was prorogued in the ordinary course, and according to an intimation which I had given to the two Houses, through their Speakers, many days before.

The 23d March being Sunday, Colonel Givens and Colonel Coffin reported to me on Monday what had taken place in consequence of their declining to attend the Select Committee, and I sent a message to the Assembly on the same day, of which I transmit a copy. No proceeding was had upon this Message, and you will perceive that in the speech with which I closed the session, and which I also send to you, I avoided mixing up this disagreeable occurrence with the general business of the Legislature. I chose rather to make it the subject of a separate Message, and to forbear in that Message to advance topics or employ language that might produce irritation, and unnecessarily implicate the feelings in a question which I look upon as exceedingly important.

Since the Session, Colonel Coffin has addressed to my Secretary a letter, of which I enclose a copy, I have referred to the Executive Council on the subject, and transmit their report in which I entirely concur.

I have thus laid before you the whole case, and I shall be most anxious to receive your opinion upon it: and in order that that opinion may, as much as possible, serve me for a direction in a very delicate, but important point of duty, I am desirous that it should be formed upon as general a view as can possibly be taken of the question.

I will refer to the Governors of other Colonies to learn what usage has obtained in them; but my belief is that in other Colonies as well as in this, it has been the practice for the Assembly to apply to the Governor by address, when information is wanted from any public department, or when the attendance of a public officer is desired.

When a Select Committee of the House of Assembly here desires the attendance of a member of the Legislative Council, or any officer or servant of that House the course uniformly pursued is

to request it by Message, and not by directly summoning the individual. If courtesy leads to this practice, I see no reason why the same courtesy should not be extended to the third branch of the Legislature; and if it has prevailed rather from a sense of its necessity in order that the business of the Legislative Council may not be unreasonably interrupted by a compulsory abstraction of their members and officers, it seems to me that the same reason would apply with equal force, to the Executive Government, which is constantly in operation, and whose functions may be very inconveniently suspended, if without any reference to the head of a government, the principal of a department, or even subordinate officers can be withdrawn and detained at the pleasure of a Committee of the Assembly.

There are, however, other considerations which apply peculiarly to the Executive Government, and which, although they will not fail to occur readily to your mind, I feel it my duty to lay especially before you.

Few Sessions elapse in which the Assembly does not call upon the Government for information, which is sometimes granted and sometimes refused, according to the nature of the request. For instance, they have not unfrequently called for an account of the receipt and appropriation of the Casual and Territorial revenue of the Crown. My instructions are, not to comply with such a request until I have ascertained the purpose for which the information is desired, and have referred to the Secretary of State upon the subject; but if the Assembly can, without communicating with the Lieutenant Governor summon the Receiver General or the Inspector General of Accounts, or any of their Clerks, to attend a Select Committee and compel their attendance at the peril of imprisonment, the Government here or in England has no longer any discretion to exercise. Then with respect to the Military Service, it does not seem to me possible that a Select Committee of the Assembly can, for the purpose of enquiring, perhaps, into some alleged irregularity in a garrison, or want of discipline in a regiment, which they have nothing to do with, or for any other purpose compel the attendance of any Military Officer upon pain of imprisonment, and that his superior officer should have no discretion in granting or withholding permission, whatever may be the exigency of the service.

I should be most happy to learn what in such cases, is the usage of England, though it may by no means follow that the usage of Parliament there, is in all things, to be adopted here, or that it can be legally introduced and enforced.

The 31st Geo. III. will shew for what purposes the Legislature of this Province was constituted, and what powers are given to it. It has never been conceived that one of these powers was to prefer impeachments, because the Legislative Council has no power to entertain them or dispose of them. If therefore the professed object of any enquiry by a Select Committee is to ascertain the truth of a complaint against individuals, it is to be borne in mind how obviously and securely such an inquiry may be perverted to serve the purposes of faction, and may be made the instrument of the greatest oppression and abuse.

A select committee composed of members named at the request of a petitioner, receives an *ex parte* statement of a case; summons only such witnesses as it pleases, records their testimony, given without the sanction of an oath, and not under the restraint of any responsibility whatever. Upon this evidence a report is drawn in terms which gratify the malice of an individual, or answer the temporary purpose of an unprincipled faction, by aspersing the fairest characters among their opponents. The individual injured has no redress; he cannot prosecute the conspirators in a court of Law. The committee who manage the inquiry are not sworn as courts are to decide justly; and when they have made their report no ulterior proceeding is within the power of the party injured for vindicating his character; no impeachment can follow, and he cannot therefore obtain relief from the unjust accusation. The use of this engine for party purposes, has commenced in the present Assembly, but the length to which it has been carried in the last session, during the unfortunate absence of eight or nine members of the Assembly, has been quite an innovation, and one which I feel it my duty to bring, without loss of time, under the notice of His Majesty's Government.

Perhaps a stronger case could not well be imagined than that which has formed the ground work of the particular proceeding which I have described. A Mr. Forsyth, a person notoriously of indifferent character, had taken upon himself to enclose part of a public road, to serve of a chain in width along the bank of the River Niagara. My attention was particularly called to the circumstance by a petition from some of the inhabitants of the country, who complained of being thus shut out from the River by the illegal act of an individual. I directed the Commanding Engineer to survey the reserve along the river, and throw it open to the public. No one but Mr. Forsyth raised any objection. He was remonstrated with in vain; he was asked to remove his fences, but refused. He was told he should have men to assist him, but would not consent; and at length, without any personal violence being offered or threatened, the Engineer, with a fatigue party, threw down the fences.

Report of Committee on Petition of W. Forsyth.

The Sheriff of the District was present. Mr. Forsyth brought actions of trespass against the Engineer Officer and the Sheriff, whom I have directed the Crown Officers to defend. He replaced his fences, and the Attorney General in consequence filed an information of intrusion against him, which he defended; and upon a full trial by a jury, a verdict was rendered for the Crown, thereby establishing the right which had been disputed. The civil actions, from an error in the Plaintiff's proceedings, are yet undecided, and while they are depending in the Courts of Law, Mr. Forsyth petitions the Assembly, complaining of what he terms a grievous outrage, in language calculated to influence public feeling, by describing the act as a lawless, high-handed exercise of military power. This petition is referred to a select committee. His counsel, in his proceedings at law for the same alleged injury, happening to be a member of the Assembly, is named upon the Committee, and upon the *ex parte* statement of his client and other witnesses, not on oath, frames a report in direct opposition to the verdict of one jury who have tried the point, and intended, as it must be supposed, to influence those verdicts which are yet to be rendered. This report when made becomes a public document, and finds its way into the public papers, and thus, upon a question of boundary and legal right which has yet to be tried, the parties have to encounter whatever weight a prejudice so excited can throw into the scale.

I am well aware that in England no such case could occur, because a sense of justice would prevent it; but when civil or military officers under my government are summoned in the mere hope that they may know something that may turn to account at the trial, and in order, it may be, to find out evidence to be made use of in a court of law, I feel it quite necessary that I should know whether, with or without permission from the Government, their attendance can be compelled.

You will confer upon me a great favor by putting me, as soon as may be convenient, in possession of your sentiments upon the matters stated in this Despatch, and I feel that the questions they involve are of the greatest moment to the administration of justice, and to the honor and stability of the Government.

I will not further swell this Despatch by the transmission of any official report from the Law Officers of the Colony on the subject to which it has reference, but will content myself with adding that I have not failed to ascertain their opinion, which entirely agrees with the sentiments expressed in this letter.

I have, &c.  
(Signed) P. MAITLAND.

Letter from B. C. Beardsley, Esquire, to Colonel Givens, Indian Department.

COMMITTEE ROOM, COMMONS HOUSE OF }  
ASSEMBLY, 14th March, 1828. }

Whereas the House of Assembly have appointed a Committee to inquire into and report upon the petition of William Forsyth of Stamford, for inquiry into crime and outrage, with power to send for persons and papers, you are hereby required to attend the said Committee in the Committee Room of the House of Assembly at noon to-morrow.

(Signed) B. C. BEARDSLEY, Chairman.

Letter from Colonel Givens to B. C. Beardsley, Esq, Chairman.

YORK, 15th March, 1828.

SIR,  
I received your notice this morning to attend a Committee of the Honorable House of Assembly this day at noon, and in consequence thereof have made application to His Excellency the Major General Commanding for his permission for that purpose, but have not as yet received an answer thereto.

I have &c.  
(Signed) J. GIVENS,  
Supt. Indian Affairs.

Letter from G. Hillier Esq. to Colonel Givens Indian Department.

GOVERNMENT HOUSE, }  
York, 18th March 1828. }

SIR,  
Having laid before the Lieutenant Governor and Major

General Commanding, the summons which you had received to attend a Committee of the House of Assembly appointed to inquire into and report upon the petition of William Forsyth, I have received his commands to acquaint you that he cannot give the permission desired by you, not knowing what are the matters of which Mr. Forsyth complains, or what are the facts in regard to which it is desired to interrogate you.

I have &c.  
(Signed) G. HILLIER.

B. C. Beardsley, Esq to Nathaniel Coffin, Esq. Adjutant General of Militia.

COMMITTEE ROOM COMMONS HOUSE OF }  
ASSEMBLY, 14th March, 1828. }

Whereas the House of Assembly has appointed a Committee to enquire into and report upon the petition of William Forsyth, of Stamford, for inquiry into crime and outrage with power to send for persons and papers, you are hereby required to attend the said Committee in the Committee Room of the House of Assembly at noon to-morrow.

(Signed) B. C. BEARDSLEY, Chairman.

Letter from N. Coffin, Esquire, to B. C. Beardsley, Esquire, House of Assembly.

ADJUTANT GENERAL'S OFFICE, }  
YORK, 15th March, 1828. }

SIR,

I received your notice this morning to attend a Committee of the Honorable House of Assembly this day at noon, and in consequence thereof have made application to His Excellency the Lieutenant Governor for his permission for that purpose, but have not as yet received an answer thereto.

I have &c.  
(Signed) N. COFFIN,  
Adj. Gen. of Militia Upper Canada,

Letter from N. Coffin Esq. to Major Hillier, Private Secretary, &c. YORK, March 22d, 1828,

SIR,

I beg leave to request that you will state to the Lieutenant Governor that in obedience to the communication I received through you, that His Excellency could not give me permission to attend a Committee of the House of Assembly for the reasons therein stated, that I did not attend the said Committee, and that in consequence thereof, I have been committed this evening to the common jail of the Home District, by order of the House of Assembly: I have therefore to pray that His Excellency will be pleased to direct that I may have the advice and assistance of the Crown Officers, to enable me to take such steps as I may be instructed on the occasion.

I have &c.  
(Signed) N. COFFIN,  
Adj. Gen. of Militia.

IN COUNCIL.

3d April, 1828.

The Council having reviewed their report of the 26th March last, upon the subject of the within letter, respectfully beg leave to withdraw the same, and upon mature consideration, the Board cannot advise that the government should interpose to give any directions to the Crown Officers as within solicited.

No. 3.

Copy of a Despatch from Secretary Sir G. Murray, to Major General Sir John Colborne, &c. &c. &c.

DOWNING STREET, }  
20th October 1828. }

SIR,

I have the honor to acknowledge the receipt of Sir

## 9 Report of Committee on Petition of W. Forsyth.

Peregrine Maitland's Despatch of the 29th of March last, detailing the proceedings of the House of Assembly of Upper Canada, against Colonel Coffin and Colonel Givins for contempt of the privileges of that House, in refusing to obey the summons of the Chairman of the Select Committee, and requesting instructions for his guidance under similar circumstances.

From the statement of the Lieutenant Governor, I am led to infer that there were adequate grounds for inquiry by the House of Assembly into the grievances complained of in Mr. Forsyth's petition, of having been dispossessed of lands in his occupation by a military force, acting under the express command of the Lieutenant Governor; and the chief reason adduced by the Lieutenant Governor for not allowing Colonels Givins and Coffin to attend the Committee is stated to have been that he did not know the nature of Mr. Forsyth's complaint, nor the facts in regard to which the evidence of the officer was required.

As no direct notification had been made to the Lieutenant Governor, in a certain technical sense, he did not know the nature of the complaint, yet as he must have inferred that the Committee proposed to examine these officers respecting the employment of a military force for ejecting Forsyth from the land, I cannot but consider that Sir Peregrine Maitland would have exercised a sounder discretion had he permitted the officers to appear before the Assembly; and I regret that he did not accomplish the object he had in view in preventing Forsyth's encroachments by means of the civil power, which is said to have been at hand, rather than by calling in military aid.

I have, &c.

Signed

G. MURRAY.

## No. 4.

*Copy of a Despatch from Mr. Secretary Stanley to Lieutenant General Sir P. Maitland, &c. &c. &c.*

DOWNING STREET,  
20th June, 1833. }

SIR,—Certain papers having been moved for in Parliament, in which some part of your conduct as Lieutenant Governor of Upper Canada is animadverted upon. I have considered it due to you to refer these papers for your consideration, in order that you may have an opportunity of affording any explanation upon them which you may think necessary.

I am, &c.

Signed

E. G. STANLEY.

## No. 5.

*Copy of a Despatch from Lieutenant General Sir P. Maitland to Mr. Secretary Stanley.*  
LONDON, June 24th, 1833.

SIR,

I have the honor to acknowledge, with thankfulness, the sense of justice which has led you to submit to me a Despatch from Sir George Murray, when Secretary of State, to Sir John Colborne, of 20th of October, 1828, previously to laying it before the House of Commons.

However strange the statement may appear, I was altogether unaware that such a document existed. By it, I am now for the first time, made acquainted with Sir George Murray's animadversions on certain acts of my government.

As my despatch of the 29th of March, 1828, on which the opinions of the then Secretary of State are grounded, was written expressly with the view of obtaining instructions on a very delicate and important question, and not for the purpose of giving a full detail of transactions, nor of justifying my measures, the propriety of which had not been called in question, circumstances were naturally omitted by me that would have been necessary for the latter objects, but not for that which I had principally in view.

I shall therefore avail myself of the opportunity you have offered me, to supply, as well as my memory will enable me at this distant period of time, a few circumstances that seem to have

been omitted, and that may tend to place those matters which have been commented on in a truer light.

Mr. Forsyth, an Innkeeper, having taken upon himself to enclose with a high fence a Government Reserve, consisting of a chain in width along the bank of the River Niagara, and which afforded the public free access to the principal fall of the river, I was repeatedly solicited, by petition and otherwise, to cause the obstruction to be removed. In consequence of these solicitations I directed the officer of engineers who had charge of the reserved lands, to survey the government property near the Falls, and remove any obstruction that had been placed on it. These objects were carried by him into effect, with the assistance of three or four of his men, without arms, in their working dress, and with the temper and caution he was enjoined to observe.

In the suits instituted by Mr. Forsyth against the Officer of Engineers it was incumbent on the Plaintiff to establish one or two points to entitle him to a verdict, namely, that the defendant had done that which, by law, he was not authorised to do, or that in doing that which by law he was authorised to do, he had done unnecessary injury to the plaintiff's property or possession. Both these points were distinctly submitted to the jury, and both were determined against the plaintiff. Mr. Forsyth, therefore, no doubt regretted, as well as Sir George Murray, the manner in which this intrusion on the public property had been removed, of course, for reasons that did not lie in the same direction.

Can it be seriously believed, that had any other course been taken, Mr. Forsyth or his Counsel, would have found in it less cause for complaint, or have been less industrious in endeavouring to excite clamour about it? It is certain, however, that their efforts could not have been less successful.

After a verdict had been obtained for the Crown, and while the civil suit was pending against the Officer of Engineers, every attempt was made to prejudice the public mind. Mr. Forsyth petitioned the Assembly, complaining of what he termed a grievous outrage, describing the act as a lawless high handed exercise of military power. This petition was referred to a Select Committee, of which his counsel in the proceedings at law was appointed member and elected chairman, and on the *ex-parte* statement of his client, and other witnesses, not on oath, framed a Report in direct opposition to the verdict that had been rendered and intended, as it must be supposed, to influence that which was yet to be given.

This Report, when made, became a public document, and found its way into the public papers; and thus, upon a question of right, which had yet to be tried, the party had to encounter whatever weight a prejudice so excited could throw into the scale. The jury, however, gave their verdict for the defendant, as I have already stated.

It is rather singular, that nearly at the same time, an intrusion on the public property in the town of Washington, in the neighbouring Republic, had attracted attention. The obstruction in that case was removed by a party of the military, escorted by a company of soldiers fully armed. A circumstantial narrative of the occurrence was given in the papers of that country; but in no instance, I believe, accompanied by any expression of disapproval.

To proceed to Sir George Murray's observation, that I should have exercised a sounder discretion had I permitted Colonels Givins and Coffin to attend the Select Committee, I concur entirely with Sir George Murray in thinking that it would have been advisable to do so had the Committee, as was usual, applied to me to direct their attendance. It was very well known that they could give no more information respecting the alleged outrage complained of by Mr. Forsyth, than any military officers selected at random from any part of the Province. It was no wish to withhold information therefore, that influenced me in this matter, and I did not fail to take care that the Committee should have reason to be assured that, in the event of the usual application being made to me, the officers would be desired to attend.

It was scarcely therefore to be anticipated that the Assembly, so near the period which had been notified for the close of the Session, many members having already returned to their homes, would, without any previous communication made to me, be led to take the course which they adopted, a course so likely to be, as it actually was, attended with very general reprobation.

Sir George Murray remarks, that the chief reason adduced by me for not allowing the officers to attend the Committee is stated to have been that I did not know the nature of Forsyth's complaint, nor the facts in regard to which the evidence of those officers was required.

I stated this as a reason (not the chief reason) for it was calculated, if submitted to the Committee, to remind them that it had been usual, in similar cases, to apply to the Lieutenant Governor, and in doing so, to furnish him with information on certain points.

Before I acquiesced in the course which had been taken by the Committee, it doubtless became incumbent on me to consider well what might be the effect of my acquiescence at any future period. In doing so, it appeared to me that the security of the Colony, in the strongest sense of the term, would be affected, and that objections against the measure might be adduced as important as undeniable; but they were not, for obvious reasons, such as I could properly submit to the Assembly, or state in a despatch which would probably be submitted to that body. I am always ready to state them, if called upon by His Majesty's Government to do so.

It has of late years grown into a practice to submit the official correspondence had with the Colonial Office to the Legislature of the Colonies, if called for by them, unreservedly.

The Lieutenant Governor of a Colony must therefore necessarily exercise a greater degree of restraint than formerly, in addressing the Secretary of State. And if he cannot rely upon being met by so much consideration as will ensure to him the opportunity of offering explanations before his measures are condemned, he may justly despair of being able to render justice to the office he is entrusted with.

I regret that it should have been made necessary for me to trouble you with this long detail of transactions, which had long ceased to occupy my attention, and respecting which many circumstances have possibly escaped my recollection.

I have, &c.

P. MAITLAND.

P. S.—The Attorney General of Upper Canada being in London, I requested him to give any information he could supply, respecting the lease granted by Messrs. Clark and Street, a matter alluded to in the Report of the Select Committee. My recollection of the circumstances accord with the statement made by Mr. Boulton, and I request that his letter may be considered as annexed to this communication.

P. M.

A Select Committee of the House of Assembly was appointed in Upper Canada in the Session of 1821 or 1822, to revise the Militia Laws of the Province, who were desirous of obtaining information on some points from the Adjutant General of Militia. This officer was consequently requested to attend the Committee without any previous application for leave to the Lieut. Governor. This, upon a suggestion to the Chairman of the Committee (the late Colonel Nichol of the Provincial Militia) was ascertained to be irregular, and consequently a formal request for leave to this Officer to attend was transmitted to the Lieutenant Governor, and of course promptly complied with, and this has been the constant practice in cases of this description (except that of Colonels Givins and Coffin) so far as my parliamentary experience extends.

(Signed)

C. A. HAGERMAN,  
M. P. P. for Kingston, U. C.

21st June 1833.

Letter from H. J. Boulton, Esquire to Lieutenant General Sir P. Mailland, K. C. B.

MORLEY'S HOTEL,  
London, 24th June, 1833. }

SIR,

In reply to your inquiry respecting my recollection of the circumstances under which Messrs. Clark, and Street obtained a lease of part of the Military Reserve near the Falls of Niagara in 1827, I beg to acquaint you that the instrument under which these gentlemen hold these premises in question was drawn by me as Solicitor General of Upper Canada. Previous to their obtaining the lease, Messrs. Clark and Street had become lessees of the King's Ferry across the Niagara River, just below the Falls, and opposite to the property of a Mr. Forsyth, an innkeeper who had himself at one time been desirous of obtaining a lease of the Ferry. When they became lessees, this man, Forsyth, obstructed their enjoyment of it in every possible way, setting up, at the same place, a Ferry in opposition to theirs, and as was believed from a variety of circumstances, causing several of their boats to be destroyed. For these injuries, Clarke and Street brought actions at law against Forsyth, in which I was their Counsel, and Mr. Rolph, Chairman subsequently of a committee of the Assembly, who reported upon a

petition presented to that body by Forsyth, complaining of the Government for pretended injuries he had sustained through their interference, was Counsel for Forsyth. In these actions the Lessees clearly established their right, and two several juries at successive Courts, gave considerable damages against Forsyth for his disturbance of their right of ferry. The Crown also filed an information of intrusion against Forsyth for entering upon and assuming the property in the ground reserved for military purposes, and although he used all the means in his power to cause it to be believed that he was an oppressed man, and that the military were set in array against him, when in truth only two or three soldiers accidentally passing from one post to another, in their fatigue dresses, were employed as common labourers to remove obstructions he had caused; the jury, after remaining out several hours, returned a unanimous verdict for the Crown, thereby negating his right to the ground, and fully establishing that of the Crown, to the satisfaction of every respectable man in the neighbourhood. Under these circumstances, and for the purpose of preventing any persons from erecting any ferry-house, or keeping ferry boats on the shore, where Clark and Street had the right of ferry, for which they paid a large rent, and also to keep the ground open for the free access of the public which Forsyth had interdicted,—Clark and Street obtained an order for a license of occupation of that part of the reserve near the ferry, up and down the river. The object of granting this license was to protect the lessees in the proper enjoyment of their right of ferry, and to keep the shore open and free of access to the public, who had been shut out by Forsyth, unless they passed through his inn, which tended to create a monopoly for his house, and was felt as a serious nuisance by the public. Mr. Clark stated his reasons for wishing the lease to me, and I prepared a lease, under the Great Seal, to him and his partner to hold, strictly during pleasure, at a pepper-corn rent. This instrument gave them a legal title to the possession—at the same time, from the uncertain period at which they could hold it, the Crown and public were fully protected in the enjoyment of the easement it was intended the latter should possess, that of free ingress, egress, and regress, to the Falls, as the Crown, from the terms of the lease, retained the power of putting an end to the tenure, should the confidence be abused which was placed in the lessors. They have, to my knowledge, acted hitherto in accordance with the expectations of the Government, and I am certain the grant to them has been productive of evil to no one, and was never intended to prejudice the rights even of Forsyth; and if he had not shewn the obdurate disposition which he so frequently and violently manifested, of obstructing the free use of the King's Ferry, and would he have permitted the ground in question to remain open, as it formerly had been, and unenclosed, I do not think that the grant to Clarke and Street would ever have been thought of, either by themselves or any one else. It was purely a measure of defence against this man's repeated aggressions.

I have, &c.

(Signed) H. J. BOULTON.

To His Excellency Sir John Colborne, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency would be pleased to transmit to England, and favorably to recommend to His Majesty's Government, the Report herewith presented to Your Excellency of a Select Committee of this House appointed to enquire into the claim preferred in the present and former Sessions of the Legislature, by Mr. William Forsyth, of Bertie, Yeoman, late proprietor of the Niagara Falls Estate, to compensation for injury and damage done him, under the authority and by the command of the Officer lately commanding the Forces in this Province. We are of opinion that Mr. Forsyth has fully proved that he sustained damage, and that his case is an aggravated one, deserving the early and favorable consideration of His Majesty's Government.

MARSHALL S. BIDWELL, Speaker.

Commons House of Assembly, }  
2d day of April, 1835. }

## Bill to amend the Charter of King's College.

ANSWER.

GENTLEMEN,

I will transmit this address and report to the Secretary of State for the Colonies.

The opinion of the Law Officers of the Crown that the intrusion on the Military Reserve near the Falls was an iniquitous proceeding; and that the intruders should be again prosecuted, will prevent my complying with the request of the House, in respect to a favorable recommendation to His Majesty's Government of the case of Forsyth.

The opinion of the Attorney General is expressed in this extract of his report on the case :

*Extract from the Report of the Attorney General on the case to which the petition of Wm. Forsyth has reference, dated 4th February, 1835.*

"So far from entertaining any doubt as to the right of the Crown to the Reserve in question, I am convinced that the claim now set up by Clark & Street is an unrighteous one, and unless it shall appear to the Executive Government, for any reason not at present apparent, to be inexpedient, it is my intention to proceed against those gentlemen by the information of intrusion, which I was, for the reason I have just stated, obliged to withdraw."

## SUNDRY BILLS

PASSED BY THE HOUSE OF ASSEMBLY DURING  
THE 1ST SESSION 12TH PARLIAMENT, AND  
LOST IN THE LEGISLATIVE COUNCIL.

No. 23.

*An Act to amend the Charter of King's College.*

WHEREAS His late Majesty, George the Fourth, was graciously pleased, by letters patent at Westminster, on the 15th day of March, in the eighth year of his reign, to establish at or near the Town of York, now City of Toronto, a College, with the style and privileges of an University, for the education and instruction of youth and students in arts and faculties, to be called "King's College;" which charter is in the following words:—

*"GEORGE THE FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.*

*"TO ALL WHOM THESE PRESENTS SHALL COME—Greeting :*

WHEREAS the establishment of a College within our Province of Upper Canada, in North America, for the education of youth in the principles of the Christian religion, and for their instruction in the various branches of science and literature which are taught in our Universities in this Kingdom, would greatly conduce to the welfare of our said Province; AND WHEREAS humble application has been made to us by many of our loving subjects of our said Province, that we would be pleased to grant our Royal charter for the more perfect establishment of a College therein, and for incorporating the members thereof for the purposes aforesaid. NOW KNOW YE, That we, having taken the premises into our Royal consideration, and duly weighing the great utility and importance of such an institution, have, of our special grace, certain knowledge, and mere motion, ordained and granted, and do by these presents, for us, our heirs and successors, ordain and grant, that there shall be established at or near the Town of York in our said Province of Upper Canada, from this time, one College, with the style and privileges of an University as hereinafter directed, for the education and instruction of youth and students in arts and faculties, to continue for ever, to be called "King's College."

"And we do hereby declare and grant, that our trusty and well beloved the Right Reverend Father in God, Charles James, Bishop of the Diocese of Quebec, or the Bishop for the time being of the Diocese in which the said Town of York may be situated, or any future division or alteration of the said present Diocese of Quebec, shall for us and in our behalf be the Visitor of the said College; and that our trusty and well beloved Sir Peregrine Maitland, our Lieutenant Governor of our said Province, or the Governor, Lieutenant Governor or other person administering the Government of our said Province for the time being, shall be Chancellor of our said College.

"And we do hereby declare, ordain, and grant, that there shall at all times be one President of our said Collège, who shall be a Clergyman in Holy Orders of the United Church of England and Ireland; and that there shall be such and so many Professors in different arts and faculties within our said College as from time to time shall be deemed necessary or expedient, and as shall be appointed by us or by the said Chancellor of our said College, on our behalf, and during our pleasure.

"And we do hereby grant and ordain that the Reverend John Strachan, Doctor in Divinity, Archdeacon of York, in our said Province of Upper Canada, be the first President of our said College, and the Archdeacon of York in our said Province, for the time being, shall, by virtue of such his office, be at all times the President of the College.

"And we do hereby, for us our heirs and successors, will ordain and grant that the said Chancellor and President, and the said Professors of our said College, and all persons who shall be duly matriculated into and admitted as scholars of our said College, and their successors for ever, shall be one distinct and separate body, politic and corporate, in deed and in name, by the name and style of "the Chancellor, President, and Scholars of King's College at York, in the Province of Upper Canada," and that by the same name they shall have perpetual succession and a common seal; and that they and their successors shall, from time to time, have full power to alter, renew, or change such common seal at their will and pleasure, and as shall be found convenient; and that by the same name they the said Chancellor, President, and Scholars, and their successors from time to time and at all times hereafter shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments of what kind, nature, or quality soever, situate and being within our said Province of Upper Canada, so as the same do not exceed in yearly value the sum of £15,000 above all charges; and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever.

"And we do hereby declare and grant that the said Chancellor, President, and scholars and their successors by the same name shall and may be able and capable in law to sue, and be sued, implead and be impleaded, answer and be answered, in all or any court or courts of record within our United Kingdom of Great Britain and Ireland, and our said Province of Upper Canada and other our dominions; in all and singular actions, causes, pleas, suits, matters and demands whatsoever of what nature or kind soever in as large, ample, and beneficial a manner and form as any other body politic or corporate, or any other our liege subjects, being persons able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered, in any manner whatsoever.

"And we do hereby declare, ordain, and grant that there shall be within our said college or corporation, a council, to be called and known by the name of "The College Council;" and we do will and ordain that the said Council shall consist of the Chancellor, President for the time being, and of seven of the professors in arts and faculties of our said College, and that such seven professors shall be members of the Established United Church of England and Ireland, and shall previously to their admission into the said College Council, severally sign and subscribe the thirty nine articles of religion, as declared and set forth in the book of common prayer. And in case at any time there should not be within our said College seven professors of arts and faculties, being members of the Established Church aforesaid, then our will and pleasure is, and we do hereby grant and ordain that the said College Council shall be filled up to the requisite number of seven, exclusive of the Chancellor and President for the time being, by such persons, being graduates of our said college and being members of the Established Church aforesaid, as shall for that purpose be appointed by the Chancellor for the time being of our said College: and which members of Council shall in like manner sub-

## Bill to amend the Charter of King's College.

scribe the thirty nine articles aforesaid, previously to their admission into the said College Council.

"And whereas it is necessary to make provision for the completion and filling up of the said council at the first institution of our said College, and previously to the appointment of any professors or the conferring of any degrees therein. Now we do further ordain and declare that the Chancellor of our said College for the time being shall upon or immediately after the first institution thereof, by warrant under his hand, nominate and appoint seven discreet and proper persons, resident within our said Province of Upper Canada, to constitute jointly with him the said Chancellor, and the President of our said College for the time being, the first or original council of our said College, which first or original members of the said council shall in like manner respectively subscribe the thirty-nine Articles aforesaid previously to their admission into the said council.

"And we do further declare and grant that the members of the said College Council, holding within our said College the offices of Chancellor, President or Professor in any art or faculty, shall respectively hold their seats in the said Council so long as they and each of them shall retain such other offices as aforesaid & no longer; and that the members of the said Council not holding offices in our said College, shall from time to time vacate their seats in the said Council when and as soon as there shall be an adequate number of Professors in our said College, being members of the Established Church aforesaid to fill up the said council to the requisite number before mentioned.

"And we do hereby authorise and empower the Chancellor for the time being of our said College, to decide in each case what particular member of the said council not holding any such office as aforesaid shall vacate his seat in the said Council upon the admission of any new member of Council holding any such office.

"And we do hereby declare and grant that the Chancellor, for the time being of our said College, shall preside at all meetings of the said College Council, when he may deem it proper or convenient to attend, and that in his absence, the President of our said College shall preside at all such meetings; and that in the absence of the President the senior member of the said Council present at any such meeting shall preside thereat, and that the seniority of the members of the said Council, other than the Chancellor and President shall be regulated according to the date of their respective appointments: *Provided always* that the members of the said Council, being Professors in our said College, shall in the said Council take precedence over and be considered as seniors to the members thereof, not being Professors in our said college.

"And we do ordain and declare that no meeting of the said council shall be, or be held to be a lawful meeting thereof, unless five members, at the least, be present during the whole of every such meeting; and that all questions and resolutions proposed for the decision of the said College Council, shall be determined by the majority of the votes of the members of the council present, including the vote of the presiding member; and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

"And we further declare that if any member of the said council shall die or resign his seat in the said council, or shall be suspended or removed from the same, or shall, by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for three calendar months or upwards, of attending the meetings of the said council, then and in every such case, a fit and proper person shall be appointed by the said Chancellor to act as, and be a member of the said council in the place or stead of the member so dying or resigning or so suspended or removed, or incapacitated as aforesaid; and such new member succeeding to any member so suspended or incapacitated shall vacate such his office on the removal of any such suspension or at the termination of any such incapability as aforesaid, of his immediate predecessor in the said council.

"And we do further ordain and grant, that it shall and may be competent to and for the Chancellor for the time being of our said college, to suspend from his seat in the said council, any member thereof, for any just and reasonable cause to the said Chancellor appearing; provided that the ground of every such suspension shall be entered and recorded at length by the said Chancellor in the books of the said Council, and signed by him; and every such person so suspended shall thereupon cease to be a member of the said Council, unless and until he shall be restored

to and re-established in such his station therein, by any order to be made in the premises by us or by the said visitor of our said College, acting on our behalf, and in pursuance of any special reference from us.

"And we do further declare that any member of the said Council who, without sufficient cause to be allowed by the said Chancellor by an order entered for that purpose on the books of the said Council, shall absent himself from all the meetings thereof which may be held within any six successive calendar months, shall thereon vacate such his seat, in the said council.

"And we do by these presents, for us, our heirs and successors, will, ordain, and grant that the said Council of our said College shall have power and authority to frame and make statutes, rules and ordinances, touching and concerning the good government of the said College, the performance of Divine service therein, the studies, lectures, exercises, degrees in arts and faculties, and all matters regarding the same, the residence and duties of the President of our said College, the number, residence, and duties of the Professors thereof, the management of the revenues and property of the said College, the salaries, stipends, provisions and emoluments, of and for the President, Professors, Scholars, Officers, and Servants thereof; the number and duties of such Officers and Servants, and also touching and concerning any other matter or thing which to them shall seem good, fit, and useful for the well-being and advancement of our said College, and agreeable to this our Charter.— And also from time to time, by any new statutes, rules or ordinances, to revoke, renew, augment, or alter all, every, or any of the said statutes, rules and ordinances, as to them shall seem meet and expedient: *Provided always*, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of our said Province of Upper Canada, or to this our Charter. *Provided also*, that the said statutes, rules and ordinances, shall be subject to the approbation of the said Visitor of the said College for the time being, and shall be forthwith transmitted to the said Visitor for that purpose, and that in case the said Visitor shall for us and in our behalf in writing, signify his disapprobation thereof within two years of the time of their being so made and framed, the same or such part thereof as shall be so disapproved by the said Visitor, shall, from the time of such disapprobation being made known to the said Chancellor of our said College, be utterly void and of no effect, but otherwise shall be and remain in full force and virtue.

"*Provided nevertheless*, and we do hereby expressly save and reserve to us, our heirs and successors, the power of reviving, confirming, or reversing, by any order or orders to be by us or them made in our or their Privy Council, all or any of the decisions, sentences, or orders so to be made as aforesaid by the said Visitor, for us and on our behalf in reference to the said statutes, rules and ordinances, or any of them.

"And we do further ordain and declare that no statute, rule or ordinance, shall be framed or be made by the said College Council, touching the matters aforesaid, or any of them, excepting only such as shall be proposed for the consideration of the said Council by the Chancellor for the time being of our said College.

"And we do require and enjoin the said Chancellor thereof to consult with the President of our said College, and the next senior member of the said College Council, respecting all statutes, rules and ordinances, to be proposed by him to the said Council for their consideration.

"And we do hereby, for us, our heirs and successors, charge and command, that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time in full vigor and effect, under the penalties to be thereby therein imposed or contained.

"And we do further will, ordain and grant, that the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by our Universities of our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had or enjoyed by virtue of these our letters patent; and that the students in the said College shall have liberty and facility of taking the degrees of Bachelor, Master & Doctor in the several arts and faculties at the appointed times, and shall have liberty within themselves of performing all scholastic exercises for the conferring such degrees, in such manner as shall be directed by the statutes, rules, and ordinances of the said College.

"And we do further will, ordain and appoint, that no religious test or qualification shall be required of or appointed for any persons admitted or matriculated as scholars within our said College, or of persons admitted to any degree in any art or faculty therein, save only

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that all persons admitted within our said College to any degree in divinity, shall make such and the same declarations and subscriptions, and take such and the same oaths as are required of persons admitted to any degree in Divinity, in our University of Oxford.

"And we do further will, direct and ordain, that the Chancellor President, and Professors of our said College, and all persons admitted therein to the degree of Master of Arts, or to any degree in Divinity, Law or Medicine, and who from the time of such their admission to such degree, shall pay the annual sum of Twenty Shillings, sterling money, for and towards the support and maintenance of the said College, shall be and be deemed, taken, and reputed to be the members of the Convocation of the said University, and as such members of the said Convocation, shall have, exercise, and enjoy all such and the like privileges as are enjoyed by the members of the Convocation of our university of Oxford, so far as the same are capable of being had and enjoyed by virtue of these our letters patent and consistently with the provisions thereof.

"And we will, and by these presents, for us, our heirs and successors, do grant and declare, that these, our letters patent, or the enrolment or exemplification thereof, shall and may be good, firm, valid, sufficient, and effectual in the Law, according to the true intent and meaning of the same; and shall be taken, construed, and adjudged in the most favorable & beneficial sense for the best advantage of the said Chancellor, President & Scholars of our said College, as well in our Courts of Record as elsewhere, and by all and singular Judges, Justices, Officers, Ministers and other subjects whatsoever, of us, our heirs, and successors, any mis-recital, non-recital, omission, imperfection, defect, matter, cause, or thing whatsoever to the contrary thereof in any wise notwithstanding."

AND WHEREAS his present Majesty, WILLIAM THE FOURTH, has been graciously pleased to signify through His Majesty's Principal Secretary of State for the Colonies, Earl Ripon, by his despatch of the 8th of November, 1832, communicated to the Legislature by His Excellency, by message, that so far from any anxiety having been felt by His Majesty's Government to maintain the said Charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their representatives the decision of the question in what form and upon what principles the said College should be founded.

*Be it &c.*, That from and after the passing of this Act the said University shall be upon the principle and in the form hereinafter provided, any thing in the said charter to the contrary notwithstanding: *Provided always*, That the said Charter shall be and continue in full force except so far as it is altered and varied by the provisions of this Act.

2. *And be it &c.*, That from and after the passing of this Act, it shall not be necessary for the President of the said University to be a Clergyman in holy orders of the United Church of England and Ireland, any thing in the said Charter to the contrary notwithstanding.

3. *And be it &c.*, That from and after the passing of this Act, the Archdeacon of York, now City of Toronto, for the time being, shall not by virtue of his office of Archdeacon, be at all times President of the said University, any thing in the said Charter to the contrary notwithstanding.

4. *And be it &c.*, That from and after the passing of this Act, the Professors of the said College and the Council thereof, shall not be required to be members of the said Established United Church, or to subscribe the thirty nine articles thereof, any thing in the Charter to the contrary notwithstanding.

5. *And be it &c.*, That there be at all times as many Professors, Tutors, and Lecturers, in the different arts and faculties in the said College as from time to time shall be deemed necessary or expedient, and as shall be appointed in the manner herein after provided and in no other manner, any thing in the said charter to the contrary notwithstanding.

6. *And be it &c.*, That there shall be within the said College in the place and stead of the Council in the said Charter mentioned, a Council to be called and known by the name of the Council of King's College, which Council shall consist of twelve persons, one half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly, which persons so nominated shall be certified by the respective Houses to the Governor, Lieutenant Governor, or person administering the Government, for the time being, and shall hold their offices for four years from the day of such nomination and thence until the then next Session of the Provincial Parliament, and no longer.

7. *And be it &c.*, That if any member of the said Council shall die

or shall be suspended or removed from his said office, or shall by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for six calendar months or upwards, of attending the meetings of the said Council then and in every such case, a fit and proper person shall be appointed by the rest of the said Council to act and be as a member of the said Council in the place and stead of the member so dying or so suspended or removed or incapacitated as aforesaid, and the appointment of such new member of the said Council shall be communicated to the Provincial Legislature through the Governor Lieutenant Governor or person administering the Government for the time being, at their next Session, and it shall and may be lawful for that branch of the Legislature by which the person so dying or suspended or removed or incapacitated as aforesaid was appointed either to confirm the said temporary appointment made by the said Council as aforesaid, or to appoint another, as such branch of the Legislature shall think fit.

8. *And be it &c.*, That no meeting of the Council shall be taken or held to be a lawful meeting thereof nor any question be taken except to adjourn, unless nine members at the least be present and that all questions & resolutions proposed for the decision of such College Council, shall be determined by the majority of the members of the Council present, including the vote of the presiding member, and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

9. *And be it, &c.* That any member of the said council may at any time be suspended or removed by a joint resolution of the two branches of the Provincial Legislature.

10. *And be it, &c.* That it shall and may be lawful for the said Council of the said College from time to time to nominate and elect so many Professors, Tutors, and Lecturers in the several arts, sciences, and matters of learning, as shall to them seem fit and necessary for the system of education in the said College.

11. *And be it, &c.* That the President, Professors, Tutors, Lecturers, Graduates, under Graduates, Scholars, Officers and Servants of the said College, and every person holding any situation of honor or trust in the same, shall be subject to all and every of the rules and ordinances of the said College, made and provided according to this Act.

12. *And be it, &c.* That the said Council of said College shall have power and authority to propose, frame, and make rules and ordinances touching and concerning the peace, welfare, and good government of the said College, the studies, lectures, exercises, and degrees in arts and faculties, and all matters relating to the same; the duties of the President of the said College, the number, remuneration, and duties of the Professors, Tutors and Lecturers thereof, the management of the revenues and property of the said College, the salaries, stipends, provision and emoluments of and for the President, Professors, Tutors, Lecturers, Scholars, Officers, and Servants thereof, the number and duties of such Officers and Servants; and also touching and concerning any other matter or thing which to them shall seem good, fit, and useful for the well-being and advancement of the said College, and also from time to time by any new rules or ordinances to revoke, renew, augment, or alter all, every or any of the said rules and ordinances as to them shall seem meet and expedient: *Provided always*, That the said rules and ordinances, or any of them, shall not be repugnant to the Laws and Statutes of the said Province of Upper Canada or to this Act: *Provided also*, That the said rules and ordinances shall be subject to the approbation of the Chancellor of the said College for the time being, and shall be forthwith transmitted to the said Chancellor for that purpose, any thing in the said Charter to the contrary notwithstanding.

13. *And be it, &c.* That no religious test or qualification whatever shall be required of or appointed for any persons admitted or matriculated as scholars within the said College, or of persons admitted to any degree in any art or faculty therein, whether such degree be conferred in Law, Physic, or other Art or Science, any thing in the said charter to the contrary notwithstanding.

14. *And be it, &c.* That the members of the said Council and their successors forever shall be one distinct and separate body politic and corporate in deed and in name by the name and style of King's College, and that by the same name they shall have perpetual succession and a common seal; and that they and their successors shall from time to time have full power to alter, renew or change such common seal at their will and pleasure, as shall be found convenient; and that by the same name they, the said Council, and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy, and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments of what kind, nature, or quality soever, situate and being within the said

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Province of Upper Canada, and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any, goods, chattels, charities, or other contributions, gifts, or benefactions whatsoever; and that the said Council and their successors, by the same name, shall and may be able and capable in law to sue, and be sued, implead and be impleaded, answer and be answered, in all or any Court or Courts of Record within the said Province of Upper Canada in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what nature, or kind soever, in as large, ample and beneficial a manner and form as any other body politic and corporate, or any other persons able and capable in Law may or can sue, implead or answer, or be sued, impleaded, or answered in any manner whatsoever; any thing in the said charter to the contrary notwithstanding.

15. *And be it, &c.* That all monies received by the said corporation from the sale of any goods or lands, or from grants from the crown or legislature, or contributions, gifts or benefactions whatsoever, shall be invested by the said Council so as to produce an annual income, and that the annual income arising therefrom, and no more shall be expended by the said Council in furtherance of the objects of the said corporation, and provided that whenever the annual income aforesaid together with such sum or sums as may accrue from the leasing of any of the lands with which the said College has been or may be endowed shall exceed six thousand pounds over and above scholarships the surplus over and above the said sum of six thousand pounds shall be paid into the hands of His Majesty's Receiver General of this Province to be at the disposal of the Legislature for the promotion of education by the erecting and endowing of Free Grammar Schools in the several Districts in this Province.

16. *And be it, &c.* That it shall and may be lawful for the Council of the said University to suspend from his office the President, or any of the Professors, Tutors, or Lecturers, or any member of the said Council, who shall be incapacitated by bodily infirmity, or for any other just and reasonable cause to the said Council appearing: provided that the grounds of every such suspension shall be recorded in writing, and verified on oath of two or more credible and disinterested witnesses, and be entered and recorded at length on the journals of the said Council, and be signed by the Chancellor or President of the said Council.

17. *And be it, &c.* That every person so suspended shall thereupon cease to be a member of such Council, or President of the said University, or a Professor, Tutor, or Lecturer within the same, as the case may be, unless and until he shall be restored to and re-established in such his station therein, by any order to be made in the premises by that branch of the Legislature by which such member was appointed.

18. *And be it, &c.* That it shall and may be lawful for the Council of the said College from time to time to establish scholarships in the said College for the benefit of the pupils of the District Schools in this Province; Provided that the amount of each scholarship shall not exceed the annual value of Fifty Pounds per annum.

19. *And be it, &c.* That it shall and may be lawful for the said College Council, and all persons whatsoever attached to the said College, and they are hereby required at all times without reserve to lay before the several branches of the Legislature of this Province whatever information shall be by them, or either of them, from time to time required relating in any way whatever to the said College and the concerns thereof.

20. *And be it, &c.* That whenever any rule or rules, ordinance or ordinances, shall be passed by the said Council as aforesaid containing any provisions which shall in any manner relate to or affect the enjoyment or exercise by the Professors, Tutors, Lecturers, Scholars, Graduates, under Graduates, Students, Servants or others, whomsoever, connected with the said College, of any religious form or mode of worship, or in any way whatever prevent or restrain them or any of them from attending on the Sabbath whatever place of religious worship they choose, or shall impose or create any penalties, burthens, disabilities or disqualifications, or confer any peculiar or exclusive favours or privileges in respect of the same; or shall in any manner relate to or affect the observance of any rules or discipline appertaining to any church or society of christians to which any of the persons aforesaid may belong; every such rule or rules, ordinance or ordinances, shall not have any force or effect whatever till the same shall have been laid before the three branches of the Provincial Legislature, and shall, after having been so laid before them and each of them for the space of ten days receive the sanction thereof.

*And be it, &c.* That it shall and may be lawful for the said Council and they are hereby required to meet in the said College at To-

ronto, and for the periods following namely, commencing eight days previous to the meeting of the Legislature in each and every year, and ending on the eighth day following the said meeting of the Legislature: at which stated time and at no other, it shall and may be lawful for the said Council to do, perform and execute all the duties and trusts imposed by this act, or by any rule or ordinance of the said College, made under and by virtue of this act.

21. *And be it, &c.* That it shall and may be lawful for each of the members of the said Council while in the active discharge of his said duties at the periods aforesaid, to have and receive from and out of the funds of the said College, the sum of ten shillings lawful money of Upper Canada and no more for every day's actual attendance during the said weeks, and the like sum for every twenty miles in travelling to the said College and returning therefrom to his place of residence.

23. *And be it, &c.* That it shall and may be lawful for any member of the said Council to tender his resignation during any session of the Provincial Legislature, to that branch thereof by which he was nominated and appointed, and upon the acceptance of such resignation, such person shall cease to be a member of such Council, and it shall thereupon be lawful for the said branch of the Provincial Legislature accepting such resignation forthwith to nominate and appoint another person to be a member of the said Council in the place and stead of the person so resigning as aforesaid.

24. *And be it, &c.* That if any Professor, Tutor, Lecturer, or other person elected by the said Council, to any Professorship, Tutorship, Lectureship or other station in the said College shall die in the interval between the annual meetings of the said Council, it shall and may be lawful for the various Professors, Tutors and Lecturers who have been elected by the said Council to appoint a fit and proper person to discharge the duties of the said Professor, Tutor or Lecturer, so deceased, till the next meeting of the said Council and no longer.

25. *And be it, &c.* That it shall and may be lawful for the said Council, at their appointed meetings, and they are hereby required to keep at every such meeting, a Journal of their proceedings, specifying the day and hour of assembling, the names of the members of the Council in attendance, the resolutions and matters proposed, with the names of the members voting for and against each resolution and matter whether the same be rejected or adopted by the said Council, which record or journal of the said proceedings of the said Council shall at all reasonable times be open at the said College, to the inspection of the visitor, Chancellor, and other members of the said College, and be laid before the several branches of the Provincial Legislature whenever by them or either of them required so to do.

26. *And be it, &c.* That no religious test or qualification whatever shall be required of any Chancellor, President, Professor, Tutor, Lecturer, Scholar, or other Person being a candidate for any situation or honour in the said College, nor shall the eligibility of any person to any of the aforesaid stations in the said College, or to any other station that may hereafter be created, be in any way or degree dependent upon or regulated, affected or prejudiced by the particular faith of any such candidate, any thing in the said charter to the contrary notwithstanding.

27. *And be it, &c.* That from and after the passing of this Act, there shall not at any time, be, or be allowed to be within the said College any public professor, lecturer or teacher of doctrinal divinity, according to the articles of faith professed by the United Church of England and Ireland or according to the creed or faith of any other christian, or other religious church whatever, any thing in the said charter to the contrary in any wise notwithstanding; and it shall not be lawful for the said Council to apply any of the funds now or at any time hereafter belonging to the said University, to the support of any public professor, lecturer or teacher, of such divinity: *Provided always,* That nothing in this act shall extend or be construed to extend, to prevent the students and members of the said University by themselves or their parents, guardians, or friends, from engaging private tutors for their private instruction in divinity or in any other art or science within the said College.

28. *And be it, &c.* That it shall and may be lawful for any member of the said Council to administer any oath required by this act, and any person convicted before any court of competent jurisdiction in this Province, of wilful and corrupt false swearing under any oath administered as aforesaid, shall be deemed and taken to be guilty of perjury, and shall be liable to the like punishment as can be inflicted by the laws of this Province for perjury.

29. *And be it, &c.* That upon a vacancy occurring in the office of the President of the said College, by the death or resignation of the present President thereof, the said situation shall be filled in all times to come by the Council of the said College, any thing in the Charter of the said College to the contrary thereof, in any wise notwithstanding.

30. *And be it, &c.* That the visitor of said College shall be ap-

## Bill to promote Education.

pointed by the Council thereof, any thing in the said Charter to the contrary notwithstanding.

(Signed) MARSHALL S. BIDWELL,  
*Speaker.*

Passed Commons House of Assembly, }  
2nd day of April, 1835. }

"On the question for passing the Bill, the Yeas and Nays were as follows:—

## YEAS,

Brown,	M'Kay,
Bruce,	Mackenzie,
Caldwell,	Malloch,
Chisholm,	Merritt,
Cook,	Morris,
Cornwall,	Parke,
Duncombe, [of Oxford]	Perry,
Duncombe, [of Norfolk]	Rymal,
Durand,	Shaver,
Gibson,	Small,
Gilchrist,	Walsh,
Hopkins,	Waters,
Lount,	Wells,
M'Crae,	Wilson,
M'Donell, [of Glengarry]	Woolverton,
M'Donell, [of Stormont]	Yager—33.
M'Intosh,	

## "NAYS,

Gowan,	Robinson,
Macnab,	Wilkinson—5."
Richardson,	

Truly extracted from the Journals of the Assembly of Upper Canada of the 2nd day of April, 1835.

(Signed) JAMES FITZGIBBON,  
*Clerk of Assembly.*

## No. 24.

*An Act to promote Education.*

**WHEREAS** it is necessary to make more ample provision for the Teachers of the Common Schools, and to provide means to enable some of the most talented youth in the Province to pursue their studies in the higher Seminaries of learning which are now, or may hereafter be established in this Province: *Be it therefore enacted, &c.* That the ninth clause of an Act passed in the fifty-sixth year of the reign of His late Majesty King George the Third entitled, "An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulations of said Common Schools," be and the same is hereby repealed.

2. *And be it further enacted, &c.* That it shall and may be lawful for the inhabitant householders of each and every Township in this Province, at the Town meeting to be held on the first Monday of January in each and every year, to nominate and appoint three fit and proper persons to be Superintendents of Schools in the Township for the year in which they shall be so appointed.

3. *And be it further enacted, &c.* That it shall be the duty of such Superintendents to appoint a time and place in the Township for which they shall have been chosen, where all Scholars are to attend who may consider themselves to have made such progress in learning as to qualify them to become candidates for the superior Schools; and the said Superintendents shall, from among the Scholars so assembled, select three of the most talented and promising, who are to be candidates for admittance into the District School, or such other seminaries of learning which are now or may hereafter be established in this Province.

4. *And be it further enacted, &c.* That the different Superintendents in each and every Township shall, at their first meeting to be held before the first day of June in each and every year, nominate and appoint a fit and proper person to be a member of the Board of Education; and that the

several members hereby appointed in each and every District shall constitute and form the Board of Education for such District.

5. *And be it further enacted, &c.* That the Board of Education hereby established for each and every District of this Province shall meet on the Monday of the week in which the Court of General Quarter Sessions for such District is to be held in the month of July, and at the place where the said Court is to be held, and in the month of June in such places where the Quarter Sessions is held in June, and then and there appoint their Chairman, and transact such business as the laws of this Province authorise the present Board of Education to do; that three members be a quorum, and that such members as attend be entitled to ten shillings per diem, provided the number of days does not exceed three.

6. *And be it further enacted, &c.* That so soon as the Board of Education in each District shall consider it advisable they may, before assigning to the Teachers their annual salaries, reserve a sufficient sum for paying the boarding and tuition at the District School, or other seminary to be selected by the said Board, of such select number of scholars from each county, not exceeding eight, as shall be chosen by such members of the Board of Education as shall have been appointed in the different Townships of such County.

7. *And be it further enacted, &c.* That so soon as the Board of Education in each and every District in this Province shall find that the state of their funds will admit of it, they may set aside a sufficient sum to pay the boarding, tuition and wearing apparel, of one or more select Student or Students from each County, in order to enable him or them to pursue his or their studies in the higher seminaries of learning, such Student or Students to be chosen by such members of the Board of Education as are appointed by such County.

8. *And be it further enacted, &c.* That no Student sent either to a District School, or any other Seminary of learning, shall be recalled in a shorter period than three years, unless such members of the Board of Education as reside in the County from which such Student shall have been sent will unanimously agree.

9. *And be it further enacted, &c.* That the Board of Education in each and every district, shall, at its Meeting in the months of June or July, appoint a time and place in each county where all Schoolmasters of such county shall attend to be publicly examined by the Master of the District School, aided by such Members of the Board of Education as reside in such county.

10. *And be it further enacted, &c.* That the Board of Education for each and every District, may cause its Clerk to acquaint the Schoolmasters, at least six months previous to examination, of the time and place where such examination will be held, and the particular branches of education for which prizes shall be awarded.

11. *And be it further enacted, &c.* That the Teacher who shall be declared to have gained the first prize, shall be entitled to one pound yearly, while teaching, over and above his regular salary; second prize, fifteen shillings; third prize, ten shillings; second and third prizes subject to the same condition as the first prize.

12. *And be it further enacted, &c.* That no Teacher of a common school shall be entitled to any benefit from the education fund, who shall not have attended the county meeting for the examination of Schoolmasters, unless prevented by sickness, to be certified by one of the Trustees of the Common School for which he is the Teacher.

13. *And be it further enacted, &c.* That the Master of the District School and such Members of the Board of Education as have attended the county examination of Schoolmasters, shall be entitled to ten shillings each, for every day necessarily employed in the said examination, provided it does not exceed three days for any one county.

Bill to promote freedom of Election in Leeds.

14. *And be it further enacted, &c.* That for the maintenance and encouragement of education in this Province, there shall be established a fund, to be entitled, "Education Fund," which said fund shall consist of such sum or sums as the Legislature shall deem fit to appropriate for the same from the revenues of the Province; secondly, of the interest of the proceeds of the sale of the school lands, and all interest accruing from the proceeds of all other sale of lands appropriated to education; and thirdly, all such monies as may be available from the leasing of land for the purposes of education.

15. *And be it further enacted, &c.* That all sums of money already paid into the hands of the Receiver-General of this Province, or which shall hereafter be paid to him, as the proceeds of land sold to promote education, shall by him be invested in the purchase of any Government debentures authorised by any Act of the Parliament of this Province, and that the interest payable upon such debentures shall continue to be charged to the general revenue of this Province, and shall be annually placed to the credit of the Education Fund. by this Act created.

16. *And be it further enacted, &c.* That in aid of the present appropriation for the support of common schools in each and every district of this Province, there shall be granted to His Majesty, annually, the sum of twelve thousand pounds, to be distributed among the several districts in the manner hereinafter provided, out of any monies which are now raised and levied, or which may hereafter be raised and levied by the authority of Parliament, to and for the uses of this Province.

17. *And be it further enacted, &c.* That it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, in each and every year, according to the last preceding census of the population of the Province, to apportion the money already granted by the Legislature, or which shall be hereafter granted, among the several districts, together with such further sums of money as may be afforded from the Education Fund.

18. *And be it further enacted, &c.* That it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province, on or before the fifteenth of June in each and every year, to cause to be transmitted to the Clerk of the Board of Education in each and every district, a copy of such warrant as he shall have issued in favor of the Treasurer of such district, for the payment of the portion assigned to such district out of the Education Fund.

19. *And be it further enacted, &c.* That it shall be the duty of the Chairman of the Board of Education for each and every district of this Province, to report the state of the district common schools, to the Governor, Lieutenant-Governor, or person administering the Government, that the same may be laid before the Legislature, at its first meeting, for their inspection; and that the Chairman be entitled to ten shillings per diem, for every day necessarily employed in preparing such report, provided it does not exceed five days.

20. *And be it further enacted, &c.* That it shall and may be lawful to and for the Board of Education in each and every district, to allow to the Clerks of their respective Boards, in addition to the sum they are now by law authorised to receive, the further sum of five pounds annually.

21. *And be it further enacted, &c.* That the said sum of twelve thousand pounds annually, shall be paid by the Receiver-General of this Province, in discharge of such warrant as may for that purpose be issued by the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, and shall be accounted for to His Majesty, his Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his Heirs and Successors, shall be graciously pleased to direct.

22. *And be it further enacted, &c.* That this Act shall not go into operation until the first day of January, which will be in the year of our Lord one thousand eight hundred and thirty-six.

Passed Commons' House } (Signed) M. S. BIDWELL,  
of Assembly, 31st day }  
of March, 1835. } *Speaker.*

On the question for passing the bill the yeas and nays were taken as follows:

YEAS,

Alway,	McDonell, of Stormont,
Brown,	Mackay,
Bruce,	Mackenzie,
Clisholm,	Merritt,
Cook,	Moore,
Cornwall,	Perry,
Duncombe, of Oxford,	Richardson,
Duncombe, of Norfolk,	Rymal,
Durand,	Shaver,
Gibson,	Shibley,
Gilchrist,	Small,
Gowan,	Thorburn,
Hopkins,	Waters,
Jones,	Wells,
Lount,	Wilson,
McCrae,	Woolverton—33.
McDonell, of Glengarry,	

NAYS.

Attorney General, Rykert—3.  
Macnab,

Truly extracted from the Journals of the Assembly of the 31st day of March, 1835.

(Signed) JAMES FITZGIBBON,  
*Clerk of Assembly.*

No. 25.

*An Act to promote the freedom of Election in the County of Leeds.*

**W**HEREAS, to promote the freedom of Election in the County of Leeds, and obtain a fair expression of the sentiments of electors in the choice of members to represent the said county in Parliament, it is deemed expedient to alter and amend the election laws of this province, so far as the same relate to the said county. Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, &c. that the several laws of this province relating to the election of members of Assembly, and the mode of conducting elections shall be, and the same are hereby repealed in relation to the said county of Leeds, so far as the provisions thereof vary from this act.

2. *And be it further enacted by the authority aforesaid,* That hereafter the election of members to represent the said County of Leeds in Parliament shall be held at four places within the said county, and for that purpose the said county shall be and is hereby divided into Four Sections, and that Section No. One, shall be composed of the Townships of Elizabethtown and Yonge, and the place at which the election shall be held within such Section shall be at Colman's Corners in Elizabethtown. Section No. Two, of the townships of Leeds and Lansdowne, and the place at which the election shall be held within such Section shall be the Village of Gananoque. Section No. Three, of the townships of Kitley, Burgess, and Elmsley, and the place at which the election shall be held within such Section shall be the Village of Smith's Falls. And Section No. Four, of the townships of Bastard, North Crosby, and South Crosby, and the place at which the election shall be held within such Section shall be the village of Beverley.

## Bill to promote freedom of Election in Leeds.

3. *And be it further enacted by the authority aforesaid,* That besides the Returning Officer now required to be appointed by law, it shall be the duty of the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, to appoint in like manner a Deputy Returning Officer to each of the three of the said Sections, whose duty it shall be to hold the election in the Section to which he shall be appointed, in the same manner, and subject to the same responsibilities and penalties as Returning Officers for counties are now liable by the laws of this Province, and to return to the Returning Officer appointed for the said County of Leeds the Poll Book for such Section, accompanied with an affidavit of such Deputy Returning Officer and his Poll Clerk, sworn before some Justice of the Peace of the District of Johnstown, that the same contains a true and correct record of the votes taken at such section elections according to the provisions of this act.

4. *And be it further enacted by the authority aforesaid,* That the Returning Officer for the said County of Leeds shall take the votes in such one of the said Sections as he shall be directed to preside at in his appointment as Returning Officer for the said county, in the same manner, and under the same responsibilities and penalties as other Returning Officers presiding at Elections in this Province, and upon the receipt of the Poll Books from the Deputy Returning Officers of the other three sections of the said county which they are respectively required to return to him as aforesaid, within two days after the close of each section election, under the penalty of two hundred pounds; it shall be the duty of the said Returning-Officer, and he is hereby required to attend at the place where he received votes in the section for which he was appointed to preside, at eleven o'clock in the forenoon on the tenth day after the commencement of such section election (unless such day falls on Sunday, then on the Monday following;) and in the presence of such of the candidates, their Counsel or agents, and such persons as may be then and there assembled, shall exhibit the said poll-books, and return as duly elected the two candidates who have, on the poll-books of the four sections, the highest number of legal votes, taken according to the provisions of this act, in the same manner as if the election for the said county had been wholly held by the said Returning-Officer in person.

5. *And be it further enacted by the authority aforesaid,* That the election in each of the said sections shall begin on the same day, and the time of keeping open the Polls for receiving votes shall be the same as is now required by the laws of this province at other elections of members of Assembly, except that on the sixth day, if the election shall continue so long, in any section the poll shall be closed at three o'clock in the afternoon.

6. *And be it further enacted by the authority aforesaid,* That the choice of representatives for the said county shall be ascertained by actual polling of votes in the manner prescribed by this act in the respective sections aforesaid and not otherwise.

7. *And be it further enacted by the authority aforesaid,* That before proceeding to the discharge of his duty the Returning Officer for the said county shall take the same oath required by law to be taken by other Returning Officers at elections of members of Assembly in this province, and that every Deputy Returning Officer shall take and subscribe the following oath:

"I, A. B. do solemnly swear that I have not directly or indirectly received any sum or sums of money, offer, place or employment, gratuity or reward, or any bond, bill, or note, or any promise or gratuity whatsoever, either by myself or any other person, to my use or benefit or advantage for making any false or incorrect statement or return in the Poll Book, required by law to be by me transmitted to the Returning officer for the county of Leeds, and that I will conduct myself impartially, and without favour or affection to any party concerned in the present election for the County of Leeds,"

which several oaths may be administered by any Justice of the Peace of the District of Johnstown.

8. *And be it further enacted by the authority aforesaid,* That the electors residing in each of the said sections shall vote at the election held in the section wherein they are so resident, or in case the voter shall not be a resident of the county, but is otherwise legally qualified to vote, he shall vote in the section in which the property on which he votes is situated. Provided nevertheless, that nothing herein contained shall prevent or be construed to prevent any elector entitled to vote in the said county from voting in any of the said sections if he makes oath (or affirmation if a Quaker) before the Returning Officer or Deputy Returning Officer presiding, that he apprehends personal injury or insult if he attempts to vote in the section in which he is so resident, or his property is so situated as aforesaid, or that it is inconvenient for him to vote thereat, (as the case may be). And provided also, that besides the oaths that may now by law be administered to electors, every elector before he shall be admitted to vote shall, if required by the Returning Officer or Deputy Returning Officer, at any section election at which the vote is offered, or any candidate thereat, his counsel or agent, or any freeholder of the said county, take the following oath before the said Returning Officer or Deputy Returning Officer, who is hereby authorised and required to administer the same:

"You A. B. do solemnly swear that you have not before voted at the present election for the County of Leeds in any other section than the one at which you now come forward to vote; that you reside in (state the place), and that the property on which you now propose to vote is situate in section No. (stating the number of the section)."

9. *And be it further enacted by the authority aforesaid,* That the said Returning Officer and Deputy Returning Officers for the said county, from the time they are respectively appointed such Returning Officer and Deputy Returning Officers until the election shall finally be declared by the Returning Officer as aforesaid, shall be and are hereby declared to be conservators of the peace, and severally vested with the same powers for the preservation of the peace and apprehension and committal for trial, or holding to bail of violators of the law as are vested in Justices of the Peace in this Province, and that the said Returning Officer and Deputy Returning Officers may, and each of them is hereby required to appoint and swear in such and so many special constables as he may deem necessary for the preservation of peace and order at and during the section election for which the said Returning Officer or Deputy Returning Officer may be appointed, and for such time thereafter as may be deemed expedient and necessary.

10. *And be it further enacted by the authority aforesaid,* That every person who shall refuse to be sworn in as a special constable or who shall neglect his duty as such, without a legal excuse, and every person who may by threats, force or violence attempt to destroy the freedom of any of the said section elections, or hinder any elector from coming forward to vote thereat, or create any unnecessary noise, interruption, riot, tumult, disturbance or disorder thereat, or threaten or use violence to any elector who may have voted, on account of any vote given thereat, shall be deemed guilty of a high misdemeanor.

11. *And be it further enacted by the authority aforesaid,* That every Justice of the Peace in the District of Johnstown, who upon being required by the Returning Officer or Deputy Returning Officer, or any candidate at any such section election, or any three householders of the said county of Leeds shall unreasonably refuse or neglect to use his exertions for the preservation of the peace at such section elections, or shall encourage or willingly permit any violence or disorder thereat, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, besides the punishment inflicted by the court before which conviction is had, forfeit his office and be forever after incapable of being appointed a Justice of the Peace in this Province.

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12. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any Candidate at any election for the county of Leeds to duly appoint under his hand any number of persons not exceeding three to attend in his stead at any of the sections, who shall be empowered and authorised to perform, so far as to question or scrutinizing votes, that might or could be done by such candidate, if personally present.

13. *And be it further enacted by the authority aforesaid,* That if any person or persons shall be guilty of false swearing, in any oath required by this act, he shall on conviction thereof, suffer the like pains and penalties to which any other person convicted of wilful and corrupt perjury is liable by the laws and statutes of this Province.

14. *And be it further enacted by the authority aforesaid,* That the votes taken by virtue of the provisions of this act, shall be by ballot, and it shall and may be lawful for the Returning Officer and Deputy Returning Officers appointed to hold elections, agreeable to the provisions of this act, to appoint each a Poll Clerk who shall take and subscribe the oath appended to this act.

15. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said Poll Clerk, under the direction of the Returning Officer or Deputy Returning Officer to take down and record the names of the voters, their place of residence, and the description of freehold upon which they vote, in a poll book, prepared as near as circumstances will admit, agreeable to the form now prescribed by law.

16. *And be it further enacted by the authority aforesaid,* That each Returning Officer or Deputy Returning Officer shall provide a box of commodious size, with a double lid or cover, in the lower of which lids there shall be a hole of not more than sufficient size conveniently to admit the slips of paper containing the votes of the electors, so that such slips may readily pass to the bottom of the box, between which lids there shall be a sufficient space to contain the poll book as hereinafter mentioned, both of which lids shall be provided with a separate lock and key.

17. *And be it further enacted by the authority aforesaid,* That every person duly qualified to vote at any of the said section elections, and desirous to do so shall openly deliver his ticket to the Returning Officer or Deputy Returning Officer in presence of the sworn Clerk, and such of the candidates, their clerks, agents and counsel, and other persons as may be present; upon which ticket shall be written or printed the name or names of the candidate or candidates for whom the elector desires to vote, and the said ticket shall be so folded up as to conceal the contents thereof, and upon the receipt thereof the Returning Officer shall cause the name of the voter to be entered by the Clerk in his Poll Book, and shall in presence of the voter, clerk, and candidates or their agents or counsel, or such of them as may be present put or cause to be put, the ticket uninspected into the box, through the hole provided therein for the purpose as aforesaid. Provided always, that neither the Returning Officer or Deputy Returning Officers shall place the ticket of any voter in the box until the same canvass, questions, or scrutiny, shall have been had by either of the candidates present, or their agents, or any one of the electors present, and the same oaths of qualification administered, if required, as though the mode of voting was not by ballot.

18. *And be it further enacted by the authority aforesaid,* That at every adjournment of the poll the Poll Book shall be put between the lids of the said box and locked therein, both of the keys of which shall be kept by the Returning Officer or Deputy Returning Officer presiding. Provided always, that any candidate or person acting in his behalf, shall be permitted by the Returning Officer or Deputy Returning Officer, on request, so to affix his seal to the said box, so as to be enabled to detect any clandestine opening thereof.

19. *And be it further enacted by the authority aforesaid,* That after the final closing of the Poll at any section elec-

tion, the Returning Officer or Deputy Returning Officer presiding there shall forthwith proceed in the presence of the clerk, candidates, or their agents or counsel, or such of them as may be present, and such others as may choose to attend, to open the said box and cause the clerk to count the said ballots or tickets unopened. If the number exceed the number according to the lists or Poll Book, then so many as make the excess shall be casually abstracted and destroyed unopened—whereupon the Returning Officer or Deputy Returning Officer presiding shall direct the clerk to proceed to canvass or estimate the ballots or tickets, and in case more than the proper number of tickets shall be found or more than the proper number of names written or printed on any ticket the whole of the contents of such tickets shall be destroyed and not estimated. When the canvass is completed the Returning Officer or Deputy Returning Officer presiding shall cause the clerk to enter the respective numbers for each candidate to be written in full words in some place set apart for that purpose in the Poll Book: which book shall be returned by the several Deputy Returning Officers to the Returning Officer for the County, who shall therefrom and from the Poll Book kept under his own direction cause the Clerk of the Section over which he presided to make up an aggregate statement of the whole number of votes for each candidate in full words agreeable to the provisions of this Act, which statement shall be signed by the Returning Officer and annexed to the Writ of Election.

20. *And be it further enacted by the authority aforesaid,* That all the Poll Books kept as aforesaid be transmitted to the Clerk of the Crown in Chancery, duly attested to as now by law required to be done, except the principal Returning Officer is only required to attest to the Poll Book taken under his direction.

(Affidavit.)

“ A. B. of \_\_\_\_\_ in the District of \_\_\_\_\_ maketh oath and saith that he will well and truly perform his duties as a Poll Clerk at this election, by ballot, in and for the County of Leeds in all particulars to the best of his knowledge and abilities according to this act.”

Passed Commons House of Assembly, }  
11th day of April, 1835. }

MARSHALL S. BIDWELL,  
Speaker.

On passing of the Bill, the Yeas and Nays were as follows:—

YEAS,

Alway,	Morrison,
Bruce,	Parke,
Chisholm,	Perry,
Cook,	Roblin,
Duncombe, of Oxford,	Rymal,
Duncombe, of Norfolk,	Shaver,
Durand,	Shibley,
Gibson,	Smith,
Gilchrist,	Thorburn,
Hopkins,	Waters,
M'Donell, of Stormont,	Wells,
M'Intosh,	Wilson,
M'Micking,	Woolverton,
Moore,	Yager—28.

NAYS,

Brown,	Richardson,
Caldwell,	Robinson,
M'Crea,	Rykert,
M'Donell, of Glengarry,	Strange,
M'Lean,	Taylor,
MacNab,	Walsh,
Malloch,	Wilkinson—15.
Morris,	

Truly extracted from the Journals of the Assembly, of the 11th day of April, 1835.

JAMES FITZGIBBON,  
Clerk of the Assembly.

**A P P E N D I X**  
TO  
**J O U R N A L**  
OF THE  
**H O U S E O F A S S E M B L Y**  
OR  
**U P P E R C A N A D A .**

---

**OF THE FIRST SESSION OF THE TWELFTH PROVINCIAL PARLIAMENT.  
V. WILLIAM IV.**

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**MARSHALL SPRING BIDWELL, ESQ. Speaker.**

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**SESSION 1835.**

**VOL. 2.**



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**SIR JOHN COLBORNE, K. C. B.**  
LIEUTENANT GOVERNOR.

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**TORONTO :**  
**M. REYNOLDS, PRINTER TO THE HON. THE HOUSE OF ASSEMBLY.**

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**1835.**

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No. 26.

## MESSAGE

## FROM LEGISLATIVE COUNCIL

WITH CERTAIN RESOLUTIONS ON THE SUBJECT OF

## THE CLERGY RESERVES.

MR. SPEAKER,

The Legislative Council have passed the accompanying resolutions on the subject matter of the bill entitled "An Act for the disposal of the Clergy Reserves in this Province for the purposes of General Education," to which they request the concurrence of the Commons House of Assembly.

JOHN B. ROBINSON.

SPEAKER.

LEGISLATIVE COUNCIL CHAMBER, }  
Twenty-sixth day of March, 1835. }

*Resolved*—That His late Majesty King George the Third having been graciously pleased by message to both Houses of Parliament to express His Royal desire to be enabled to make a permanent appropriation of lands in this province for the support and maintenance of a protestant clergy within the same, provision was made for that purpose by Parliament, in the statute passed in the thirty-first year of His Majesty's reign, Chap. 31. by directing a reservation of lands to be made and set apart in the proportion of all the lands that should be granted by His Majesty in the said province, and by declaring that all and every the rents, profits, or emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid should be applied solely to the maintenance and support of a protestant clergy within the province, and to no other use or purpose whatever.

*Resolved*—That such allotments and appropriations as the act directs having been made from time to time, and continuing to be set apart under the designation of Clergy Reserves, a claim was advanced in the year 1821 on behalf of the Church of Scotland, to be allowed to share in those reserves, or in the rents, profits or emoluments to be derived from them; which claim was made and has been urged, upon the footing of a legal claim, grounded on the construction of the statute, and on the rights of the Church of Scotland, as a church established in one part of the United Kingdom.

*Resolved*—That it has been advanced by other portions of the people of this province that all protestant denominations have a right, in common with the Church of England, to have their clergy supported from the reserves in question, and that no exclusive right can be vindicated under the act, in favor of any one or more protestant churches.

*Resolved*—That efforts have also been made to procure a total abolition of this provision for the support of religion, by obtaining an act of the Provincial Legislature, directing the sale of the reserves, and the appropriation of the proceeds to purposes of general education.

*Resolved*—That by these conflicting claims and opposing views, in regard to a subject of so great interest and importance, the minds of His Majesty's subjects in this province have for a long period been rendered anxious and unsettled, and, in the opinion of the Legislative Council, it is for many reasons much to be desired, that a speedy and final settlement should take place of the questions which have arisen upon the effect of the enactments referred to, and that it should be plainly, certainly and firmly established to what specific objects the Clergy Reserves shall be permanently applied.

*Resolved*—That the Legislative Council, confiding in the wisdom and justice of His Majesty and the Imperial Parliament, think it expedient and proper humbly to address His Majesty and both Houses of Parliament, representing that the Legislature of this Province has been unable to concur in any

measures respecting the Clergy Reserves; and earnestly requesting that the Imperial Parliament will, with as little delay as possible, make such an enactment on the subject as cannot appear to leave any room for doubt or question in regard to the objects to which the proceeds of the Clergy Reserves are to be applied; and that having regard to the present condition and future welfare of this colony, and maturely considering whatever has been urged or may be urged in regard to these reserves, they will, by some measure which shall be final and unequivocal, make such an appropriation of them as shall appear to be most consistent with a due regard to religion, to the principles of our constitution, and to the permanent welfare and tranquillity of the province.

RESOLUTION of the House of Assembly growing out of the foregoing.

*Resolved*,—That this House has repeatedly expressed the opinion that the lands appropriated for the support and maintenance of a Protestant Clergy within this Province, commonly called the Clergy Reserves, ought, for various reasons, to be sold; that it would be unjust to apply the monies arising from the sale of the same, to the benefit of one or more favored religious denominations, & that it would be impracticable, and from many considerations inexpedient, to distribute the monies arising therefrom among all denominations, and that this House has been unremitting in its endeavors to procure the sale of these lands, and the application of the funds produced by such sale to objects of great importance and interest to the people of this Province; that with this view, the House has heretofore repeatedly passed bills providing for the sale of the Clergy Reserves, and the appropriation of the monies arising therefrom to the support of education, which bills have been rejected without amendment by the Legislative Council; that with the same view this House has repeatedly made known, by humble and dutiful addresses to His Majesty, their wishes and opinions, and the wishes and opinions of His Majesty's faithful subjects in this Province on this highly important subject; and this House take this opportunity of declaring that these wishes and opinions, both on the part of this House and of their constituents remain entirely unchanged—that during the second session of the last Parliament, His Excellency the Lieutenant Governor, by message, informed this House, that he had received His Majesty's instructions to declare that the representations which had at different times been made to His Majesty and His Royal predecessors, of the prejudice sustained by His Majesty's faithful subjects of this Province from the appropriation of the Clergy Reserves had engaged His Majesty's most attentive consideration, and His Majesty has most graciously been pleased to invite the House of Assembly to consider how the powers given to the Provincial Legislature by the constitutional Act to vary or repeal the provisions which it contains for the allotment and appropriation of the Clergy Reserves could be most advantageously exercised for the spiritual and temporal interests of his faithful subjects in this Province. That this House, in compliance with His Majesty's wishes thus graciously expressed, and with the strong and well known desires of His Majesty's faithful subjects in this Province, has passed a bill during the present session to provide for the sale of the Clergy Reserves, and to apply the monies arising from such sale to the support of education—that the Legislative Council has not passed the said bill—has not amended it—and has not passed any other bill on that subject. That under these circumstances, this House cannot but express the extreme astonishment with which it has received the representations of the Legislative Council—that the Legislature of the Province has been unable to concur in any measure respecting the Clergy Reserves, and altho' this House has little expectation that the Legislative Council, as now constituted, will comply with the wishes of the people of the Province, yet it feels bound to declare that this House is, and always has been, ready and anxious to concur in any just and reasonable measure whatever by which the Clergy Reserves could be applied to such useful purposes as would be most advantageous to His

## Report on Executive and Legislative Councils.

Majesty's faithful people in this Province, and most conformable to their well known wishes—that this House cannot but express its confident hope, that His Majesty will not be induced by any representation, whether secret or open, to depart from the gracious intentions which he has been pleased to intimate, of complying with the earnest and repeated solicitations of His Majesty's faithful subjects in this Province on that subject—that this resolution be laid before His Excellency the Lieutenant Governor, and that His Excellency be requested to transmit the same to the Secretary for the Colonies, and call the early attention of His Majesty's government to the importance of the same, to the interest, peace, welfare, prosperity and happiness of His Majesty's faithful people of this Province.

## No. 27.

## REPORT of Select Committee on the Executive and Legislative Councils of this Province.

TO THE HON. THE COMMONS HOUSE OF ASSEMBLY.

The Select Committee appointed to enquire relative to the tenure on which the advisers of the Executive Government hold their offices, and the expediency of introducing the same practice in the administration of the Government of this Province as that acted upon in England, and also relative to the composition of the Legislative Council, have considered the same, and have agreed to the following report:—

Your Committee have examined the Journals of the House of Assembly for eleven years back, and find that, for several successive sessions, a bill passed through the House of Assembly, by overwhelming majorities, repealing an act passed in the 44th year of the reign of His late Majesty King George the Third, entitled, "An Act for the better securing this Province against all seditious attempts or designs to disturb the tranquillity thereof," by which law, any of His Majesty's British born subjects, whether born in England, Ireland, or Scotland, and not having resided in the province a certain length of time, might be ordered to leave the Province by any single Justice of the Peace, without trial, by Judge or Jury—and in case such British subject should neglect or refuse to obey his worship's despotic order was subject and liable to be banished for a term of seven years, for no other offence or crime charged or proved against him than disobeying the Magistrate's order.

Under this law Robert Gourlay, Esq. a British born subject, was banished from this Province, on account of which the said law created an excitement and became obnoxious to the people of the Province; yet His Majesty's then Attorney General having a seat in the House of Assembly, was found standing alone, voting against the repeal of the said law, from the year 1824 until the year 1829, both inclusive, and even after Sir John Colborne, in his speech at the opening of the first session of the tenth Parliament, recommended to both Houses of the Legislature the repeal of the said law, the said Attorney General voted against the repeal of the same, as if in defiance of the recommendation of His Majesty's Representative, and still continued to hold his office, and enjoyed his salary, until he was appointed Chief Justice and Speaker of the Hon. the Legislative Council, which took place in less than twelve months afterwards. Then again the measure for disposing of the Clergy Reserves for the purposes of education has, for the last eleven years, been loudly called for by the great body of the people, from one end of the province to the other, and for that purpose the representatives of the people have resorted to various measures, sometimes the passing of bills, and sometimes by a humble address to the King, and even in the last parliament not more than one in ten of its members could be found to oppose such a disposition, yet, notwithstanding the anxious wishes of the people, and notwithstanding the said disposition is fully authorised by the 31st Geo. 3rd., and notwithstanding His Majesty was most graciously pleased by His despatch transmitted to the Lieu-

tenant Governor of this Province, and by him transmitted to this House, on the 25th January, 1832, inviting the House of Assembly to consider how the powers given to the provincial Legislature by the said 31st of the King, can be called into exercise most advantageously for the spiritual and temporal interests of His Majesty's faithful subjects in this Province, His Majesty's present Sol. General has been constantly most violently opposed to the said measure, and, that too, in a very small minority—as also in the like predicament, during the present session, on almost every important question—and which measures he has been pleased to denounce as most unconstitutional and destructive of our form of government, thereby shewing his utter contempt, not only of the wishes of the people, but of His Majesty's express wish and desire.

We cannot but notice also the very extraordinary manner the said Solicitor General spoke of, and treated by his vote, the despatch of Lord Goderich, His Majesty's Principal Secretary of State for the Colonies, of the 8th November, 1832, recommending to the Government of this Province, various measures of reform which had been long sought for by His Majesty's faithful people in the Province:—Your Committee would not be understood as wishing by any means to deny the right of the advisers of the Provincial Government, or any other persons who may have seats in the House of Assembly, to express their opinions fully and independently, or to vote on any question as they may think proper and expedient; but Your Committee submit that in their opinion it is altogether incompatible with the spirit of our constitution that such advisers of government should continue to hold their offices and enjoy their salaries any longer than their views should be found to correspond with a majority of the representatives of the people, in great leading and constitutional questions, or that they should put themselves in a factious opposition to the just wishes of the people, and the advice of His Majesty's Government.

Your Committee have also examined the Journals of this House as well as those of the Honorable the Legislative Council, for the purpose of comparing the proceedings with the proceedings of the Legislative Council relative to various important measures loudly called for by the people, and calculated to advance their welfare and happiness. Your Committee would observe that this House who have labored incessantly during the present session for the accomplishment of various important measures, many of which have long been sought for by a large majority of the people; some of which have received His Majesty's gracious consideration and sanction, have passed and sent to the Hon. the Legislative Council, among others, the following bills:—To protect the agricultural interests of this Province from a ruinous foreign competition—to provide for the just and equal distribution of the property of persons dying intestate—to secure an impartial trial, by Jury, and to take from the Sheriff's, who hold their offices during pleasure, the power which they now possess of packing Juries—to relieve an excellent and meritorious class of His Majesty's subjects from burthens and penalties which are imposed by the Militia Laws of the Province, and which are oppressive on them, and which, in time of peace, are altogether unnecessary—to improve the system of our Common and District Schools, and to increase the public funds for their support—to amend the Charter of King's College, in conformity with His Majesty's gracious recommendations, and with the wishes which have at different times been strongly expressed by the people of this Province, so as to put that institution into operation on just and liberal principles—to provide for the sale of the Clergy Reserves, and the application of the monies arising therefrom to objects of common benefit and great utility to His Majesty's subjects in this Province, in accordance with His Majesty's gracious invitations, and with the well known and often expressed wishes of His Majesty's subjects—to promote the peace, freedom, and independence of elections of members of Parliament, by adopting the mode of voting by ballot—granting £100 per annum to the Grantham and Bath Academies; institutions of education established by the voluntary contribution of the people, and on liberal principles,—which bills have not been passed, and have not been amended by the Hon. the Legislative Council, and,

thereby the wishes and expectations of the great body of His Majesty's faithful people have been disappointed and their confidence weakened in the justice or wisdom of His Majesty's Government, or of the proper composition of that body whose interests and feelings do not correspond and accord with the interests and feelings of the great majority of His Majesty's subjects, and, therefore, stand in the way of the wishes of the people.

Your Committee beg to remark that it is impossible to suppose that such a state of things can much longer exist; that various important measures, long sought for by a vast majority of His Majesty's faithful people of this Province, and well calculated to advance their peace, welfare and prosperity and some of which have obtained the sanction and recommendation of His Majesty's Government, and that have been passed year after, by the representatives of the people, at a vast expense, shall be obstructed by the Legislative Council, which, although some of its members possess the confidence of the country and are entitled to their best thanks, for the most part is composed of bishops, priests and other ecclesiastics—the Chief Justice, and various other persons who, from the office they hold, are supposed to be altogether under the control and influence of the Executive Government, and a few advisers of the Executive Government, who have long lost the confidence of, and become most obnoxious to the people on account of their political opinions and sentiments, being opposed to the great body of His Majesty's subjects, and who do not follow the practice of England under the circumstances by resigning their situations as such advisers.

Your Committee beg leave to report an address to His Majesty on these important matters which they recommend to the favorable consideration of Your Honorable House.

All which is respectfully submitted.

PETER PERRY,  
CHAIRMAN.

Committee Room,  
Commons House of Assembly, }  
15th April, 1835.

No. 28.

ADDRESS to His Majesty on the subject of the Legislative Council.

To the King's Most Excellent Majesty.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly represent that we have applied ourselves with the greatest diligence, during the present Session of the Provincial Parliament to various subjects of great interest to our constituents; and altho' our proceedings have been unavoidably interrupted, to a degree altogether unprecedented, by the trial of controverted elections, and although many of the members of this House have labored under the disadvantage of having been without Parliamentary experience; yet the necessary measures on the subjects to which we have alluded have been brought to a satisfactory conclusion and completed as far as depended on this House, and have been sent to the Legislative Council. It is with no ordinary mortification and regret, however, that we find our exertions during a most laborious Session rendered unavailing in respect to most of these measures, by the rejection of them by the Legislative Council. Among such as have shared this fate are, bills, to protect the agricultural interests of this Province from a ruinous foreign competition:—to provide for the just and equal distribution of the property of persons dying intestate:—to secure an impartial trial by jury, and to take from the sheriffs who hold their offices during pleasure, the power which they now possess of packing juries:—to relieve an excellent and meritorious class of your subjects from burthens and penalties

which are imposed by the militia laws of this Province, and which are oppressive on them, and which in time of peace are altogether unnecessary:—to improve the system of our common and district schools, and to increase the public funds for their support:—to amend the charter of King's College, in conformity with Your Majesty's gracious recommendations and with the wishes which have at different times been strongly expressed to Your Majesty by Your faithful subjects in this Province, so as to put that institution into operation on just and liberal principles:—to provide for the sale of the Clergy Reserves, and the application of the monies arising therefrom to objects of common benefit and great utility to Your Majesty's subjects in this Province, in accordance with Your Majesty's gracious invitations and with the well known and often expressed wishes of Your Majesty's subjects:—to promote the peace, freedom and independence of elections of members of Parliament, by adopting the mode of voting by ballot: to grant one hundred pounds per annum for five years to the Grantham and Bath Academies; institutions of education established by the voluntary contribution of the people and on liberal principles.

All these measures, and others which we will not trouble Your Majesty with enumerating, have been rejected by the Legislative Council without amendment, and the labours of this House, during a Session which we think we may justly declare has been distinguished for unprecedented diligence and application to public business, almost entirely baffled and rendered useless by the course pursued by the Legislative Council. If there were any reason to hope that these difficulties could be obviated or materially diminished in future we should not trouble Your Majesty; but the experience of years convinces us, that on many subjects of great and general interest, there is such a disagreement of opinion between the Legislative Council, as now constituted, and the representatives of the people as to bring us to the conclusion, which indeed the Legislative Council itself has expressed in relation to one of the most deeply interesting of these subjects, namely:—that the Legislature of this Province cannot concur in any measure that will be satisfactory to Your Majesty's subjects in this Province. We are aware that Your Majesty has been officially informed, by His Excellency Sir John Colborne, that, "composed as the Legislative Council is, at present, the Province has a right to complain of the great influence of the Executive Government in it—That it consists of seventeen members exclusive of the Bishop of Quebec; that of these, "from accidental causes, not more than fifteen ever attend "to their Legislative duties; that thus out of the members "generally present, six are of the Executive Council and four "hold offices under the government; and that His Excellency "had therefore intimated his intention of recommending to "Your Majesty to increase the Legislative Council." And it was no doubt with a desire to remedy this evil, equally felt by the people and His Excellency, that Your Majesty has since added to their number. But it is our duty to assure Your Majesty that this change has not abated the evil of which we have such serious causes to complain, while it has on the contrary produced that further division of responsibility amongst its members which lessens the consciousness of individual accountability without establishing any community of feeling or sentiments of respect between them and the people.

We do not wish to advert to this unpleasant and mortifying condition of our public affairs in language that shall be disrespectful or offensive to the Legislative Council; nor do we presume to prescribe to Your Majesty what expedient should be adopted to afford relief in the premises to Your Majesty's dutiful and loyal subjects in this Province, who we are confident desire that Your Majesty's attention should be called to it, and that we should humbly leave it to Your Majesty's wisdom to apply a suitable remedy.

In connexion with this subject we feel bound to represent to Your Majesty that it is the earnest desire of Your Majesty's faithful subjects that Your Majesty's Government in this Province should be conducted by the advice of those who should be actually and practically responsible for their proceedings, and who would, as a consequence, be likely to re-

4 Report on progress of certain Bills sent to the L. Council.

commend and favor such public measures as may be most desired by Your Majesty's subjects, and in their opinion most conducive to their interests. We behold Your Majesty in the administration of the affairs of the great Empire which Providence has committed to Your Majesty's hands, graciously consulting the wishes of Your faithful people, as expressed by their representatives, in the choice of responsible advisers to manage, under Your Majesty, the affairs of the Government, and we have been accustomed to regard it as an essential and invaluable feature of the glorious constitution of our Mother Country. The same principle we wish to see applied in the practice of our Colonial Government; until that is done we cannot expect that the administration will give satisfaction to Your Majesty's subjects, or that there will be any real and permanent harmony between the Government and the Representatives of the people. It is true that we might withhold the annual grant for the support of the Government as a mark of our dissatisfaction with this state of things, and as a means of procuring redress, but being anxious to evince our forbearance and desire to avoid, as long as possible, contention and difficulty, as well as to shew our confidence in Your Majesty's paternal regard for Your faithful people in this Province and gracious attention to their constitutional rights; and being reluctant to resort to a measure which we are aware must greatly embarrass the Government, until all other constitutional means of seeking redress have been tried and proved unavailing, we have preferred thus to appeal to Your Majesty for Your Majesty's gracious and effectual interference in our behalf; and have, notwithstanding our just dissatisfaction with the existing state of things, and notwithstanding the pecuniary distress which prevails in the Province, granted, for the present year, the necessary supplies for the support of the Government, in the confident hope that effectual steps will immediately be taken for the removal of these obstacles to the peace, welfare and good government of the Province. When it is considered that the Ministers, who, sometimes in rapid succession, fill the Colonial Department under Your Majesty, are strangers to our Province, and too distantly situated to acquire, through channels, often contradictory and interested, a true and correct knowledge of the wants, wishes and genius of Your Majesty's Canadian people, the practical need of local responsibility becomes more apparent and imperious.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
15th day of April, 1835. }

On passing the above address the Yeas and Nays were as follows:

YEAS.

Alway,	Morrison,
Bruce,	Park,
Chisholm,	Perry,
Duncombe of Oxford,	Roblin,
Duncombe of Norfolk,	Rymal,
Durand,	Shaver,
Gibson,	Shibley,
Gilchrist,	Smith,
Lount,	Thorburn,
McIntosh,	Waters,
Mackenzie,	Wells,
McMicking,	Wilson,
Moore,	Yager,—26.

NAYS.

Brown,	Morris,
Caldwell,	Richardson,
McCrae,	Robinson,
McDonell of Glengarry,	Rykert,
McDonell of Northumberland,	Solicitor General,
McLean,	Walsh,
Macnab,	Wilkinson,—15.
Merritt,	

No. 29.

REPORT of the Select Committee appointed to search the Journals of the Honorable the Legislative Council on the progress made on sundry bills transmitted by the Assembly for the concurrence of that Honorable House.

To THE HON. THE COMMONS HOUSE OF ASSEMBLY.

The Select Committee, appointed by your honorable house to search the Journals of the honorable the Legislative Council, and report what proceedings have been had by that body on certain bills sent up from this house, beg leave to report as follows:—

“ An Act to amend the Jury laws of this Province.”  
[Passed 28th February, 1835.]

Monday, 2d March, read first time, ordered to be read a second time on Thursday, and to be printed.

Thursday 5th March, second reading—committed on the following Monday.

Monday 9th March went into Committee of the whole, the House resumed without reporting.

“ An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general education.”  
[Passed 4th March, 1835.]

Monday 9th March, read a first time, second reading on the following Monday—a call of the House and ordered to be printed.

Monday, 16th March, read a second time, referred to a Select Committee, composed of the Honorable Messrs. Clark, Archdeacon of York, Markland, Elmsley, and Crooks, with power to send for persons and papers.

Friday 20th March, the Select Committee made a first Report, and the bill together with the Report referred to a Committee of the whole on the following Thursday.

Thursday 26th March—The house went into Committee of the whole on the bill and Report—and reported certain resolutions, which were adopted, six of which resolutions were sent to the Commons House of Assembly.

April 4th—The Select Committee to whom the bill was referred, presented a further report, which was received and read, the report was referred to a committee of the whole on Wednesday next, and the report ordered to be printed.

Wednesday 8th April, discharged for to-morrow.

Thursday 9th April—The House went into Committee on the Report, and recommended the adopting it; which was ordered—it was referred back to the Select Committee with instructions to frame an Address to the King upon the subject.

Saturday 11th April—Committee report a draft of an Address, which was read, the house was ordered to be put into a Committee of the whole upon it, it was adopted and ordered to be engrossed and read a third time on Monday following.

Monday 13th April, read a third time and passed, the House waited on the Lieutenant Governor with the same on the 14th to which His Excellency replied.

“ An Act for the more equal distribution of the property of persons dying intestate.”  
[Passed 5th March, 1835.]

Monday 9th March, read a first time, and ordered to be printed.

Rep. of Select Com. on searching Journals of Leg. Council. 5

Thursday 12th March, read a second time—the House went into Committee on the 18th and rose without reporting.

“An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duty in time of peace.”  
[Passed 18th March, 1835.]

Wednesday 18th March, read a first time, 19th House went into Committee, 20th reported progress, and asked leave to sit again in three months.

“An Act granting to Adam Dixon of Moulinette, in the Township of Cornwall, certain privileges contained therein.”  
[Passed 26th March, 1835.]

Tuesday 31st March, read a first time and second time, committed to the whole, then referred to a Select Committee—Select Committee reported—the House went into Committee on the report, and rose without reporting.

“An Act to promote Education.”  
[Passed 31st March, 1835.]

Tuesday, 31st March, read first and second time—1st April ordered to be printed; on the 6th the House went into Committee, reported and referred the bill to Select Committee, who reported on the 9th April—the bill and report referred to a Committee of the whole on the 11th April, reported progress and asked leave to sit again on the 13th and rose without reporting.

“An Act to amend the Court of Requests Law.”  
[Passed 31st March, 1835.]

April 3rd, read first time, ordered to be printed, and read second time, on the 8th, committed on the 9th and rose without reporting.

“An Act to promote the freedom, peace and quiet of Elections of Members to represent the several Counties, Ridings, Cities, and Towns in this Province, in the House of Assembly, and further and more effectually to secure the independence of that House by adopting the mode of voting by ballot.”  
[Passed 2nd April, 1835.]

April 3rd, read first time, second reading on the 4th, ordered to be committed in three months.

“An Act to promote the freedom of Election in the County of Leeds.”  
[Passed 11th April, 1835.]

April 11th, read first time, ordered to be read a second time this day three months.

“An Act to amend the Police Laws of the Town of Prescott.”  
• [Passed 8th April, 1835.]

April 8th, read first time, second reading on the 9th, on the 10th Committee rose without reporting.

“An Act to impose a duty on various articles imported from the United States of America, into this Province.”  
[Passed 1st April, 1835.]

April 3rd, read first time, ordered to be printed—to be read a second time on the 6th—committed on the 7th and reported—bill referred to a select committee—on the 9th the House went into committee on the bill and report, and on the 10th committee rose without reporting.

“An Act to amend the Charter of King’s College.”  
[Passed 2nd April, 1835.]

April 2d, read first time, second reading on the 6th, committed on the 7th. Committee rose without reporting.

“An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province.”  
[Passed 7th April, 1835.]

April 7th, read first time, second reading on the 8th, committed on the 9th, reported progress and asked leave to sit again; committed again on the 10th, reported progress and asked leave to sit again—bill in progress.

“An Act for the regeneration of Dean S. Howard, for extra work performed by him in the execution of the Trent Bridge.”  
[Passed 8th April, 1835.]

April 8th, first reading, second reading on the 9th, committed on the 10th, and referred to a Select Committee on the 14th—ordered to be committed.

“An Act to make a grant to the Grantham and Bath Academies.”  
[Passed 10th April, 1835.]

April 13th, read first time, committed on the 14th, and rose without reporting.

“An Act relating to the granting of the waste Lands of the Crown.”  
[Passed 10th April, 1835.]

April 11th, read first time, moved for a second reading and lost.

“An Act to continue and amend an Act, providing a bounty for the destruction of Wolves in the several Districts of this Province.”  
[Passed 13th April, 1835.]  
Passed with amendments.

“An Act to grant the sum of £400 for the construction of a Bridge at Parrott’s Bay.”  
[Passed 9th March, 1835.]

March 9th, read first time, second reading on the 10th—committed on the 11th—reported and asked leave to sit again on the 18th—rose without reporting.

All which is respectfully submitted.

JOHN P. ROBLIN,  
CHAIRMAN.

Committee Room, House of Assembly, }  
15th April, 1835. }

No. 30.

ADDRESS TO HIS MAJESTY  
On the subject of United Empire Loyalists’ Claims.

TO THE KING’S MOST EXCELLENT MAJESTY,

MOST GRACIOUS SOVEREIGN:

We, Your Majesty’s dutiful and loyal Subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent, that on the fourth day

## Address to His Majesty on U. E. Loyalists' Claims.

of March, 1834, an Address passed this House to Your Majesty on behalf of a very meritorious class of Your Majesty's subjects in this Province, designated U. E. LOYALISTS, their sons and daughters, from their having undergone on account of their attachment to the British Crown the most unparalleled sufferings in their person and property, that we know of in the annals of any people, and taken up their residence on the invitation of their Sovereign in this Colony, and denominated, by way of distinction, U. E. Loyalists—the faith of the Government being pledged to them and their descendants, and those volunteers who comprised the Flank Companies of the Militia in this Province in the year 1812, who voluntarily took up arms in defence of the country when invaded by an enemy, and of that Provincial Regiment who distinguished themselves courageously and shed their blood for their Country and their King at the Battles of Detroit, Chippewa, and Lundy's Lane, and to them the faith of the Governor of Upper Canada was pledged, which was afterwards confirmed by His Majesty's Government. That in reply to an Address of this House to His Excellency the Lieutenant Governor, we are informed that no answer has been received to our said Address.—The same restrictions and conditions so unjust towards so deserving a class of Your Majesty's Subjects, and so injurious to the best interests of the Colony, still exist.

That in a letter addressed to His Excellency Sir John Colborne, by the Hon. George H. Markland, Inspector General of this Province, dated Toronto, May 15th, 1834, published throughout the Province, and during the present Session transmitted to this House by the Lieutenant Governor, it is stated "that the order of May, 1832, existed without being complained of until November last, it then became notorious, that the claims of the U. E. Loyalists were an article of traffic in the public market." It does not occur to us how it can be otherwise than lands should become "an article of traffic in the public market," when they are subject to such restrictions as necessarily compel those to whom they are granted, to dispose of them; conditions imposed on them being so ruinous as to make them utterly valueless to any but dealers in land. The records of the Council and the records of the Surveyor General's office shew that free grants of land not located have been, since the first settlement of the Province, an article of traffic in the public market, and that the Executive Council of this Province have not only recognized the sale from the original nominees, but have actually ordered the deeds to issue in the name of assignees or purchasers, and among the very many instances in which this has been done, some to the extent of ten thousand acres to one individual, and at one time.

And your faithful Commons deeply regret, that the Inspector General of this Province should not have fully informed himself of the fact, before giving publicity to his said letter. By an Act passed in the fourth year of the reign of your late Royal Father of glorious memory, entitled "An Act to afford relief to persons claiming lands in this Province under assignments from heirs, devisees or assignees of the original nominees of the Crown, in cases where no patent had issued, and for other purposes therein mentioned." The Commissioners being the Chief Justice, the Justices of the Court of King's Bench, and the Members of the Executive Council, have not only confirmed the sales, but the deeds from the Crown have in consequence issued to the purchaser or assignee.

The Council have uniformly recognized the assignments of

grants of land and the deeds have issued in the name of assignees, it never having been considered improper to buy lands unlocated any more than those located, until the Executive Council of this Colony first made the discovery—notwithstanding some of their predecessors in office have made large purchases in the same way, all of which were confirmed.

That although there may be instances where the original nominees have sold their grants at reduced prices to dealers in land—it has been altogether owing to the restrictions attached to the bounty of your Royal Father, of Glorious Memory, by the Executive Council of Upper Canada—restrictions that it was impossible for them to comply with, consequently they were reduced to the necessity of selling while valuable lands were yet to be had, or, keeping their rights, to so distant a period when the lands then to be had were of little or no value.

That it is the opinion of your faithful Commons the rights of dealers in land (till very lately recognized by the Executive Government, and the law of the land,) are and ought to be held as sacred as those of any other class of your Majesty's subjects.

Your faithful Commons therefore humbly pray that your Majesty will be pleased to direct that an answer will be given to their said address, and that your Majesty will further direct, that copies of all communications from and with the Executive Government of the Colony, together with the opinion of the Crown Officers on the subject of the aforesaid rights be laid before this House at its next session.

MARSHALL S. BIDWELL,  
*Speaker.*

Commons House of Assembly, }  
16th day of April, 1835. }

On the question for concurring in this address the yeas and nays were as follows :

## YEAS,

Messrs. Alway,	Messrs. Perry,
Bruce,	Roblin,
Chisholm,	Rykert,
Cook,	Rymal,
Duncombe of Oxford,	Shaver,
Duncombe of Norfolk,	Shibley,
Durand,	Smith,
Gibson,	Thorburn,
Lount,	Waters,
McIntosh,	Wells,
Mackenzie,	Wilson,
McMicking,	Wolverton,
Morrison,	Yager—26.

## NAYS.

Messrs. Brown,	Messrs. Merritt,
McCrea,	Morris,
M'Donell of Glengarry,	Richardson,
M'Donell of Northumberland,	Robinson,
McLean,	Solicitor General,
	Walsh—11.

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**REPORT**

**OF**

***SELECT COMMITTEE***

**TO WHICH WAS REFERRED THE SUBJECT**

**OF**

**THE CURRENCY.**

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## ORDERS OF THE HOUSE.

FRIDAY, 27th March, 1835.

“ On motion of Mr. Duncombe of Oxford, seconded by Mr. Chisholm,

“ Ordered, That there be now appointed by ballot, a committee of eleven members, upon the currency of this Province, with power to send for persons, papers, and documents, and with power to report thereon by bill or otherwise—and that the thirty-first rule of this House be dispensed with, so far as relates to the same.”

The ballot was then proceeded in, and the following names were drawn :

DUNCOMBE of Oxford,	ROBLIN,
THORBURN,	BRUCE,
MACKENZIE,	WATERS,
PERRY,	DURAND,
WELLS,	CHISHOLM, and
	GILCHRIST.—11,

“ WEDNESDAY, 15th April, 1835.

“ On motion of Mr. Duncombe of Oxford, seconded by Mr. Perry,

“ Ordered, That two thousand copies of the Report of the Select Committee to whom was referred the subject of currency, be printed, with the motions relative thereto, in pamphlet form, for the use of members—and that the Clerk do address them to the members during the recess.”

Truly extracted from the Journals of  
the Assembly of UpperCanada, of  
Friday, 27th March and Wednesday,  
15th April, 1835.

JAMES FITZGIBBON,

*Clerk of Assembly.*

**REPORT.**



To the Honorable the Commons House of Assembly in Provincial Parliament assembled.

The Committee upon Currency

Beg leave to submit their first report for the consideration of your Honorable House.

That they are of opinion that an increase of capital and of the circulating medium is loudly called for and absolutely necessary in this Province for the transaction of the business of the country, as the present Banking Establishments are altogether unable to meet the wants of this community. Your Committee would remark, that they have investigated the subject of Currency, as established in different countries, and they find that in those countries where the most restrictions have been laid upon the Currency of a country, and least competition has been allowed, the less permanently secure the establishments have been, and in the same proportion have the people suffered by loss of confidence in their Banks, and by unequal and improper discounts as well as frequent failures of Banks.

In the neighbouring country, the United States, private banking has been restricted and prohibited by law, and the whole banking business of the country is done by Chartered Banks, and to those Acts perhaps more than any other cause can be attributed the numerous failures that have occurred in that country, and the fluctuations in their Currency.

In Scotland private banking has long existed and fewer failures have occurred there than in any other part of the world; their Joint Stock Banking Companies embrace some of the following principles by which the public are quite secured and the institutions useful as Banks of Deposit and circulation, while the stock is above par, and proved to be a good investment.

In that country (Scotland) there are 17 Banks in which the number of Partners does not exceed 20 shareholders.

The National Joint Stock Bank has 1238 Partners.

The Commercial 521.

Aberdeen Town and County 446.

The Deposits in the Scotch Banks are said to amount to £24,000,000 Sterling, of which more than one half consists of sums from £10 to £200. A small interest is paid on these Deposits, and convertible into money on demand.

The Scotch Banks have branches conducted by Agents at a *fixed salary*, and they are made *responsible* for all bad debts—weekly returns of all their transactions are sent to the parent Bank, and loans above a *certain limit* are not permitted without prior reference to the Directors or Bill Committee of the Parent Bank.

Visiting Inspectors are also occasionally employed.

The Provincial Bank of Ireland has branches conducted by Agents with the additional machinery of local Boards as a Check.

Prior to 1759 the Bank of England had no Notes in circulation for less than £20, but in that year it began to issue ten pound notes.

In 1793 the issue of £5 notes commenced.

In 1797, after the Bank restriction Act had been passed, the issue of *one* and *two* pound notes took place.

The latest account of the comparative prices of the Joint Stock Banking Companies in England, Scotland and Ireland, is in July 1831, however they have reason to believe that the profits to the Company, security and convenience to the public given by these Banks have not been materially lessened since that period.

JOINT STOCK BANKS IN ENGLAND.

Birmingham Joint Stock Banking Company Dividends 10 per cent, 10000 shares of £50, £5 paid in price 8c 10 per cent premium, or above par.

Halifax	5,000 shares of £100, £20 paid in price 8c.	10
Huddersfield	5,000 do. of £100, £20 do.....	8c. 10
Lancaster	3,000 do. of £100, £10 do.....	5c. pr
L'pool & Man.	30,000 do. of £100, £10 do.....	1½c. 2
Manchester	20,000 do. of £100, £15 do.....	4½c. 5

JOINT STOCK BANKS IN SCOTLAND.

Bank of Scotland. Capital—£1,500,000.

Shares of £83 6 8 Div'd 6 per cent..... 150c. 2

Royal Bank of Scotland. Capital—£1,500,000.

Shares of £100..... 156.

British Linen Company. Capital—£500,000.

Shares of £100, 8 per cent..... 240c. 5

Commercial Bank. Capital—£3,000,000.

Shares of £500, £100 paid, 6 per cent..... 158c. 60

National Bank. Capital—£5,000,000.

Shares of £100, £10 paid, 5 per cent..... 13½c. 4pr.

JOINT STOCK BANKS IN IRELAND.

Provincial Bank. Capital—£20,000.

Shares £100 shares £25 paid, Dividend 5..... 13½ pr.

Hibernian Joint Stock Banking Company. Capital—£10,000.

Shares £100 shares, £25 paid, dividend 4.

## Report on Currency.

From the statement of the relation of these several Banks, Your Committee beg leave to recommend to the consideration of the Honorable Members of Your Honorable House, and through them to the Capitalists in this Province generally, the consideration of the following :

## SCHEDULE ON BANKING.

No. 1. Is a copy of a Circular from any person desirous of taking stock in the Joint Stock Banking Company in the county of Dover.

No. 2. Is a Circular in answer.

No. 3. Is an accompanying letter.

No. 4. Is an explanation respecting the security of the Proprietors of the Joint Stock Provincial Bank of Ireland.

No. 5. Provincial Bank of Ireland.

No. 6. Bank of Liverpool.

No. 7. Birmingham Banking Company.

No. 8. Plymouth and Devonport Banking Company.

No. 9. Abstract of the Constitution and objects of the Bank of Scotland.

No. 10. Contract of the Commercial Banking Company.

No. 11. Deed of Settlement of the Birmingham Banking Company.

No. 12. Contract of Copartnership of the Aberdeen Town and County Bank.

Your Committee beg leave further to Report, that they have examined the law relative to Banking and have taken the best legal advice upon the subject, and are fully satisfied that there is no law in force in this Province rendering the formation of Joint Stock Banking Companies illegal, and they are of opinion that a Joint Stock Bank, may be advantageously formed with a Capital of £500,000 in 50,000 shares at £10 each.

The establishment of Joint Stock Banking Companies has been proved, by their great success in various parts of the United Kingdom, to be of the most decided public utility.

Institutions of this description have existed in Scotland for upwards of one hundred years, and the experience of their benefit, amply proved before a Committee of the House of Commons, induced the Legislature of Great Britain in the year 1826, to pass an Act expressly for their encouragement in England.

It is now no longer doubted that Banking

Companies possessing an adequate capital advanced by an influential and affluent body of proprietors, are most admirably calculated to sustain public confidence in times of difficulty, and to confer extensive advantages upon the country at large.

A well conducted Company whose affairs are closely investigated by a Board of Directors, and the results annually submitted to the Proprietors, can never be injured or inconvenienced, in the very worst times, to the same extent that private establishments may be; for the known fact that they possess a well secured capital and have ample resources, would quiet the apprehensions of timid depositors and prevent the necessity of a sudden or ill-timed contraction of legitimate discounts.

To the proprietors of such a Bank it would scarcely fail to prove of equal advantage, as may be inferred from the success of other Companies of a similar character which have been established since the passing of the above named Act; the high premiums, borne without any known exception by their shares, afford the best criterion of the extensive utility and the profitable nature of such a joint and mutual system of Banking.

Your Committee are of opinion that the Commerce, Trade, population and wealth of this Province have of late years been advancing with such a steady progress as to require an increase of circulating medium, and having attentively considered the foregoing facts, they are decidedly of opinion that a Bank should be established upon the principle of a Joint Stock Company, as affording the best guarantee for permanent success. Your Committee wish it however to be clearly understood, that in recommending its establishment they are not actuated by any unfriendly feeling towards the present Banking Institutions, and that it is equally opposed to the interest of the country and design, that it should be conducted in a spirit of illiberal rivalry or hostile competition.

The following outline is submitted to the consideration of Your Honorable House and the Public, as the basis of such an establishment, subject to such modifications as the shareholders of such an institution determine on.

2. That the capital might be £500,000 to be raised in 50,000 shares of £10 each.

3. That a call of 10 per cent. per share, might be made, to be paid up as follows, viz. : 2 per cent on subscribing, 4 per cent on opening, and the remaining 4 per cent (of the 10 per cent) in six months. If further calls should be found desirable they might be made as the Directors might appoint, not exceeding 5 per cent in any three months.

4. That as soon as 10,000 shares should have been subscribed for, a general meeting of the stockholders might be called, for the purpose of appointing a Board of Directors, and making other requisite arrangements preparatory to the opening of the Bank; but the Provisional Committee should have power (if they think proper) to permit share-holders to pay up the last instalment sooner than the period above limited, and to allow interest thereon not exceeding 6 per cent; and such meeting should be called as soon as £50,000 could be realized as a starting capital.
5. That the superintendence of the concern might be confided to a Board of twelve Directors to be elected by the share-holders, annually, by ballot; and that no credit should be given or continued, contrary to the advice of a majority of the Board of Directors.
6. That the Directors might from among themselves select two, not actively engaged in business, who, in conjunction with the manager, or in his absence a sub-manager, might have the custody of the Bank Chest, containing the securities and surplus cash not required for immediate use, and the chief superintendence of the more private parts of the concern; especially those relating to bill transactions and applications for credit.
7. That the directors might appoint the managers, one or more sub-manager, the clerks, and the other officers of the Company, including Bankers, Brokers, and Agents in every District in this Province, or elsewhere as they shall deem expedient, and require security in such cases and to such extent as they might deem needful, according to their respective situations; and might have the sole power of removing any such parties or officers.
8. That no person should be eligible as a Director who may not be a subscriber for, and afterwards an actual holder of, at least 50 shares; and that every manager should be a holder of at least 50 shares; and every sub-manager of at least 25 shares.
9. That no person should be allowed to subscribe for more than 400 shares, except a manager, sub-manager, or other officer of this concern or partners in any Bank, who might agree with the Company to merge their establishments in the Institution, but in all such excepted cases the Directors might be authorised to negotiate the shares to be granted.
10. That the scale of regulating votes at general meetings should be 5 shares, one vote; 10 shares, two votes; 20 shares, three votes; 35 shares, four votes; 50 shares and upwards, five votes. Ladies and non-resident proprietors may give their votes by proxy, through the medium of any qualified share-holders.
11. That neither the Books of the Bank, nor any of the Bills nor securities which may pass through the same should be opened to the inspection of any but Directors, and officers of the establishment authorised by them or other persons duly appointed for a special purpose, in order that the credit and private transactions of individuals may be preserved inviolate.
12. That the accounts of the Company should be made up half-yearly and a general summary of them, without any specification of names and individual credits, should be laid before the proprietors at an annual meeting when a dividend founded on actual profits might be declared.
13. That a guarantee fund might be provided to meet extraordinary loss or emergencies by appropriating such part of the annual profits beyond six per cent on the paid up capital as might be agreed on.
14. That in the event of the loss of the guarantee fund and one-fourth of the paid up capital it may be in the power of any share-holder to dissolve the Company unless the share-holders think proper to continue the concern, in which case they should pay the dissentient the then value of his or her shares to be ascertained in case of difference by arbitration.
15. The capital of the Company might not in any case be invested in foreign loans, mining institutions or merchandize.
16. That a deed of settlement might be prepared containing all necessary clauses for the protection of the proprietors, and giving the Company a lien upon the shares of any proprietor on whose responsibility the directors may have felt themselves justified in making any advance.
17. That no transfer of shares should be made before the deed of settlement should be signed, nor until three calendar months after the same had been granted, nor at any time so as to release the share-holder or share-holders from his, her or their liability, for any thing done by the Company while he, she or they were share-holders, and that in all cases the Company might have a right of pre-emption of shares whenever the directors should consider the exercise of such a right beneficial to the concern.
18. That as the Company might contemplate the establishing of Branch Banks in the several Districts in this Province, and might be willing to negotiate with existing private Banks, who might be inclined to merge their concerns in the said Company, it might be important that 1000

shares should be reserved for sale by the Directors, at such times and to such persons as in their judgment could best promote the interests of this Institution, and the public generally.

Your Committee beg leave to call the attention of Your Honorable House to the propriety or impropriety of equalising the currency of this Province with that of the United States, by raising the value of British Gold and Silver to its intrinsic worth, and making Sovereigns a lawful tender in this Province.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
CHAIRMAN.

Committee Room, House of Assembly, }  
11th April, 1835. }



## APPENDIX TO REPORT

To the Provisional Committee for enquiring into the advantages of establishing a Joint Stock Banking Company in the County of Devon.

1831.

GENTLEMEN,

I have to acquaint you, that it is my intention to subscribe for shares in the County of Devon Banking Company provided it should appear to me, after a perusal of your Report, that such a Company may be constituted so as to unite great public security with limited personal liability, and that your plan does, in other respects, meet with that general and respectable support throughout the country which I consider necessary to the beneficial existence of the Company.

I am  
Gentlemen,  
Your obedient servant.

EXETER, 10th June, 1831.

At a private Meeting held at Exeter this day, the expediency of establishing a JOINT STOCK BANKING COMPANY, in this County was brought under consideration; and it having been admitted that such a Company, conducted under proper regulations, would be highly beneficial to the community, it was resolved to invite the friends of this measure, who should attend at the Royal Subscription Rooms on Friday the 17th June, to nominate a Provisional Committee, with a view to collect general and local information, to examine into the plans, practice, and success of similar companies, and afterwards to frame a report, and submit resolutions consequent thereupon.

It being desirable, however, that individuals should not be called upon to give any positive pledges of support, until the scheme is fully matured, it was determined that any application for shares addressed to the Provisional Committee when nominated, should be permitted to be withdrawn, provided the plan itself should not subsequently prove satisfactory to the applicant.

EXETER, 17th June, 1831.

A Public Meeting of Gentlemen favourable to the principle of Joint Stock Companies having taken place this day at the Royal Subscription Rooms in Exeter, a Provisional Committee of seventeen Gentlemen was put in nomination, with power to add to their number, and seven of them forming a quorum.

G. TRUSCOTT, *Chairman.*

PROVINCIAL BANK OF IRELAND, }  
LONDON, 18 }

I am instructed by the Court of Directors to give the following explanation in answer to inquiries respecting the extent and duration of the responsibility to which each individual Proprietor of Shares in the Society, established under the name of the *Provincial Bank of Ireland*, is liable.

The responsibility is twofold:—

One having for its object, security to the public for the engagements of the Bank.

The other having regard to the interests of the proprietors among themselves, as members of the same partnership.

The former is defined and regulated by the Act 6. Geo. 4. Chap 24.

The latter is regulated by the Deed of Settlement, dated August 1st 1825.

For the purpose of giving to the public unquestionable assurance and security, the Act of Parliament provides that all the proprietors shall, in any case of need, be liable jointly and severally for the engagements of the Bank, but by further provisions of the same Act, this liability is so regulated as to afford to the most sensitive, all the protection of their Interests which individual proprietors can reasonably desire.

By the provisions of the Act, the Bank can only sue and be sued by means of public officers. No proceeding can be originally instituted against any proprietor, but all proceedings must be instituted against one of the Public Officers, whose names must be annually registered for that purpose; and only one proceeding can be instituted for one cause of Action.

Until Judgment in any suit shall have been obtained against the Public Officer, there is no liability on the part of individual proprietors. It is only then that such liability commences, but under such regulations, that no proprietor can, in any imaginable circumstances, be subjected to personal loss beyond the extent of his shares. The Public Officer is obviously the proper person to whom recourse should be had, and the Act provides that the whole property of the Bank shall be liable for judgments obtained against such Officer. The Directors therefore, never will suffer execution to be sued out against the Public Officer, but must hold him indemnified, otherwise he would enforce his remedy against the Funds of the Bank under their management, as also against themselves.

The natural consequence is that, unless the funds of the Bank should be exhausted, no individual proprietor would ever be called upon.

But even supposing that, instead of having recourse to the Public Officer, execution should be sued out against any individual proprietor such proprietor would have redress against the funds of the Bank which he could obtain by means of the Public Officer, and have the same remedies that were possessed by the person who originally instituted the proceedings.

The course now mentioned applies to persons who may be proprietors at the time the execution is sued out.

With regard to those who have ceased to be proprietors before execution is sued out, the only case in which such persons can be liable, is, where the execution, against any actual proprietor at the time, has been ineffectual to procure payment. In that case recourse may be had against persons who were proprietors at the time the contract was entered into, in respect of which the judgment may have been obtained.—But it is provided by the Act, that in such a case, execution shall not be sued out, except by leave of the Court in which the judgment shall have been obtained, granted on motion, in open Court, of which motion, notice shall be given to the party sought to be charged; nor shall execution, under any circumstance whatever, be sued out against any person after the expiration of three years from the time when he shall have ceased to be a proprietor. No person, therefore, who has ceased to be a proprietor can ever be taken by surprise by any execution.

With regard to the latter description of liability mentioned in the outset, viz.—That of the proprietors as among themselves. By the provisions of the Deed of Settlement each proprietor is rendered only liable in proportion to the extent of his shares, and he is wholly exempt from liability from the moment a transfer of his shares shall have been completed.

For this purpose, the proprietors covenant to indemnify each other against all liability, except in proportion to the shares held by each; and also, that each proprietor shall be wholly exempt from the time he ceases to be a proprietor.

By the provisions of the Act therefore, a proprietor from the time of the sale of his shares, ceases to be liable for all future engagements of the Society. He is liable, for, three years only, for engagements contracted while he was a proprietor, (against which liability he was the guarantee, not only of the whole Funds of the Society, but also the private Estates of all the remaining proprietors,) and from the end of three years he is wholly free, although the Society and all the proprietors should be utterly bankrupts. By the provisions of the Deed of Settlement, this liability is rendered in extent to a liability proportioned to the number of shares, and in duration to the period of his continuing a proprietor.

On the whole when it is considered that the capital of the Bank is two millions, which has been fully subscribed; that one fourth part of that capital has been actually paid up; that the number of proprietors is about 800; that a great proportion of that 800 are persons of wealth and consequence; the real practical effect of the Act of Parliament and Deed taken together, is, that the individual responsibility of each proprietor is as before mentioned, strictly limited in extent to his number of shares, and in duration to the period of his continuing a proprietor.

I am

Your obedient servant,

Secretary.

### PROVINCIAL BANK OF IRELAND.

*Capital two millions.*

#### DIRECTORS.

Matthias Attwood, Esq. M. P.	William Medley, Esq.
Right Hon. Wm. Bagwell, M.P.	John Morris, Esq.
James Brogden, Esq. M. P.	Chas. Elton, Prescott, Esq.
G. R. Dawson, Esq. M. P.	T. Spring Rice, Esq. M. P.
Henry Douglas, Esq.	Rowland Stephenson, Esq.
Sir Robert Farquhar, Bart.	Mr. Alderman Thorp,
Ed. Fletcher, Esq. Devonshire Square,	W. H. Trant, Esq.
Sir Charles Flower, Bart.	Samuel Williams Esq. Finsbury Square,
W. Alex. McKinnon, Esq.	John Wright, Esq. Henrietta Street, Covent Garden.
T. P. McQueen, Esq. M. P.	
John Masterman, Esq.	

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#### AUDITORS.

John Fairlie, Esq.	Alfred Thorp, Esq.
S. E. Magan, Esq.	William Peate Litt, Esq.

#### SECRETARY.

Mr. T. Joplin,

#### ENGLISH SOLICITORS.

Messrs. Farriers, Atkinson, & Co.

#### IRISH SOLICITORS.

Messrs. P. & D. Marony.

#### BANKERS.

Messrs. Masterman, Peters, & Co.  
Messrs. Spooner, Attwood, & Co.

1. The object of this establishment is to give a more solid circulation to Ireland—to render money attainable by the merchants, manufacturers and others in such fair and equitable terms as may enable them to employ the population, which employment has hitherto been impeded by the very high rate of interest and the want of confidence in the circulation.

2. It is therefore proposed to assimilate the system of business in Ireland to that of the Scotch Banks, by establishing Branch Banks in Cork, Belfast, Waterford, Clonmel, Galway, Sligo, Kilkenny, Newry, Westport, Londonderry, and other places; each branch to be under the superintendence of wealthy and respectable resident Merchants, aided by an active and intelligent English Agent, as Cashier, who shall be thoroughly conversant both in the principles and detail of the Banking business, and who shall give the fullest security for the trust reposed in him.

3. Although the local Directors will be required, under pain of disqualification, to hold at least £2,500 stock of the concern, to identify themselves with its interests, it is nevertheless proposed to appoint an Inspector of first rate character and talents in the Banking business; to constantly visit the different branches of the establishment, to superintend their operations and report thereon to the board of management in London.

4. A second Inspector, resident in Dublin, and perfectly conversant, from his habits and occupation, with the Banking business, will, in conjunction with one of the Directors of the London Board, equally qualified, occasionally visit the different branches.

5. In fact, every possible precaution will be adopted by Check and Counter Check, and by a daily report of the operations from each of the branches to the general Board of Management, to arrange such a system of vigilance as shall prevent the probability of any practices going forward injuriously to the interests of the establishment.

6. The Company will confine themselves to the legitimate business of Banking in Ireland, and should it be deemed expedient, propositions for loans, and landed property, to a limited extent, will be entertained.

7. The present Directors to remain in office until 31st December, 1829, at which time four are to go out and thence forward the same number annually; but to be eligible for re-election by the Proprietors.

## Appendix to report on Currency.

## BANK OF LIVERPOOL.

*Capital two Millions and a half.*

## DIRECTORS.

Mr. Wm. Brown, <i>Chairman,</i>	Mr. George Holt,
Mr. Edward Wilson,	Mr. Joseph Hornby,
<i>Dep'y Chairman,</i>	Mr. Wm. Lawson,
Mr. Isaac Cooke,	Mr. William Pickering,
Mr. Wm. Donald,	Mr. Thomas Sands,
Mr. Alex. Gordon,	Mr. Wm. Stewart.
Mr. Adam Hodgson,	

At a general meeting of the shareholders held on the 17th day of March 1831, at the Clarendon-rooms,

William Brown, Esquire, in the Chair.

The Solicitor read to the meeting the Report of the Provisional Committee, which was as follows:

*To the Shareholders of the Bank of Liverpool:*

The time having arrived when the Provisional Committee must surrender their trust into the hands of Directors to be chosen by the Shareholders, the Committee will briefly communicate to you the result of their proceedings, and submit to you such Resolutions for the final establishment of the Bank as they consider to be necessary for that purpose.

So many Joint Stock Banks have lately been established in this country, (the success attending which however they do not now intend to dwell upon,) that the Committee have enjoyed the advantages of perusing the most approved Deeds of Settlement of existing Companies; and the Resolutions now to be proposed, which will form the basis of the Deed of Settlement of this Company, are the result of the deliberations of the Committee aided by those precedents.

The Resolutions which the Committee intend to submit to you for limiting the responsibility of Individual Shareholders, coupled with the provisions of the Act passed in 1826 which authorised the formation of Joint Stock Banking Companies, constitute, in the opinion of the Committee, a full and effectual protection of the Proprietors; and will render quite inconsiderable their individual liability.

The number of shares for which application have been made to the Provincial Committee is upwards of 18,000; and of this number they have gained 15,638. The remainder of the whole 25,000 shares into which the Capital Stock of the Company is divided, are intended to be left at the disposal of the Directors, to be by them appropriated in such manner as will best advance the interests and credit of the Company.

It is obvious that the success of the undertaking will mainly depend upon the Directors whom the Proprietors shall elect, and with whom will lie the appointment of a Manager and other officers. But the Committee see no reason to doubt that, under prudent management, and aided by the influence of a respectable proprietary, the Bank will enjoy an extensive and profitable business, and will yield to the Shareholders a fair return on the capital subscribed.

(Signed) WILLIAM BROWN,  
*Chairman of the Provisional Committee.*

Liverpool, March 14th, 1831.

The Report having been approved and adopted by the meeting, the following Resolutions were unanimously carried:

1st. That the establishment of this Company, under the title of "THE BANK OF LIVERPOOL," with a Capital of two millions and a half, is hereby confirmed; and that the Company shall forthwith commence and carry on the business of Banking.

2d. That the affairs of the Company shall be managed by twelve Directors; three of whom shall form a Board, and be competent to transact business.

3d. That the following gentlemen be, and are hereby appointed Directors of this Company, from the present time until a General Meeting of the Shareholders to be held in the month of September 1832, when three of them shall go out of office and be replaced by three others, to be chosen by the Shareholders, and the three retiring directors shall not be re-eligible for the ensuing year: Mr. William Brown, Mr. Isaac Cook, Mr. William Donald, Mr. Alexander Gordon, Mr. Adam Hodgson, Mr. George Holt, Mr. Joseph Hornby, Mr. William Lawson, Mr. William Pickering, Mr. Thomas Sands, Mr. William Stuart, Mr. Edward Wilson.

4th. That the Directors be and are hereby empowered to purchase, erect, or take suitable premises for carrying on the business of the Company; and they are hereby invested with full powers to manage, direct and carry on the business affairs of the Company, in all matters connected with Banking; and to appoint and employ Bankers, Brokers and Agents in London, and elsewhere, and Managers, Clerks and Servants, for managing and carrying on the business.

5th. That the Directors do forthwith cause a Deed of Settlement to be prepared for execution by the Shareholders, containing all such provisions as may be necessary for the welfare of the Company, and for the protection of individual Shareholders.

6th. That the remainder still unappropriated of the 25,000 shares, into which the Capital Stock of the Company is divided, shall be disposed of by the Directors in such manner as in their opinion will best advance the interest and credit of the Company; and that the Deed of Settlement shall provide that no proprietor shall be allowed to hold more than 500 shares.

7th. That a further payment of five pounds per share shall be made on signing the Deed of Settlement; and if any Shareholder shall neglect to pay such instalment when called for, together with interest at 5 per cent per annum, from the time to be appointed for payment, or to execute the Deed of Settlement, he shall thenceforth cease to be a Shareholder, and shall forfeit the sums previously paid by him. If additional calls shall be deemed requisite they shall be made as the Directors shall appoint, not exceeding £5 per share in any one year.

8th. That at every annual general meeting of the Company the Directors shall exhibit a Report shewing the result of an accurate balance sheet deducted from the transactions of the preceding year.

9th. That if at any time one-fourth of the paid Capital of the Company (above the reserved surplus fund) shall have been lost, the Directors shall, as soon after as practicable, call a Special Meeting of Proprietors, when any Stockholder may require the dissolution of the Company, and the same shall be dissolved accordingly, unless two-thirds in number of votes of the Proprietors then present shall be desirous of continuing the Institution; which they shall be at liberty to do, upon paying to the retiring Proprietors the then value, accurately ascertained, of their respective shares.

10th. That the Report of the Provisional Committee together with the foregoing Resolutions, be published in such Liverpool and other Newspapers as the Directors may deem proper, and a printed copy of them sent to each proprietor.

(Signed) WILLIAM BROWN,  
CHAIRMAN.

Mr. Brown having left the Chair, it was unanimously Resolved,

11th. That the thanks of the Meeting be given to Mr. Brown for his efficient conduct as Chairman.

12th. That the thanks of the Meeting be given to those gentlemen who have acted on the Provisional Committee.

By order.

THOMAS HARVEY,  
Solicitor.

### BIRMINGHAM BANKING COMPANY.

CAPITAL £500,000, in 10,000 SHARES OF £50 EACH.

A Joint Stock Banking Company having been established calling itself "The Manchester and Liverpool District Banking Company," which proposes to form Branch Banks throughout a very extensive district, comprising not only Manchester and Liverpool, but also Preston, Bolton, Blackburn, Rochdale, Oldham, Stockport, Macclesfield, Leek, Hanley, Chester, Warrington, and other neighbouring towns and the parties forming the Company having come to a resolution to establish a Bank in Birmingham, it appears to many inhabitants of Birmingham that the trade and importance and wealth of that town and its neighbourhood, are quite sufficient to establish and maintain a Joint Stock Bank of its own, without connection with any other parties. And it further appears that such a Bank, if established in Birmingham, and conducted on liberal principles would tend greatly to the advantage of the Mercantile and other classes of the town and neighbourhood, and afford a sufficient remuneration to the parties whose capital might be employed; subscriptions were entered into, and at a Meeting held at the Royal Hotel, Birmingham, on the 15th day of September, 1829,

CHARLES SHAW, Esq. in the Chair.

It was resolved,

That upwards of 5000 shares having been subscribed for, the Company be now formed, and that the following regulations be adopted.

A deed of Settlement shall be prepared, containing all necessary clauses for the protection of the proprietors, and giving the Company a lien upon the shares of any proprietor, on whose responsibility they may have made any advance.

Twelve Directors to be elected by a majority of votes at the first meeting of proprietors, who shall undertake the superintendence of the concern, out of which number three gentlemen, not actively engaged in business, shall be selected to take the principal management, and shall be called the Bill Committee, to whom the Bills passing through the Bank, shall be submitted.

Three of the Directors shall go out annually by ballot among themselves, and their places shall be supplied at the annual general meeting; but the persons retiring shall be eligible for re-election.

No transfer of shares to be made before the deed of settlement is signed, nor at any time without the consent of a majority of the Directors present at their usual meetings, or at some meeting called for that purpose.

That no person holding less than 50 shares shall be eligible for a Director.

The scale for regulating votes at general meetings shall be, 10 shares, 1 vote; 40 shares, 2 votes; 70 shares, 3 votes; and 100 shares and upwards, 4 votes.

The Directors shall appoint the several officers of the Company, and require of them such security as they may deem needful, according to their respective situations.

No credit to be given or continued contrary to the advice of the Directors.

The funds of the Company shall not be in any instance invested in foreign loans, mining institutions, or articles of merchandise.

The accounts of the Company shall be made up twice in every year, namely on the 30th of June, and the 31st December; and a general summary of them shall be laid before the proprietors, at a meeting to be called for the purpose,—and after paying the proprietors 5 per cent. on their paid up capital, a proportion of the surplus profits shall be added from time to time to increase the capital of the company, as may be hereafter agreed upon.

Neither the books of the Bank, nor any of the Bills or securities which may pass through the same, shall be open to the inspection of the proprietors in general.

In the event of the Company losing its surplus profits and one fourth of the paid-up capital, it shall be in the power of any shareholder to have it dissolved, unless other shareholders think proper to continue the concern, in which case, they must pay over to the Dissentients the then value of their shares.

It was further resolved,

That the following gentlemen be appointed Directors, with power to add to their number, viz.: Messrs. Charles Shaw, William Chance, Joseph Frederick Ledsam, Daniel Ledsam, John Mabson, Edward Eagle, Joseph Walker, Thomas Small, James Bellis, and John Turner, and that they be requested to make the necessary arrangements for commencing business on the 1st of October next.

That the Bank of England and Sir James Esdaile & Co. be appointed Bankers to the Company, and that the Directors be authorised to open an account with any other house if they think expedient.

That Mr. Joseph Gibbons be appointed Principal Agent or Manager, and that the Directors be authorised to treat with him for the surrender of his present establishment, on such terms as they shall deem it expedient.

That Messrs. Arnold and Hains be appointed Solicitors to the Company.

That a deposit of £1 per share be forthwith paid to the Manager; £4 per share to be paid to the Bank, on the first day of October next; and a further sum of five pounds per share whenever the Directors may think proper to call for it. If further calls should be found desirable, they shall be made as the Directors may appoint not exceeding £5 per share in any one year.

That the shares remaining in the hands of the Company shall be appropriated at the discretion of the Directors, having due regard to the interest of the Company; and that no individual be allowed to hold more than 100 shares, except Mr. Joseph Gibbins, as Manager and except in cases of parties becoming entitled by bequest.

That a copy of the resolutions of this meeting do lie at the Bank, and at the office of our Solicitors for the inspection of all Shareholders.

At a meeting of the Directors of the Birmingham Banking Company, held on the 25th day of September, 1829,

It was resolved,

That in order to afford to the Shareholders and the public, every possible security against their bills being exposed to the scrutiny of individuals who might prejudice their interests, a meeting of the proprietors be called, as early as possible to fix on three Directors to act as a Bill Committee in conformity with the regulations adopted at the General Meeting; and at the same time to elect two Directors in lieu of Messrs. J. F. Ledsam and Thomas Small who have declined acting.

## PROSPECTUS OF THE PLYMOUTH AND DEVONPORT BANKING COMPANY.

*Capital £300,000 in 3,000 shares of £100 each.*

The establishment of Joint Stock Banking Companies has been proved by their great success in various parts of the United Kingdom, to be of the most decided public utility.

Institutions of this description have existed in Scotland for upwards of 100 years, and the experience of their benefits, amply proved before a Committee of the House of Commons, induced the Legislature of Great Britain, in the year 1826, to pass an Act expressly for their encouragement in England.

It is now no longer doubted that Banking Companies possessing an adequate Capital advanced by an influential and affluent body of Proprietors, are most admirably calculated to sustain public confidence in times of difficulty, and to confer extensive advantages upon the country at large.

A well conducted Company, whose affairs are closely investigated by a Board of Directors, and the results annually submitted to the proprietors, can never be injured nor inconvenienced, in the very worst times, to the same extent that private establishments may be, for the known facts, that they possess a well secured capital, and have ample resources, would quiet the apprehensions of timid depositors, and prevent the necessity of a sudden or ill timed contraction of legitimate discounts.

To the proprietors of the proposed concern it can scarcely fail to prove of equal advantage as may be inferred from the success of other Companies of a similar character, which have been established since the passing of the above named Act; the high premiums, borne without any known exception, by their shares, afford the best criterion of the extensive utility and the profitable nature of such a joint and mutual system of Banking.

Many gentlemen have long been of opinion, that an eligible opening presents itself for an additional Bank in this District, the commerce, trade, population, and wealth of which, have of late years been advancing with such a steady progress, and having attentively considered the foregoing facts, they are decidedly of opinion that it should be established upon the principles of a Joint Stock Company, as affording the best guarantee for permanent success. The originators of this institution wish it however to be clearly understood, that in its establishment they are not actuated by an unfriendly feeling towards either of the respectable Banks existing in these towns or in their vicinity, and that it is equally opposed to their interest and design, that it should be conducted in a spirit of illiberal rivalry or hostile competition.

The following outline is submitted to the consideration of the public, as the basis of such an establishment, subject to such modifications as the proprietors may hereafter determine on.

1. That the Bank shall be called "The Plymouth and Devonport Banking Company.

2. That the Capital be £300,000 to be raised in 3,000 shares of £100 each.

3. That a call of £20 per share shall be made, to be paid up as follows, viz: £2 on subscribing, £10 on opening, and the remainder in six months. If further calls should be found desirable, they shall be made as the Directors may appoint, not exceeding ten pounds per share in any one year.

4. That as soon as 2000 shares shall have been subscribed for a general meeting of the stockholders shall be called for the purpose of appointing a Board of Directors and making other requisite arrangements preparatory to the opening of the Bank; but that the Provisional Committee shall have power, (if they think proper) to permit shareholders to pay up the last instalment sooner than the period above limited, and to allow in-

terest thereon: and in case such meeting shall be called as soon as £30,000 can be realised as a starting Capital.

5. That the superintendence of the concern shall be confided to a Board of seven Directors, to be elected by the shareholders, with power in such Directors to add two to their number, if they shall deem it necessary, and that no credit shall be given or continued contrary to the advice of a majority of the Board of Directors.

6. That the Directors shall from among themselves select two, not actively engaged in business, who, in conjunction with the manager, or in his absence a sub-manager, shall have the custody of the Bank Chest containing the securities and surplus cash not required for immediate use, and the chief superintendence of the more private parts of the concern, especially those relating to bill transactions and applications for credit.

7. That the order in which the Directors shall stand in the list shall be determined in the first instance by lot, and the first three on the list shall go out annually by rotation, but may be re-elected.

8. That the Directors shall appoint the Manager, one or more sub-managers, the Clerks and the other officers of the Company, including Bankers, Brokers and Agents, in London or elsewhere; and require security in such cases, and to such extent as they may deem needful, according to their respective situations; and shall have the sole power of removing any such parties or officers.

9. That no person shall be eligible as a Director who is not a subscriber for, and afterwards an actual holder of at least 15 shares, and that every manager shall be a holder of at least 15 shares, and every sub-manager of at least 10 shares.

10. That no person shall be allowed to subscribe for more than 50 shares except a Manager, Sub-manager or other officer of this concern, or partners in any Bank, who may agree with the Company to merge their establishments in this; but in all such excepted cases the Directors shall be authorised to negotiate the shares to be granted.

11. That the scale for regulating votes of General Meetings shall be 5 shares 1 vote—10 shares 2 votes—20 shares 3 votes—35 shares 4 votes—50 shares and upwards 5 votes. Ladies and non-resident proprietors may give their votes by proxy, through the medium of any qualified shareholders.

12. That neither the Books of the Bank, nor any of the bills nor securities which may pass thro' the same shall be open to the inspection of any but Directors, and officers of the establishment, authorised by them or other persons duly appointed for a special purpose, in order that the credit and private transactions of individuals may be preserved inviolate.

13. That the accounts of the Company shall be made up half-yearly, and a general summary of them, without any specification of names and individual credits, shall be laid before the proprietors at an Annual Meeting, when a dividend founded on actual profits shall be declared.

14. That a Guarantee fund shall be provided to meet extraordinary losses or emergencies, by apportioning such parts of the annual profits beyond 5 per cent on the paid up capital as may hereafter be agreed on.

15. That in the event of the loss of the guarantee fund and one fourth of the paid up capital it shall be in the power of any shareholder to dissolve the Company unless other shareholders think proper to continue the concern, in which case they shall pay the dissentient the then value of his or her shares, to be ascertained, in case of difference, by arbitration.

16. The Capital of the Company shall not in any case be invested in Foreign Loans, Mining Institutions, or Merchandise.

17. That a Deed of Settlement shall be prepared containing all necessary clauses for the protection of the proprietors, and giving the Company a lien upon the shares of any proprietor on whose responsibility the Directors may have felt themselves justified in making any advance.

18. That no transfer of shares shall be made before the Deed of Settlement is signed, nor until 12 calendar months after the same have been granted, unless under peculiar circumstances, nor at any time without the consent of a majority of the Directors present at any one of their Annual Meetings, or at a Special Meeting called for that purpose; and that in all cases the Company shall have a right of pre-emption of shares whenever the Directors shall consider the exercise of such a right beneficial to the concern.

19. That as this Company contemplates the establishment of Branch Banks in other places where promising openings may present themselves, and will be willing to negotiate with existing private Banks who may be inclined to merge their concerns in this Company, it is important that 1000 shares should be reserved for sale by the Directors, at such times and to such persons as in their judgment will best promote the interests of this institution.

*Plymouth, 5th October, 1831.*

At a Select Meeting of some of the principal Gentlemen, Merchants, Manufacturers, and Traders of Plymouth and Devonport, held this day at the Mechanics' Institute.

William France, Esq. in the Chair.

The above Prospectus having been discussed, modified, and approved of, subject to future reconsideration, and ample details having been given of the great success of similar institutions in various parts of the United Kingdom.

It was unanimously Resolved,

That the establishment of a Joint Stock Banking Company in Plymouth, with branches at Devonport and in the neighbouring towns where eligible openings may present themselves, promises, under good management, to be productive of great advantage to the community of this District, as well as to the shareholders.

That a Provisional Committee be now formed consisting of the following gentlemen, with power to add to their number, viz :

Messrs. France,  
Joseph Treffry,  
David Derry,  
George Fox,  
J. N. Tanner,  
Downe,  
W. Baron,  
W. H. Evens,

Messrs. Wm. Burnell, Jun'r,  
Thomas Adams,  
Rundell, } Devon-  
Hancock, } port,  
Ramsay, }  
John Moore, and  
Frederick Bone.

That the above Committee be empowered to revise the Prospectus, if they shall think it necessary—to receive and report on applications from persons wishing to take shares—to collect further information—to open negotiations with the partners of existing Banks who may be disposed to treat—and to report their proceedings to another meeting, to be called as soon as they may deem it expedient.

(Signed) WILLIAM FRANCE,

*Chairman.*

At Meetings of the Provisional Committee, held on the 10th and 17th of October, the following gentlemen were added to their number, viz : Messrs. C. Tripe, Moses Jeffery, and James Gilbard, of Devonport, and William Stuart, of Plymouth.

## ABSTRACT OF THE CONSTITUTION AND OBJECTS

### OF THE Bank of Scotland.

I. The Bank of Scotland is a Public National Establishment; erected and regulated by the Legislature alone, and expressly as a public bank in this kingdom; for the benefit of the nation and for the advancement of agriculture, commerce, and manufactures; and for other objects of public policy.

Wm. Parl. I. sec. 5.  
14 Geo. 3. chap. 32.  
24 Geo. 3. chap. 3.  
32 Geo. 3. chap. 25.  
34 Geo. 3. chap. 19.  
44 Geo. 3. chap. 23.

II. The statutory capital is at present one million and a half of pounds sterling. It is raised by voluntary subscription, and has been subscribed for. One million has been called for, and paid in.

44 Geo. 3. chap. 23.

III. Subscribers, if not under obligation to the bank, may at pleasure transfer their right. If under obligation to the bank, the obligation must be previously liquidated, or the proceeds of the sale, at a price to the satisfaction of the directors must be applied towards such liquidation. Transfers are made by a short assignment and acceptance thereof, both in a register appointed for that purpose. The expense besides the government stamp is eleven shillings.

Wm. Parl. I. sec. 5

IV. Bank of Scotland Stock may be acquired in any portions by any person, community, or other lawful party whatsoever; without selection, exclusion, or limitation of numbers.

Wm. Parl. I. sec. 5

V. Bank of Scotland Stock may be conveyed by latter Will, and if specially mentioned, without expense of confirmation. It cannot be arrested: The holders right may be adjudged. Dividends may be arrested.

Wm. Parl. I. sec. 5.  
44 Geo. 3. chap. 23.

VI. The Bank of Scotland is a public corporation by act of parliament. The Bank transactions are distinct from those of the stockholders; and theirs from those of the Bank.

Wm. Parl. I. sec. 5.

VII. The establishment is expressly debarred from any other business than that of banking.

Wm. Parl. I. sec. 5.

VIII. The management is vested by statute, in a governor, deputy governor, twelve ordinary and twelve extraordinary directors. They are chosen annually on the last Tuesday of March by the stockholders having £250 of stock or upwards. Those above £250 have a vote for every £250; to £5000 or 20 votes. No person can have more than 20 votes. The governor must hold at the least, £2000 of stock; the deputy governor £1500; and each director £750. They swear to be equal to all persons: and cannot hold any inferior office in the Bank.

Wm. Parl. I. sec. 5  
14 Geo. 3. chap. 32.  
44 Geo. 3. chap. 23.

IX. The executive part is conducted by a treasurer, secretary, and other public officers all sworn. Those having the official charge of cash find due security.

Wm. Parl. I. sec. 5

X. The board of directors sits for the general administration of the Bank, at the Bank's public head office, in Edinburgh. The local business of that district is also conducted at that office, for the local business in the other parts of the kingdom,—the Bank has its regular public offices in the principal towns.—At each of these offices, there is the bank agent or cashier, who gives the due security, and conducts the Bank's business for that district, in the manner after mentioned.—There is also the Bank's accountant for that office, who is appointed by the directors.

Wm. Parl. I. sec. 5.

XI. The Bank takes in money at all its public offices, on deposit, receipts, or pro-

## Appendix to report on Currency.

missory notes, or on current deposit account. At the head office, drafts on London, or on any of the agencies, are given. At each agency, drafts on London, or on the head office are given. All these documents are on the Bank's check, and sealed with the Bank's seal. They bear in words to be "For the Bank of Scotland," or "For the Governor and Company of the Bank of Scotland."—These documents are signed, if at Edinburgh, by the treasurer, and countersigned by the principal accountant; if at any agency, they must be signed by the Bank's agent as agent, and countersigned by the Bank's accountant for that agency, otherwise they infer no obligation on the bank.

Resolution of Court  
28th Feb'y 1793.

XII. Bills on London, Edinburgh, or any town where the Bank has its official correspondents, are discounted and purchased at all the Bank's public offices. The Bank's agents judge in ordinary cases of the bills presented, so that parties meet with no delay. The Bank does not sell at any of its offices the bills which it has discounted and purchased. Its agents cannot endorse its bills, unless officially to the treasurer.

Resolution of Court  
23rd Feb'y 1789.

XIII. Government stock and other public funds transferable in London, may be purchased, or sold, and dividends thereon may be received through the Bank.

XIV. The Bank gives credit on cash accounts at any of its offices, on bond with security. This security may be personal co-obligants conjunctly and severally; or Bank of Scotland stock, or both; or such other security as may be specially agreed on. Applications for cash accounts are given in to the office where the cash accounts are granted, and must specify the credit desired, and the security proposed, and the individual partners, where co-partners are proposed. Cash accounts are granted by the directors only, and are not recalled unless by their special authority. It is understood that these credits are not used as dead loans, to produce interest only. In the fair course of business, the advantage of the Bank is consulted by an active circulation of its notes and by frequent re-payments to it in a way least affecting that circulation.

Resolution of Court,  
23rd Feb'y 1789.

XV. The Bank's dividend of profits has for some time been nine and a half per cent. per annum, on that part of its capital stock, or one million of pounds sterling paid in.—The dividends are paid regularly twice a year, without expense. They may be drawn either at the Bank's head office, or at any of its other offices, as most agreeable to the stockholder.

Published by order of the Court  
of Directors.  
Reprinted 6th November, 1818.

### First Contract

OF THE

## Commercial Banking Company

IN

### ABERDEEN.

We, the persons after named and designated, and hereunto subscribing, in consideration of the mutual trust and confidence we repose in one another HAVE UNITED, and do by these presents UNITE and JOIN ourselves into a Society or Company, for carrying on in Aberdeen a joint trade and business of BANKING, by issuing Notes of hand, payable at our office in Aberdeen leading money on cash accounts, bills, or other securities, purchasing bills of exchange, discounting inland bills or notes, and negotiating and transacting all matters and things, connected

with or dependent on the said business of Banking, all under the firm, name, and designation of "THE COMMERCIAL BANKING COMPANY," and that for the full space and term of NINETEEN years from and after this twenty-fifth day of September, in this present year, one thousand seven hundred and eighty-eight, which is hereby declared to be the time of commencement of this Partnership. And toward establishing a stock or capital for carrying on that business, we do each of us severally for our own parts BIND and OBLIGE ourselves, our heirs, executors, and successors whatsoever, to contribute and pay the respective sums of money under written, in manner after-directed, viz: John Abercrombie, Junior, Merchant, and present Provost of Aberdeen, two thousand pounds; Francis Leys, of Glasgow forest, Merchant in Aberdeen, two thousand pounds; William Young, Merchant in Aberdeen, two thousand pounds; William Forbes, Merchant in Aberdeen, two thousand pounds; James Young, Merchant in Aberdeen, two thousand pounds; Alex. Brebner, younger, of Lairnie, Merchant in Aberdeen, two thousand pounds; Alexander Martin, of Nellfield, two thousand pounds; James Hadden, Merchant in Aberdeen, four thousand pounds; and Thomas Leys, younger, of Glasgow forest, Merchant in Aberdeen, four thousand pounds, all Sterling money; which several sums, making in whole twenty-two thousand pounds Sterling, we hereby declare to be at present the Capital Stock intended by us for carrying on and prosecuting the foresaid business of Banking; but which Capital Stock may be increased and augmented, if found necessary, in manner hereinafter specified.—During which space of nineteen years, at least so long as the said Company shall subsist undissolved, in terms of article eighteenth, hereinafter inserted, WE, the said parties BIND and OBLIGE ourselves, our heirs, executors and successors, mutually, severally, and respectively, to comply with, perform, and fulfil, the following conditions, regulations and declarations, viz:

*First.*—That each Capital Share of the said Co-partnership Stock shall be two thousand pounds Sterling, and no partner shall be allowed to hold more than one share, (except the saids James Hadden and Thomas Leys, who are to hold two shares each until the execution of the transfers aforementioned,) and that the several shares shall be held by individuals only, and not in the name of any Company. Such partners as hold two thousand pounds of the Stock of the Company shall be entitled to vote and act in the ordinary and occasional meetings of the partners, as well as in the general meetings, they shall be denominated acting partners, and never reduced to a lesser number than nine, or if reduced, new ones sufficient to make up that number shall be admitted in manner aftermentioned. The whole business shall be carried on under their immediate superintendence, and any three of them shall be a quorum; but no partner holding less than two thousand pounds of the Capital Stock shall be entitled to act in the ordinary administration of the business, or vote at any meeting, except at the general meetings as hereafter provided for, and they shall be denominated acceding partners.

*Second.*—Each partner hereby becomes bound to pay into the hands of the Cashier for the Company, his share of the Capital Stock, at such times, and by such proportions, as a majority of the acting partners shall direct, by an order to be made and entered in the Company's sederunt book, with one-fifth part more of each sum so appointed to be paid in name of penalty, in case of failure and legal interest of the said sums from the times appointed for the payment, until the actual payment thereof such order being always intimated by the Cashier for the time within three days of its date, to each partner, by a missive letter subscribed by him; and if any partner shall fail to make payment of the sums to be called for in manner above mentioned, within thirty days after the day fixed for payment, with legal interest from the day so fixed, then it shall be in the power of a majority of the acting partners, either to do diligence for the sum appointed to be paid, or otherwise in their option to declare by a minute to be made and signed in their sederunt book, that the partner so failing to pay has forfeited his interest in the Company, and from thenceforth he shall not be considered as a member of it, the Company in that case paying to him the sums standing at his credit, at the last balance in the Company's books, if any balance has then taken place, or if no balance has taken place, repaying to him what part of his share of the Capital Stock may have been contributed and paid in by him, with deduction always of such sums as he may be indebted to the Company, and also of an adequate consideration for the expense of ingathering and insuring the outstanding debts of the Company; it being understood and hereby declared, that the Company shall not be obliged in such case to call in their notes in circulation, or to give the party so failing any allowance for such of their notes as may be lost, and that he shall, upon receiving such payment, be bound to execute and deliver to the Company a formal discharge and renunciation of his interest in the partnership.

*Third.*—That it shall be in the power of two-thirds of the acting partners, at any time during the first five years from the commencement of the present contract, to increase the Capital Stock of the Company to thirty-two thousand pounds st'g, by admitting other partners to hold fractional shares not exceeding one thousand pounds Sterling each. That these partners shall be denominated acceding partners; they shall be bound by a separate contract or deed of accession to the present contract, to comply with, and perform the whole conditions of this contract, and they shall be entitled to a share of the profits, and shall suffer losses in proportion to their interest in the Stock, but shall not be entitled to act in the ordinary administration of the business, or vote at any meeting, except the general meetings hereinafter provided for.

*Fourth.*—If it shall be found expedient in prosecution of the business, still further to increase the Capital Stock, it shall be in the power and option of partners holding two thirds of the Capital Stock of the Company at the time, to add to the same at the expiry of every five years during the subsistence of this contract the sum of four thousand pounds sterling, by admitting as many partners as will be sufficient to raise the same, in shares of two thousand pounds sterling each, or such lesser shares as may be agreed on, under the conditions and restrictions mentioned in the preceding article; but no addition whatever is to be made either to the Capital Stock of the Company, or to the number of partners, without the express concurrence and consent of the proprietors of two thirds of the Stock at the time, in writing, entered in the sederunt book of the Company.

*Fifth.*—That the Stock of each partner of the said Company shall in the first place be subject to the debts due by him to the Company, and to such claims as may be competent to them against him, which shall be preferable thereon to every other claim, and this preference shall not be disappointed by any Deed of his or diligence whatsoever.

*Sixth.*—That no share in the partnership hereby contracted shall be attachable by arrestment, sequestration, or other legal diligence, so as to vest such share in the person of any creditor, but that in the event of diligence being used for attaching any share in it, the Company shall only be obliged to pay to the creditor or creditors using such diligence, the sums standing at the credit of the partner against whom the diligence has been used at the date of the balance of the Company's books immediately preceding, with legal interest from and after the date of such balance, with the deductions and under the conditions and declaration specified in article second; providing always, that the Company shall only be liable for interest on the value of such share for six months after an arrestment is used, or a sequestration is intimated, and no longer.

*Seventh.*—If any partner of the Company shall by any Deed under his hand, nominate the person whom he shall intend for his successor in his share of this partnership, and shall in his life time deliver in such nomination to the Company, and obtain the nominee approved of by two thirds of the acting partners of the Company, and their approbation entered in the sederunt book, the person so named shall, on the death of the partner naming him, be entitled to be received as partner in his place; and if any partner after having made a nomination, and got the same approved of as above, shall think fit to alter it, and name another person for his successor in his share, he shall be at liberty so to do, and in case the Deed containing such alteration shall be given in to the Company, and the new nominee approved of as above, such new nominee shall be entitled on the death of the partner naming him, to be received as a partner in his place, but not otherwise, it being always in the power of the partner making such nominations to revoke the same altogether, at any time during his life, but in case no such nomination shall be made, approved of, or being made shall be revoked, the heirs at law or representatives of the partner deceasing shall only be entitled to receive from the Company the value of the defunct's share as the same shall stand ascertained by the balance of the company's books immediately preceding the decease of such partner, to be paid at the expiry of six months after the decease of the partner, with the legal interest thereof from and after the date of said balance until payment, if uplifted, within six months from the day it becomes payable; and the company shall be obliged to pay the same accordingly, but with the deductions always and under the condition and declaration mentioned in article second, providing always, that the company shall not be liable for interest on the value of said share for any longer space than six months after the same shall become payable in terms of this article, and in this case it shall, on the death of such partner, be in the power of partners holding two thirds of the stock (notwithstanding of any provision which may be herein contained against the admission of new partners) to accept of and assume a new partner in the room of the partner deceased, who shall be thereupon vested with the same privileges and powers as the deceased partner was.

*Eighth.*—That although by their contract the saids James Hadden and Thomas Leys hold each of them two shares of the original capital stock yet each of them shall be bound to transfer one of these shares to such persons as the majority of the acting partners shall direct, and that within one month after being required so to do, by a minute to be made and entered in the sederunt book of the company, and intimated to them; they at making such transfers, receiving from the persons in whose favours the same are made respectively, the value thereof, and on such transfers being made, the persons receiving the same shall become partners of this company and be entitled to the same powers and privileges as the other parties thereto, and shall on the other hand, by acceptance of such transfer, be effectually subjected to the whole conditions, rules, and regulations of this contract, and bye-laws made and to be made by the company alike as if they had been original parties hereto, and shall sign a formal deed on stamped paper, subjecting themselves accordingly, and obliging themselves to comply with the whole articles of this contract, but it shall not be in the power of the saids James Hadden or Thomas Leys to transfer their other share, nor in the power of any other partner to transfer his share or interest in the said co-partnership, without the consent of at least two thirds of the acting partners obtained and entered in the sederunt book; the transfers by the said James Hadden and Thomas Leys, allowed as above shall be made to different persons, and after they are made neither the said James Hadden nor Thomas Leys shall be entitled to hold more than one full or capital share of the company's stock, being two thousand pounds sterling, nor to more than one vote in the management of their affairs; and no other partner shall at any time be entitled to hold more than one such full share.

*Ninth.*—That all the parties to this contract and every person who shall, at any period during the subsistence of the same, become a partner in the business, shall be bound severally to promote and advance the interest and advantage thereof; and if in any event during the subsistence of this contract, they or any of them while they are partners of this company, shall be concerned directly or indirectly in any other banking company or branch thereof, in Aberdeen, or within fifty miles thereof, they shall *ipso facto* forfeit to the other partners of the said commercial banking company such share as they may at that time hold in the company, to be disposed of for behoof of the company in such manner as the partners holding two-thirds of the stock shall direct.

*Tenth.*—That for the superintendence and proper management of the business, the acting partners shall meet as often as there shall be occasion; three of them shall be a quorum; and at all these ordinary meetings a preses shall be chosen, who, in case of difference of opinion and equality of votes, shall be entitled to a casting vote, besides a deliberative one; the proceedings shall be determined by a majority of votes of the partners present, except when any of these cases occur for which it is otherwise provided by this contract;—and it shall be in the power of the acting partners, upon any emergency, on such previous notice as the case may admit, to call general meetings of the whole partners; and these meetings are to be conducted in the same manner as the annual general meetings.

*Eleventh.*—Within five days after signing of this contract the whole parties hereto are to meet and are to elect a Cashier of known abilities and good character; his duty shall be, under the superintendence of the acting partners, to re-receive all money payable to the Company, and to make such payments as shall fall to be made by them; to draw bills of exchange, and sign promissory notes and bills, grant receipts for payments made on cash accounts or otherwise, and sign & execute on behalf of the Company such other necessary deeds or writings as the business may require, and to conduct such other business of the Company as shall be allotted to him by the acting partners:—he shall be bound, at his admission to find caution to the satisfaction of the Company for his intromissions, and the due, honest, and faithful discharge of his office, to an extent not less than five thousand pounds, sterling; and he shall receive for his trouble such salary as shall be agreed on:—and in order the more to interest him in the success of the Company, it shall be in the power of a majority of the acting partners to assign to him a full or fractional adjected share in the partnership, as they shall judge proper; he always paying in to the stock such sum as shall correspond to the share thereof to be allotted to him. Upon his ceasing to be Cashier, he shall also cease to be a partner, but shall be entitled thereupon to receive the value of his share, in the same manner as is provided for in the case of a partner deceasing. They shall, at the same time, and in the same manner, elect an Accountant of known abilities and good character, whose business shall be to keep the books of the Company, to make calculations, and to do such other pieces of business as shall be allotted to him by the acting partners, or by the Cashier:—he shall be bound, at his admission, to find security for the due and faithful discharge of his office to an extent not less than five hundred pounds sterling; and he shall receive such salary as shall be

agreed on. Both the Cashier and Accountant shall be bound to employ their whole skill and attention in the concerns of the Company; and an extract from the Company's books shall be held a sufficient foundation for a charge for payment of such sum as may be found due by either of them to the Company—they shall not take any concern, directly or indirectly, in any other business; and if they do, the person so doing shall not only forfeit his office, but also the sum of fifty pounds sterling of penalty to the Company—they shall be bound not to quit nor give up their respective offices, without premonition of at least six months, to be made in due form to the acting partner; and he shall at their admission sign a minute in the books of the Company to these purposes.

*Twelfth.*—That the whole transactions and business of the Company shall be fully, fairly, and regularly entered and kept in a set of regular and distinct books, which shall be filled up, posted, and brought to a just and true balance upon the first day of October in every year, (or if that shall happen to be on a Sunday, on the next lawful day thereafter); and these books, when so balanced, shall be attested and signed by the partners, and when so signed by the partners holding more than one half of the stock, shall be probative and binding on the whole partners of the Company, and shall be patent and open to the inspection of the partners of every denomination. That a sederunt book shall also be kept, in which shall be engrossed the whole orders and proceedings both of the acting partners and of the general meetings, together with such by-laws and regulations as shall be made concerning the management of the business—and these minutes shall be signed by the preses of each meeting, and shall, when so signed, be binding on the whole partners, providing they are not inconsistent with, or subversive of, any of the articles of this contract.

*Thirteenth.*—That the books of the Company shall be kept in the custody, and under the direction of the Cashier, upon an inventory; and the inventory, with the securities and deeds of importance belonging to the Company, and such cash or notes as the acting partners of the Company may judge unnecessary for the immediate demands of the business, shall be lodged in a repository to be kept for that purpose, under three separate locks; and the keys of one of these locks is to be kept by the Cashier, and the others by two of the acting partners by turns. The books, cash, and writings belonging to the Company shall remain and be kept in their office, and shall not be removed therefrom but by order of two-thirds of the acting partners, entered in the sederunt book of the Company.

*Fourteenth.*—That the whole business shall be conducted and carried on under the firm of "THE COMMERCIAL BANKING COMPANY IN ABERDEEN," and all promissory notes, bonds, bills, contracts, and other writings necessary in the course of the business, shall be signed by the Cashier for the time, or by some one or more of the acting partners (as shall be appointed by the resolutions of the general meetings, entered in the sederunt books) for account and on behalf of the said Commercial Banking Company, and all promissory notes, bonds, bills, contracts, and other writings to be signed, shall be binding on the whole partners, as effectually as if every individual partner had signed, or granted special powers for signing every one of them; and the partners hereby dispense with and renounce all exceptions or objections which in law may or can be offered against any notes, bills, bonds, or other writings, to be so signed and issued, and oblige themselves to relieve the Cashier or other persons so subscribing them of the same, but no partner, unless authorised as above, shall be entitled to sign any deed or writing to be binding on the Company; and if he shall notwithstanding do so, he shall forfeit to the other partners his interest in the partnership.

*Fifteenth.*—That it shall be in the power of two-thirds of the acting partners, at any time during the subsistence of this contract, to purchase stock in the public funds in Great Britain, to such extent as they may judge proper, with such funds of the Company as may not be reckoned necessary for the immediate uses thereof.

*Sixteenth.*—That within thirty days after the date of every annual balance of the books, a general meeting of the whole partners of the Company shall be held at the Company's Office. The day and hour for this meeting shall be appointed by the acting partners and the members shall be called by a missive letter, signed by the Cashier, and directed and forwarded to each partner, at least eight days preceding the day fixed for the meeting. That the proprietors of every denomination shall have a title to attend it, and vote—that partners holding more than one half of the stock of the Company, attending, shall be sufficient for the despatch of the business of the meeting—that a preses shall be chosen, and this and every other question coming before the meeting shall be determined by the majority of the meeting, reckoning by the extent of stock (except in those points or cases for which provision to the contrary is hereby made), and, in case of an equality, the voice of the preses

shall be decisive. The general meeting so constituted shall have power to examine the state and order of the books, the conduct of the partners who acted in the management for the year immediately preceding, and of the Cashier, Accountant and other officers of the Company, the division or other application of the profits; to consider of and determine relative to the admission of additional partners; the prorogating the term of endurance of this contract, or the dissolving of the partnership, and winding up its affairs—to ascertain and fix a premium for the ingathering and insuring the outstanding debts of the Company, which, when so fixed, shall be the rule in settling for shares falling during the subsequent year—to appoint a Cashier, Accountant, or other officers for the succeeding year; and, in general to take under their consideration the whole business of the company, and to establish such rules and regulations as they shall think fit, for the future management of the business, provided the same be not repugnant to, or inconsistent with, the original articles of this contract.

*Seventeenth.*—That the profits arising from the business are to be divided among the partners in proportion to the share and interest which each of them has in the capital stock at the time; no part of the profits, however, shall be divided during the first five years, except by the appointment of partners, holding at least three-fourth parts of the stock of the company; but after the expiry of the first five years, it shall be in the power of any number of partners holding more than one half of the stock of the company to order such dividends as upon a balance of the company's books may appear to them expedient. The losses on the business, if any happen, are on the other hand to be sustained and bore by the partners in proportion to the stock they hold, and they oblige themselves severally to relieve each other of such proportion of loss accordingly.

*Eighteenth.*—That notwithstanding it is stipulated by this contract, that the partnership shall endure for nineteen years, yet it shall be in the power of partners holding two-thirds of the stock for the time, to dissolve the partnership at the end of the first eleven years, provided a resolution to that effect shall be entered by them in the sederunt book of the company, at least twelve months previous to that period, but not otherwise.

*Nineteenth.*—That on the dissolution of the company by such resolution, or by the expiry of the foresaid nineteen years, the general meeting shall have power and be obliged to authorize proper persons, who shall, with all convenient diligence levy the whole debts due to the company, turn their estates and effects into cash, apply the nett proceeds thereof, (after deducting the expense of management) in the first place towards extinction of the debts due by the company, and divide the residue among the partners according to their respective shares and interest therein. In case any of the debts owing to the company, and effects belonging to them, shall happen to be outstanding at the expiration of twelve months from the dissolution of the partnership, then and in that case they shall be disposed of, as the partners holding more than one-half of the stock may direct.

*Twentieth.*—That if any two or more of the partners of the company shall be disposed to continue the business for any number of years after the expiry of the foresaid nineteen years, it shall be competent to and in the power of such partners to call a general meeting of the company at any time during the eighteenth year of this contract, upon a month's previous notice; and at the meeting so called each partner shall certify and declare, whether he means to continue the business on the footing of this contract, or to wind up the business and put a period to the same; and if any of the partners shall neglect so to do, and shall not within sixty days after said meeting intimate, by letter to the cashier for the company at the time, their resolution to continue the business, and prorogate the contract, it shall be in the power of the other partners holding more than one-half of the stock to prorogate the present contract, or to enter into a new one, upon such terms as they shall think proper; and the partner or partners who shall not agree to prorogate the contract or enter into the new one, shall be obliged to accept from the other partners either prorogating or of new contracting, as said is, of the sum or sums of money which shall stand at his or their credit, at the final adjustment of the business of this contract, under the deductions, and with the conditions and declarations specified in article second, in full satisfaction of every claim or demand which he or they can in any way make upon the other partners.

*Twenty-first.*—That if any partner shall dispose of and transfer his share or interest in the Company, agreeable to the terms of this contract, the Company shall be bound and obliged to free and relieve the seller of all their debts, deeds, and contractions, which shall be incurred posterior to the actual transfer in

the Company's books; and such debts, deeds, and contractions, are thereafter to affect the purchaser only, and he shall be bound therefor, in the same manner the seller was; and in case of a prorogation or renewal of this contract taking place in manner before mentioned, all such partners as shall not incline to be included in the prorogation or new contract, shall be entitled to be freed or relieved of the whole consequences of the obligations incumbent on them by this contract; and the partners, who shall prorogue, or of new contract, do in that case hereby bind and oblige themselves to free and relieve such retiring partners accordingly. And it is understood and declared that such retiring partners in both cases are to hold themselves satisfied with this obligation, and shall not be entitled to insist upon the Company to call in their notes or retire their bonds or bills.

*Twenty-second*—That as time and experience may point out various regulations which might with advantage be adopted in the management of the foresaid business the partners assembled at their general meetings, as before provided for, shall have power to make such regulations or bye-laws for the management of the concerns of the Company as they shall judge expedient, provided the same be not repugnant to the fundamental articles of this contract, or inconsistent with the terms thereof; and these regulations or bye-laws being duly recorded in their sederunt-book, and signed in their presence by their preses, and at least five of the acting partners present at such meeting, shall be equally binding as if the same had been inserted in this contract, until the same are altered or repealed by a subsequent general meeting; declaring always, that the articles of this present contract are not to be varied or altered by any such regulations, but are all and each of them to remain unalterable by the present or any future partners.

*Twenty-third*.—That an extract of this contract with an extract of the appointment of the cashier, and an extract under the hand of the cashier and accountant, of any minute, order, and resolution of any general meeting of the partners, or of any meeting of the acting partners for the time, shall be a sufficient ground and warrant for diligence, by horning or otherwise, in terms of the clause of registration after inserted at the instance of the cashier of the Company for payment of the several shares of stock, or of such parts thereof as shall be called for from time to time, and for implement of all and each of the articles contained in this contract.

*Lastly*.—The whole parties hereto by these presents bind and oblige themselves severally each to the other, honestly, truly, and faithfully, to perform their respective parts of the premises to one another, under the penalty of one hundred pounds sterling, to be paid by the party failing to the party performing or willing to perform, over and above performance.—And they consent to the registration of this present contract in the Books of Council and Session in Scotland, or any other competent record, to have the strength of a decree, that letters of horning on six days charge, and all other execution necessary, may pass and be directed thereon in the usual form, for which purpose they constitute

\_\_\_\_\_ their procurators. In witness whereof, these presents, wrote by James Thomson, Advocate in Aberdeen, upon this and the twelve preceding pages of these four sheets of stamped paper are subscribed by the said parties at Aberdeen, the said twenty-fifth day of September in the year one thousand seven hundred and eighty-eight, before these witnesses, Alexander Hadden, Merchant in Aberdeen; Alexander Chivas, Clerk to the said William Forbes, and the said James Thomson (Signed) Jo Abercrombie, junior, Francis Leys, W. Young, William Forbes, James Young, A. Brebner, Alexander Martin, James Hadden, Thomas Leys. Alexander Hadden, witness; Alexander Chivas, witness; Ia. Thomson, witness.

[The above Contract was registered in the Books of Council and Session the 25th of October, 1788.]

LIST OF ADDITIONAL PARTNERS TO THE COMMERCIAL BANKING COMPANY IN ABERDEEN.

Walter Sime, Collector of the Customs, Aberdeen, in room of the late Francis Leys,.....	£2,000
ACCEDEING PARTNERS.	
Patrick Morrison, Manufacturer in Aberdeen,.....	£ 250
John Bruce, Manufacturer in Aberdeen,.....	250
Alexander Dyce, Merchant, his Representatives,....	500
Andrew Paterson, sen'r, Merchant in Huntley,.....	250
Alexander Cuthbertson, Merchant in Aberdeen,.....	250

John Hadden, Merchant in Nottingham,.....	1,000
James McPherson, Merchant in Aberdeen,.....	1,000
Alexander Gammack, Farmer at Coburty,.....	250
James Harper, Mason in Aberdeen,.....	250
Charles Farquharson, Merchant in Aberdeen,.....	500

**Second Contract of Prorogation**  
OF THE  
**Commercial Banking Company**

IN  
A B E R D E E N .



We the parties after named and designed and hereunto subscribing, being the whole constituted members & co-partners of the Commercial Banking Company in Aberdeen, considering that by sundry transactions and transfers since its original establishment in the year one thousand seven hundred and eighty eight, the stock of the said company consists at present of ten full shares, belonging equally to John Abercrombie Junior, William Young, William Forbes, James Young, Junior, Alexander Brebner of Lairney, Alex. Martin, of Nellfield, James Madden, Thos. Leys, of Glasgo Forest, George More of Raeden, and Alexander More, all Merchants in Aberdeen, and of eleven unequal fractional shares, belonging to Patrick Morison, Manufacturer in Gilcomston, John Hadden Merchant in Nottingham, Alex. Gammack, Farmer, in Corberty, James Harper Mason, in Aberdeen, Chas. Farquharson, Merchant in Aberdeen, Jas. Arbuthnot and Thos. Arbuthnot, Merchants in Peterhead, George Hogarth, Merchant in Aberdeen, Alexander Midler, Merchant there, Alexander Chivas, Cashier to the said Banking Company, and James Macpherson, Manufacturer in Aberdeen, the extent and value of all which shares are stated in the Books of the said Company. And considering, that by the original contract of co-partnership of the said company, dated the twenty-fifth day of September, and recorded in the books of Council and Session the twenty-fifth day of October, both in the year one thousand seven hundred and eighty-eight, and which expires the twenty-fifth day of September current, it is, inter alia, declared, that it should be competent to, and in the power of any two or more of the partners, to call a general meeting of the Company, at any time during the eighteenth year thereof, upon a month's previous notice; and that at the meeting so called, each partner should certify and declare, whether he meant to continue or to wind up the business, and in the event of any of the partners neglecting so to do, or not intimating within sixty days after said meeting, by letter to the Cashier for the company at the time, his resolution to continue the business, it was provided, that it should be in the power of the other partners holding more than one half the stock, to prorogate the said contract, or to enter into a new one; and that the partner or partners who should not agree to prorogate the contract, or enter into a new one, should be obliged to accept from the other partners either prorogating, or of new contracting as said is, of the sum or sums of money which should stand at his or their credit, at the final adjustment of the business of the said contract, with the deductions, and under the conditions and declarations specified in the second article thereof, in full satisfaction of every claim and demand which he or they could in any way make upon the other partners, as in and by the said contract itself more fully will appear. As also considering that a general meeting of the said company having been called and held upon the twenty-second day of August last year, for the purpose of certifying, in terms of the clause above recited the whole partners then present, did certify and declare their option to prorogate the said contract for the space of nineteen years, under the condition therein contained, and that by letters addressed to the Cashier of the company, all the partners who were not present at the said meeting, did, within the space of sixty days, limited by the said contract, intimate their resolution to continue the business.— And seeing that we are now resolved to carry our said intentions into execution, therefore, we do hereby actually prorogate the term of endurance of our said contract for the further space of nineteen years from and after the said twenty-fifth day of September in the year one thousand eight hundred and seven, and bind and oblige ourselves, our heirs, executors, and successors, mutually, severally and respectively, to comply with, perform and fulfill the whole obligations, conditions, regulations and declarations, specified and contained in our said contract, and herein held as repeated, and of new engrossed. As also the whole bye-laws and regulations engrossed in the company's sederunt book, or to be hereafter engrossed therein, agreeably to the clause to that effect in the said contract

of co-partnership; all which shall be equally valid, effectual and binding, upon us and our foresaids, and all concerned, in every particular, during the foresaid prorogated space of nineteen years, as at present, declaring, that the foresaid business shall continue to be carried on by us under the foresaid firm and designation of the Commercial Banking Company in Aberdeen, & that partners holding more than one half of the stock shall have full power, during the eighteenth year of the said prorogated space, again to prorogate the said original contract for such further space or number of years as they shall think proper, in terms of the twentieth clause thereof, above recited. Provided always as it is hereby specially provided and declared, that notwithstanding it is before stipulated, that the partnership shall endure for the aforesaid prorogated space of nineteen years, yet it shall be in the power of partners holding two thirds of the stock for the time, to dissolve the partnership at the end of the first three, seven or eleven years, provided a resolution to that effect shall be entered by them in the sederunt book of the company, at least six months previous to the expiry of either of these periods, but not otherwise. And for the more security, we consent to the registration hereof in the books of Council and Session, or others competent, for preservation, and if needful, that letters of horning, on a single charge of six days, and all other execution necessary may pass hereon, on the said original contract, in form as effects, for which purpose we constitute

our procurators: In witness whereof, these presents, written on this sheet of paper, denoting a stamp duty of one pound nine shillings sterling, are subscribed by us as follows, viz. say, these presents, written by David Hutcheon, Advocate in Aberdeen, on this and the preceding page of stamped paper, are subscribed by us on both pages, as follows, viz. by us the said John Abercrombie Junior, William Young, William Forbes, James Young Junior, Alexander Brebner, Alexander Martin, James Hadden, Thomas Leys, George More, Alexander More, Patrick Morison, James Harper, Charles Farquharson, George Hogarth, Alexander Midler, Alexander Chivas, and James Macpherson, at Aberdeen the first day of September in the year one thousand eight hundred and seven, before witness, George Dawson and Peter Mathews, both tellers to the said Bank Company (the word eighty being the last word except one of the third line from the top of the first page, being written on an erasure by the said David Hutcheon before signing) by us the said Thomas Arbuthnot, James Arbuthnot and Alexander Gamack, at Peterhead, the seventh day of the said month of September, in the year eighteen hundred and seven, before witnesses, Geo. Arbuthnot and Robert Arbuthnot, both Merchants in Peterhead, and by me the said John Hadden at Nottingham, the twenty second day of September in the year one thousand eight hundred and seven, before witnesses, William Dunlop and Nathaniel Burton, both Warehousemen in Nottingham, the place and date of signing by the said John Hadden, and the names and designations of the witnesses to his subscription, being inserted by himself (signed) Alexander Martin, Thomas Leys, A. Brebner, Alex. Chivas, James Hadden, Geo. More, Alex. More, James Young Junior, James Harper, Alex. Midler, Chas. Farquharson, William Forbes, Patrick Morison, W. Young, John Abercrombie, Geo. Hogarth, James McPherson, Thomas Arbuthnot, James Arbuthnot, Alexander Gamack, John Hadden, Geo. Dawson, witness P. Matthew, witness Geo. Arbuthnot, witness Robert Arbuthnot, witness William Dunlop, witness Nathaniel Burton, witness.

### Third Contract

RESCINDING SUNDRY ARTICLES AND ESTABLISHING CERTAIN

NEW REGULATIONS AMONG THE PARTNERS OF THE

## Commercial Banking Company

OF

ABERDEEN.

We, the parties after-named and designed, and by ourselves or proxies hereunto subscribing being the whole constituent members and copartners of the Commercial Banking Company in Aberdeen, considering that by sundry transactions and transfers since the original establishment, in the year one thousand seven hundred and eighty-eight, the stock of the said Company now consists of five full shares belonging equally to us, William Forbes, of Echt, Merchant in Aberdeen, Alexander Brebner, formerly of Learney, now of Glasgow Forest, Merchant there, Robert Abercrombie, Merchant there, James Young, late Mer-

chant in Aberdeen, now in Rotterdam, and William Innes, late Merchant in London, now of Raemoir, and of eight unequal fractional shares, belonging to us Hugh Lumsden, of Pitcaple, Advocate, George Hogarth, of Marshall Meadows, Merchant in Aberdeen, James Arbuthnot, of Dens, Merchant in Peterhead, Alexander Chivas, Cashier to the said Banking Company, Patrick Morison, late Manufacturer in Gilcumston, now in Aberdeen, James Harper, Mason, in Aberdeen, Alexander Gamack, Farmer at Coburty, and Robert Walker, manufacturer, in Aberdeen, the extent and value of all which shares are stated in the books of the said Company, AND SEEING that upon our revising and deliberately considering the original contract of co-partnership of the said company, dated the twenty-fifth day of September, and recorded in the Books of Council and Session the twenty-fifth day of October, both in the year one thousand seven hundred and eighty-eight, and which was prorogated by the partners of the said Company for the space of nineteen years, from the twenty-fifth day of September, one thousand eight hundred and seven, by deed of prorogation dated the first, seventh, and twenty-second days of September, and recorded in the books of Council and Session, the twenty-ninth day of October, in the year last mentioned, we have found it necessary, for enabling us to carry on the business of the said co-partnership with more advantage and effect, to make certain additions to, and alterations on our said contract; & have accordingly resolved to rescind and annul the first article thereof, relating to the shares of the acting partners, and that management of the concern; the third & fourth articles relative to acceding partners and increase of the capital stock; the eighth article regarding the transfer of shares; the seventeenth article relative to the division of profits, and the manner in which losses were to be sustained by the partners; and the twenty-second article, with respect to the power of making by-laws for the better management of the concerns of the Company, Therefore we do hereby RESCIND the said first, third, fourth, eighth, seventeenth and twenty second articles of the said Contract; and declare the same to be "henceforth void and null, and of no force, strength or effect whatever, as to any future proceedings or transactions of the Company, and in lieu and place thereof, we do hereby substitute the following articles, rules, regulations, and conditions, and bind and oblige ourselves, and our respective heirs, executors and successors, faithfully to observe, implement and fulfil the same, viz.—PRIMO, That the capital stock of the Company may during the prorogated space to run the said contract, be increased as opportunity offers, but so as not to exceed the amount altogether of ONE HUNDRED THOUSAND POUNDS, STERLING; each capital share of the said stock shall be ONE THOUSAND POUNDS, STERLING, and no partner shall be allowed to hold more than eight shares; and the several shares shall be held by individuals only, and not in name of any company. All the concerns of the partnership, shall, unless otherwise provided for by this deed, or by the original contract, be managed by a committee of seven, consisting of partners, holding each four thousand pounds of stock, who have their residence in the town or county of Aberdeen, or if out of the County, not more than twenty-five miles distant from the Bank, and who shall be denominated Acting Partners. But if there happen at any time to be more than seven partners holding each, stock to that amount, resident as aforesaid, then the said Committee shall be chosen annually by and from among these partners, the election shall be at a meeting to be held on the first Tuesday of October each year, and shall be determined by ballot: But in case of a vacancy at any time in the Committee by death, transfer, removal from Aberdeen or the vicinity thereof before-mentioned or otherwise, the same shall be filled up by the whole of the partners holding each stock of the foresaid amount at any of the ordinary weekly meetings: notice of the election being always given to each of the said partners in writing, and being also duly entered in the sederunt book at the preceding meeting. If on the other hand, there should happen at any time not to be seven partners holding stock each to the amount of four thousand pounds, and who have their residence in Aberdeen or the neighbourhood as aforesaid, one or more Partners holding less than that amount, each, shall be chosen to make up the number by that of the partners of the Company as shall be present at a meeting to be called for that purpose, previous notice of such meeting being always given by letter to each partner of the Company, at least three weeks before the time appointed for its being held, and the Election shall be determined by the votes of such partners assembled at the meeting, as hold a majority in value of the Stock belonging to those present, provided that no partners vote shall be counted for more than four thousand pounds. And it is hereby declared, that until the vacancy is filled up, the remaining acting Partners shall have the same powers of management, as if the Committee consisted of seven in number provided that no undue delay occurs in calling the Partners together to make a new election to supply such vacancies respectively: AND PROVIDED ALSO, as it is hereby PROVIDED AND DE-

CLARED that at every annual general meeting, when there are fewer than seven partners, holding each four thousand pounds of Stock, entitled to be acting partners, one or more partners holding less than that amount of Stock shall then be chosen agreeably to the rules above written, with regard to the election of such Partners. But any Partner chosen as above, shall only have right to officiate as an acting Partner until the next annual general meeting after his election; the Company, however having power to re-elect him as aforesaid at every such meeting.

SECUNDO. That it shall be in the power and option of Partners holding two-thirds of the Capital Stock of the Company at the time, to admit as many Partners as will be sufficient to raise the same to the aforesaid sum of One Hundred Thousand Pounds Sterling, in shares of One Thousand Pounds, Sterling, each; under the conditions and restrictions mentioned in the immediate subsequent article.

TERTIO. That all Partners to be hereafter admitted, shall be bound by a separate Contract, or by a deed of accession to the original contract, the foresaid deed of prorogation, and this present deed, to comply with and perform the whole existing articles and conditions therein contained; but partners holding less than four thousand pounds each of the Company's Stock, with the exception of those to be elected, as above mentioned, shall not be entitled to act in the ordinary administration of the business, or vote at any meeting except the general meetings, as provided for in the original contract, and in this deed.

QUARTO. That it shall be in the power of any partner to transfer or dispose of the whole or any part of his stock & property in the copartnership, at any time during the subsistence thereof, but only in entire shares, not less than One Thousand Pounds, Sterling, each. And when a Partner has resolved to dispose of or transfer his shares or any part of them, and shall give intimation in writing to the acting Partners by letter, addressed to them or to the Cashier for the time to be laid before the Acting Partners, of his resolution, and of the name and designation of the person in whose favor the transfer is intended to be made, the acting Partners shall be entitled to deliberate thereon, for twenty-one days after the time when the intimation shall be so given; and shall have power to approve of, or reject the person so proposed as a Partner. If approved of, he shall, upon his producing a transfer, and signing a contract or deed of accession as before mentioned, be admitted and have right to all the privileges of a Partner, conform to the extent of stock transferred to him, but if not approved of, then the partner wishing to transfer his concern as aforesaid, shall be entitled, if he inclines it, to receive, and the Company shall be bound to make payment to him, of the value thereof, as the same shall appear in their books at the first subsequent balancing thereof, after such disapproval, and that within one month after said balancing, with interest from the date of the balancing, till paid; but subject always to the deductions mentioned and referred to in article seventh of the original contract, he being obliged to execute and deliver to them a formal and valid discharge, or if they shall require it, a transfer of the said share on his receiving the value of the same as above-mentioned: DECLARING, That notwithstanding of the above stipulation, with respect to the outgoing Partner receiving the value of his share as at the subsequent balancing of the books in the events before-mentioned, yet if any partner resolving to sell or transfer his shares, or any part of them, shall, within six days after the balance of the books is struck and declared in any year, give intimation in writing as aforesaid to the acting Partners, of such resolution, and of the name and designation of the person to whom the transfer is meant to be granted, he shall, in such case, (if the person to whom the transfer is so intended to be made, shall not be approved by the acting partners as before-mentioned,) be entitled and obliged to receive from the Company, the value of his share or shares so intended to be transferred, as the same is ascertained and fixed by the said balance; but always under the stipulations and conditions regarding the payment of the value of a share to the representatives of a deceased Partner, as specified and referred to in the seventh article of the original contract: AND FURTHER, if even after the expiry of the foresaid six days, a partner desirous of transferring his share, and the Committee of acting Partners are inclined, they shall have power to pay him the value of his share, as it stood in their books at the immediate preceding balancing thereof, together with the legal interest thereof, from the period of such balancing, until the term of payment, subject always to the deductions before-mentioned; or it shall be competent for the committee of acting Partners of the Company, in this as well as in every other case, to pay to a partner desirous of retiring from the concern, such a special sum in full for his share, as may be agreed upon between him and them as the value thereof; provided always, that the sums so to be paid shall not exceed the value of his share as it stood at the preceding balance, and that the Committee shall be unanimous in concluding any such agreement:—

ALSO DECLARING, that if the aforesaid disapproval of a person proposed as a Partner, shall happen three or more months before the time fixed for the subsequent balancing of the books, and if he and the acting Partners shall not agree as to paying off, conform to the preceding balance or otherwise as aforesaid, then the outgoing partner shall be entitled to receive in advance of the sum to which he will be entitled on the subsequent balancing and within one month from the date of the disapproval, a sum equal to one half of the value of his share as it stood at the immediate preceding balancing, upon his granting a receipt for the same, and an obligation to discharge or transfer his share as the acting Partners shall direct when the whole value thereof shall be paid to him. AND, it is hereby FURTHER PROVIDED AND DECLARED, That it shall be lawful to, and in the power of the Acting Partners to reject any person to whom a transfer is or shall be proposed to be made, without their being bound to assign any reason for their so doing; that the approbation or rejection of such proposed partner shall be decided upon by ballott, and that no such partner shall be approved of, or admitted, unless by the votes of such number of the acting Partners as hold two thirds of the stock belonging to the whole of the acting Partners: AND FURTHER, it is hereby stipulated and declared, that no person becoming a Partner of the Company by transfer, although holding stock to the extent of Four Thousand Pounds or upwards, shall be entitled to any of the powers, rights or privileges of an acting Partner, unless with the consent and approbation of acting Partners holding two-thirds of the stock belonging to the whole of the acting Partners, and such consent and approbation being entered and signed in the sederunt-book of the company, or unless chosen as an acting Partner by the Company at large, in the events before provided for, it being understood that this condition shall not apply to Partners admitted by an addition to the stock of the company.

QUINTO, That the profits arising from the business are to be divided among the partners, in proportion to the share and interest which each of them has in the capital stock at the time, but it shall be lawful to the acting Partners to order the payment of such dividends only, as upon a balance of the Company's books, may appear to them expedient, *Provided always*, that profits shall not be retained to the extent of more than one half of the Capital Stock of the company. The losses on the business, if any happen, are, on the other hand, to be sustained and borne by the Partners in proportion to the stock they hold; and they oblige themselves severally to relieve each other of such proportion of loss accordingly.

POSTREMO. That the partners assembled at their general meeting, as provided for in the original contract, shall have power to make such regulations or bye-laws for the management of the concerns of the Company, as they shall judge expedient; and these regulations, or bye-laws, being approved of by the whole partners assembled at said meeting, or by a majority of those then present, and others afterwards declaring their assent if such majority and others hold two-thirds in value of the stock, and the same being duly recorded in the sederunt-book, and signed in their presence, by their preses and at least five of the acting partners present at such meeting, shall be equally binding as if the same had been herein inserted, until they are altered or repealed by a subsequent general meeting; DECLARING always, that neither the articles of the original contract, nor hereby rescinded, nor the articles hereby established shall be varied or altered by any such regulations or bye-laws, but are all and each of them to remain unalterable, otherwise than by a deed or writing, signed by every one of the partners at the time; and we do hereby HOMOLOGATE, APPROVE OF AND CONFIRM the aforesaid original contract of co-partnership in the whole heads, articles and clauses thereof, in so far as the same are not hereby rescinded, and DECLARING the articles and conditions before written to be equally valid, effectual and binding, as if they had been engrossed in, and made a part of the said original contract. WE consent to the registration hereof, in the books of Council and Session, or others competent, for preservation; and if needful, that letters of horning, on a single charge of six days, and all other execution necessary, may pass and be direct hereon, in form, as affeirs, and thereto constitute,

OUR Procurators, &c. IN WITNESS WHEREOF, these presents (written upon this and the seven preceding pages of of stamped paper by Alexander Chivas, writer in Aberdeen.) are subscribed by us as follows, viz: by us the said William Forbes, Alexander Brebner, Robert Abercrombie, William Innis, Hugh Lumsden, George Hogarth, Alexander Chivas, Patrick Morison, James Harper, and Robert Walker; and by Robert Morice, advocate in Aberdeen, as proxy for the said James Young, (conform to a letter of proxy or procurator, registered as a probative writ in the sheriff court books of Aberdeen, the nineteenth day of July last.) at Aberdeen the twenty-seventh day of September, in

the year one thousand eight hundred and seventeen, before witnesses, John Thom and John Chrystal, both clerks to the said Company, by me the said Alexander Gamack at Coburty, the twenty-ninth day of said month of September and year aforesaid, before witnesses, John Gamack, residing at Coburty, and James Gibson, hostler in Peterhead, and by me the said James Arbuthnot at Peterhead, the said twenty-ninth day of September and year aforesaid, before witnesses, Robert Cordiner, merchant in Peterhead, and William Gamack, writer there.

[Signed] William Forbes,	[Signed] Alexander Brebner,
[Signed] Robert Abercrombie,	[Signed] William Innis,
[Signed] R. Morice, per powers from Jas. Young, Esq.	[Signed] George Hogarth,
[Signed] Robert Walker,	[Signed] Alexander Gamack,
[Signed] Alexander Chivas,	[Signed] Patrick Morison,
[Signed] James Harper,	[Signed] Hugh Lumsden,
	[Signed] James Arbuthnot.
John Thom, Witness,	James Gibson, Witness,
John Chrystal, Witness,	Robert Cordiner, Witness,
John Gamack, Witness,	William Gamack, Witness,

The above Contract was registered in the Books of Council and Session the 17th day of October, 1817.

**COPY**

OF THE

**DEED OF SETTLEMENT**

OF THE

**Birmingham Banking Company.**

**DEED OF SETTLEMENT.**

THIS INDENTURE made the first day of October, in the year of our Lord, one thousand eight hundred and twenty-nine, between **JAMES BELLES**, of Monument Lane, in the parish of Edgbaston, near Birmingham, in the county of Warwick, Gentleman; **WILLIAM CHANCE**, of Edgbaston, aforesaid, merchant; **EDWARD EAGLE**, of Birmingham, aforesaid, malster, and **DANIEL LEDSAM**, of the same place, button-maker, of the first part: **JOHN MABSOM**, of Birmingham, aforesaid, factor; **CHARLES SHAW**, of Sollywick, in the parish of Northfield in the county of Worcester, merchant; **JOHN TURNER**, of Birmingham Heath in the parish of Birmingham, aforesaid, button-maker, and **JOSEPH WALKER**, of Birmingham, aforesaid, factor, of the second part; and the several other persons parties hereto, whose names are, or shall be, hereunto subscribed, and who have sealed and delivered, or shall from time to time seal and deliver these presents of the third part. Whereas, the several persons, parties to these presents, have agreed in manner, and by the means hereinafter expressed, to form a Public Joint Stock Banking Company at Birmingham, aforesaid in conformity with the provisions of and so far as the same is authorised, and they are enabled to do by virtue of an Act of Parliament passed in the seventh year of the reign of His present Majesty King George the Fourth, intituled "An Act for the better regulating co-partnerships of certain Bankers in England, and for amending so much of an Act of the thirty-ninth and fortieth years of the reign of His late Majesty King George the Third, intituled "An Act for establishing an agreement with the Governor and Company of the Bank of England for advancing the sum of three millions towards the supply for the year one thousand eight hundred as relates to the same," and under and subject to the regulations, declarations, and agreements herein-after contained. **NOW THIS INDENTURE WITNESSETH,**

The parties mutually covenanted that in pursuance of such agreement each of the several persons, parties to these presents of the second and third parts for himself or herself, his or her heirs, executors and administrators and as to and concerning only the acts, deeds, and defaults of himself or herself and his or her heirs, executors, and administrators, but no further, doth hereby covenant with the parties to these presents of the first part for himself, his heirs, executors and administrators and as to and concerning only the acts, deeds, and defaults of himself, his heirs, executors and administrators, but no further, doth hereby covenant with the said parties to these presents of the second

part their executors and administrators in manner expressed in the several clauses, or articles numbered from one to seventy-four, herein contained, (that is to say):

No. 1. That they, the said several persons, parties to these presents, shall and will become and be partners together in a company or society to be called,

Title of the Company } **THE BIRMINGHAM BANKING COMPANY,**  
and from time to time and at all times, so long as they continue partners therein, promote and advance the interest and advantage of the company to the utmost of their power.

Capital—2. That the original capital fund, or joint stock of the company shall be five hundred thousand pounds, or so much thereof as may from time to time be necessary for the purposes of the said company, and shall be divided into ten thousand shares of fifty pounds each.

3. That the number of shares subscribed for or holden by each person shall at the time of his or her executing these presents, or other the supplemental or subsisting deed of settlement of the company, and also his or her place of abode, be written opposite to his or her name subscribed thereto; and no person shall in his or her own right be allowed, previous to the first day of October, one thousand eight hundred and thirty, to subscribe for or hold more than one hundred shares in the said company, save and except **JOSEPH GIBBINS**, of Birmingham, aforesaid, Banker, who shall be allowed to subscribe for and hold one thousand shares, but no more; and also save and except such shares as shall come to any

Limitation of No. of shares to be subscribed } person or persons by bequest of any previous shareholder or shareholders, or as his or her or held by one individual } or her or their next of kin.

Persons disqualified from being shareholders. } 4. That it shall not be lawful or competent for two or more individuals to subscribe for or hold jointly, (except as trustees, executors or administrators,) any share or shares, and in no case shall any share be divided into fractional parts.

5. That no benefit of survivorship shall take place between the shareholders, all the property of the company shall, as between the several shareholders, and their real and personal representatives, be deemed personal estate, and each of the shareholders as between one another, shall be entitled to, and interested in the profits, and liable and subject to the losses of the company, in proportion to his or her share or shares in the said capital fund or joint stock.

6. That each of the parties hereto shall, and will pay unto the board of directors, for the time being of the company, the sum of ten pounds on each and every share of the capital fund or joint stock subscribed for by him or her at the times and in manner following, that is to say, five pounds per share, on the day of the date of these presents; five pounds per share on the first day of February then next, or at such ulterior or postponed day as the board of directors may appoint for the payment thereof, & the remaining forty pounds per share shall be paid up and advanced by the respective shareholders in such sums and at such times as the board of directors shall call for the same; provided that no such call shall be made before the first day of February, one thousand eight hundred and thirty one; nor shall any call exceed five pounds per share in any one year; and three calendar months notice in writing of each call shall be given to each shareholder, in manner hereinafter provided for giving notice to each shareholder, previous to the day on which the same is required to be paid; and the board of directors for the time being is hereby empowered, when and as the board may deem it advisable to make such calls and orders upon the shareholders for the payment of the said forty pounds per share, but subject to the restrictions above mentioned.

7. That if at the time when any share shall hereafter be subscribed for more than one instalment shall have been payable on the shares then already taken, all such instalments shall also be paid into the bank of the company, in respect of such shares so to be subscribed for, at the time of such future subscription.

8. That in case any of the shareholders for the time being of the Company, or their respective heirs, executors, or administrators shall refuse, neglect, or decline to pay the second instalment herebefore mentioned, or any future calls or instalments herebefore authorised to be made by the Board of Directors for the time being, for the space of thirty days after the days herebefore appointed or hereinafter to be appointed by the said board for payment thereof; then and in every such case the share or shares, estate and interest, of and in the company of the respective shareholders or their respective executors or admini-

nistrators so refusing, neglecting, or declining as aforesaid, and all benefit and advantage therefrom shall, so far as respects the shares in respect of which such default shall have been made, and all previous payments made in respect thereof, thenceforth (unless a board of directors shall within two calendar months decide otherwise) become forfeited to the said company, nevertheless without prejudice to the right of the board of directors to enforce payment of such call or calls, and to recover damages for the non payment thereof.

**Power to Directors** } And each share which shall be so forfeit-  
to extinguish all for- } ed by default shall, at the discretion of the  
feited shares. } Board of Directors be extinguished for the  
benefit of the other shareholders, or be sold and issued to some  
other person or persons desirous of holding shares, in the place or  
stead of the person or persons making such default; and the purch-  
aser of each such share shall for all the purposes of these presents  
and for the covenants, regulations, and agreements, to be entered  
into in conformity with these presents, in respect of each such  
share respectively, be considered as the proprietor or holder of that  
share, and as if in respect of such share he were the assignee of the  
person making such default, and henceforth such substitute or suc-  
ceeding proprietor or shareholder his or her heirs, executors, or ad-  
ministrators shall be liable to all the acts to be done and the coven-  
ants and agreements to be observed and performed in respect of  
such share, and shall execute a deed to the trustee or trustees for  
the time being of the said company, containing covenants binding  
himself and herself and his and her heirs executors and adminis-  
trators to observe and perform the same covenants and agreements,  
and to make such payments.

**Nature of busi-** } 9. That the business of the company (al-  
**ness to be transact** } though the whole of the said capital be not ac-  
**ed.** } tually subscribed) shall commence on the day  
of the date of these presents, and shall be transacted at Birming-  
ham and such other places as may be determined upon pursuant to  
clause or article 40, and shall, so far as the same legally can,  
consist of issuing notes of hand or bank notes, lending money on  
cash or other accounts, real or personal security, bills of exchange,  
promissory notes, or letters of credit, discounting bills of exchange  
or promissory notes, borrowing or taking up money on receipts, bills,  
promissory notes, or other obligations, advancing money on the de-  
posit of goods, wares, and merchandises, purchases, investments,  
dealings or sales in the government or public funds of Great Britain,  
navy or exchequer bills, India bonds, bank or East India stock,  
stock of the company or any chartered company or annuities, and  
all other business usual in establishments for carrying on banking,  
but for no other adventure, trade, merchandise or business what-  
soever.

10. That the business, affairs, and concerns of the company shall  
**Business to be** } from time to time and at all times hereafter, be  
**under the con-** } under the control of twelve, shareholders (to be ap-  
**trol of twelve** } pointed directors) who shall have the entire order-  
**shareholders as** } ing, managing and conducting, of the company, and  
**a Board of Di-** } of the capital stock, estate, revenue, effects, affairs,  
**rectors.** } and other the concerns thereof, and who shall also  
regulate and determine the mode and terms of carrying on and trans-  
acting the business of the company, conformably to the provisions  
contained in these presents, and no shareholder or shareholders not  
being a director or directors, shall on any account or pretence what-  
soever, use the name, style, or firm of the company in drawing, in-  
dorsing, accepting, or otherwise negotiating, any bills, notes, or  
other securities, or otherwise howsoever, or in any way have access  
to or meddle or interfere with the books, bills, cash, securities, or  
other property of the company, or the managing, ordering, or con-  
ducting the business, affairs, or concerns thereof, but shall and do  
hereby fully and entirely commit, entrust, and leave the same to be  
wholly ordered, managed and conducted, by the directors for the  
time being, and whom they shall appoint, save as herein after  
mentioned.

**Present Directors.** } 11. That the said JAMES BELES, WIL-  
LIAM CHANCE, EDWARD EAGLE, DA-  
NIEL LEDSAM, JOHN MABSOM, CHARLES SHAW, JOHN  
TURNER, and JOSEPH WALKER, are hereby declared and  
appointed to be the present and first Directors of the Company, and  
they shall have power at any board to be held as hereinafter is men-  
tioned, to nominate and appoint two other directors of the company,  
which two directors to be nominated by them as aforesaid, and two  
other directors to be nominated and appointed at the first, or some  
subsequent general meeting of the shareholders shall, together with  
the said eight directors first named be the directors of the said com-  
pany, subject to the provisions hereinafter contained; provided al-  
ways that until such additional directors shall be appointed, in man-  
ner aforesaid, the said eight first named directors shall have power  
to act in all things in the same way and manner as the twelve di-  
rectors are hereby authorised and empowered to act.

12. That the Directors, for the time being, of the Com-

pany shall meet at the Company's Banking House in Bir-  
mingham, weekly, on Monday, in each week, at one o'clock,  
in the afternoon, or as soon after as may be, which shall  
be the ordinary Board days, and on such other days and at  
such shorter intervals, and at such other hours in the day as they  
may think necessary: that the manager of the Company or  
any one Director, shall have power to call an extraordinary board  
of Directors, by sending or directing to each of the directors a  
letter by Post, or otherwise, at least one clear day previously,  
specifying the place, day and hour, fixed for the meeting and the  
special purpose thereof. That four of the  
Directors, at least, must be present to con-  
stitute a Board. } Directors, at least, must be present to con-  
stitute a board for transacting business; and  
all orders, acts, deeds, matters, and things, made, done, executed,  
or ordered by, or at any such meeting of four or more Directors,  
shall be equally binding, valid and effectual, as if all of the twelve  
Directors had been present; and assented thereto or joined there-  
in (save and except as is otherwise required by Article 18.

13. That at the first Board of Directors to be holden in each year,  
after the annual general meeting of the Shareholders of the Com-  
pany, and before any business is commenced, the said Board shall  
choose one of the then Directors to be their Chairman, and another  
Chairman and De- } Director to be Deputy Chairman, for the en-  
puty Chairman of } suing year; which Deputy Chairman is to  
Board of Directors } act as Chairman during his absence; and  
to be appointed and } at every Board, each Director shall have but  
to have a casting } one vote; but the Chairman, or in his ab-  
vote. } sence, the Deputy Chairman, in addition to  
his privilege of voting as any other Director, shall have a casting  
vote whenever upon any question the votes (including his single  
vote as such Director) shall be equal; and in case of the absence  
of both Chairman and Deputy Chairman, or their coming within  
any of the disqualifications mentioned in these presents, another  
Director shall, in like manner, be appointed Chairman; who shall  
have the same privilege of giving a casting vote, as such absent or  
disqualified chairman, or Deputy Chairman, would have had.

**Book of the pro-** } 14. That minutes of all the proceedings of  
**ceedings of the Board** } each Board of Directors, and of the names of  
**of Directors to be** } every Director present, shall be made and  
**kept.** } entered in a book, and signed at the end of  
the business of the Board, by the Chairman at such Board; and  
every such Book shall be kept by the manager for the time being  
at the Banking House of the Company.

**Power to Board of** } 15. That it shall be lawful for any Board  
**Directors to pur-** } of Directors for the time being of the Com-  
**chase, erect, or take** } pany to purchase, or erect, or rent, or take  
**suitable offices.** } upon lease, or otherwise, such house, houses  
or premises as the said board shall from time to time think re-  
quisite or necessary for carrying on and managing the business, af-  
fairs, and concerns of the Company, upon such terms and stipula-  
tions, and in such manner as they may deem advisable; and to fit  
up adapt and furnish the same for the use and purposes of the  
Company, and at the expense thereof; and from time to time  
and at all times afterwards, to make sale, exchange, let, demise, or  
otherwise dispose of such house, houses or premises, for the benefit  
of the Company, either together or in parcels, and by auction, or  
private contract and upon such conditions and for such prices, as  
the said Board shall think most advisable, and to purchase, or er-  
rect, or to take such other house, houses or premises, in the place  
And insure the } thereof, as the Board shall from time to time  
same. } deem expedient; and likewise to insure the  
buildings, furniture and effects of the Company against loss or  
damage by fire, in such sum or sums, and with such office or com-  
pany as the said Board shall think proper.

**Power to Board of** } 16. That the Board of Directors for the  
**Directors to appoint** } time being, shall have full power and author-  
**London Bankers, Ma-** } rity, without the interference or control of  
**anager, and other offi-** } the shareholders, to nominate and appoint  
**cers, and to displace** } the banker or bankers, broker or brokers,  
**them, and pay them** } and also the manager, teller, accountant,  
**suitable salaries.** } and all such other agents, officers, clerks,  
and servants, as the said board may consider necessary for carry-  
ing on and managing the business affairs and concerns of the Com-  
pany, and in like manner from time to time to remove and displace  
all or any of the said banker or bankers, broker or brokers, mana-  
ger, teller, accountant, agents, officers, clerks, and servants, and at  
any time or times to reinstate them or any of them, or nominate  
other persons to the same offices and stations respectively, as oc-  
casion shall require; and shall also, on behalf and out of the funds  
of the Company, allow and pay to every such person such reason-  
able salaries, charges, commissions, or remunerations, as the  
Board shall, from time to time, deem proper or necessary; provid-  
ed that the said Board shall take such amount and species of secu-

And take security } rity for the due performance of the offices  
from them. } and trusts to be from time to time reposed  
in the manager, teller, accountant, agent, offices, clerks, and ser-  
vants, as such board may deem proper.

17. That it shall be imperative on the Directors for the time being of the Company, at some such board as aforesaid, from time to time, and without any delay or interval, to appoint two at least,

Power to Board of Directors to appoint public officers pursuant to Statute seventh, George IV., for the purpose of suing and being sued, and also to appoint trustees for the Company.

of the shareholders of the Company, to be the public officers thereof for the purpose of the company suing and being sued, in the names or name of such public officers or either of them, and for otherwise conforming to the provisions of the hereinbefore mentioned Act of Parliament, of the seventh year of the reign of His present Majesty, and also, from time to time, to appoint two or more of the stockholders of the Company to be the trustees thereof, in the names of whom, the several securities, estates, and effects, to be taken by, or given to, or in favour of the Company, or wherein the company may be interested, shall be taken, and whose receipt shall be sufficient discharges.

18. That any Board of Directors for the time being may give

Power to Board of Directors to make advances, &c., but the votes of any four to be final.

credit or make advances in account or otherwise to any person or persons whomsoever, so as no such credit or advance be given or made for a permanency, or for any longer period than six calendar months, unless the repayment thereof, be secured on sufficient freehold, leasehold, or copyhold, hereditaments, government stocks or funds, or sufficient collateral personal security, provided nevertheless that in case any four of the directors should object to such credit or advance being given or made, or be of opinion that the same, if given or made, should be recalled, then and as the case may be, such advance shall not be made, or if made shall be immediately recalled.

19. That no director shall be authorised to vote in the matter of

Directors not to vote when interested personally or through family connection.

any such advance or credit or of the withdrawing of any such advance or credit, or as to the discounting any bill or note, wherein he solely or in partnership with any other person or persons, or wherein his father, brother, sister, son, grandson, grand-daughter, nephew, or niece, or father-in-law, or brother-in-law, son-in-law, sister-in-law, or nephew-in-law, or niece-in-law, may be interested.

20. That the Directors for the time being shall cause to be pro-

Proper books to be kept and balanced twice a year.

vided and kept at the Banking House of the Company, all necessary and proper books of account, wherein shall be entered, in a fair regular, and plain method, an account of all receipts, payments, transactions, and dealings that shall, from time to time be made by, or on behalf of the Company, and of all profits, gains, or losses, arising therefrom, and also an account of all dealings and investments that shall be made with, or of the stock and capital of the Company, or of any part thereof, and how the same shall have been applied and paid from time to time; and shall twice in every year, during the continuance of the Company, that is to say, upon or as of the thirtieth day of June, and the thirty-first day of December in every year, in such manner as to the directors shall seem correct and equitable, take and make up a fair, accurate, and just statement and account of the stock and capital of the Company upon each of those days, and of the profits and gains which shall have been made therein, and the losses which may have been incurred during the preceding half year; and in each such stock taking reference shall be had to the then value of the funded and all other property of the Company which shall be estimated, not at the cost, but at the then selling price thereof, so that the real estate of the affairs of the Company may in such statement plainly appear, which half yearly statement shall be entered in the books of the Company, and be examined, audited, and signed, by three or more of the directors; and a summary or balance sheet thereof shall be made for the inspection of the subscribers, at any general meeting, that the period from the opening of the Bank to the thirty-first day of December, one thousand eight hundred and twenty-nine, shall be included in and considered as part of the half year ending the thirtieth day of June, one thousand eight hundred and thirty.

21. That a meeting of the shareholders of the Company shall be convened and held on the second Wednesday in the month of February, one thousand eight hundred and thirty-one, and on the

Annual general meeting of shareholders to be held on the second Wednesday in February in every year.

same day of every succeeding year, at twelve o'clock, at noon, at some convenient place in the town of Birmingham; of which, the manager for the time being of the Company shall give in the manner

hereby required for giving notices, fourteen days previous notice signed by him, specifying the general or particular object of each such meeting; and each meeting so to be convened and held, shall be called, "THE ANNUAL GENERAL MEETING;" and the shareholders respectively qualified to act and vote therein according to the provisions herein contained, and who personally or by proxy, as hereinafter authorised, shall attend the same, shall have full power and authority to decide upon all such matters and questions as by virtue of these presents shall be brought before such annual general meeting.

22. That at every annual general meeting the directors shall exhibit a summary of the two preceding half yearly balance sheets, and such further statement of the affairs of the Company, in accordance with the stock taking of the then preceding thirtieth day of June, and thirty-first day of December, as to the

Directors to exhibit statements of the affairs. } directors may seem expedient for the inter-  
ests of the Company to be made public and the annual dividend of the profits shall be then and there declared.

23. That in every year such proportion of the net profits which

Profits to be divided amongst shareholders subject to guarantee fund.

shall appear to have been made by the Company during that year, not exceeding one-fourth part thereof, as the Board of Directors for the time being may think requisite shall be retained and form part of a fund, to be called "THE GUARANTEE FUND," and the residue of such net profits, or so much thereof as the annual general meeting shall from time to time determine, shall be divided amongst the shareholders, in proportion to their several shares; provided nevertheless that no part of such net profit shall be so set apart in any year in which a dividend of five pounds per cent on the paid up capital shall not have been declared.

24. That the said guarantee fund shall accumulate by way of compound interest, at the rate of three pounds per centum per annum; and is intended to meet and provide against any extraordinary demands upon the Company; and the same shall be applied by the Board of Directors for the time being for such purposes accordingly; and when and so often as such fund with the accumulations thereof shall amount to one half of the paid up capital, the excess beyond that sum shall, as any general, annual, or extraordinary meeting of the shareholders may decide, either be still suffered to accumulate or be divided among the then shareholders of the Company by way of bonus, or in addition to the annual dividends, at such times and manner as the shareholders at such meeting may agree upon, or be added to the capital, as fresh stock, for the benefit of the then shareholders, in proportion to their respective number of shares.

Guarantee fund to meet extraordinary demands by bad debts or otherwise when it exceeds one half of the paid up capital, excess may either be divided amongst the shareholders or suffered to accumulate or added to capital.

Notice of dividend or bonus to be given to shareholders.

25. That the Board of Directors for the time being shall at such time or times as may be thought fit, after a dividend shall have been declared at any annual general meeting, or a bonus decided upon, pay or cause to be paid, at the office of the Company, to each shareholder, or his or her executors or administrators, his or her proportion of such dividend and bonus and shall at least ten days before the day fixed for the payment of such dividend or bonus, either by circular letter through the post office, or advertisement in any one or more of the Birmingham newspapers, inform each of the shareholders, his or her executors or administrators, of his, her, or their share of the dividend or bonus declared or decided upon, and when the same respectively will be payable; but the party or parties entitled to receive any dividend or bonus, shall be at the entire expense of receiving the same; but no proprietor who, or whose executors or administrators or other representatives may happen to be in arrear in respect to any instalment or call, shall be entitled to receive any dividend or bonus until the arrear and interest thereon at the rate of five pounds per cent per annum, shall have been paid up.

Dividend and bonuses not paid in six months to go to account of unclaimed Dividend Fund.

26. That all dividends or bonuses which may not be paid for six calendar months, after the same respectively shall become payable shall be passed to an account to be called "THE UNCLAIMED DIVIDEND FUND," which fund shall from time to time, be laid out and invested by the Board of Directors in such manner as they shall think proper, and all dividends and bonuses passed to "THE UNCLAIMED DIVIDEND FUND" shall, when duly called for, be paid thereout, but without any interest for the same. And all the surplus of "THE UNCLAIMED DIVIDEND FUND" which shall remain after payment of, or allowing for, all the divi-

dends or bonuses passed to the same as aforesaid, shall, from time to time, when and as the directors may think proper be transferred to the "Guarantee Fund" and applied accordingly.

27. That at the annual general meeting of shareholders to be holden on the second Wednesday in February, one thousand Mode of Directors retiring from office and of electing new Directors. } eight hundred and thirty-one; and at each subsequent annual general meeting all the then directors shall retire from office, and shall be replaced by twelve other directors to be elected by a majority of votes, such majority to be ascertained in manner hereinafter mentioned; provided nevertheless, that on all occasions, any retiring director may be re-elected.

28. That for better regulating such respective elections, the Board of Directors, or the manager for the time being, shall, fourteen days at least, before each annual general meeting, cause List of persons qualified to be Directors sent to each shareholder. } to be made out and printed, a list containing the christian and surnames, and the residences so far as shall be known of the shareholders of the Company who shall then be qualified to be directors, and a printed copy of such list shall be sent by the manager for the time being, to each shareholder, in the manner hereby required for sending notices to shareholders, at least fourteen days before such annual general meeting; and each and every shareholder, or such of them as shall think fit so to do, shall sign such list, and affix to twelve of the names of the shareholders comprised therein, some mark, indicating his or her vote or votes, that the several persons so marked, may be appointed directors, and shall return such list so signed and marked as aforesaid, to the manager or directors of the Company at the Bank, at least seven days before such annual general meeting; which several lists shall be produced at such annual general meeting, and such twelve persons comprised in the said lists as shall have the greatest number of votes (calculated from the number of marks affixed to their respective names in the lists to be returned as aforesaid, and the number of votes which the several persons affixing such marks, shall, in pursuance of the provision hereinafter contained, be entitled, to give,) shall be the directors for the year ensuing; and in case of an equality of votes, the chairman of such annual general meeting, shall have the casting vote.

29. That at each annual general meeting, immediately after the choice of directors shall have been determined and declared, in pursuance of the last article or clause, the shareholders then present shall elect, and choose three of such Directors, not actively engaged in business, as "THE BILL COMMITTEE," for A Bill Committee } the year ensuing; which said committee shall be appointed. } be appointed, in order as much as may be, to prevent the exposure of such bills of exchange and promissory notes as may pass through the Bank, and all such bills and notes shall be accordingly submitted to such Bill Committee.

30. That no person can be elected a director who shall not be Persons disqualified } a holder of fifty shares at least, in his own right, in the capital of the Company, or who shall be a banker, or clerk, or accountant in, or agent to a banking-house, or a director in any other banking company; and if any of the present or future directors, shall cease to hold fifty shares, or become banker, or clerk, or accountant, or agent to any banking-house, or director in any other banking company, his office as director shall thereupon, and thenceforth become vacated; provided, that in case any such director shall have become disqualified, and such disqualification shall not be notorious, no act or resolution of any board of directors at which he may have attended, previously to such disqualification becoming notorious, shall be avoided, or vacated, in consequence of there not having been four directors present, independently of such disqualified director, unless any board of directors, or general, or special meeting of directors so determine.

31. That in case the conduct of any one director shall be such, Board of Directors } that his continuance in office shall appear to may expel any one of } the other directors prejudicial or injurious their body. } to the interests of the Company, it shall be lawful for all the other directors, at a Board to be convened for that purpose, if they be unanimous in that behalf, but not otherwise, to remove any such director from his office.

32. That any director, or other officer of the Company, may, Directors, &c. may } at any time vacate his office, by sending his resign. } resignation in writing to any board of directors, for the time being of the Company.

33. That when, and so often, as any vacancy shall occur in

Interim Directors } the office of director of the Company, either may be appointed by } by death, resignation, disqualification or removal, previously to the time at which such director or directors would otherwise have retired, as aforesaid; then the Board of Directors for the time being shall, and they are hereby authorised and directed to appoint a proper person, qualified as aforesaid, to fill the office of director in the stead of the director, respectively, so dying, resigning, becoming disqualified or being removed as aforesaid; and every such director so appointed, shall be as fully and effectually a director of the Company, as if he had been originally elected by the shareholders, and shall retire from the direction of the Company at the same time, and in like manner, as the director in whose place he shall be so appointed, would have retired, under the regulations herein contained.

34. That each of the present and future directors shall, previously to entering on the duties of his office, Directors to sign } declaration of secrecy. } sign a declaration, in a book to be kept for that purpose, that he will not reveal, or make known, any of the matters, affairs, or concerns which may come to his knowledge, as a director of the Company, to any person or persons whomsoever, except when officially required by the Board of Directors for the time being, or by any general or extraordinary meeting of the Company, or by the Committee of Inspection appointed as hereinafter mentioned.

35. That every Board of Directors shall act in strict conformity Board of Directors } to the rules and provisions hereby established, or to be established, modified, varied or altered by any annual or extraordinary meeting, or meetings of the shareholders of the company, but in all cases, when there shall be no such existing or subsisting rule or provision applicable, the Board of Directors shall act in such manner as may appear to them best calculated to promote the welfare of the company, and for the better guidance of the directors, in the management of, and superintendence over the affairs and concerns of the company it shall be lawful for every or any board of Directors to make whatever bye-laws, rules and regulations, they shall think fit, and from time to time to alter and rescind the same, or any of them, as to any such Board may seem meet; provided that such bye-laws be not inconsistent with, or repugnant to the fundamental principle or constitution of the company as agreed and settled by these presents, or as may be altered or established by any annual or extraordinary meeting or meetings of shareholders, under the power herein given for such purpose.

Remuneration to } 36. That the shareholders at any annual Directors to be fixed } general meeting shall fix the remuneration (if any) to be paid to the Board of Directors, for the time being of the Company.

37. That the bills or notes of the company shall be signed, drawn Board of directors } accepted, or endorsed by the manager for the may authorise managers to sign notes, &c. } the company as the board of directors for the time being shall appoint, by a minute to be signed by the chairman, and to be entered in the book of proceedings of the said Board; and no bills or notes of the Company, signed, drawn, accepted or endorsed in any other manner than by the person or persons so authorised, shall be binding on the Company.

38. That it shall be the duty of the manager for the time being, List of shareholders } to enter in a book, to be provided for that to be kept and from } purpose, the name and place of residence of every shareholder for the time being of the time to time amended. } Joint Stock of the Company, and the number of shares belonging to him, or her; and from time to time to correct or alter such entries as circumstances shall require; and for the purposes of enabling him so to do, every shareholder changing his or her name or place of abode, or whose name or place of abode, through his or her default, shall be incorrectly entered in the books of the Company, or who being a female, may have married, shall immediately give notice in writing at the office of the Company of such circumstance, and therein correct or explain the mistake or omission, or (being a female) notify such marriage, and give the name and place of abode of her husband.

39. That every, or any notice, to shareholders required to be given Mode of giving } by these presents, and the mode of giving notices. } which is not herein otherwise provided for shall be by letter, written or printed in the name of the manager for the time being, or other person acting in his office, and be put into the post office at Birmingham, directed to such shareholders according to the existing entry in the books of the Company, and shall, for all the intended purposes thereof, be deemed effectual no.

Appendix to report on Currency.

tice and binding upon each and every shareholder to whom the same shall be addressed.

40. That the Board of Directors, for the time being may, from time to time, establish branch banks, or agents at any other towns  
 Board of Directors }  
 may establish branch }  
 Banks. } and may appoint managers, tellers, and other officers and servants thereof; and suppress, discontinue or remove all or any such branch banks or establishments, and such managers, tellers, officers and servants, and fix for, and pay to them respectively such salaries and remunerations as any such board, from time to time, may judge expedient, and such branch banks or agents, managers, tellers, officers and servants, when so established and appointed, shall immediately thenceforward be under the direction, conduct, management and control of the Directors in the same manner as the principal establishments of the Company.

41. That the conduct and management of all actions and suits by or against the public officer or officers of the Company, shall be confided to the Board of Directors, and it shall be the first duty of the said board to apply, or cause to be applied, a competent part of the fund called "THE GUARANTEE FUND," or if deficient then other funds of the Company, in satisfying and discharging all money which either as damages or costs, such public officer or officers, or any shareholder or shareholders of the Company may become liable to pay, or pay for or on behalf of the Company, by reason of any such action or suit; and each Director for the time, shall, under and by virtue of these presents, be liable to be sued on his covenant, for his neglect or refusal to join in the necessary orders for the application of the said funds, so as to accomplish and give effect to this provision; but no public officer or shareholder who shall refuse or neglect to confide his defence to the management of the said board, shall be entitled to have or claim the benefit of such reimbursement or indemnity.

42. That when, and so often as any person or persons, whether shareholders in the Company or not, shall break, or refuse or neglect to perform or comply with any of the covenants, conditions, stipulations or agreements contained in these presents, or other supplemental or subsisting deed of settlement of the Company, and which, on his, her or their part, ought to be performed, or complied with, or to pay and discharge any sum of money, debt, claim or demand due or claimed, to be due to the Company, or otherwise, to satisfy any cause of action, which the Company may possess, it shall be lawful for the Board of Directors for the time being, to do or do an action or suit, or other proceeding at law, or in equity, to be commenced in the name or names of the person or persons who, the said Board may be advised, ought to be plaintiff or plaintiffs against the person or persons, for the time being committing such breach, or refusing or neglecting, as aforesaid, or liable to pay such sum of money, debt, claim, or demand, or satisfy such cause of action, his, her or their heirs, executors, or administrators; and the person or persons in whose name or names any such action or suit shall be so commenced, shall not discontinue, release, or become plaintiff in such action or suit, without the consent of some Board of Directors for the time being, of the Company; and provided such person or persons obey the directions of the Directors in and about such actions, suits and proceedings, he and they shall be indemnified out of the funds or property of the Company, against all expenses, damages and losses which they, he or she may incur or sustain in consequence of such action or suit in like manner as herein provided, concerning the public officer or officers of the Company; and the sum or sums of money to be recovered and received in any such action or suit, shall form part of the funds of the Company.

43. That any Board of Directors for the time being, in its discretion may agree to refer and submit to arbitration, any matter in dispute, question or difference between the Company and any person or persons, and may compound any debt or debts owing to the Company, and accept a part thereof, or a security for the same in full, or give further time for the payment thereof; and may refrain from suing for any debt or debts, which, in the opinion of the said Board shall be bad or desperate; or not worth suing for; and also from time to time, by a minute in the book of proceedings of the Board, may authorise the public officer or officers of, or any other person or persons, on behalf of the Company to prove any debt or debts due to the Company from any Bankrupt or Insolvent, or to act in the matter of such bankruptcy or insolvency; and to receive any dividend thereon, or to sign the certificate or certificates of any person or persons indebted to the Company, who may

become bankrupt, and the receipt of every or any such dividend by the person or persons so to be appointed shall be a complete and effectual discharge.

44. That as to such of the funds of the Company as shall not be employed, in the ordinary business thereof, the Board of Directors for the time being, may lay out, and invest the same, either in the names of the Trustees for the time being, or of such other persons as the said Board may appoint, in or upon the parliamentary stocks or funds of Great Britain; or in any Navy, or Exchequer Bills; or India Bonds or Bank, or East India Stock, or on freehold, leasehold or copyhold securities in Great Britain or Ireland, or in the purchase of stock in the Company, or in any chartered Company, or of annuities for one or more life or lives to be insured, either by the Grantors, or by the Company, or of any other description; and any Board of Directors, when they shall think proper, may cause any of the funds or property so to be laid out and invested, to be disposed of, called in or otherwise converted into money, and the money arising thereby to be again laid out and invested upon securities as aforesaid, and so from time to time as occasion may require.

45. That at every meeting of Shareholders of the Company, whether annual, or extraordinary, or by adjournment, the chair shall be filled by the chairman for the time being, of the Board of Directors, if present, or in his absence, by the Deputy Chairman of the Board of Directors; or in case of the absence of both of them, then by one or other of the Directors, or in case of the absence of all the directors, then by such other member of the Company, as the majority of the Shareholders then and there present, and qualified to vote, as hereinafter mentioned, shall elect to fill the chair; and the chairman who may preside at such meeting, shall regulate the proceedings thereof, and shall not only vote as any other Shareholder, but in case of an equality of votes, shall have the casting vote, and all the acts, orders, and proceedings of such respective meetings, shall be entered in a book to be kept by the Manager for the time being, of the Company, and shall be authenticated by the Chairman's signature, which shall be conclusive evidence of all such acts, orders and proceedings.

46. That at each meeting of shareholders of the Company, whether annual or extraordinary, or by adjournment, all questions, motions, rules, orders and regulations, which may be brought forward or proposed for the discussion, opinion or decision of the shareholders shall be determined and decided by the majority of votes of the shareholders then and there present; and so that each holder of less than ten shares, shall not have any vote; each holder of ten shares or upwards, but less than forty shares shall have one vote; and each holder of forty shares or upwards, but less than seventy shares shall have two votes; and each holder of seventy shares or upwards, but less than one hundred shall have three votes; and each holder of one hundred shares and upwards, shall have four votes and no more; provided, that if ten or more shareholders present at such respective meetings (and qualified to vote as herein mentioned) and the aggregate of whose shares shall not be less than five hundred, shall demand that the votes be ascertained, and taken by ballot, then the same shall be done accordingly, but unless ten or more such shareholders having such amount of shares do so require, no ballot shall take place; but in case a ballot shall be duly required each shareholder present, and duly qualified to vote at such meeting, shall deposit in a balloting box, to be provided by the manager, for the time being, of the company, a piece of paper, on which shall be written his or her own name, & the number of votes, which he or she shall claim to exercise, and also the assent or dissent of the said shareholders to the question, or matter, under consideration; and one of the Directors to be chosen by the Chairman, assisted by two persons to be chosen by the meeting as scrutineers, shall thereupon retire, and report to the meeting, or to any adjournment thereof, the result of such ballot, and the same shall be declared by the Chairman, and entered in the book of proceedings, as the decision of the meeting accordingly.

47. That every shareholder being a female, or residing generally ten miles, or upwards, from Birmingham, or being a clergyman, or a member of parliament, and who respectively shall be qualified and authorised to vote at any general, extraordinary or adjourned meeting, may appoint a person to vote for her, or him, at such respective meeting; but no vote, or proxy, shall, in any case be admitted, unless the person appointed as proxy shall be a qualified shareholder, and authorised to attend in his own right, and unless such proxy shall be nominated under the hand of the shareholder, availing herself or himself of that privilege; and no proxy shall be in force, or available at any other meeting except an adjournment.

ment thereof, than that for which it was expressly given, or intended to apply, and each proxy shall be in the form, or to the effect following, that is to say :

" I hereby appoint \_\_\_\_\_ my proxy to vote for me, and in my name, at a general or extraordinary or a journed meeting, as the case may be, of the shareholders of the Birmingham Banking Company, to be holden on the \_\_\_\_\_ day of \_\_\_\_\_ and at any adjournment or adjournments of such meeting, dated &c." And every shareholder who shall have appointed such proxy as aforesaid, and whose proxy shall attend, shall for all the purposes of the annual, extraordinary or adjourned meeting, for which such proxy shall have been appointed, be considered as present, and all the acts and votes of the proxy in that capacity shall be as valid and effectual as the acts and votes of the shareholder appointing him would have been, if such shareholder had been present, and had personally acted and voted at such respective meeting.

48. That no shareholder shall be allowed to vote personally or by proxy at any meeting of shareholders, or to claim any dividend or bonus or exercise any right by virtue of these presents, until such shareholder shall have paid the amount of every call, in respect of the share or shares in the capital of the Company, to which he or she may be entitled, and shall otherwise have conformed to the provisions and regulations of these presents, or the then subsisting or any supplemental deed of settlement.

49. That no business shall at any meeting of shareholders, whether annual, extraordinary or by adjournment, be gone into or discussed, nor shall any decision be made on any business which may have been then gone into or discussed, unless there shall be personally present at such respective meeting, at the commencement of the day's business, and also when any question shall be decided, at least twenty shareholders, duly qualified to vote as aforesaid, and the shareholders present shall be holders of at least fifteen hundred shares.

50. That if at any meeting of shareholders, whether annual, extraordinary or by adjournment, twenty such shareholders and holders of at least fifteen hundred shares, shall not be present within one hour after the time appointed for holding the same, respectively, then, and in every such case, such respective meeting shall be adjourned; and the chairman or deputy chairman, for the time being, of the Board of Directors, as the case may be, or any other director then present, or if no director be present, then the manager, for the time being, of the company, shall, and is hereby required to declare such meeting adjourned, and the same shall be thereupon adjourned to such future time and place, in the town of Birmingham as the majority of the shareholders then present, and qualified to vote, may determine; and notice of such adjournment shall be given, in like manner as was required for convening the meeting, whence such adjournment took place; and there shall be an interval between such first meeting and the subsequent one, sufficient to enable seven days notice to be given to the shareholders, by advertisement or circulars as before provided.

51. That the shareholders present at any such meeting, whether annual or extraordinary, being sufficient in number to transact business, may adjourn the same once or oftener, to such day and hour, days and hours, and such convenient place in the town of Birmingham, as they may deem advisable; and after a motion for adjournment has been carried, no business shall, on any pretence, be brought forward; and it shall not be necessary to give any notice by advertisement of any adjournment, except the same shall take place through the non-attendance of twenty shareholders, or shareholders not holding fifteen hundred shares, or such adjournment shall be for a longer period than seven days after, and inclusive of the day of holding the meeting, which shall so adjourn; and also inclusive of the day to which the meeting shall be adjourned; and no subject or business shall be proposed, debated or disposed of in any such adjourned meeting, other than so much of any subject or business, as shall remain undecided or undisposed of, at the meeting whence the adjournment took place; & the shareholders who shall be present at every or any adjourned meeting, although they might not have been present at the meeting whence the adjournment took place, and who respectively may be qualified to act and vote therein, according to the provisions aforesaid, may act and vote at such respective adjourned meeting.

52. That no subscriber to, or shareholder of the company, his or her executors, or administrators, legatees, assignees, or creditors, or any other person, or persons claiming, or to claim by, Shareholders not permitted to inspect books. } shall be entitled to inspect any of the books, accounts, documents, or writings of the company, except such as may be produced for that purpose, at any general, annual, extraordinary, or adjourned meeting of shareholders.

53. That all debts and engagements to the company, of any shareholder or shareholders, either for cash advances, or balances, or running bills, or notes, being direct bills, notes, or indorsements passed to the company by such shareholder or shareholders, his, her or their partner or partners, or otherwise, howsoever, shall be at all times, and in all cases set off against all shares and stock of such shareholder or shareholders; whether such debts and engagements be the debts and engagements of such shareholder or shareholders individually, or jointly, or in partnership with any other person or persons; and the board of directors, for the time being, may extinguish or dispose of such share or shares, either entirely or partially, as the case may seem to require, by way of, or towards satisfaction, or payment of all, or any part of such debts or engagements.

54. That no share in the stock of the company shall be transferable until all calls, or instalments in respect thereof, have been duly paid up; but from and after that time, if any shareholder, or his, or her legal representative or representatives, whether by marriage, or as executors, administrators, legatees, guardians, committees, assignees under bankruptcy or insolvency shall be desirous of selling or disposing of any share or shares in the company, he, she, or they shall state in writing to the board of directors, for the time being, the name or names of the person or persons who is or are willing to become the purchaser or purchasers thereof, and the real price which such proposed purchaser or purchasers have agreed to give for the same; and shall also leave at the banking house of the company, the written consent of such proposed purchaser or purchasers, to become a member or members of the company, subject to the rules and regulations thereof; and if the said board of directors shall approve of such proposed purchaser, they shall notify the same to the proposed vender, within fourteen days after receiving such notice; and such purchaser or purchasers may then take a transfer of the same share or shares, and shall have the like advantages in the same, and be subject to the like liabilities in respect thereof, as the previous owner or owners had therein, and was, or were subject in respect thereof, but no transfer shall be made without such approval of the board of directors, as aforesaid, or in any other form than is hereinafter provided.

55. That the husband of any female shareholder, or the representative or representatives of any shareholder, (whether executors, administrators, legatees, trustees, guardians, committees, assignees under bankruptcy, or insolvency, or otherwise,) on leaving three days previously for inspection at the banking house of the company, the certificate of the marriage, the probate of will, letters of administration or other documents, under which he, she, or they may claim to receive the dividend or dividends, bonus or bonuses, (if any) due on the share or shares of such shareholder at the time of marriage, or his, or her death, lunacy, bankruptcy, or insolvency, as the case may be, at or after the expiration of such three days, shall receive such dividend or dividends, bonus or bonuses; but the receipt thereof shall not constitute any person so receiving the same a partner in the company or authorise him or her to exercise any right or power in the affairs thereof; and no such person in any such capacity shall be entitled to receive any future dividends, bonuses or other profits accruing or becoming due, after the marriage, death, lunacy, bankruptcy, or insolvency of any such shareholder upon or in respect of his or her share; but the same dividends, bonuses or profits, shall not be receivable until the share or shares in respect of which such dividend or dividends, bonus or bonuses is or are payable, shall be transferred into the names of such husband, executors or administrators, legatees, trustees, guardians, committees or assignees, or his, her or their nominee or nominees (as the case may be) and after such transfer the same dividend or dividends, or bonus or bonuses shall be paid to the transferee or transferees of such share or shares.

Appendix to report on Currency.

56. That the husband of any female shareholder or any such executors, administrators, legatees, trustees, guardians, committees or assignees, who shall be desirous of retaining the share or shares of his wife, or of the person or persons whom he, she or they represent, and of having the same transferred into his, her or their name or names, shall give notice in writing of such desire to the Board of Directors, for the time being (in manner as mentioned in article 54. with regard to the sale of shares) and he, she or they may on the approval of the board of directors, be admitted and become a shareholder or shareholders in the company, in respect of such share or shares and have the same transferred into his, her or their name or names accordingly.

57. That the Board of Directors, for the time being, shall be at liberty to decide upon the form and manner of the transfer, to be made and executed upon the sale or transfer of the shares in the company and shall from time to time, and at all times hereafter make such further rules, orders and regulations respecting such transfers, and by whom the same shall be prepared, as shall appear to them necessary and advisable, for the security of the company, and the due assignment of the said shares, but so that all transfers, sales or assignments of any share or shares in the company, which shall not be made conformably to the provision of these presents, and any supplemental or subsisting deed of settlement of the company, and according to the regulations of the directors, shall be null and void.

58. That every person who is a subscriber to the company, or shall acquire any share or shares therein, shall although he or she shall not have executed these presents, as to all duties, obligations, claims and demands, in respect of his or her share or shares be considered as a shareholder of the company, from the time of his or her subscription, for or otherwise acquiring his or her share or shares, but as to all profits, rights, privileges, benefits and advantages to arise from the said share or shares, shall not be considered a shareholder of the company until he or she shall have executed these presents, either in person or by Attorney, at the Banking House of the Company in Birmingham, or at such other place as the board of directors for the time being shall require, and in case any of the present or future subscribers or any other person or persons hereafter claiming to be entitled to a share or shares in the company either as purchasers, executors, administrators, legatees, trustees, guardians, committees, assignees, or otherwise, shall, for three calendar months after notice in writing from the manager of the company, neglect or refuse to execute personally, or by Attorney, as the board of directors may require these presents or some deed of covenant to be prepared at the expense of, or paid for by such person or persons, and to be approved of by the said board whereby he, she or they shall covenant to abide by the regulations of the company, than the share or shares of the party or parties so neglecting or refusing to execute, or to pay the expense of any such deed of covenant, and also all deposits paid in respect of such share or shares, and all benefit and advantage whatsoever shall from, and as from the expiration of the above period become forfeited in such manner as directed by article 8, subject to such discretionary power as therein mentioned.

59. That from and immediately after the completion of any sale and transfer in the manner aforesaid, the person or persons, to whom such sale and transfer may be made, shall have, and be subject to all the same privileges and liabilities as the person or persons, by, or from whom such sale and transfer was or were made, and every person or persons, whose share or shares shall, by the board of directors for the time being, have been sold by virtue of any of the powers hereinbefore contained, shall in respect of such share or shares cease to be shareholder or shareholders in the company; and shall for ever thenceforth be acquitted and discharged from all further obligations, in respect of such share or shares, and from all the covenants, agreements, regulations and stipulations to which by this or any supplemental or other subsisting deed of settlement of the company, he, she or they would have been liable in respect of the same share or shares, if the same had not been sold as aforesaid, provided nevertheless that nothing in this article contained shall extend, or be meant or construed to extend to release such shareholder or shareholders, from his, her or their proportion of the losses (if any) sustained by the company, up to the period of his, her or their ceasing to be such shareholder or shareholders as aforesaid.

60. That it shall be lawful for any board of directors, for the

time being, to purchase any share or shares, by, or out of the funds of the company, for the benefit thereof, and afterwards to sell and dispose of such share or shares, rather than to retain the same, to persons capable of promoting the interests of the company at such times, and from time to time, and either by auction or private contract, or in such other manner as such board shall think most beneficial for the general benefit of the company, and the person or persons who shall purchase any such share or shares from the directors, shall, on completion of such purchase, become a shareholder or shareholders in the company, and be entitled to a proper transfer or certificate thereof, but it shall not be necessary for the previous owner or owners of any such share or shares to join in any transfer or assignment thereof.

61. That any annual general meeting of the shareholders, if dissatisfied with the statement of the affairs of the company submitted to them, at which five pounds per centum on the paid up capital shall not have been declared, may appoint three shareholders (each qualified to be a director) as a committee of inspection to investigate into all, or any of the affairs and concerns of the company; and such committee shall have full power and authority to call for the production of all books, vouchers, and documents, and also require the aid, and personal and other explanation from the manager, accountant, clerks, or other officers of the company, who shall accordingly give and render, or cause to be given and rendered such aid and explanation, and the annual general meeting, at which such committee of inspection, shall have been appointed, may be adjourned to some future day, to hear the report of the said inspectors thereon, but such inspectors shall, previous to entering upon such investigation sign a similar declaration of secrecy as is hereinbefore required to be signed by the board of directors, for the time being, of the company.

62. That the majority of shareholders qualified and voting according to the right of voting hereinbefore mentioned, and personally present at two successive extraordinary meetings, or at one annual general meeting, and one extraordinary meeting, to be convened in such manner, and with such notice as hereinafter mentioned may, from time to time, increase the capital of the Company, or lessen or increase the number of directors, from the present number of directors, to any other number, or may remove any director from his office, or apply for a Charter or Act of Parliament, as hereinafter mentioned, or may make any new order, rule, law, regulation or provision for better managing and governing the Company or the business, affairs or concerns thereof, or may amend, alter, repeal or make void any of the existing laws, regulations and provisions thereof, or any of the articles contained in these presents or to be contained in any future deed or deeds, relating to the Company; provided that no order, rule, law, regulation, provision, matter or thing, be entered into or done at any such meeting, so as to release or exonerate any of the shareholders for the time being of the Company from their respective liabilities, to pay and make good the sum of fifty pounds in the whole, in respect of each share therein, as aforesaid, or to alter the provisions contained in Article 5, and 72.

63. That for effectuating all, any, or either of the purposes mentioned in the last preceding article, the Board of Directors for the time being may from time to time call an extraordinary meeting of shareholders, at some convenient place in the town of Birmingham, of which the manager, for the time being of the Company, shall give seven days previous notice, signed by him, stating the day, hour and place such meetings is appointed to be holden, and the object thereof; and such notice shall be sent to shareholders, in the manner required by Article or Clause 39, seven days before the time fixed for holding the meeting; and the board of directors may also in like manner, call a second extraordinary meeting, for the purpose of confirming any new order, rule, law, regulation, provision, matter or thing, passed or agreed to, at such first meeting.

64. That twenty or more shareholders of the Company, qualified to vote, as aforesaid, the aggregate amount of whose shares shall not be less than fifteen hundred, may, at any time or times, by writing under their hands, require the Board of Directors for the time being, to call an extraordinary meeting of the shareholders, for any of the purposes mentioned in Clause or Article 62; and every such requisition shall set forth the object of such extraordinary meeting, and shall be left with the manager, for the time being, at the office of the Company, at least one calendar month before the time named in the requisition, for the meeting to be holden; otherwise the said board shall not be bound to take notice thereof; but in case the directors neglect or refuse, for four-

teen days after such requisition shall be so left as aforesaid, to call such extraordinary meeting, then the shareholders signing the requisition may, for the purposes mentioned in such neglected or refused requisition, call an extraordinary meeting of the shareholders, by notice signed by them, and advertised in one of the Birmingham newspapers, at the least, fourteen days before the time fixed for holding the meeting; and in every such advertisement, the object of such extraordinary meeting, and the day and hour and place in the town of Birmingham, of holding the same, and the delivery of the requisition to the said board, and its refusal to call such extraordinary meeting shall be specified; provided that no new order, rule, law, regulation, provision, matter or thing to be passed or agreed to by the first of the said meetings (whether annual or extraordinary) shall be binding or conclusive, until confirmed by a second meeting, nor shall any such question be in the first instance proposed by the said board, at any annual meeting without giving seven clear days notice thereof, in manner as prescribed by article 65, nor be proposed by the shareholders, without giving a like notice, and also leaving with the manager at the office of the Company, a copy of such notice, at least one calendar month previous to the time for holding such annual meeting.

Receipt of trustees for shares to be sufficient discharges. } 65. That in all cases where any share or shares in the capital of the Company shall be bequeathed to, or otherwise become vested in any person or persons for, or subject to, any equitable claim of any other person or persons, the receipt of the person or persons in whom any such share or shares shall be vested at law, or his, her or their executors, or administrators shall, notwithstanding any claim or demand whatsoever of any person or persons equitably entitled to, or having any equitable claim on the said share, or shares be a good and sufficient discharge for the money, which may become payable from the Company, for, or in respect of such share or shares, and shall discharge the Company from the obligation of seeing to its application or being answerable for its misapplication.

66. That the securities or other investments hereinbefore authorised to be taken and made in the names of the trustees of the Company, and all monies to be secured or become due thereon, shall from time to time, be under the control and subject to the disposition of the Board of Directors, for the time being; and the order in writing of the said board, and countersigned by the manager for the time being, shall be obligatory on, and a justification to the said trustees, as to any purchase, sale, investment, payment or disposition of the securities or money of the Company, and the said trustees shall, from time to time, execute and deliver to the said Board of Directors, at the expense of the Company, such declarations or acknowledgments of trust of the estates, securities, monies and effects, purchased, taken, holden, or possessed by the same trustees, on behalf of the Company, as the Board for the time being shall devise or require.

Securities taken in names of trustees to be subject to the control of directors, and trustees to execute declaration of trust if required. } writing of the said board, and countersigned by the manager for the time being, shall be obligatory on, and a justification to the said trustees, as to any purchase, sale, investment, payment or disposition of the securities or money of the Company, and the said trustees shall, from time to time, execute and deliver to the said Board of Directors, at the expense of the Company, such declarations or acknowledgments of trust of the estates, securities, monies and effects, purchased, taken, holden, or possessed by the same trustees, on behalf of the Company, as the Board for the time being shall devise or require.

67. That every, or any receipt of the trustees for the time being, of the Company, or such number of Directors thereof as may constitute a board, or be sufficient to constitute a board, for any of the monies of the Company, that may be paid to such trustees or directors, or by the direction of the said directors, shall effectually discharge the person or persons paying the same, his, her, or their heirs, executors, administrators or assigns, from being obliged to see the application thereof, or from being answerable or accountable for the misapplication or non-application thereof.

Receipts of trustees or directors to be sufficient discharges. } monies of the Company, that may be paid to such trustees or directors, or by the direction of the said directors, shall effectually discharge the person or persons paying the same, his, her, or their heirs, executors, administrators or assigns, from being obliged to see the application thereof, or from being answerable or accountable for the misapplication or non-application thereof.

68. That within two months next after the trustees of the Company, or any or either of them, refuse, die, go to reside beyond the sea, or become incapable to act or shall resign, the board of directors, for the time being, shall name and appoint another trustee or other trustees in the stead of the trustee, or trustees so refusing, dying, going to reside beyond the seas, becoming incapable to act, or resigning; and such new trustee or trustees shall execute a covenant in such form as shall be devised by the said board, that he will hold the estates and funds of the Company upon the trusts, and for the purposes of these presents, or of the subsisting deed, or deeds of settlement of the Company; and immediately after such appointment, or the execution of such covenant, the trust, estates, monies, securities, and effects of, and belonging to the Company, which shall be, or have been vested in the trustee or trustees, so refusing, dying, going to reside beyond seas, becoming incapable to act, or resigning shall be assigned, assured, paid and transferred, so, and in such manner, that the same may vest in such new trustee or trustees jointly, with the surviving or continuing trustee or trustees, or solely, as the case may require, upon the trusts of these presents, or upon the trusts of the subsisting deed or deeds of settlement of the Company.

Mode of appointing new trustees. } point another trustee or other trustees in the stead of the trustee, or trustees so refusing, dying, going to reside beyond the seas, becoming incapable to act, or resigning; and such new trustee or trustees shall execute a covenant in such form as shall be devised by the said board, that he will hold the estates and funds of the Company upon the trusts, and for the purposes of these presents, or of the subsisting deed, or deeds of settlement of the Company; and immediately after such appointment, or the execution of such covenant, the trust, estates, monies, securities, and effects of, and belonging to the Company, which shall be, or have been vested in the trustee or trustees, so refusing, dying, going to reside beyond seas, becoming incapable to act, or resigning shall be assigned, assured, paid and transferred, so, and in such manner, that the same may vest in such new trustee or trustees jointly, with the surviving or continuing trustee or trustees, or solely, as the case may require, upon the trusts of these presents, or upon the trusts of the subsisting deed or deeds of settlement of the Company.

69. That the directors, managers, trustees, public and other officers, for the time being, of the Company, shall be indemnified and saved harmless, out of the funds or property of the Company, from and against all costs, charges, losses, damages and expenses which they, respectively shall, or may pay, sustain, or incur in, or about the execution of their respective trusts or offices; or in, or about any action, suit or proceeding, either at law or in equity, relating to the acts or property of the Company which the Board of Directors for the time being may deem proper to use, take, prosecute or defend; except such costs, damages or expenses as shall happen by or through the wilful neglect or default of any such directors, managers, trustees, and other officers respectively, and none of them shall be answerable for any act or default of any others or other of them, or for joining in receipts for the sake of conformity, or for any bankers, brokers, or other persons, with whom any monies or effects, belonging to the Company shall be lodged, or deposited for safe custody or otherwise; or for the insufficiency or deficiency of any security, upon which any monies of, or belonging to the Company, shall be placed out, or invested, or for any loss, misfortunes or damage which may happen in the execution of their respective trusts or offices, or in relation thereto respectively, except the same shall happen by or through their own wilful default respectively.

Indemnity to Directors &c. when acting legally. } fined and saved harmless, out of the funds or property of the Company, from and against all costs, charges, losses, damages and expenses which they, respectively shall, or may pay, sustain, or incur in, or about the execution of their respective trusts or offices; or in, or about any action, suit or proceeding, either at law or in equity, relating to the acts or property of the Company which the Board of Directors for the time being may deem proper to use, take, prosecute or defend; except such costs, damages or expenses as shall happen by or through the wilful neglect or default of any such directors, managers, trustees, and other officers respectively, and none of them shall be answerable for any act or default of any others or other of them, or for joining in receipts for the sake of conformity, or for any bankers, brokers, or other persons, with whom any monies or effects, belonging to the Company shall be lodged, or deposited for safe custody or otherwise; or for the insufficiency or deficiency of any security, upon which any monies of, or belonging to the Company, shall be placed out, or invested, or for any loss, misfortunes or damage which may happen in the execution of their respective trusts or offices, or in relation thereto respectively, except the same shall happen by or through their own wilful default respectively.

70. That if at any time during the continuance of the Company, or at, or after the dissolution, or determination or expiration thereof, any question, doubt, cause of action or suit, dispute or difference shall happen, or arise between all or any of the parties to these presents, or the parties to any such supplemental deed as aforesaid, or between all, or any of the shareholders, for the time being, or then late shareholders of the Company, or their heirs, executors, administrators or assigns respectively, touching or concerning any matter, cause or thing relating to, or respecting the Company, or in which the Company may be in any manner interested; or touching or concerning the breach or construction of any covenant, clause, matter or thing herein, or in any such supplemental deed as aforesaid contained; or between all, or any of the directors of the Company as such directors; or all, or any of the shareholders as shareholders, or between any shareholder or shareholders, director or directors as shareholders or directors and any individual or individuals; by reason of any acts done or omitted, permitted or suffered by him or them respectively; then and in every such case, and as often as the same shall happen, every such question, doubt, cause of action, or suit, dispute or difference, shall, at the request of any or either of the said parties thereto, or the heirs, executors or administrators of any or either of them, be reduced into writing and referred to three indifferent persons; one of them to be chosen by the person or persons taking one side of the matter in difference and another of them by the person or persons taking the other side of the matter in difference, within twenty-one days after such request; and a third to be chosen by the said two first chosen arbitrators, within fourteen days after they shall be chosen; and in case the person or persons taking either side of the matter, in difference shall neglect or refuse to choose an arbitrator on his or their part, within the time aforesaid; then the arbitrator to be so chosen on the part of the person or persons taking the other side of the matter in difference, shall choose another person to be joined with him in such arbitration, and such two persons shall nominate a third person to be joined with them in such reference; and the award or determination of the said three persons so to be chosen, as aforesaid; or of any two of them, concerning the matter or matters, so referred to them, shall be binding and conclusive, on the parties and their respective heirs, executors and administrators and shall be performed and kept by them accordingly, without any further suit or trouble; so as such award or determination be made in writing, under the hands of such three persons acting as arbitrators, or two of them, within three calendar months next after said three persons shall be elected as aforesaid; and for further and better enforcing the performance of every such award, the same award, and the submission hereby made, and the submission which may be made or entered into (if any) by any other instrument, shall, from time to time, be made a rule of the Court of King's Bench, or of the High Court of Chancery, according to the Statute in that case made and provided.

Disputes between shareholders to be referred to arbitration. } thereof, any question, doubt, cause of action or suit, dispute or difference shall happen, or arise between all or any of the parties to these presents, or the parties to any such supplemental deed as aforesaid, or between all, or any of the shareholders, for the time being, or then late shareholders of the Company, or their heirs, executors, administrators or assigns respectively, touching or concerning any matter, cause or thing relating to, or respecting the Company, or in which the Company may be in any manner interested; or touching or concerning the breach or construction of any covenant, clause, matter or thing herein, or in any such supplemental deed as aforesaid contained; or between all, or any of the directors of the Company as such directors; or all, or any of the shareholders as shareholders, or between any shareholder or shareholders, director or directors as shareholders or directors and any individual or individuals; by reason of any acts done or omitted, permitted or suffered by him or them respectively; then and in every such case, and as often as the same shall happen, every such question, doubt, cause of action, or suit, dispute or difference, shall, at the request of any or either of the said parties thereto, or the heirs, executors or administrators of any or either of them, be reduced into writing and referred to three indifferent persons; one of them to be chosen by the person or persons taking one side of the matter in difference and another of them by the person or persons taking the other side of the matter in difference, within twenty-one days after such request; and a third to be chosen by the said two first chosen arbitrators, within fourteen days after they shall be chosen; and in case the person or persons taking either side of the matter, in difference shall neglect or refuse to choose an arbitrator on his or their part, within the time aforesaid; then the arbitrator to be so chosen on the part of the person or persons taking the other side of the matter in difference, shall choose another person to be joined with him in such arbitration, and such two persons shall nominate a third person to be joined with them in such reference; and the award or determination of the said three persons so to be chosen, as aforesaid; or of any two of them, concerning the matter or matters, so referred to them, shall be binding and conclusive, on the parties and their respective heirs, executors and administrators and shall be performed and kept by them accordingly, without any further suit or trouble; so as such award or determination be made in writing, under the hands of such three persons acting as arbitrators, or two of them, within three calendar months next after said three persons shall be elected as aforesaid; and for further and better enforcing the performance of every such award, the same award, and the submission hereby made, and the submission which may be made or entered into (if any) by any other instrument, shall, from time to time, be made a rule of the Court of King's Bench, or of the High Court of Chancery, according to the Statute in that case made and provided.

71. That if ever the losses of the Company shall have absorbed not only the whole of the fund called "THE GUARANTEE FUND," but also one-fourth part of the then paid up capital of the Company, the Board of Directors for the time being shall within twenty days, or so soon after such losses being incurred, as the said Board possibly can, and they are

Company to be dissolved whenever one-fourth of the paid up capital be lost. } the Company, the Board of Directors for the time being shall within twenty days, or so soon after such losses being incurred, as the said Board possibly can, and they are

hereby required to call an extraordinary general meeting of the shareholders in manner as hereinbefore mentioned, and lay a statement of the affairs of the Company before such meeting; when it shall be lawful for any one, or more of the shareholders personally or by such proxy as hereinbefore mentioned at such meeting to require the dissolution of the Company; and the same shall be accordingly dissolved, and the affairs thereof wound up, in manner hereinafter mentioned, unless two-thirds of the shareholders qualified to vote as aforesaid, then and there present, either in person or by proxy, so far as voting by proxy is hereinbefore permitted, shall be desirous of continuing and carrying on the Company, which they shall be at liberty to do, upon purchasing the share or shares of the party or parties so desirous of withdrawing from the Company, at the then estimated bona fide value thereof (such value being determined by arbitration as aforesaid if any difference exist respecting the same) and also upon indemnifying such retiring shareholders from the debts and engagements of the Company and releasing them from the covenants, clauses and agreements contained in these presents, or in any subsisting deed or deeds of settlement of the Company; provided that nothing herein contained shall extend or be construed to extend, to release such retiring shareholder or shareholders from bearing and paying his, her and their respective proportion of the losses of the Company, up to the day of such extraordinary general meeting.

72. That if such loss shall not be incurred, an absolute and entire dissolution of the Company and determination of this partnership may lawfully take place, on the terms hereinafter expressed, and on no other terms (that is to say) by, and with the consent, and approbation of three or more of the directors, for the time being, to be testified by some writing signed by them, and by, and with the consent and approbation of two-third parts at least in number and in value, of the votes of the shareholders present, in person, or by proxy, so far as voting by proxy is hereinbefore allowed, and voting at each of two successive meetings of the proprietors; and each meeting to be for that purpose exclusively, respectively convened by a Board of Directors, by one calendar month's notice at least, to be signified by the manager for the time being, by advertisement in one or more of the Birmingham newspapers; and that proper measures for effectuating such dissolution shall be taken by a committee to be composed of three of the directors, for the time being of the Company, and by an equal number of persons to be chosen by the majority of votes of the shareholders present, in person or by proxy, and voting at the last of such meetings; and that after such resolution, the affairs and concerns of the Company shall, with all convenient speed, be wound up, and the debts, and liabilities of and claims on the Company, shall be satisfied, discharged or otherwise sufficiently provided for, and all the effects, securities or assets, guaranties and other funds, and interest, and benefit of existing engagement shall be converted into money; and for that purpose all outstanding debts owing to, and the benefit of engagements belonging to the Company, may be sold for money and the balance (if any) of the assets and property of the Company shall be divided among the persons who shall be the respective shareholders at the period of dissolution, and their respective executors and administrators, ratably, and in proportion to the amount of their respective shares at that time; and any of the shareholders (not being a director or manager) may become purchasers of any of the assets of the Company, which shall be sold; and the majority of voters, (according to the rules of voting hereinbefore contained) present in person, or by proxy, and voting at any special meeting to be convened for the purpose, may declare the accounts of the Company finally closed, and the assets of the Company fully administered, or with such exceptions, as they may think fit to declare; and the directors, trustees, and all other parties to be released and discharged, with or without such exceptions, from all suits, claims and demands, under and by virtue, or in consequence of these presents, and they shall be released and discharged according to such resolution, and in the forms, and under the modification thereof.

73. That the Board of Directors for the time being, shall cause these presents, or any future deed or deeds, as aforesaid, relating to the Company, to be enrolled in the High Court of Chancery, in England, for the benefit and security of all the parties to the same; and such deed or deeds shall afterwards be deposited in such place as the Board of Directors shall think fit, and shall, at any time, or times on the request and at the charges of any person or persons requesting the same, be produced on any trial or trials, hearing or hearings at law or in equity, or on any other reasonable occasion, due notice in writing being first

given to the manager for the time being, of the time and place when and where the production thereof, will be required.

74. That the Board of Directors for the time being, if required by two successive meetings as hereinbefore mentioned, may apply for and solicit out of the funds of the Company, a Charter for the purpose of incorporating the Company hereby established, or the shareholders thereof for the time being, and also may apply for and solicit an Act of Parliament for the purpose of giving full effect to, and carrying into execution the provisions, agreements and stipulations in these presents or in any supplemental deed contained and procuring such other privileges as may be requisite or necessary for the purpose, or as may be deemed advantageous for the interests of the said Company.

In witness whereof, the said respective parties to these presents, have hereunto set their several hands and seals, the day and year first above written.

**Contract of Copartnery**

OF THE

ABERDEEN

**Town and County Bank,**

1825.



**Inductive clause.** } The parties hereto subscribing, and named and designed in the testing clause hereof, considering that a new Banking Company in Aberdeen, with an extensive capital, conducted upon sound and liberal principles, and supported by the mercantile and monied interest of the Town and County of Aberdeen would be productive of advantage to the partners, and to the public at large, have resolved to form themselves into a Society or Company, for that purpose, and have agreed upon the following rules and regulations:—

**Designation of the Company.** } 1. That the Company hereby formed shall be known by the name and designation of "The Aberdeen Town and County Bank," and shall commence from and after the fifth day of April, 1825, which is hereby declared to be and have been the time of commencement of this copartnery, notwithstanding the dates hereof; and shall continue for the period of twenty one years, from the said fifth day of April, 1825—that is to the fifth day of April, 1846, or for such period as the Company shall determine, in manner after specified; and during the subsistence of the copartnery, the said parties faithfully promise and oblige themselves, and their respective heirs and successors, severally to promote and advance the interest and advantage of the Company to the utmost of their power.

**Capital to be divided into shares** } 2 That the Capital Stock of this Company shall be seven hundred and fifty thousand pounds sterling, divided into fifteen hundred shares of five hundred pounds sterling each; and how soon this present contract of copartnery is subscribed by partners holding one half of the said capital stock, the Company is hereby declared constituted. That the said Capital Stock, or such part thereof

**And paid by instalment not being regularly paid.** } of as may be required, shall be contributed and paid by the partners, at such times and by such instalments, as the court of Directors may appoint, and that in proportion to the shares respectively subscribed for by the partners, as the same are particularly specified in the testing clause hereof, and annexed to their respective subscriptions. And in case the first instalment shall not be regularly paid by any of the partners within twenty one days after it is called for by the committee of management, with interest thereof, it shall then be in the power of the committee of management either to do diligence hereon for the same, and for a fifth part more, of penalty, in name and manner hereinafter provided, to be added to the general account of profit and loss; or, in the option of the said com-

mittee of management, to declare the said persons failing to pay as aforesaid, to be no longer partners of the said Company, by letters addressed to them under the hand of the Cashier of the Company; and immediately thereafter, without further intimation, to dispose of the said shares as the said committee of management shall see proper, and in case

Provision in case of any of the after calls or instalments not being regularly paid. } any of the after or subsequent calls in further payment of this stock, or for making up any losses that may be sustained by the Company, shall not be regularly paid by any of the partners, at the term or date when the said call shall be made, in manner aforesaid, or at least within twenty one days thereafter, with interest thereon, it shall then be in the power of the committee of management, either to do diligence or prosecute for the same, and a fifth part more of penalty to be added to the general account of profit and loss, or in their option to sell and convey the shares of said partners failing to pay up, as aforesaid, and that by public sale, in manner as hereinafter provided; and on accounting for or paying over the net proceeds of such sale to such deficient partners, all further claim from them, or their representatives, on the stock and profits of the Company, in any manner of way, are hereby discharged or extinguished; such deficient members ceasing, from the moment of said sale, to be partners herein. And the committee of management shall be entitled, on such sale, to receive and discharge the prices, and to assign and convey the said shares to the purchasers.

Business of the Company to consist of Banking, &c. } 3. That the business of the Company shall consist of Banking, in all its branches; for issuing notes of hand, lending money, on cash accounts, real or personal security, bills of exchange, letters of credit, borrowing money on receipts, bills, promissory notes, or other form of obligation; investments in the government or public funds of Great Britain, Exchequer and Navy Bills, or other securities of the government of the country; purchases of Bank of England Stock, East India Company's Stock, Bank of Scotland Stock, Royal Bank of Scotland Stock, or the stock or shares of any other Company or Corporation, acting under royal charter or act of parliament in Great Britain; or in purchases of the stock of this or any other eligible Company; or if the court of Directors shall deem it expedient in the investment of any part of the actual unemployed capital in the purchase of land and houses, and in the purchase and sale of annuities; but for no other adventure, trade or merchandise, than that of Banking, or the purchases and investments before enumerated and described. And the Company shall begin to deal and do business as Bankers, in Aberdeen, on the fifth day of April, 1825, or as soon thereafter as found to be convenient.

Directors. } 4. That the whole business, affairs, and concerns of the Company are entrusted to and shall be managed by certain partners, as a committee of management, or Court of Directors, consisting of not more than twenty one persons, whereof one is to be Governor or President, and the others Directors. And at their first meeting the said Court of Directors shall name their Governor, and

Governor. } shall also make choice of seven of their number as a sub-committee of management, for directing the business of the Company. That a general meeting of the head court of the whole partners shall be called by advertisements and circulars, and held on the fifth day of March next, for the purpose of electing the Court of Directors for the first year, who shall enter upon their charge immediately thereafter, and continue in office until the fifth day of March, 1826. That, in naming their Governor and making choice of a sub-committee of management, as aforesaid, each member of the Court of Directors shall only have one vote, whatever number of shares in the Company he may hold. That a quorum of the Court of Directors shall not be less than nine, and of the sub-committee not less than three. And at all general meetings of the Company, and meetings of the Court of Directors, the person presiding, or in the chair at the time shall not only have his deliberative vote or votes as a partner

of the Company, but, in case of equality a casting vote besides. And at all such general meetings of the Company, and meetings of the Court of Directors, the meeting, in the absence of the governor, shall choose their own chairman, and the sub-committee shall at all times, choose their own chairman.

5. That there shall be monthly meetings of the Court of Directors, viz. on the first Monday of every month. That the sub-committee and sub-committee to } shall meet weekly, on every Monday for the despatch of business, or oftener, if necessary. And it shall not be in the power of the Court of Directors, to attend the meetings of the sub-committee, or to interfere in the ordinary affairs of the company, unless at their stated monthly meetings, or unless their presence and assistance is called for, by requisition, from a majority of the sub-committee.

6. That the Directors shall be chosen in the manner after specified by a majority of votes of Partners present personally at the general meeting to be held on the fifth day of March, 1825, and at the annual stated general meeting to be held on the fifth day of March yearly thereafter, if a lawful day, and if not the first lawful day thereafter. That fourteen of the Directors shall hold at least ten shares each of the Company's stock, bona fide, and in their own private right; and the remaining seven Directors shall hold at least five shares each, bona fide, and in their own private right. And the members of the sub-committee shall all be resident in Aberdeen or within three miles thereof. Every person carrying on business as Bank Agent or Cashier in Aberdeen for a Banking Company, or Banker, is hereby disqualified from being a Director of this Company. And in case any member of the Court of Directors shall be in a state of bankruptcy, or notour insolvency, or shall cease to be qualified as a holder of stock, or otherwise, as before provided, or shall become Bank Agent in Aberdeen or Cashier for any Banker or Banking Company, he shall, ipso facto, be disqualified from being longer a member of the Court of Directors. And when any such disqualification takes place, or in the event of the death of any of the Directors, the remaining members of the Court of Directors shall fill up the vacancy by nominating another person, duly qualified, in his place; but such nominee shall remain in office only until the next annual election. But there is nothing herein meant to disqualify from holding the office or situation of a Director, any person, otherwise qualified, merely holding stock or shares in any other Banking Company.

Stated annual general meetings. } 7. That there shall be one stated general meeting of the Company in the year, viz. on the fifth day of March yearly, if a lawful day, and if not a lawful day, on the first lawful day thereafter, upon at least thirty days previous intimation, in the Aberdeen newspapers, or such other newspapers as shall be fixed on by the Directors at the time.

Votes how to be counted. } 8. That, in the choice of Directors, and in all matters submitted to the cognizance or consideration of a general meeting of the Company, the partners personally present at such meeting shall have right to vote according to the number of shares which they respectively hold in the Company's stock; each share being entitled to one vote; but no person shall be allowed, in any case, to vote by proxy. And no Partner shall be allowed to hold more than thirty shares of the stock of the Company.— And in every case where Companies are Partners, or hold part of the capital stock of the Company, only one of the Partners of such Company shall be entitled to vote and act, and his name shall be entered in the books of this Company accordingly. And no Factor, or Trustee on the bankrupt estate of a Partner or Trustee or Executor on the estate of any person deceased, shall be entitled to attend any meeting of the Company, or vote at the same. And the election of Directors shall be conducted after the following manner:—

Appendix to report on Currency.

**Mode of Election of Directors.** } The preses being chosen, the Partners shall deliver into him signed lists of the names of the persons for whom they vote as Directors, which shall be by him put into a glass, placed on the table, in presence of those assembled; and after the whole of such lists have been presented, the glass containing the same shall immediately thereafter be sealed up, and delivered to three of the Partners present to be named as scrutineers. That these three scrutineers shall, with all convenient speed, retire to a room adjacent to the place of meeting, open the glass, and carefully examine the signed lists therein deposited, and ascertain what persons have the greatest number of votes for the office of Directors; and shall, as soon as convenient, report to the preses of the meeting, under a sealed cover, a list subscribed by them, of the twenty-one Directors who have been elected by a majority of votes, as aforesaid; which list the preses is authorised to announce in the first Aberdeen newspaper. And immediately after the election, the signed lists in the glass shall be delivered by the scrutineers to the Governor, to be by him destroyed, or disposed of as the meeting may appoint. In case of any person or persons having an equality of votes as Directors, the election shall be determined by ballot, and the scrutineers shall, in such event, proceed accordingly.

**Powers of Cashier.** } 9. That the Cashier shall have such powers for conducting the business and affairs of the Company, in the absence of the sub-committee, as they shall think it proper and expedient to confer, by minutes in their sederunt book. But all matters, when brought before the sub-Committee, or Court of Directors, shall be decided and disposed of in such way and manner as they shall think proper.

**His qualifications.** } 10. The Cashier must be possessed of the Company, and shall receive such yearly salary or allowance from the Company as shall be fixed and regulated by the Court of Directors for the time being.

**Court of Directors to name Cashier.** } 11. That the first and all future Cashiers shall be nominated and appointed by the Court of Directors for the time being; and as, in the progress of time, when the whole or a great part of the capital stock of the Company may be advanced and paid up by the Partners; and when it may have increased much in value, it may be expedient to appoint to the office of Cashier a Partner holding less than five shares, the Court of Directors for the time being are hereby empowered, if they shall think fit, to elect to the said office, when it shall become vacant, a Partner, holding less than five shares, provided he finds security for his intromissions, to their satisfaction, to the extent of at least ten thousand pounds sterling, after making allowance, by fair and proper computation, of the value of the shares which such Partner may have or hold of the capital stock of the Company. And every Cashier, though actually holding five shares of the capital stock of the Company shall be obliged, when required thereto by the Court of Directors for the time, to find security for his intromissions, to what extent shall seem to them fit, but not less than the sum of ten thousand pounds sterling. And no Cashier shall be removable, unless two thirds of the Directors for the time being shall concur in a motion for his removal.

**Court of Directors to name Secretary, Accountants, & Tellers.** } 12. That the court of directors shall elect, a Secretary, Accountants, and Tellers, to whom they may allot, from time to time, such salaries as shall seem proper. And it shall be in the power of two thirds of the said directors to dismiss them, when they shall see occasion, and to appoint successors to them. And the said Secretary, Accountants, and Tellers, and their successors in office, and other officers of the company, shall find caution or grant security for their intromissions and faithful discharge of their office, when required by the directors for the time being, and to what extent they shall think proper to require, but so that the security of the Secretary, Accountants and Tellers, may not be less than two thousand pounds, sterling each. And the directors shall also name and appoint

what other officers and clerks shall be deemed necessary, and remove the same at pleasure, and fix their salaries or allowances. And besides the salaries or yearly allowances, it shall also be in the power of the directors to allot to the use of any of the officers of the company such dwelling houses as they shall see proper, or in lieu thereof, to make a pecuniary allowance, in name of house rent, to those not so provided.

**Power of Directors to admit new partners.** } 13. That, for one entire year after the company shall begin to do business as Bankers, the Court of Directors shall be entitled to admit, as partners to this concern whatever persons shall appear to them to be eligible partners, and that at such rate or price as they shall judge proper, but not under the rate of five hundred pounds sterling per share; with interest from the period at which the first instalment is called up. But how soon the subscribed capital shall amount to seven hundred and fifty thousand pounds sterling, they shall be no longer entitled to increase or enlarge the capital, unless the same shall be previously sanctioned and approved of by a general meeting of the company, called with consent of a general meeting. } for that purpose, by public advertisement in the Aberdeen newspapers, or two months notice, mentioning the purpose of the meeting.

**Court of Directors may name Agents &c. in Edinburgh, London, and other places.** } 14. That the Court of Directors shall have power to name agents, or form establishments of Cashiers, and other officers, for carrying on the company's business, or negotiating their ordinary affairs, in Edinburgh, London, or what other places they shall think fit, and to remove and suppress the same at pleasure, and to fix such salaries or allowances as they shall think proper.

**Regulations regarding the mode of subscription and execution of the company's obligations and deeds.** } 15. That the notes and obligations of the company, commonly called bank notes, shall be subscribed by such officers of the company as shall be appointed by the sub-committee, by a minute in their sederunt-book, and that all promissory notes, indorsations of bills, and receipts, shall be taken to, and given and signed by the Cashier, or some other officer of the company, holding a power of Attorney from the Cashier, approved of by the sub-committee. And every receipt, promissory note or draft, other than bank notes, shall be marked by the subscription of the Teller, who received the value or amount for which such receipt, promissory note or draft was granted. And all bonds, heritable and movable, and other writings and contracts, title deeds and securities, shall be taken to and in the name of the cashier, and two of the directors, and the survivors or survivor of them, and their or his assignees, in trust, for themselves and whole other partners of the company present and future.— And in case of the removal from office of any of the said parties, in whose favor such writings shall be taken or conceived, or in case of their ceasing to be partners herein, they shall be bound, at any time when required to denude themselves, by habile conveyances, of the said trust property, at the expense of the company, and to convey the same to such person or persons as shall be appointed by the sub-committee to hold the same for behoof of the company. And all bonds, submissions, and other deeds and contracts, to be executed by the company, shall in like manner be signed and executed by the cashier and two of the sub-committee for the time being. And all bank notes, promissory notes, bills, receipts, indorsations of bills and promissory notes, and other writings and deeds, signed and executed in manner or under the authority aforesaid, shall bind the company as effectually as if the whole partners had signed the same, the said company being always hereby obliged to relieve their said cashier and directors, or sub-committee, so subscribing, of all such writings to be granted by them, in virtue of the powers above-mentioned, and in like manner, all persons paying or fulfilling their obligations or contracts to the persons so authorised, shall be completely discharged of the same.

**Credit, on Cash Account, may be given to partners, to the extent of one half of their advanced stock without security.** } 16. That it shall be in the power of the sub-committee of management to give credit, upon cash accounts, to the partners of the company, to the extent or amount of one half of their advanced

stock, at any time during the subsistence of the contract, without any further or collateral security but the security arising from the right of retention competent to the company, and assignation in security herein contained, but declaring, that it shall be entirely in the option and at the discretion of the sub-committee to give or withhold this credit, as it shall appear to them that the applicant is likely to be a useful partner of the company, or not. And that the sub-committee shall farther have power to recal the said credit, at any time they may think proper, on giving six months previous notice. As also and

And to others on security real or personal. } to others on security, real or personal, declaring that the sub-committee shall have full power to grant credits, on cash accounts, to any person applying for the same, provided it be on bond, with security, real or personal, to their satisfaction, and, if on personal bond, there shall be two securities or cautioners, besides the principal party, and if on heritable security either on disposition in security with a clause or power to sell, or on absolute disposition, qualified by a back bond. And neither the cashier nor any of the directors shall have a vote in judging of bills offered for discount, or applications for credit on cash accounts, where he himself is individually a party or where any partner of any trading company, in which he is a member, is a party, where such company consists of fewer than four persons, or where his father, son, or brother is a party.

17. That the business of the Company in Aberdeen, shall be carried on in a house, to be bought, built, or taken in lease, by the Court of Directors for the time being, which they are hereby empowered to do, as it shall seem for the interest of the Company; and to sell and dispose of the said House or what other House or Houses shall be bought by them, at what price and in what manner they shall think proper. And the cash, books, deeds, bonds, bills and other writings of the Company shall be kept therein, subject to such regulations as to custody and keeping, as the sub-committee shall from time to time think proper to make.

18. That the Books of this Company shall be balanced on the 31st day of January, 1826, and on the 31st day of January, yearly thereafter; when a statement or abstract of the Company's affairs shall be made up, during the continuance of this contract, and the yearly balance shall be examined docketed, and signed by the sub-committee, after being submitted to, and approved of by the other Directors. And no assignment of shares of the Capital shall be admitted, or entered in the books of the Company, for fourteen days previous to the said 31st day of January yearly, nor till fourteen days after the day appointed for the election of Directors. And upon the day appointed for the election of Directors annually, the said balance and abstract shall be laid upon the table for the inspection of the Partners, and the particulars thereof shall be read or stated and explained at a meeting by the Chairman. And it shall be in the power of such meeting, if they shall think fit, to appoint a Committee for auditing and reporting upon such yearly states, at a future general meeting, to be called for the purpose. And such Committee shall be entitled to call for the assistance of what number of the sub-committee, and officers of the Company, they shall think fit.

19. That as each Partner has contributed and paid at the time of subscribing this contract, the sum of ten shillings on each share which he holds in the capital stock of the Company, the same is to be applied towards defraying the incidental and other expenses attending the first year's management; and the amount of said payment shall be placed to such account in the Company's books as the sub-committee may direct. And for the first year, no dividend of profit shall be made; but the same after defraying the expense attending the first year's management; shall

be retained and applied as the Directors shall appoint. But the clear interests and profits of every succeeding year, as they shall appear at the time of each balance, shall be divided among the members in proportion to their several shares in the concern, after setting apart such sum as the Court of Directors may think proper to form and established.

Sinking fund to be } maintain a sinking fund for behoof of the Company; which fund shall be disposed of in manner after provided.

20. That in case, at any time during the said twenty-one years, it shall appear upon bringing the Company's books to a balance, that a sum equal to one-thirtieth part of the advanced capital has been lost, in prosecution of the business of the Company, in any one year, it shall be in the power of one third part of the Company, possessing one third part of the Capital stock, to insist that the Company shall be dissolved. And in case it shall appear from said annual states, that a sum equal to one-twentieth part of the said capital stock shall have been so lost, in the course of one year, it shall be in the power of an eighth part in value of the Partners to dissolve the Company. And should it appear that one half of the advanced Capital has been lost, in any one year, it shall be in the power of any one Member at any general meeting, to insist that the Company shall be from that moment dissolved. And, in like manner, if it shall appear, during any period of this copartnership, that there has been an aggregate or total loss of one half of the advanced capital, any one member shall have it in his power to dissolve the Company. And in estimating or calculating such aggregate loss, interest on the advanced part of the capital, and profits which have been derived must be taken into fair computation on the one and on the other side. And at whatever time the Company shall be dissolved, whether by the lapse of the said twenty-one years, or other period, to which it shall be prorogated in virtue of the powers after mentioned, or in consequence of loss, certain members of the Company, shall be appointed by a general meeting, to collect and pay off the debts of the Company, and wind up its whole affairs in the most expeditious and expedient manner. Declaring, that what is here intended to be meant as advanced capital is the capital actually paid up by the Partners at the immediate preceding balance.

21. That if, at the end of five years, from and after the first balance of the Company's Books, it shall appear to the Court of Directors for the time, that the sinking fund has increased, so as to exceed ten per cent. on the capital stock paid up by the Partners, then, and in that case, the Directors are hereby authorised to appropriate to, and divide among the Partners, by way of bonus, over and above the current dividend for the year, such sum as they may think proper, and with safety to the affairs of the Company; but so as not to diminish the sinking fund under the said ten per cent. That at the end of the next five years, they shall, in like manner, appropriate and divide such sum as the sinking fund may afford, but so as not to diminish that fund under twenty per cent, and so on, at the end of every five years, during the subsistence of the contract; but so as to add to, and leave, at the end of every five years, ten per cent additional on the capital stock paid up by the partners, at the credit of the said fund.

22. That it shall be in the power of the partners of the Company, assembled at any general meeting, called for that purpose, by a tenth part of the Company in number, of persons possessed also of a tenth part of the capital stock of the Company, or by any five members of the Court of Directors, (notwithstanding the endurance of this contract is, in the first instance, declared to be twenty-one years) to prorogate and extend the same to any number of years beyond the said period of twenty-one years: provided that the said meeting shall be called by public advertisement as aforesaid, two months, at least before such meeting and the purpose thereof expressly specified in

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the advertisement. It being hereby declared that a minute in the books of the Company declaratory of their resolution to this effect, shall be effectually binding on the Company without any other form. And this copartnership shall be prorogated from time to time, to any after period, under the same conditions and regulations; but not for a longer space at any one time, than twenty-one years in addition to the number of years that may be unexpired of the subsisting period of the copartnership, at any time the prorogation is made. And it shall not be lawful to prorogate, till the current space of the existence of this contract to five years, or under that term. It being always declared, however, that the power of dissolution shall at all times remain entire, in manner before provided.

Committee of management only liable for their intrusions } 23. That the committee of management, or directors, shall not be liable for omissions, nor for the sufficiency and responsibility of the persons or parties dealing with the Company; nor for the securities on property or investments, on which the funds of the Company may be lent out or applied; nor for the actions or intrusions of the cashier, or other officers or agents of the Company.

No sales to be made by partners until the expiry of 12 months from 20th June, 1825. } 24. That all the members of the Company shall be at liberty to sell and assign, *inter vivos*, the shares, held by them, at any time after the expiry of twelve calendar months from the twentieth day of June, eighteen hundred and twenty-five years, but not before; and provided that, before such sale, an offer specifying the name of the proposed purchaser and price offered, shall be made, in writing, to the sub-committee, through the cashier, for behoof of the Company, allowing them ten days to consider of, and accept or refuse the same.—And if such offer shall be declined or not accepted by the sub-committee, after their having been allowed ten days to consider the same, the sale may be made to any other person, at or above the price demanded from the Company, but not at a lower price, until a new written offer at such lower price, shall be made to the cashier, for behoof of the Company, and rejected by them. It being intended and understood by this clause that no voluntary sale shall be made of any share or shares, at a lower price than what they have been offered at to the Company and rejected

Shares must be first offered to the Company. } by them. And in case any partners shall incline to make any gratuitous assignment, *inter vivos*, no such assignment shall be valid, unless such assignee shall be approved of by the sub-committee. And in case of his not being approved of, the sub-committee shall be entitled to sell and dispose of the shares so assigned, in the manner prescribed by article 25 of these presents; they always accounting to such gratuitous assignee for the free proceeds thereof.

Gratuitous assignments by sub-committee or otherwise the shares to be sold. } And in case of the shares of any partner devolving, by deed or legal descent, upon more than one person, they shall divide the same among themselves in such way and manner as that no more than one person shall be owner or holder of the same share or shares at the same time. And in case of their not doing so, the holders of such smaller parts of the stock, or the holders of shares belonging *pro indiviso*, to more than one person shall have no right to attend or vote at meetings, or in any respect to interfere with the management of the Company's business; but the shares so divided shall, in case of failure to pay up the calls, sales, bankruptcies, arrestments or otherwise, be subject to the rules and regulations herein contained. And every assignee and successor to any share or shares of this Company shall be subject to all the articles and regulations of the Company in the same manner as if they had subscribed these presents; and all the deeds of assignation shall contain a clause to that effect.

Shares not to be held by two or more persons *pro indiviso*. } And it is declared that no partner shall be at liberty to sell or assign less than one share of the company's stock.

No partners to sell more than one share. } 25. That, in case of the bankruptcy or notour insolvency of any of the members of the company, the shares of such members shall be sold, within six months after the bankruptcy or notour insolvency; but

Shares of Bankrupt partners to be sold within 6 months after bankruptcy on being first offered to the company.

always under the condition of being first offered to the sub-committee, in terms, of article 24, of these presents. And in case the shares of such members shall not be sold within the time above mentioned, it shall be in the power of the sub-committee after the lapse thereof, to sell and dispose of the said shares, by public roup to the highest bidder, after advertising the time and place of said sale, once a week, for four weeks, in the Aberdeen newspapers; and to fix the upset prices, lower the same, and adjourn the sale from time to time, and to receive and discharge the prices, and to assign and convey the shares to the purchasers, they being always obliged to account to those having right, for the prices received by them, deducting expenses, and any debts owing to the bankrupt or insolvent partner to the Company. And it shall be in the power of the sub-committee to purchase the said shares themselves, at such public sale, for behoof of the company.

Or otherwise the sub-committee empowered to sell the same. } 26. That in case the shares or interest of any member of the company shall be arrested, in the hands of the company, he shall be obliged to loose the arrestments within three months after being required thereto, by letter, from the Cashier. And in like manner, in case the shares or interest of any member shall be attached by the diligence of confirmation, *qua creditor*, his representatives if he any have, shall be obliged to purge the same, also within three months after being required thereto, by letter from the Cashier, otherwise, and in either of these cases, it shall

Diligence by arrestment or confirmation *qua creditor*, against any of the partners to be purged within three months. } be in the power of the sub-committee to sell and dispose of such shares, by public roup, and uplift the prices in the same manner as if the member was bankrupt, as is provided by the immediate preceding clause of this contract. And the sub-committee may in like manner, become purchasers at such roup, for behoof of the company. And the same course shall be followed when no person chooses to represent such Partners whose shares have been attached by the diligence of confirmation, *qua creditor*; that is they shall be sold by the sub-committee, and the price or proceeds accounted for to the attaching creditor. And in case the representative of a deceased Partner shall fail to accept the

Or otherwise the shares attached to be sold by sub-committee. } succession, and subject himself to the rules and regulations of the company, in terms of the twenty-seventh clause of this contract, within three years after the death of such Partner, the sub-committee shall have power, immediately after the

Sub-committee empowered to sell the shares of a deceased partner whose representatives fail to take up the succession within 3 years. } expiry of the said three years, to sell and dispose of the share of such deceased Partner, in the same manner as is provided for by Article 25 of this contract, and thereafter to carry the free balance of the price to the credit of the representative of the said deceased Partner, to bear such rate of interest as may be allowed by the company at the time, and to retain the same until a legal title shall be made up and presented to the company by such representative. And the same

As also to sell the shares of partners going abroad and not being heard of for ten years. } rule shall be observed in the case of a Partner going abroad and not being heard of for ten years, the sub-committee being in such case authorized to sell and dispose of the share, in manner before provided.

Assignations of shares to be entered in a book to be kept for the purpose. } 27. That in case of a partner selling his share, in manner before mentioned, the assignation or other conveyance thereof, or an extract thereof from a proper record, confirmation or other title, shall be produced to the sub-committee, and shall be entered in a book to be kept for the purpose. And no purchaser or assignee *inter vivos*, or *mortis causa*, or heir or executor, shall be deemed a partner nor have any of the rights of a partner, till this is complied with, nor until they make payment of the debts owing to the Company by their authors; and until they farther, by a writing under their own hand or their attorney, duly authorised, shall accept the said assignation and succession before and in presence of two members of the sub-committee for the time being, who shall subscribe as witnesses to his acceptance.—

And such purchaser, assignee, heir, or executor, shall become bound to all the conditions herein contained; and all regulations of the Company made or to be made by virtue of the powers herein contained and all deeds of assignation, shall contain a clause to this effect.

28. That every partner who disposes of his shares in the capital stock, on the terms before provided, and every other partner, how soon he ceases to have an interest in the Company, in the manner before mentioned, shall, in all time, thereafter, be entitled to relief of the whole debts owing by the Company, and of all obligations granted for the same; and, in general, of every prestation incumbent on him as a partner of the Company. And the other partners shall, for that purpose, be bound and obliged to relieve him and his foresaids, 'till distressed, being always obliged to rest satisfied with this obligation as complete security and indemnification to him. And the whole Company do hereby subject, their interest and shares in the Company's stock to be regulated according to this rule and article. It being however always understood, that the assignee, or heir or executor to such selling, assigning, or deceasing partner, takes the precise place of his author or ancestor, and has no claim on the other partners for relief from debts contracted or obligations entered into, previous to his becoming a partner.

29. That it shall be in the power of the sub-committee to purchase, for behoof of the Company, any shares of the stock that may be offered them by private bargain or at a public sale whether such stock shall belong to partners offering the same by voluntary sale or to defaulters whose shares shall be offered to sale under the provisions of this contract; and that at such prices as they shall consider of advantage to the Company. And such shares, so bought, shall be held in the names of the cashier and two of the sub-committee, and the survivors or survivor of them, in trust for the Company.

And the sub-committee shall also have power to sell and convey the shares so purchased to what persons and on what terms shall appear to them advantageous to the Company.

30. That the stock or shares of the partners declared to be moveable property descendable to executors, shall be held, deemed and considered, and are hereby declared to be personal or moveable, and not a real or heritable estate, notwithstanding any heritable or real right which the Company may come to hold, by themselves, or by others for their behoof; and so the shares of the deceasing members shall descend to their executors.

31. That the Company shall sue and do diligence, for implement of this present contract, in the name of the cashier; and in all other cases, in the name of the person or persons in whose favour the deed or instrument is conceived or drawn, on which action or diligence is to be instituted; or of such other person as the sub-committee shall appoint. And the Company shall be held to be lawfully cited, in any actions at law, and diligence lawfully executed against them, if the same are served upon the cashier individually, and the sub-committee jointly, at the Company's ordinary place of business in Aberdeen.

32. That each of the members hereby assigns to the committee of management or Court of Directors for the time being, his own particular shares and profits of the concern, in security of the debts and engagements of the Company and in security of any debts and prestations that may become owing and prestable by him to the Company; and for enabling the committee of management or sub-committee, if and when

necessary, to sell and dispose of his shares or interests in the Company, in terms of the provisions above written; and, in general, in security of the performance and observance of his part of the premises. Declaring that in case any mem-

ber shall become debtor to the Company, otherwise than for the shares which he presently hold in the co-partnery, or to which he may afterwards acquire right, and such partners share or shares in this Company, and the profits arising therefrom, are hereby declared burdened with and shall be subject and liable for the said debt, and impignorate therefor, preferable to every assignee, creditor, or representative of such partner; and which the said Company, or their directors, shall be entitled to apply accordingly.—

And it is farther hereby declared that the whole conditions of this contract are equally binding upon a female as well as male partners.

33. That the whole clauses and conditions of this Deed are declared to be fundamental articles of this Copartnery: but it shall be in the power of any general meeting of the Company, or of the Court of Directors and sub-committee for the time being, to make such bye-laws or regulations as may suggest themselves in prosecution of the business, but not inconsistent with these presents; and which bye-laws

and regulations, if made by the Court of Directors or sub-committee, shall only be in force and binding upon the Company, from the time of their being made till the next general meeting of the Company, unless the same shall then be approved of by such general meeting; and if approved of shall be binding upon the Company 'till altered by some future or subsequent general meeting. and if rejected or disapproved of by said general meeting, such or similar regulations shall not be again made or acted upon by the Committee of management at any time. There being nothing, however, here meant to prevent the same being brought forward, approved of, or made by a subsequent general meeting of the Company.

34. That over and above the shares held by Alexander Brown and William Johnston, merchants in Aberdeen, William Kennedy, John Ewing, and Charles Chalmers, advocates there, respectively as individuals, it is hereby declared that two hundred and seventy unappropriated shares of the stock stand in their names, in trust, for behoof of the Company. And they hereby bind and oblige themselves, and

the survivor or survivors of them, to transfer the said shares, so held in trust, to such person or persons, and in such form and manner, as the interim Committee of the Partners, or the Court of Directors when chosen may think proper—and that immediately when required so to do, by a minute, to be made and entered in the sederunt book of the Company, and intimated to them. Provided, that no number of shares exceeding thirty shall be given off to one person, in terms of Article 8 of this contract. And it is hereby declared that the majority of said trustees, and of the survivors of them, or the last survivor shall be sufficient for making such transference. As also providing, that, in case the contract shall not be completely executed before such unappropriated shares are disposed of, the parties assumed for said shares shall be bound to subscribe this contract, in the same manner as the other Partners. But in case the contract should be completely executed before said assumed Partners are received, then and in that case, they shall be obliged to subscribe, if required, a deed or deeds of accession, as relative hereto, subjecting themselves to the whole conditions, rules and regulations of this contract, and bye-laws to be made by the Company, alike as if they had been original parties hereto, and obliging themselves to comply with the whole articles of this contract.

35. That all disputes that may occur between any of the partners with each other, or between the Company and the

## Appendix to report on Currency.

Committee of management, respecting the meaning or construction of this contract, or of any part thereof, shall be settled by the arbitration of the Sheriff, depute of the County of Aberdeen, the Lord Advocate of Scotland, or Dean of the faculty of Advocates, for the time, or any two of them; and each party, when required by the other party, shall be obliged to enter into a submission, to render the obligation effectual.

Contract may be } 36. That in regard there may be part-  
subscribed by proxy. } ners of this Company who cannot conven-  
iently subscribe these presents, it is understood and agreed  
upon, that such persons shall subscribe by Attorney, lawfully  
authorised, or shall themselves subscribe a deed or deeds of  
accession as relative hereto. It being declared, that the  
persons so subscribing shall be equally bound by the whole  
conditions and prestations of this contract, and by any future  
regulations to be made, as relative hereto, as if they had  
themselves subscribed the same.

Mode of subscribing } And it is farther hereby declared and  
Contract. } agreed, that, though the names and de-  
signations of the several parties hereto, and the number of  
shares which they respectively hold of the Company's stock,  
are not inserted in the body of this deed, but in the testing  
clause only, and annexed to their respective subscriptions,  
the whole contract and obligation to advance the respective  
shares of stock, as therein mentioned in particular, shall be  
equally binding on them and their representatives as if the  
same were inserted in the preceding part of the deed. And  
each subscriber, or his Attorney, in *majoram evidentiam*,  
shall add the number of shares, which he is to hold in the  
stock of the Company, to his subscription.—And farther, in  
regard that, by reason of the great number of subscriptions  
that may be adhibited to this deed, one sheet of paper or  
vellum, large enough to hold the whole of this contract, with  
the subscriptions, could not be found, and it therefore becomes  
necessary that the sheets should be joined together; and there  
cannot be room for the signatures of all the parties at the  
joinings of the several sheets upon which this contract with  
the testing clause and subscriptions, are written—the whole  
parties hereby contracting and subscribing have therefore em-  
powered the said Alexander Brown, William Kennedy, and  
John Ewing, Esquires, and the survivors or survivor of them,  
whom failing by death or disability, any two of the partners,  
appointed by the sub-committee for the time being, by a mi-  
nute in their sederunt book to sign the joinings of the said sheets  
on the margin; which the parties do hereby declare to be as  
valid and sufficient as if the same had been subscribed by all  
and each of them—any law and practice to the contrary not-  
withstanding.

Penalty for failure } 37. The parties bind themselves and  
in performance of } their heirs and successors, to fulfil, per-  
contract. } form and observe their several parts of the  
premises to each other, under the penalty of five hundred  
pounds sterling; to be paid by the party failing, for each fail-  
ure to the party observing, or willing to observe, besides per-  
formance. And they consent to the registration hereof, and  
of the several powers or letters of Attorney, in the books of  
the Council and Session, Sheriff court books of Aberdeenshire,  
or others competent, therein to remain for preservation,  
and if necessary, that all execution may pass and against them  
and their means and estate, and against the means and estate  
of the companies who are parties hereto; and that on a charge  
of six days, in common form.

And for that purpose, they constitute \_\_\_\_\_  
as procurators, &c.

[Signed of different dates.]



## GLOUCESTER

### City and County Banking Company.

CAPITAL £500,000, in 10,000 SHARES OF £50 EACH.

The great success which has attended the establishment of  
Joint Stock Banking Companies in Scotland, Ireland, and

various parts of England, under the sanction of an Act of the  
Legislature, 7 Geo. 4. has proved them to be of the most de-  
cided utility.

It is now no longer doubted that Banking Companies, pos-  
sessing an adequate Capital, secured amongst an influential  
and affluent body of Proprietors, are most admirably calcula-  
ted to sustain public confidence in times of difficulty, and to  
confer extensive benefits upon the country at large.

A well conducted Company whose affairs are closely inves-  
tigated by a Board of Directors, and the results annually  
submitted to the Proprietors, can never be injured nor incon-  
venienced in the very worst times to the same extent that  
private establishments may be; for the known fact, that they  
possess a well secured capital, and have ample resources,  
would quiet the apprehensions of timid depositors, and pre-  
vent the necessity of sudden or ill-timed contraction of fair  
legitimate discounts.

From such an establishment, conducted on sound princi-  
ples, which must eventually and probably at no distant period  
enjoy a large share of public confidence and support, Propri-  
etors would derive fair and certain remuneration for their  
capital, whilst those who are also traders would receive back  
again more than an equivalent for the charges on their com-  
mercial transactions, and thus actually become their own  
bankers, and the public, at the same time, would have the  
advantage of an increased circulating medium.

Gloucester presents a very eligible opening for the success-  
ful establishment of a City and County Banking Company,  
from its contiguity to extensive and populous Manufac-  
turing Districts, and its daily rising importance.

Since the completion of the Ship Canal, corn, timber,  
wine, Groceries, &c. &c. have been very extensively im-  
ported, not only for the use of the adjacent district, but also  
for the inland counties of Oxford, Worcester, Hereford, War-  
wick, Stafford, and Salop, whilst salt, cheese, coal, iron, &c.  
&c. have been exported in large quantities. The commer-  
cial intercourse of Gloucester with Ireland, Wales and Ame-  
rica, is very rapidly increasing; and it may be confidently  
expected that this port will soon participate more extensively  
in the trade which has already commenced with the West In-  
dies, the Mediterranean and the Baltic.

With this extension of trade, the facilities for effecting  
monetary operations have not, however, kept pace; on the  
contrary, they may be said to be insufficient for even the pre-  
sent amount of business, and totally inadequate to the con-  
templated increase. It, therefore, appears highly desirable,  
with a view to foster the interests of a rising place, that mer-  
chants, agriculturists and others, should have all the aid and  
assistance they may require, consistent with prudent policy,  
and which a well established Public Company is best calcula-  
ted to afford.

Impressed with the advantages of such an establishment,  
and desirous for its early formation on sound and liberal prin-  
ciples, subscriptions were entered into, and at a meeting held  
at the Spa-Hotel, Gloucester, on the 31st of May, 1831,

Robert Canning, Esq. in the chair,

It was unanimously Resolved,

That upwards of 4,000 shares having been subscribed for,  
a Joint Stock Company be now formed, to be called "The  
Gloucester City and County Banking Company" upon the  
principle and provisions of Act 7, Geo. 4; and that the fol-  
lowing regulations be adopted, viz.—

That a Deed of Settlement be prepared, containing all  
necessary clauses for the protection of the Proprietors, and  
giving the Company a lien upon the shares of any Proprietor,  
on whose responsibility they may have made any advance.

That no transfer of shares shall be made before the Deed

of Settlement is signed, nor until twelve calendar months after the same has been granted, unless under particular circumstances; nor at any time without the consent of a majority of the Directors present at one of their usual meetings, or at a special meeting called for the purpose.

That no person holding less than fifty shares shall be eligible for a Director or Manager.

That nine Directors shall be annually elected by a majority of votes, who shall undertake the superintendence of the concern, out of which number four shall be competent to act, the Manager being also present, and having a vote.

That the scale for regulating votes at general meetings shall be—ten shares, one vote; twenty shares, two votes; forty shares, three votes; sixty shares, four votes; eighty shares, five votes, one hundred shares, and upwards, six votes.

That the Directors shall appoint the several officers of the company, and require of them such security as they may deem needful, according to their respective situations.

That no credit shall be given or continued, contrary to the advice of the Directors.

That the funds of the company shall not be, in any instance, invested in Foreign Loans, Mining Institutions, nor Articles of Merchandize.

That the accounts of the company shall be made up twice in each year; namely, on the 30th day of June, and the 31st day of December, and a general summary of them laid before the Proprietors at a meeting to be called for the purpose; and after paying the Proprietors at least 5 per cent. on their paid up capital, a portion of the surplus profits shall be added, from time to time, to increase the capital of the company as may be hereafter agreed upon.

That neither the books of the Bank, nor any of the bills nor securities which may pass through the same, shall be open to the inspection of any but Directors and officers of the establishment by their appointment.

That no Proprietor shall use the name of the company, except the officers duly appointed.

That in the event of the company losing its surplus profits and one-fourth of the paid up capital, it shall be in the power of any share-holder to have it dissolved, unless other share-holders think proper to continue the concern, in which case they must pay over to the dissentient the then value of his or her shares.

It was further Resolved,

That the Bank of England and Messrs. Smith, Payne and Smiths, London, be appointed bankers to the Company.

That Mr. William Gibbons be appointed Manager of the Company *pro tempore*.

That a deposite of one pound per share be forthwith paid to the Gloucester Branch of the Bank of England; four pounds per share to the Manager, at the Bank, on the first day of July next, on which day the Company commence business, and a further sum of not exceeding five pounds per share in January next or at such later period as the Directors may think proper to call for it. If further calls should be found desirable, they shall be made as the Directors may appoint, not exceeding five pounds per share in any one year.

That the unappropriated shares now remaining in the hands of the Company shall be allotted at the discretion of the Directors, having due regard to the interests of the county and city; and that application for shares be addressed to Mr. William Gibbons, Bank, Gloucester.

That the thanks of this meeting be given to the gentlemen who have interested themselves in the formation of this establishment, and that

Wm. Canning, Esq.	Jas. Wm. Daniel, Esq.
Wm. Montague, Esq.	Mr. Samuel Bowly, and
Maurice Shipton, Esq.	Mr. John Kendall,

be appointed a committee to conduct its further progress until Directors are elected at a general meeting of the Proprietors.

### County of Devon

### Banking Company.

Capital £1,000,000 to be raised in 10,000 shares, of £100 each.

The establishment of Joint Stock Banking Companies in various parts of the United Kingdom, having been found productive of great benefits to the community within their respective districts, it is proposed to form such a company in this county, with a capital proportioned to the important objects it has in view.

To the tradesman and farmer it will have many recommendations, but it is sufficient perhaps to observe in this place, that it will afford increased facilities of credit, will extend the present limited circulation and will give it a stability, founded on the subscribed capital and known resources of the Company, which no panic will be able to disturb. To the depositor it will offer a more perfect security than is now attainable, and will admit at the same time of his obtaining a liberal interest whilst he is looking out for a permanent investment. To the proprietary it cannot scarcely fail to prove of equal advantage, as may be inferred from the past success of other companies of a similar character. The high premium borne, without any exception, by their shares, affords the best criterion both of the extensive utility and the profitable nature of such a joint and mutual system of Banking.

The following regulations are submitted for the consideration of the public; but it will of course be competent for any individual interested in this measure to suggest alterations by which the objects of the Company may be more effectually or beneficially promoted.

1. The capital of the County of Devon Banking Company shall be £1,000,000; to be raised in 10,000 shares of £100 each.

2. As soon as 5,000 shares have been subscribed for, a public meeting of the subscribers shall be called in the City of Exeter, for the purpose of appointing the Board of Directors. It shall be composed of a President, five Vice Presidents, twenty Directors, and four Auditors. The Board shall hold their meetings quarterly, and shall have full power to regulate the same, and fix the principles upon which the Bank is to be conducted. A report shall be presented at all such meetings, of the transactions of the three preceding months, accompanied with a balance sheet.

3. The Committee of Management shall consist of three Directors, to whom all the details of business shall be intrusted, and to whom alone all ordinary applications for credit shall be referred. In cases of a novel or complicated character, they shall summon an extraordinary meeting of the resident Directors and Auditors, or any four of them, as a council, and the majority shall then determine the course to be pursued.

4. Every subscriber of ten shares shall have one vote at the general meetings; of twenty-five shares, two votes; of fifty shares, three votes; and of one hundred shares, four votes. Ladies may give their votes by proxy, through the medium of any qualified shareholder.

5. No person subscribing, or afterwards holding less than twenty-five shares, shall be eligible for a Director or Auditor; and no person shall be allowed to subscribe for more than one hundred shares.

6. The Directors shall nominate, and have the sole power of removing the Managers, Cashier, and Clerks of the establishment, and require of them such security as they may deem expedient.

7. A deposit of five pounds per share shall be paid to the Directors, or Superintending Manager of the Bank, within \_\_\_\_\_ days after aforesaid meeting; and the Board shall be at liberty to call for a further instalment, not exceeding five pounds per share in the course of the year.

8. Those shares which may not be disposed of at the breaking up of the meeting, shall be appointed subsequently, at the discretion of the Directors, and for the benefit of the Company.

9. A Deed of Settlement shall be prepared, containing the necessary clauses for the protection of the Proprietors, and giving the Company a lien upon the shares of any Proprietor on whose responsibility they may have made advances.

10. No transfer of shares shall be made before the Deed of Settlement is signed, nor at any time, without the consent of a majority of the Managing Committee or of the Directors, at one of their usual Meetings.

11. A credit account may be opened with any Proprietor equal to the amount paid upon his shares, and on which he shall be chargeable with interest only after the rate of four per cent.

12. The interest to be allowed upon deposits lodged at

the Bank for a definite period, shall be determined antecedently at the Quarterly Meetings of the Board.

13. An interest of two and a half per cent. shall be granted on running accounts, and payments above ten pounds made for an undefined term; but the Board of Directors may increase or alter that rate generally from time to time, or in certain cases where it may appear advisable for the interests of the Company.

14. No interest shall be paid on the fractional parts of a pound, belonging to any sum deposited at the Bank for an indefinite term.

15. No credit shall be given or continued contrary to the advice of the Committee of Management.

16. The capital of the Company shall not, in any case, be invested in foreign loans, mines, or merchandize.

17. No Proprietor shall be at liberty to inspect the books of the Company, or any of the bills, securities, &c. which may pass through the Bank, unless the same be a Director, Manager, or Auditor, appointed for such purpose, in order that the credit and private transactions of individuals may be preserved inviolate.

18. The accounts of the Company shall be made up every six months, namely, on the 30th of June and the 31st of December; and a general summary of their results, without any specification of names and individual credits, shall be laid before the Proprietors at the annual meeting, where a dividend, founded upon the actual profits, will be declared.

19. Three of the Directors and one Auditor shall go out annually by ballot among themselves, and these vacancies shall be supplied at the annual general meeting, but the parties retiring shall be eligible for re-election.

## Bill imposing Duty on United States articles.

No. 32.

## SUNDRY BILLS

PASSED BY

The House of Assembly

BUT LOST IN THE

## LEGISLATIVE COUNCIL,

EXCEPT THE ACT TO PREVENT UNNECESSARY LAW SUITS,  
WHICH WAS AMENDED BY THE LEGISLATIVE COUNCIL  
AND BECAME A LAW.

## AN ACT

TO IMPOSE A DUTY ON VARIOUS ARTICLES IMPORTED FROM  
THE UNITED STATES OF AMERICA, INTO THIS PROVINCE.

Most Gracious Sovereign:

**W**HEREAS it is necessary and expedient to impose a duty on neat Cattle and Horses, and various other articles of produce at present admitted into this Province duty free from the United States of America, for the further protection of the agricultural and commercial interests of this Province; may it please Your Majesty that it may be enacted, *and be it enacted, &c.* That there shall be raised, levied and collected, the several duties of customs, as the same are respectively set forth in the following table of duties, upon animals and other articles therein mentioned, imported and brought into this Province from the United States of America, that is to say:

Horses and Colts—fifty shillings.  
Mules and Asses—forty shillings.  
Young Cattle, from one to two years old—five shillings.  
Cows and other cattle, from two to four years old—fifteen shillings.  
Oxen, four years old and upwards—twenty shillings.  
Live Hogs, per head—ten shillings.  
Sheep, per head—one shilling and three pence.  
Fresh pork, per hundred—five shillings.  
Fresh beef, per hundred—three shillings and nine pence.  
Mutton, per hundred, two shillings.  
Salted pork, per hundred—five shillings.  
Salted beef, per hundred—three shillings and nine pence.  
Pork, per barrel—ten shillings.  
Beef, per barrel—seven shillings and six pence.  
Salted or smoked hams and bacon, per hundred—ten shillings.  
Butter, per hundred—ten shillings.  
Cheese, per hundred—ten shillings.  
Wheat, per bushel, sixty pounds—one shilling and three pence.  
Rye, per bushel, fifty-six pounds—one shilling.  
Corn, per bushel, fifty-six pounds—one shilling.  
Oats, per bushel, thirty-four pounds—six pence.  
Potatoes, per bushel—six pence.  
Buckwheat, per bushel—nine pence.  
Peas, per bushel, sixty pounds—one shilling.  
Barley, per bushel, forty-eight pounds—nine pence.  
Hay, per ton—ten shillings.  
Wheat flour, per barrel, one hundred and ninety-six pounds; five shillings.  
Buckwheat flour, per barrel—four shillings.  
Rye flour, per barrel—four shillings.  
Indian Meal per barrel—four shillings.  
Wheat flour, per hundred weight—two shillings and six pence.  
Rye flour, per hundred weight—two shillings.  
Indian meal, per hundred weight—two shillings.  
Buckwheat flour, per hundred weight—two shillings.

L3

Beer and Ale, per barrel—five shillings.  
Cider, per barrel—two shillings and six pence.  
Apples, per barrel—six pence.  
Dried apples, per bushel—one shilling and six pence.  
Hops, per hundred pounds—fifteen shillings.

2. And that in order to afford an encouragement and protection to persons in this Province, engaged in the manufacture of leather, and to guard against the introduction of an inferior article, one regular scale of valuation should be fixed, for the several kinds of leather, imported into this Province from the United States of America, at which the same shall be entered at the several Custom Houses: *Be it therefore enacted by the authority aforesaid,* That the scale of valuation of the several descriptions of leather, as undermentioned, shall be as follows:

Sole leather, per pound—one shilling.  
Upper leather, per pound—one shilling and ten pence.  
Harness leather, per pound—one shilling.  
Skirting leather, per pound—one shilling and ten pence.  
Calf skin, per pound—four shillings.  
Morocco, (sheep,) per skin—four shillings.  
Morocco, (goat,) per skin—seven shillings and six pence.  
Linings and bindings, per skin—two shillings.  
Bridle leather, per side—fifteen shillings.  
Horse hides, per side—seven shillings and six pence.  
Top leather, per hide—forty shillings.  
Hog skins, per skin—fifteen shillings.

3. *And be it further enacted, &c.* That in order to afford encouragement and protection to persons in this Province, engaged in the manufacture of all kinds of stoves and hollow ware, and all kinds of cast iron machinery, that one regular scale of valuation should be fixed for all such articles, imported into this Province from the United States of America, at which the same shall be entered at the several Custom Houses, agreeably to the following rate:

Stoves and hollow ware—fifteen shillings, per hundred weight.  
Cast iron and mill machinery of all kinds—twenty shillings, per hundred weight.  
Axes—six shillings and three pence, each.

4. *And be it further enacted, &c.* That nothing in this Act contained, shall be construed to prevent the introduction into this Province, by persons immigrating into this Province for the purpose of settling permanently therein, of any of the articles hereinbefore mentioned, free of duty, for their own use or for the use of their families only, or of travellers passing with their cattle, horses, furniture and baggage, from one part of the United States to some other part of said States, upon the person or persons importing the same giving bond, with two sufficient sureties, to be approved by the Collector of the Customs, with whom the said goods shall be entered, that such articles are for the domestic consumption and sole use of the person or persons importing the same, for the purposes aforesaid.

5. *And be it further enacted, &c.* That all monies collected under and by virtue of this Act, shall be paid into the hands of His Majesty's Receiver General of this Province, to and for the use of His Majesty, His Heirs and Successors, for the public uses of this Province and towards the support of the civil Government thereof, to be accounted for to His Majesty, through the Lords Commissioners of His Treasury, for the time being, in such manner as it shall please His Majesty to direct.

6. *And be it further enacted, &c.* That this Act shall not take effect, nor be in force, till after the first day of June next.

7. *And be it further enacted, &c.* That this Act shall continue in force for, and during the term of three years from and after the passing thereof, and no longer.

(Signed) MARSHALL S. BIDWELL,  
SPEAKER.

Passed Commons House of Assembly, }  
1st day of April, 1835. }

## Bill respecting Primogeniture.

On the passing of the above Bill the Yeas and Nays were taken as follows :

## YEAS.

Alway,	Moore,
Bruce,	Morrison,
Cook,	Parke,
Cornwall,	Perry,
Duncombe of Oxford,	Roblin,
Duncombe of Norfolk,	Rymal,
Durand,	Shaver,
Gibson,	Shibley,
Gilchrist,	Small,
Hopkins,	Thorburn,
Lount,	Walsh,
McDonell of Stormont,	Waters,
McIntosh,	Wilson,
Mackenzie,	Woolverton,
McMicking,	Yager—31.
Malloch,	

## NAYS.

Att'y General,	Macnab,
Brown,	Merritt,
Caldwell,	Morris,
Chisholm,	Robinson,
Gowan,	Rykert,
McCrae,	Sol. General,
McDonell of Glengarry,	Strange,
McKay,	Taylor,
McLean,	Wilkinson—18.

## No. 33.

## AN ACT

FOR THE MORE EQUAL DISTRIBUTION OF THE PROPERTY OF PERSONS DYING INTESTATE.

**W**HEREAS the right of Primogeniture, and other principles of the Common Law respecting the descent of Real Estates, are not so well adapted to the circumstances of His Majesty's Subjects, and the state of society in this Province, as the Laws respecting the distribution of Personal Estates; *And whereas* it is expedient that the rules of descent and distribution of Intestate Estates be rendered more simple and uniform, and be specified in a Provincial Statute for the direction of all persons concerned: *Therefore be it enacted, &c.* That whenever hereafter a person shall die seized in this Province of any land, tenement or hereditament, or any interest therein, or right thereto, in fee simple, or for the life of another, not having lawfully devised it, the same, subject to the payment of the Intestate's debts according to law, when the personal estate shall be insufficient therefor, shall descend to the Intestate's child or children in equal shares, and to the lawful issue of any deceased child by right of representation, saving to the Intestate's husband his tenancy by the courtesy, and to the Intestate's widow her dower as at common law; and if the Intestate shall have no issue, the same shall descend to the surviving husband, or the widow, in case of a widow and no kindred of the Intestate; but if there be kindred as well as a widow of the Intestate, one moiety of the same shall descend to the said widow, and the other moiety be inherited by the person or persons who would, by virtue of this Act, inherit the whole if there were no widow; and if there be no issue, husband or widow, the same shall be inherited by the Intestate's father; and if there be no issue, husband, widow or father, then in equal shares by the mother and each of the brothers and sisters of the Intestate, and the child or children of any deceased brother or sister by right of representation; and if there be no issue, husband, wife, father, mother, brother or sister, or brother's or sister's child, then by the mother, and if there be no issue, husband, widow, father or mother, then in equal shares by each of the Intestate's brothers and sisters and the child or children of any deceased brother or sister by right of representatives, and if there be no is-

ssue, husband, wife, father, mother, brother or sister, or brother or sister's child, then by the Intestate's next of kin in equal shares, without any distinction between those of the whole and those of the half blood, the degrees of kindred to be computed according to the rules of the Civil Law; collateral kindred claiming through a nearer ancestor to be preferred to those claiming through a common ancestor more remote; and if the issue or next of kin entitled to any estate by virtue of this Act shall all be in the same degree of kindred to the Intestate they shall share the estate equally, otherwise they shall take it according to the right of representation; but among collaterals no representatives shall be admitted beyond the degree of children of the Intestate's brothers and sisters; and when there shall be neither issue, husband, widow, parent, nor other kindred, the estate shall, for the want of heirs, escheat to His Majesty the King, His Heirs and Successors.

2. *And be it further enacted, &c.* That whenever hereafter a person domiciled in this Province shall die possessed of or entitled to any chattel or personal estate or right, not having lawfully disposed of the same by will, the same being subject to the payment of the Intestates debts, the funeral expenses, and charges of administration according to law, the residue thereof shall be distributed to the person or persons who shall by virtue of this Act be entitled to the said Intestate's Real Estate, and in the same proportion as Real Estate: *Provided, however,* that the Intestate's husband shall have the whole of the said residue as administrator, whether there be issue of the Intestate or not; and if there be a widow and issue of the Intestate, the widow shall have one-third part of the said residue; but if there be no issue, she shall have one-half of the said residue; and if there be no kindred, she shall have the whole of the said residue.

3. *And be it further enacted, &c.* That if a gift or grant of any Estate, Real or Personal, shall have been made by the Intestate in his, or her life time to a child in advancement of the said child's portion, and so expressed in the said gift or grant, or so charged by the Intestate in writing, or so receipted or acknowledged in writing by the child, the estate so advanced, at the value thereof, as expressed or charged by the Intestate, or acknowledged by the child, or otherwise, at the just value thereof, by estimation of appraisers under oath, shall be considered in the settlement of the Intestate's Real and Personal Estate as a part thereof, and shall be accepted by the said child towards his or her share of the Intestate's estate.

4. *And be it further enacted, &c.* That after one year from the death of any person dying Intestate, seized as aforesaid of Real Estate, the Judge of the Probate Court of this Province, in case such Real Estate shall be situated in two or more Districts, or if it lie in one District only, the Judge of the Surrogate Court of that District, upon the written application therefor of any person or persons entitled by virtue of this Act to inherit the same, or any part thereof, may and shall cause notice of such application to be published in the Upper Canada Gazette, or in some public newspaper published in the District where the said estate is situate, or if no newspaper shall be published in such District, in that case to be posted up in some public place in the town or township wherein such real estate shall be situate, for such time (not less than one calendar month) as the said Judge may think reasonable, having regard to the circumstances of the case; and after such notice, so published or posted up, may and shall decree that the said Estate be distributed, divided, and set off, in severalty to the persons entitled to inherit the same according to this Act, expressing in his said decree the names of the said several persons so entitled, and their respective proportions of the said Estate; which said decree of distribution shall be signed by the said Judge, and recorded by the Register of the said Court in a book to be kept by him for that purpose; and unless the said decree be appealed from within the said time, and in the manner hereinafter provided, the said Judge shall and may appoint three disinterested Freeholders to divide and set off the said Estate according to the said decree; which said Freeholders, being first sworn by the said

## Bill respecting Primogeniture.

Judge to perform the said service faithfully and impartially according to their best skill and judgment, shall divide and set off the same in severalty to and among the several persons entitled thereto, and report such division in writing under their hands and seals to the said Judge, who shall order the same to be recorded by the Register of the said Court, and a copy thereof shall also be recorded in the Register's office of the county or counties wherein such Estate shall be situate; and when so recorded the said division shall be as valid and effectual a partition of the said Estate as if it were a deed of partition thereof duly executed by the persons respectively entitled thereto being of lawful age therefor; and a copy of such division, certified by the proper Officer of the said Court, under the seal of the said Court, shall be admissible evidence thereof: *Provided always*, that if any one or more of the persons so entitled to inherit such Estate, when a division thereof shall be so decreed, shall be under the age of twenty-one years, not having a lawful Guardian, the said Judge before making such decree of distribution, shall appoint some suitable person to be Guardian of each of such infant heirs.

*And provided also*, That when any decree of distribution shall be made as aforesaid, if the freeholders appointed as aforesaid shall be of opinion that the estate or estates cannot be divided according to the said decree, without prejudice to or spoiling the whole, the said freeholders shall then make and return to the said Judge a just valuation and appraisement of such estate or estates; whereupon, if the said Judge shall approve the said return, and if any one or more of the parties shall elect to take the said estate at the appraised value, the same shall be adjudged by a decree of said Judge to him or them, he or they, paying, or securing to be paid to the other parties, their proportion of the appraised value, according to their respective rights; and the said decree shall be recorded by the Register of the said Court; and a copy thereof shall also be recorded in the Register's office of the county or counties wherein such estate shall be situated; and when so recorded, the said decree shall be as valid and effectual a conveyance to the person or persons electing to take such estate as if it were a deed of bargain and sale duly executed by the parties entitled to or owning such land, being of lawful age therefor; subject, nevertheless, to a lien thereon in favour of the others of the parties than the person or persons so electing to take the same, until payment be made to them of their respective shares of the money as aforesaid; and in case the said parties shall not agree who shall take said estate, on the terms aforesaid, then the said Judge shall or may, upon the request of any person entitled to any part or share thereof, make an order for the sale of such Real Estate by the Register of the said court, after due and fair notice of the time and place of such sale, by advertisement published and set up in the several districts where the said Real Estate shall be situated, and also in such public newspapers as shall be most likely, in the opinion of the said Judge, to give fair and full notice of such sale to all parties concerned, and others; which public notice shall be given at least twenty days before the time of sale, in cases where the said Real Estate is all situated in one district, and at least sixty days where the same is situated in different districts; and the said sale shall be recorded by said Register, who is hereby empowered and ordered to execute deeds to the purchasers of the said Real Estate so as aforesaid sold, on receiving payment of the consideration money, or taking sufficient security therefor to the satisfaction of the said Judge; which money or securities shall be brought into court before or at the time of the recording of the said deed by said Register, to be distributed and paid by order of the said court to and amongst the persons entitled to receive the same in lieu of their respective parts and proportions of the said Real Estate, according to their just rights and proportions.

5. *And be it further enacted, &c.* That a copy of any decree hereinbefore mentioned, certified by the Register of said court, under the seal of the said court, shall be admissible evidence in all cases and in all courts or other places, of such decree; and whenever the same shall be produced to the Register of any county to be recorded as hereinbefore mentioned, he shall register the same in the register book of such

county, in the same manner as he is now required to enter memorials of deeds and other conveyances in such register book, and shall endorse on such copy of a decree a certificate of registry, which shall be in the same form, and shall have the same force and effect, as the certificate of registry required to be endorsed on any deed or conveyance when duly registered.

6. *Provided also, and be it further enacted, &c.* That any person or persons interested in such decree of a Judge of the Probate Court or Surrogate Court, and dissatisfied therewith, may, at any time within fourteen days (inclusive) next after the making of the said decree, appeal therefrom to His Majesty's Court of King's Bench in and for the said Province, upon giving to the said Judge a bond in such reasonable sum, and with such sufficient sureties, as shall be satisfactory to the said Judge, conditioned to prosecute the said appeal with effect; and in case of failure, to pay all reasonable costs occasioned by such appeal, to be allowed and taxed by the Judge of the said court; and it shall be the duty of the appellant or appellants to enter such appeal, and produce a certified copy of the decree so appealed from, at the next term of the said Court of King's Bench after the said appeal; and the said Court of King's Bench is authorised and required to receive such appeal; to examine the said decree appealed from; and to affirm or reverse, or amend the same, as the law and justice of the case may require; and to remit the said decree, so affirmed, reversed or amended, to the Judge of the Court in which the original decree was made: and the decree so remitted shall be recorded by the Register of the said Court, and if it be an affirmed or amended decree of distribution, it shall be carried into effect in the same manner as an original decree of the said Judge, not appealed from.

7. *And be it further enacted, &c.* That whenever a distribution of the Real Estate of an Intestate shall be decreed by the Judge of a Surrogate Court, or of the Court of Probate, before the said Real Estate shall be divided and set off in severalty, pursuant to such decree, the said Judge may, and upon the written request of the administrator or administrators, or either of the heirs entitled to a distributive share of the said estate, shall require from or in behalf of each of the heirs entitled to share in the distribution of the said estate, a bond, in such reasonable sum, and with such sufficient sureties, as shall be satisfactory to the said Judge, conditioned that if any debt or debts of the said Intestate shall be afterwards sued for and recovered, or otherwise be duly made to appear, and the Personal Estate shall not be sufficient to pay and satisfy such debt or debts, and the costs of suit, and charges occasioned by reason of such debt or debts, the said heir shall, upon notice thereof, pay his or her ratable part of such sum as shall be required, in addition to the avails of the Personal Estate, to pay and satisfy such debt or debts, and the said costs and charges; and any such heir refusing or neglecting to give such bond, when so required, shall not be entitled to have his or her share of said Intestate's Estate, set off and delivered to him or her in severalty; but any of the said heirs giving such bond when so required, may and shall, nevertheless, have his, her or their, respective share or shares of the said estate, set off and delivered to him, her or them, in severalty.

8. *Provided also, and be it further enacted, &c.* That if after a decision of an Intestate's Real Estate pursuant to this act, the portion set off to one of the heirs, or a part thereof, shall be taken and sold by process of law, for a debt of the Intestate, and an equal proportion shall not in like manner be taken from each of the other heirs, they shall respectively be liable to contribute a proportionable sum to the heir from whom more than his proportion of such debt shall have been taken as aforesaid; and in case of refusal, such heir shall be entitled to his action or actions on the case, to enforce such ratable contribution.

MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly, }  
5th day of March, 1835. }

Bill to curtail Lawsuits and decrease Costs.

On passing the above Bill the Yeas and Nays were taken as follows :

YEAS.

Bruce,  
Caldwell,  
Chisholm,  
Cook,  
Duncombe, (of Norfolk),  
Durand,  
Gibson,  
Gilchrist,  
Hopkins,  
Lount,  
McCrea,  
McDonell, (of Stormont),  
McIntosh,  
Mackenzie,  
McMicking,  
Malloch,  
Merritt,  
Moore,

Morrison,  
Parke,  
Perry,  
Richardson,  
Roblin,  
Rykert,  
Rymal,  
Shaver,  
Shibley,  
Small,  
Smith,  
Strange,  
Taylor,  
Thorburn,  
Wells,  
Woolverton,  
Yager—35.

NAYS.

Boulton,  
Brown,  
McKay,  
McLean,

Morris,  
Robinson,  
Solicitor General,  
Walsh—8.

No. 34.

AN ACT

TO PREVENT THE UNNECESSARY MULTIPLICATION OF LAWSUITS AND INCREASE OF COSTS, IN ACTIONS ON NOTES, BONDS, BILLS OF EXCHANGE, AND OTHER INSTRUMENTS.

**W**HEREAS, the multiplication of law suits, and the great increase of fees and costs subsequent thereon, in cases where actions are brought against several persons and parties, for the recovery of a bill of exchange, promissory note, bond, recognizance or other instrument, are a grievance from which the people ought to be relieved: *Be it therefore enacted, &c. and by the authority of the same,* That when several suits shall be brought on one bond, recognizance, promissory note, bill of exchange or other instrument, or when several suits shall be brought against the maker and endorser of a note, or against the drawer, acceptor or endorsers of a bill of exchange, there shall be collected or received from the defendant, the costs taxed in one suit only, at the election of the plaintiff, and in the other suits, the actual disbursements only, shall be collected or received from the defendant, but this provision shall not extend to any interlocutory costs in the progress of a cause.

2. *And be further enacted, &c.* That it shall be lawful for the holder of any bill of exchange or promissory note hereafter to be made, instead of bringing separate suits against the drawers, makers, endorsers and acceptors of such bill or note, to include all or any of the said parties, to the bill or note in one action, and to proceed to judgment and execution, in the same manner as though all the defendants were joint contractors.

3. *And be it further enacted, &c.* That in any such action, any joint drawer or maker, endorser or acceptor, may plead in abatement the non-joinder of any other joint drawer, maker, endorser or acceptor, in the same manner as though this Act had not been passed; and no judgment to be rendered in pursuance of this Act shall be of any effect against a Defendant not served with process.

4. *And be it further enacted &c.* That the Plaintiff in any such action, and in all other actions on bills of exchange or promissory notes, may declare upon the money counts alone, and such bill or note may be given in evidence under the money counts in all cases where a copy of the bill or note shall have been served with the declaration.

5. *And be it further enacted, &c.* That in any such action judgment may be rendered for the Plaintiff against some one or more of the Defendants, and also in favor of some one or more of the Defendants against the Plaintiff, according as the rights and liabilities of the respective parties shall appear, either upon confession, default by pleading, or on trial; and when judgment shall be rendered in favour of any Defendant, he shall recover costs against the Plaintiff in the same manner as though judgment had been rendered for all the Defendants.

6. *And be it further enacted, &c.* That in any such action any person or persons sued shall be entitled to set off his or their demands against the Plaintiff, in the same manner as though such Defendant or Defendants had been sued in the form heretofore used.

7. *And be it further enacted &c.* That if upon the trial of any such action the whole amount of the demands set off by any or all of the Defendants, and allowed by the Jury, shall be equal to or shall exceed the amount of the Plaintiff's demand as proved on the trial, the Jury shall find a verdict in favor of the Defendants generally; but if the Jury shall allow any demand as a set off, and shall still find a balance in favour of the Plaintiff, they shall state in their verdict the amount which they allow to each Defendant as a set off against the Plaintiff's demand.

8. *And be it further enacted, &c.* That the rights and responsibilities of the several parties to any such bill or note as between each other, shall remain the same as though this Act had not been passed, saving only the rights of the Plaintiff, so far as they may have been determined by the judgment.

9. *And be it further enacted, &c.* That in every suit brought pursuant to the provisions of this Act, any one or more of the Defendants shall be entitled to the testimony of any Co-defendant as a witness in all those cases where the Defendant or Defendants calling the witness would have been entitled to his testimony, had the suit been brought in the form heretofore used, and in no other case.

10. *And be it further enacted, &c.* That in all actions on promissory notes or bills of exchange, when the Plaintiff shall file a copy of such promissory note or bill of exchange with the declaration, the damages may be assessed as though the said note or bill of exchange had been set out specially in said declaration.

MARSHALL S. BIDWELL,  
SPEAKER.

Commons House of Assembly, }  
9th March, 1835. }

The within bill passed nem. con.

PRESENT—MESSRS.

Bruce, Chisholm, Cook, Cornwall, Gibson, Hopkins, Lount, McCrae, McDonell of Stormont, McIntosh, McKay, Mackenzie, McMicking, Merritt, Moore, Morrison, Norton, Parke, Perry, Roblin, Rykert, Rymal, Shaver, Shibley, Smith, Strange, Taylor, Thorburn, Waters, Wells, Wilson, Woolverton, & Yager.

No. 35.

AN ACT

TO AMEND THE JURY LAWS OF THIS PROVINCE.

**W**HEREAS, the present mode of returning Jurors for the trial of causes in the Court of King's Bench, Assize, Nisi Prius, General Gaol Delivery, Court of General Quarter Sessions of the Peace, and District Court, may be improved: *Be it therefore enacted, &c.* That the first clause of an Act passed in the forty-fourth year of the reign of George the

Third, entitled, "An Act for the regulation of Juries;" and also, the whole of an Act passed in the thirty-sixth year of George the Third, entitled, "An Act to amend certain parts of an Act entitled, "An Act for the regulation of Juries;" and a certain other Act entitled, "An Act to establish a Superior Court of Civil and Criminal Jurisdiction, and to regulate the Court of Appeal;" and also, the whole of an Act passed in the forty-eighth year of the reign of George the Third, entitled, "An Act for the better regulation of Special Jurors;" be and the same are hereby repealed.

2. *And be it further enacted, &c.* That it shall and may be lawful for the Assessors and Collector, and Town Clerk, duly appointed for any Township, or a majority of them, and they are hereby authorised and required to meet on the last Saturday in February in that year for which they are chosen or appointed, at the place where the last Township-meeting was held for the Township, or at some adjourned meeting at the same place, on or before the first Saturday in March, except in the Bathurst and London Districts, in which the Assessors, Collector, and Township Clerk, shall meet as aforesaid on the first Saturday in February, or at some adjourned meeting on or before the 3rd Saturday in the said month, and then and there to choose from amongst the inhabitants of such Township such persons, being in their opinion fit and proper persons to be Petit Jurors, to serve as such for the year at the several Courts within the District to which such Township belongs, as may be in the proportion following, that is to say:—when the population of such District shall appear by the last census thereof to be under five thousand souls, the number of Petit Jurors to be returned from its several Townships shall be eighteen for every hundred souls; when over five thousand, and under ten thousand, ten such Jurors shall be returned for every hundred; when over ten thousand, and under fifteen thousand, six such Jurors shall be returned for every hundred; when over fifteen thousand, and under twenty-five thousand, four such Jurors shall be returned for every hundred; and when over twenty-five thousand, and under thirty-five thousand, three such Jurors shall be returned for every hundred; and when over thirty-five thousand, five such Jurors shall be returned for every two hundred, respectively.

3. *And be it further enacted, &c.* That it shall and may be lawful for the aforesaid Assessors, Collector, and Township Clerk, in manner and form, and at the time and place aforesaid, and they are hereby authorised and required to appoint such persons from among the inhabitants of the Township as are in their opinion fit and proper persons to be Grand Jurors, to serve as such for the year at the several Courts within the District to which such Township belongs, and in the following proportion, that is to say:—when the population of any such District shall, according to the census thereof, be under five thousand souls, six such Grand Jurors shall be returned for every one hundred souls; and when over five thousand, and not exceeding ten thousand, four such Grand Jurors shall be returned for every hundred; and when over ten thousand, and not exceeding fifteen thousand, two such Grand Jurors shall be returned for every hundred; and when over fifteen thousand, and under twenty-five thousand, three such Grand Jurors for every two hundred; and when over twenty-five thousand, and not exceeding thirty-five thousand, one such Grand Juror for every hundred souls; and when above thirty-five thousand, then two such Grand Jurors shall be returned for every three hundred souls, respectively. And in order to remove doubts with regard to the inhabitants of Towns, be it enacted and declared, that the inhabitants of any Town shall be deemed and considered, for the purposes of this Act, to be inhabitants of the Township in which such Town shall be situated.

4. *Provided always, and be it further enacted, &c.* That in case the Township Clerk, Assessors, and Collector, or a majority of them, shall not meet at the time and place and choose Grand and Petit Jurors as is herein before provided, it shall and may be lawful for such of them as are present to adjourn the said meeting to some other day, not be-

yond the second Saturday in March, giving due notice to such as are absent, of such adjournment.

5. *And be it further enacted, &c.* That the aforesaid Assessors, Collector, and Township Clerk, or a majority of them, shall, within the space of four days after the meeting and choosing Jurors as aforesaid, return a list of the Grand Jurors, and also of the Petit Jurors, stating opposite the several names in such lists the place of residence and degree, or occupation, under their hands, to the Clerk of the Peace for the District to which such Township belongs.

6. *And be it further enacted, &c.* That it shall be the duty of the Clerk of the Peace for the respective Districts, and he is hereby authorised and required, forthwith, upon the receipt of the lists aforesaid from the respective Townships, or within four days, to transcribe the same into a proper book or books to be by him kept for that purpose, and he shall also transmit true copies thereof to the Sheriff of the District.

7. *And be it further enacted, &c.* That each and every person whose name shall be returned upon any of such lists shall be held and taken as qualified to serve as a Juror for the year; *Provided*, That it shall not be lawful for the Township Clerk, Assessors, and Collector aforesaid, to appoint or return upon their lists the following descriptions of persons, neither shall they be liable to serve as Jurors, except by their consent, that is to say:—Members of the Legislature; Clergymen or Ministers of the Gospel; Physicians and Surgeons; Millers; Coroners; Collectors of Customs; Post-Masters; County Registers; Probate and Surrogate Registers; Barristers and Attornies; Judges of the District and Surrogate Court; and Ferry-men; and also all persons under the age of twenty-one years, or over sixty years; School Teachers; and persons belonging to regular Fire Companies.

8. *And be it further enacted, &c.* That when, and so often as any Sheriff or Coroner of any District shall receive any precept or order, according to law, requiring the return of any pannel or pannels of Jurors, he shall, without delay, after the receipt of such precept or order, affix on the door of the Court-house of such District, a Public Notice, that he will by twelve o'clock at noon, of the ——— day of ——— being the day next but one succeeding that of his receipt of such precept or order, unless it shall be on Sunday, or in that case, on the following Monday, proceed to the balloting of Jurors required, according to the exigency of such precept or order; and it shall and may be lawful for the Sheriff or Coroner, accordingly, at his Office, at the time appointed as aforesaid, with open doors, the Clerk of the Peace and the High Constable then and there attending, and all other persons willing being admissible, to ballot the Jury in the following manner:—He shall cause all the names of the Jurors contained in the list of Petit Jurors, returned to him by the Clerk of the Peace for the year, and also the names of Jurors contained in the list of Grand Jurors, returned to him by the Clerk of Peace, who have not before during the year served as such, together with their places of residence, degree or occupation, to be evenly written on slips of paper of equal size, and folded as nearly alike as may be, and promiscuously put into a hat or box suitable for the purpose, and well shaken or mixed together, and a sufficient number of names indiscriminately or impartially drawn forth, as required in such precept or order, for Grand and Petit Jurors, and the names so drawn, shall be noted down by the Sheriff in a list or lists, a duplicate of which list or lists shall be filed in the Office of the Clerk of the Crown, or his Deputy, in the District, and the Sheriff or Coroner thereof shall accordingly return the Jurors, Grand and Petit, so balloted for from their respective lists, upon the several precepts or orders, according to their respective tenor and the Law of the Land; and the Jurors so drawn shall be liable to serve accordingly, and when duly summoned by the Sheriff, Coroner, or other Officer having the return of Jurors, shall be punishable according to Law for disobedience or neglect: *Provided always*, That if the name of any Justice of the Peace shall be drawn, to serve as a Juror at the Quarter

## Bill to amend the Jury Laws.

Sessions, such Justice of the Peace shall, in that case, be exempted from serving as aforesaid, and another name drawn instead thereof.

9. *And be it further enacted, &c.* That the Clerk of the Peace of the Midland District, shall make out and transmit to the Sheriff of the District, the names contained in the Township lists returned to him from those Townships situate in the Counties of Frontenac and Addington, in one list, and those situate in the Counties of Hastings and Lennox in another list; and the Sheriff or Coroner of the District shall ballot the Jurors to serve at the Court of General Quarter Sessions of the Peace, and District Court, holden in the months of April and October, from the list taken and returned from the Township lists, situated in the Counties of Frontenac and Addington; and for the aforesaid Court, holden in January and July, from the Township lists for the Townships situate in the Counties of Hastings and Lennox, any thing in this Act contained to the contrary in anywise notwithstanding.

10. *And be it further enacted, &c.* That for the trial of all cases, Criminal as well as Civil, in the several Courts of Oyer and Terminer, General Gaol Delivery, Nisi Prius, Quarter Sessions of the Peace, District Court, and Courts of Special Commission, the Juries to be impanelled in Court shall be by Ballot, as is prescribed in the sixth clause of the said Act for the regulation of Juries, passed in the thirty-fourth year of the Reign of George the Third; *Provided nevertheless*, that such Balloting shall not in any manner prevent, obstruct, or diminish the right of parties, to claim and have allowed their challenges or objections, which they may be entitled to make and have as heretofore, according to Law; and it is hereby enacted and declared, that persons so returned upon the Sheriff's pannels of Petit and Grand Jurors and attending their duty as such thereon throughout, shall not be liable to be nominated or appointed as Jurors till after the lapse of one year, after that for which they have so served, unless such Juror consents: and the Sheriff of every District shall, on or before the second Saturday in February, in each and every year, make a return to the Clerk of the Peace of the names of the persons, stating the place of residence, degree or occupation, who actually served as Grand and Petit Jurors for the preceding year, such year to be computed from the day of their nomination and appointment as Jurors, except in the Bathurst and London Districts, in which the Sheriff shall make the returns as aforesaid, by the third Saturday in January, and the said Clerk of the Peace shall immediately on the receipt of such list, or before the last Saturday in February, except in the Bathurst and London Districts, which shall be by the first Saturday in February, make out and transmit a like list to the Clerks of the several Townships in the District, and also state to the said Clerks, the number of souls in their respective Townships, according to the last census returned for the said Townships, severally.

11. *Provided always, and be it further enacted, &c.* That if it shall so happen that the Township Clerk, Assessors and Collector, for any Township, shall neglect or refuse to make out and transmit to the Clerk of the Peace, lists of Jurors, by this Act provided, the Clerk of the Peace shall, in that case, in his lists to the Sheriff, transmit the names contained in the last lists received from such Township, and who have not served as Jurors during the preceding year, from which lists the Sheriff or Coroner shall Ballot accordingly, and the Jurors so returned shall be as liable to serve as if they had been actually returned by the Township Officers for that year.

12. *And be it further enacted, &c.* That those Townships at present not having one hundred Inhabitants, shall not be liable to furnish Jury lists as aforesaid until they do respectively contain one hundred Inhabitants, and thenceforward each of such Townships, as soon as they receive or contain the requisite population as above, shall nominate and furnish Jurors in like manner and proportion as other Townships shall do by virtue of this Act.

13. *And be it further enacted, &c.* That the several precepts for the return of Jurors to serve at the several Courts of Assize, Nisi Prius, Oyer and Terminer, and General Gaol Delivery, and at the Court of Quarter Sessions, and District Court, or Court of Special Commission, shall in future require the Sheriff, or Coroner, to return twenty-four Grand Jurors, as the inquest for the District, and forty-eight Petit Jurors, to try the several causes at issue in the several Courts; and the forty-eight Jurors returned upon the precept shall serve as such at the said several Courts, the several Commissions whereof are opened on the same day, and at the same place, and at such Courts as are by law appointed to be holden at the same time and place in the District, such as the Court of General Quarter Sessions of the Peace and District Courts, when and where the said Sheriff is, by such precept, required to have such Jurors, without any additional Venire Facias; *Provided nevertheless*, that in obedience to a Special Jury at Nisi Prius, in or for the return of a Jury for a trial at Bar in the Court of King's Bench, the Sheriff shall return the number required, according to the exigency of such writ of Venire.

14. *And be it further enacted, &c.* That a Special Jury shall be had only with the leave of the Court of King's Bench, upon motion first had and obtained in a civil suit, Subject and Subject being parties alone therein; and such leave shall not be given unless upon a reasonable case made out to the satisfaction of the Court, upon such motion, that the cause is intricate, by reason of mercantile or scientific subjects of consideration likely to arise in the evidence, and requiring persons of particular pursuits in life to hear the same, in order to understand the merits and give a satisfactory verdict.

15. *And be it further enacted, &c.* That upon rule or order of the Court of King's Bench made in any cause for the impanelling of such Special Jury for the cause aforesaid, it shall and may be lawful for the party applying, or his Attorney, after service of the rule on the opposite party, or his Attorney, to give an appointment of day and hour, by the Sheriff, for the striking of such Special Jury; and after eight days notice given by the party obtaining the rule to the other party, of such appointment by the Sheriff, the parties shall attend, and each select from the lists of Jurors, as well Grand as Petit, returned, or to be returned by him upon the general precepts for the ensuing Assizes, twelve persons, and from the twenty-four thus selected, each party shall strike off four; and the sixteen persons remaining shall be returned on the Venire Facias in the cause; the names of the said sixteen Special Jurors shall be put into a box or glass, and twelve thereof drawn out by ballot, and impanelled as ordinary Juries at Assize and Nisi Prius are drawn and impanelled; and the twelve so drawn and impanelled shall be sworn accordingly to try the said cause: *Provided always, nevertheless*, that in case either party, or their Attornies, omit to attend the appointment of the Sheriff, the Sheriff, or his Deputy, shall select twelve persons, and strike off four, leaving eight for the absent party; which eight shall form part of the sixteen to be returned to the Venire, and be eligible as Special Jurors to try the cause, unless upon reasonable cause, or on motion in Court, or before a judge in Chambers, the Court or judge may think it just, upon payment of costs, to order the striking of such Special Jury anew.

16. *And be it further enacted &c.* That the party applying for a Special Jury shall, in all cases, pay the expenses thereof.

17. *And be it further enacted &c.* That the Township Clerk, for his making out the several lists, and preparing the return, shall receive the sum of Ten Shillings; and the Clerk of the Peace Two Pounds Ten Shillings, annually, for performing all the duties imposed upon him by this Act, the performance of such duty to be certified by the Sheriff or Coroner of the District, to be paid to each and every such Officer for this service by the Treasurer of the respective Districts, out of the public monies of the District in his hands, and to be allowed him accordingly in his public accounts, the said al-

lowance to be so paid to the respective Township Clerks as soon as the Treasurer may receive a certificate from the Clerk of the Peace that he has received the return of the respective Townships for the year according to the provisions of this Act.

18. *And be it further enacted, &c.* That any Clerk of the Peace, Sheriff or Coroner, or their respective Deputies, contravening this Law, or wilfully neglecting his duty herein, shall forfeit the sum of Twenty-five pounds to such person as shall inform and prosecute for the same until the party be thereof convicted, by indictment before the Court of Oyer and Terminer, or before the General Quarter Sessions of the Peace, to be holden for the District where such contravention or wilful neglect shall have been committed, and the said Clerk of the Peace, Sheriff, Coroner, or Deputy, so convicted, shall be deemed, ipso facto, dismissed and out of office.

19. *And be it further enacted, &c.* That the Assessors, Collector or Township Clerk, for any Township, which shall neglect or refuse to perform the duties required of him by this Act shall be liable for the same penalty that Assessors, Collectors and Township Clerks, are now by Law liable for refusing or neglecting to perform their duties as such Officers; and to be collected and applied in like way and manner.

MARSHALL S. BIDWELL, SPEAKER.

Commons House of Assembly, }  
28th February, 1835. }

On the question for passing the bill the yeas and nays were taken as follows :

YEAS.

Alway,	Moore,
Bruce,	Morrison,
Chisholm,	Norton,
Cook,	Parke,
Duncombe of Oxford,	Perry,
Duncombe of Norfolk,	Roblin,
Durand,	Rymal,
Gibson,	Shaver,
Gilchrist,	Shibley,
Hopkins,	Smith,
Lewis,	Thorburn,
Lount,	Waters,
McDonell of Stormont,	Wells,
McIntosh,	Wilson,
McKay,	Woolverton,
McMicking,	Yager—32.

NAYS.

Boulton,	Morris,
Caldwell,	Robinson,
McCrae,	Rykert,
McDonell of Glengarry,	Sol. General,
McLean,	Strange,
MacNab,	Wilkinson—13.
Merritt,	

No. 36,

AN ACT

TO PROVIDE FOR HOLDING ELECTIONS IN THE COUNTY OF LEEDS.

WHEREAS, to promote the freedom of elections in the County of Leeds, and obtain a fair expression of the sentiments of Electors in the choice of members to represent the said County in Parliament, it is deemed expedient to alter and amend the Election Laws of this Province so far as the same relate to the said County. Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, &c.

That the several laws of this Province relating to the election of Members of Assembly and manner of conducting Elections shall

be, and the same are hereby repealed in relation to the said County of Leeds, so far as the provisions thereof vary from this Act.

2. *And be it further enacted by the authority aforesaid,* That hereafter the election of Members to represent the said County of Leeds in Parliament, shall be held at four places within the said County, and for that purpose the said County shall be and the same is hereby divided into four Sections, and that section number One shall be composed of the Townships of Elizabethtown and Yongo, and the place at which the election shall be held within such section shall be Colman's Corners in Elizabethtown. Section number Two of the Townships of Leeds and Lansdown, and the place at which the Election shall be held within such Section, shall be the village of Gananoque. Section number Three of the Townships of Kitley, Burgess and Elmsley, and the place at which the election shall be held within such Section shall be the village of Smith's Falls. And section number Four of the Townships of Bastard, North Crosby and South Crosby, and the place at which the election shall be held within such Section shall be the Village of Beverly.

3. *And be it further enacted by the authority aforesaid,* That besides the Returning Officer now required to be appointed by law, it shall be the duty of the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, to appoint in like manner a Deputy Returning Officer to each of three of the said Sections, whose duty it shall be to hold the Election in the Section to which he shall be appointed, in the same manner and subject to the same responsibilities and penalties as Returning Officers for Counties are now liable by the laws of this Province; and to return to the Returning Officer appointed for the said County of Leeds the Poll Book for such Section, accompanied with an affidavit of such Deputy Returning Officer and his Poll Clerk, sworn before some Justice of the Peace of the District of Johnstown, that the same contains a faithful and true record of the votes taken at such Section Election according to law.

4. *And be it further enacted by the authority aforesaid,* That the Returning Officer for the said County shall take the votes in such one of the said Sections as he shall be directed to preside at in his appointment as Returning Officer for the said County, in the same manner and under the same responsibilities and penalties as other Returning Officers presiding at elections in this Province, and upon receipt of the Poll Books from the Deputy Returning Officers of the other three Sections of the said County which they are respectively required to return to him as aforesaid within two days after the close of each Section Election under the penalty of two hundred pounds, it shall be the duty of the said Returning Officer, and he is hereby required to attend at the place where he received votes in the Section for which he was appointed to preside, at eleven of the clock in the forenoon, on the tenth day after the day on which such Section Election commenced (unless such day falls on Sunday, then on the Monday following) and in the presence of such of the candidates, their counsel or agents, and such persons as may be then and there assembled shall exhibit the said Poll Books, and return as duly elected the two Candidates who have on the Poll Books of the Four Sections the highest number of votes taken according to the provisions of this Act, in the same manner as if the election for the said County had been wholly held by the said Returning Officer in person.

5. *And be it further enacted, by the authority aforesaid,* That the election in each of the said sections shall begin on the same day, and the time of keeping open the poll for receiving votes shall be the same as is now required by the laws of this Province at other elections of members of Assembly, except that on the sixth day (if the election shall continue so long in any section) the poll shall be closed at three o'clock in the afternoon.

6. *And be it further enacted by the authority aforesaid,* That the choice of Representatives for the said County shall be ascertained by the majority of the whole votes polled in the respective sections aforesaid, and not otherwise.

7. *And be it further enacted by the authority aforesaid,* That before proceeding to the discharge of his duty the Returning Officer for the said county shall take the same oath required by law to be taken by other Returning Officers at Elections of members of Assembly in this Province and every poll clerk shall take the same oath required in like manner to be taken by poll clerks, and that every Deputy Returning Officer shall take and subscribe the following oath:

"I, A. B., do solemnly swear that I have not directly or indirectly received any sum or sums of money, office, place, or employment, gratuity or reward, or any bond, bill or note, or any promise or gratuity whatsoever, either by myself, or any other person to my use, benefit or advantage for making any false return or statement in the poll book required by law to be by me transmitted to the

## Leeds Election Bill.

Returning Officer for the said county of Leeds and that I will conduct myself impartially, and without favour or affection to any party concerned in the present election for the said county of Leeds." Which several oaths may be administered by any Justice of the Peace of the District of Johnstown, and shall, within one month after the same are administered be severally certified by the Justice of the Peace before whom the same may be taken, and returned into His Majesty's Court of King's Bench in this Province, and shall be kept and filed of record in the Crown Office.

8. *And be it further enacted by the authority aforesaid,* That the Electors residing in each of the said sections shall vote at the election held in the section wherein they are so resident or in case the voter shall not be a resident of the said County but is otherwise legally qualified to vote therein, he shall vote in the section in which such property on which he votes is situate; *Provided always,* That nothing herein contained shall prevent or be construed to prevent any elector entitled to vote in the said county from voting in any of the said sections, if he makes oath before the Returning Officer or Deputy Returning Officer presiding that he apprehends personal injury or insult if he attempts to vote in the section in which he is so resident, or his property is so situated as aforesaid, (as the case may be) or that it is inconvenient for him to vote therein. *And Provided also,* That besides the oaths which may now by law be administered to electors every elector before he shall be admitted to vote shall if required by the Returning Officer or Deputy Returning Officer at any section election at which the vote is offered or any candidate thereat, his counsel, agent or agents or any freeholder of the said county take the following oath before the said Returning Officer or Deputy Returning Officer who is hereby authorised and required to administer the same.

"You, A. B., do solemnly swear that you have not before voted at the present election for the County of Leeds in any other section than the one at which you now come forward to vote, that you reside in (state the place) & that the property on which you now propose to vote is situate in section number (stating the number of the section.)"

9. *And be it further enacted by the authority aforesaid,* That any candidate at any election in the said county may, by writing, appoint as many persons as he may think proper, not exceeding five in number, to act as counsel, agent or agents for him at any section election.

10. *And be it further enacted by the authority aforesaid,* That the said Returning Officer and Deputy Returning Officers in the said county from the time they are respectively appointed, such Returning Officer and Deputy Returning Officers, until the election shall be finally declared by the said Returning Officer for the said county as aforesaid shall be and are hereby declared to be conservators of the peace and severally vested with the same powers within the district of Johnstown for the preservation of the peace and apprehension, punishment, committal for trial or holding to bail of violators of the law as are vested in Justices of the Peace in this Province, and that the said Returning Officer and Deputy Returning Officers may and each of them is hereby required to ap-

point and swear in such and so many special constables as he may deem necessary and as shall be sufficient for the preservation of peace and order at and during the said Section Election, for which the said Returning Officer or Deputy Returning Officer may be appointed, and for such time thereafter as may be deemed by him expedient and necessary.

11. *And be it further enacted by the authority aforesaid,* That every person (not being a candidate, his counsel, clerk, agent or agents at any section election) who shall refuse to be sworn in as a special constable, or who shall neglect his duty as such without a legal excuse, and every person who by threats, force or violence attempts to destroy the freedom of any of the said Section Elections, or hinder any elector or electors from coming forward to vote thereat, or who creates or causes any unnecessary noise, interruption, riot, tumult, disturbance or disorder thereat, or threatens or uses violence to any elector who may have voted on account of any vote given thereat, shall be deemed guilty of a high misdemeanor, and be subjected to fine and imprisonment in the discretion of the court or justices before whom the conviction shall be had.

12. *And be it further enacted by the authority aforesaid,* That every Justice of the Peace in the district of Johnstown, who upon being required by the Returning Officer or Deputy Returning Officer or any candidate at any such Section Election, or any three freeholders of the said county to assist in keeping the peace, who shall unreasonably refuse or neglect to use his exertions for the preservation of the peace at such Section Elections, or shall encourage or willingly permit any violence or disorder thereat shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, besides the punishment inflicted by the court before which such conviction shall be had, forfeit his office, and be forever incapable of being appointed a Justice of the Peace in this Province.

13. *And be it further enacted by the authority aforesaid,* That the penalty of two hundred pounds imposed by this act may be recovered in His Majesty's Court of King's Bench in this Province by action of debt, bill, plaint or information in the common form, one moiety whereof shall be paid into the hands of the Treasurer of the district of Johnstown, to and for the public uses of the district, and the other moiety to the person who shall sue for the same.

14. *And be it further enacted by the authority aforesaid,* That if any person or persons shall be guilty of false swearing in any oath required by this act, he shall, on conviction thereof suffer the like pains and penalties to which any other person convicted of wilful and corrupt perjury is liable by the laws and statutes of this Province.

(Signed) MARSHALL S. BIDWELL,  
SPEAKER.

Passed Commons House of Assembly, }  
14th day of April, 1835. }

This Bill passed the House of Assembly without a division.

No. 37.

## AN ACT

TO REDUCE TO ONE ACT OF PARLIAMENT

## THE SEVERAL LAWS

RELATIVE TO

THE APPOINTMENT AND DUTIES OF

## TOWNSHIP OFFICERS

In this Province;

*Except an Act passed in the 4th year of the reign of William the IV. Chap. 12, entitled "An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the 33d year of the reign of His late Majesty King George the III. entitled 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province' as relates to the Office of Fence-Viewers being discharged by Overseers of Highways and Roads."*

**W**HEREAS, it is expedient that the several laws now in force relative to the appointment and duties of Township Officers, and the mode of notifying and holding Township meetings, except an act passed in the fourth year of the reign of William the Fourth, chapter 12, entitled "An Act to regulate Line Fences and Water Courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled 'An Act to provide for the nomination of Parish and Town Officers within this Province' as relates to the office of Fence-Viewers being discharged by Overseers of Highways and Roads," should be repealed and reduced to one Act of Parliament and that provision should be made for the appointment of certain other Township Officers not now authorised to be chosen. *Be it therefore enacted, &c.*, That an Act passed in the thirty-third year of the reign of King George the Third, entitled "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," except the tenth clause thereof, and also an Act passed in the 34th year of George the Third, entitled, "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large," and also the first, second and third clauses of an Act passed in the forty-third year of the reign of George the Third, entitled "An Act to extend the provisions of an Act passed in the thirty-fourth of His Majesty's reign entitled 'An Act to restrain the Custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large'" and also an Act passed in the forty-fourth year of the reign of George the Third, entitled, "An Act to repeal so much of an Act passed in the thirty-fourth year of His Majesty's reign, entitled "An Act to restrain the custom of permitting Horned Cattle, Horses, Sheep and Swine to run at large' as relates to Sheep and to restrain the owners of rams from permitting them to run at large during a certain time of the year," and also an act passed in the 45th year of the reign of George the third entitled "An Act to make provision for further appointments of parish and town officers throughout this Province" and also an act passed in the forty-sixth year of the reign of George the Third, entitled "An Act to alter and amend an act passed in the 33d year of His present Majesty's reign, entitled 'An Act to authorise and direct the laying and collecting of assessments and rates in every District in this Province, and to provide for payment of wages to the Members of the House of Assembly'" and also an Act passed in the 48th year of George the Third, entitled "An Act for the better regulation of Parish and Town Officers throughout this Province," and also the 6th, 7th, 11th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32d, and 33d clauses of an Act passed in the 50th year of the reign of George the Third, entitled "An Act to provide for the laying out, amending, and keeping in repair the public highways & roads in this Province, and to repeal the laws now in force for that purpose" and also an act passed in the 51st year of George the Third, entitled "An Act to repeal an Act passed in the 47th year of His Majesty's reign entitled "An Act to repeal the several Acts now in force in this Province relating to rates and assessments and also to particularise the property real and personal which during the continuance thereof, shall be subject to rates and assessments and fixing the several valuations at which each and every particular of such property shall be rated and assessed, and to make further provisions for the same," and also an Act passed in

the 53rd year of His Majesty's reign, entitled "An Act to alter and amend an Act passed in the 48th year of His Majesty's reign entitled "An Act for the better regulation of Parish and Town Officers throughout this Province," and also an Act passed the 56th year of George the Third entitled "An Act to repeal and amend part of an Act passed in the 50th year of His Majesty's reign entitled 'An Act to provide for the laying out, amending and keeping in repair the public Highways and Roads in this Province,' and to repeal the laws now in force for that purpose," and also an Act passed in the 57th year of George the Third, entitled "An Act to repeal part of and alter and amend an Act passed in the 33d year of His Majesty's reign, entitled "An Act to provide for the nomination & appointment of Parish & Town Officers within this Province," & also an Act passed in the 59th year of George the Third, entitled "An Act further to extend the provisions of an act passed in the 55th year of His Majesty's reign entitled 'An Act to make provision for the further appointment of Parish and Town Officers throughout this Province'" and also the 3d, 6th, 9th, 10th, 11th and 16th clauses of An Act passed in the 59th year of George the Third, entitled "An Act to repeal the several laws now in force relative to levying and collecting rates and assessments in this Province and further to provide for the more equal and general assessment of lands and other ratable property throughout this Province," and also the 6th, 8th, 9th, 11th and 12th clauses of an Act passed in the 59th year of the reign of George the Third, entitled "An Act to repeal part of, and amend the laws now in force for laying out, amending, and keeping in repair the public Highways and Roads in this Province," and also an Act passed in the 4th year of the reign of His late Majesty, King George the Fourth, entitled "An Act to repeal part of the 2d clause of an Act passed in the 33d year of His late Majesty's reign entitled "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," and to make more effectual provision for obtaining an accurate census of the population of this Province, and also the 4th, 5th, and 8th clauses of an Act passed in the 4th year of George the Fourth, entitled "An Act to repeal part of and amend an Act passed in the 50th year of His late Majesty's reign, entitled "An Act to provide for the laying out, amending, and keeping in repair the public Highways and Roads in this Province, and to repeal the laws now in force for that purpose," and also to repeal part of and amend the provisions of an Act passed in the 59th year of His late Majesty's reign, entitled "An Act to repeal part of and amend the laws now in force for laying out, amending and keeping in repair the public Highways and roads in this Province," and also an Act passed in the 11th year of His late Majesty George the Fourth, entitled "An Act to provide for an increase of the number of overseers of Highways, Pounds, and Pound-keepers in the respective Townships throughout this Province," and also an Act passed in the 4th year of William the Fourth, chap. 11th, entitled "An Act to repeal part of and amend the laws now in force in this Province respecting the appointment and duties of Township Officers," be and the same are hereby repealed. *Provided always*, That any prior acts or enactments repealed by any of the Acts hereinbefore recited, shall be and remain repealed.

2. *And be it further enacted, &c.* That from and after the passing of this Act, the Township Clerk for the time being in each and every township within this Province, shall assemble the inhabitants of said township, being householders, or freeholders, and paying or liable to pay any public assessment or rate of such township on the first Monday in January, at the hour of ten o'clock in the forenoon at such place as shall have been agreed upon by the inhabitant householders and freeholders at the previous township meeting, or if no place shall have been so agreed upon at such previous meeting then at the place where such previous meeting was holden: *Provided nevertheless*, that the general township meetings for the year next ensuing the passing of this Act, shall be holden at the respective places where they shall have been last before holden, and such Township Clerk shall affix a notice of the time and place of such township meeting, for at least fifteen days previous thereto, in at least three of the most public places in the township and the inhabitant householders and freeholders when so assembled shall choose a chairman, whose duty it shall be to preside and keep order, and declare the decision of the meeting on all matters to be lawfully transacted thereat: *Provided always*, that until such chairman be chosen, the said Township Clerk, if present shall preside and keep order.

3. *And be it further enacted, &c.* That no person shall be qualified to vote at any township meeting under the provisions of this Act except he be a householder or freeholder in such township, of the full age of twenty-one years, and that all matters and questions at such township meetings shall be decided by the majority of the said inhabitant householders and freeholders of the township then and there present.

4. *And be it further enacted, &c.* That any person whatever, vo-

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ting or offering to vote at any such township meeting as aforesaid, not being duly qualified by law to vote shall be subject and liable to a penalty of not less than five shillings or more than twenty shillings, to be recovered in the manner directed by this Act for the recovery of other fines and penalties, and to be laid out in like manner on the roads and highways, provided the complaint shall be made to the Court having jurisdiction of similar offences, within three months thereafter, unless it shall appear to the Court that the person so offending shall not have had his vote objected to at the time of his voting and that the offence was committed through his ignorance of the law upon this subject.

5. *Provided always, and be it further enacted, &c.* That in case the Township Clerk of any township shall neglect or refuse to assemble the said inhabitant householders and freeholders at the time & place and in the manner and form aforesaid, the said householders and freeholders may nevertheless lawfully meet and transact all such public business as is provided by this Act at the time and place hereinbefore provided.

6. *And be it further enacted, &c.* That it shall and may be lawful for the said inhabitant householders and freeholders at such township meeting to choose one proper person to be Clerk of the said township; also to choose three proper persons to serve the office of Commissioners for the township; also one proper person to serve the office of Assessor for the township; also one proper person to serve the office of Collector for the township; also any number of persons to serve as Overseers of Highways, Roads & Bridges for the township, and also any number of persons to serve as Pound-keepers for the township as they shall deem expedient for the year: *Provided always*, that no person shall be compelled or be liable to serve any township office above mentioned for two years in succession except the inhabitant householders and freeholders neglect or refuse to assemble and appoint officers, or in case they do assemble and from any cause whatever neglect or refuse to appoint particular officer or officers, for the year aforesaid, then and in such case the officers of the township for the preceding year, or such of them as shall not be relieved by the appointment of other officers as their successors shall continue and remain in office for the year, and shall have the same powers, and be subject to the same responsibilities as if they had been legally appointed to such office in the usual manner, and *provided also*, that no person shall be compelled to serve in any of the aforesaid offices for any township in which he shall not reside.

7. *And be it further enacted, &c.* That it shall and may be lawful for the inhabitant householders and freeholders in any newly settled township in which no regular township meetings have been by law hitherto holden, to hold township meetings for the appointment of persons to serve the different offices for the townships mentioned in this Act, so soon as such townships shall contain thirty inhabitant householders or freeholders: *Provided always*, that where a township does not contain thirty inhabitant householders and freeholders, such householders and freeholders shall be taken and reputed as inhabitants of the township adjacent thereto containing the smallest number of inhabitants that is authorised to hold a township meeting, and may vote at its township meetings, and shall be subject to all the regulations made at the meetings of such townships, and all officers legally appointed at such township meeting consisting or made up of two or more townships, shall and they are hereby declared to be the officers of the several townships composing such meeting.

8. *And be it further enacted, &c.* That the following course may be adopted which shall be lawful for convening a first Township Meeting, on the first Monday in January, at the hour of ten o'clock for the purposes of this Act in any township which has not before legally held a Township Meeting, that is, by affixing a public notice in at least three of the most conspicuous places in the Township, at least fifteen days previously, signed by a majority of the inhabitant householders and freeholders of such township, stating that a public meeting will be held on the first Monday in the month of January ensuing, at some certain place in such township, for the appointment of township officers for the year.

9. *And be it further enacted, &c.* That it shall and may be lawful for the inhabitant householders and freeholders of the several townships in this Province, at such township meetings assembled, to determine and order in what manner, at what periods and what description of horned cattle, horses, sheep and other animals, (not expressly provided for by law) shall be allowed to run at large or be restrained from so doing within their respective townships for the year, and what shall be the fine or forfeiture upon the owner of any animals running at large, contrary to such regulations; and also to make such rules and regulations as the majority may deem necessary relative to pits, precipices and deep waters or other places dangerous to travellers, or the destroying or suppressing the growth of such weeds as are detrimental to good husbandry; the height and description of lawful fences, and such other matters connect-

ed with the same as may tend to promote the peace and welfare of their township.

10. *And be it further enacted, &c.* That it shall be the duty of the Clerk appointed as aforesaid for any township to record all such matters as shall be lawfully transacted at such meeting, and all other matters relating to the township which by virtue of his office it shall be his duty to record; which record, together with all other records, papers, monies unexpended, and property belonging to the township, which may come into his hands by virtue of his office, shall be faithfully kept and preserved by such Clerk, and by him delivered over to his successor duly appointed.

11. *And be it further enacted, &c.* That it shall be the duty of every Township Clerk appointed agreeably to the provisions of this act, to make out two copies from his record of the proceedings of the meeting at which he was appointed as Clerk for the township, within twenty days after his appointment; one of which he shall post up in a conspicuous manner at the place where such meeting was held, and transmit or deliver the other copy to the Clerk of the Peace for the district, and it shall be the duty of the Clerk of the Peace to file in his office all such copies as may be transmitted or delivered to him by the respective Township Clerks in each and every year, which shall be and remain in his office as a record, and shall be open to the inspection of any person desiring it, on payment of one shilling to the Clerk of the Peace as his fee, for his trouble in making such search.

12. *And be it further enacted, &c.* That it shall be the duty of such Clerk to cause the several township officers legally appointed or chosen for the year to be served with a notice of their appointment to such offices, signed by his hand as Township Clerk within the space of ten days from and after their appointment, requiring them to take the oath (or affirmation as the case may be) of office for their respective offices according to law; which notice may be in the following form:

"Sir,  
You are hereby notified that you were appointed on the \_\_\_\_\_ day of \_\_\_\_\_ to the office of \_\_\_\_\_ and you are required to take the oath or affirmation of office, for the said office according to law."  
" (Signed) A. B."  
" Township Clerk."

To "C. D."  
"Dated, &c."

13. *And be it further enacted, &c.* That it shall and may be lawful for the Township Clerk of any township for the time being, and he is hereby authorised to administer any oath or affirmation of office (as the case may be) authorised or required by this act, and which oath or affirmation may be as follows:

"You, A. B., do solemnly swear or affirm (as the case may be) that you will faithfully and diligently perform the duties of the office of \_\_\_\_\_ for this present year according to law and the best of your abilities."  
"So help you God,"

14. *Provided always, and be it further enacted, &c.* That the Overseers of Highways shall severally take the following oath, a copy of which shall be given to the several Overseers by the Township Clerk:

"You A. B. do promise and swear (or affirm as the case may be) that you will faithfully, diligently and impartially perform the duty of Overseer of Highways, and that you will require each and every person under your charge (not having compounded for his statute labor) faithfully and diligently to perform the same according to law, either in person or by an able bodied substitute, and will report every defaulter to the Commissioners, and perform all other matters and things pertaining to your office, as the law directs."  
"So HELP YOU GOD."

15. *And be it further enacted, &c.* That it shall and may be lawful for the said Clerk, and he is hereby authorised and required to keep a record of the names of all such as take such oath or affirmation, and report to the Board of Commissioners at each and every meeting of such Board for the year, the names of all those persons in the township who have been legally appointed to a township office for the year, and notified as aforesaid, and have neglected or refused to take the oath or affirmation required by this Act.

16. *And be it further enacted, &c.* That the Township Clerk shall be entitled to demand and receive from the Treasurer of the District as a compensation for performing the duties imposed upon him as Township Clerk by this Act, the sum of five shillings for every day that he may be necessarily employed in performing the duties of his office, which sum together with all other fees allowed to him by this act, the Treasurer is hereby authorised and required (on demand made) and upon affidavit of such Township Clerk made before any Justice of the Peace, that such demand is just and true,

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to pay to the respective Township Clerks, out of any monies that may be in his hands unappropriated and applicable to the general uses of the District.

17. *And be it further enacted, &c.* That it shall be the duty of the Township Clerk of any township, and he is hereby authorised, during the continuance of his office, to administer any oath or affirmation authorised or required to be taken or administered by this Act.

18. *And be it further enacted, &c.* That it shall and may be lawful for the Assessor of any township, and he is hereby authorised and required to demand and receive from every ratable inhabitant resident within the township, a list of all the ratable personal property in his, her or their possession in the Province; and of all the lands, tenements or other real estate in his, her or their possession within the township, specifying the number of the lot or lots, the number of the concession or concessions in which the same is or are situated, or otherwise particularly describing the same, and also the number of acres cultivated or uncultivated in each lot or parcel of land; which list shall be taken between the first Monday in February, and the Court of General Quarter Sessions for the District, which shall be holden next after the first day of March in every year; and shall make a return within the time aforesaid, duly attested under oath (or affirmation) before the Clerk of the Peace for the District or Township Clerk, of all the ratable inhabitants, with a true list of all their ratable property, specifying the particulars above mentioned, and shall in like manner insert his own ratable property therein, at the foot of which he shall subscribe his name, and shall cause the said return to be delivered to the Clerk of the Peace to be by him laid before the Court of Quarter Sessions at its said sittings; and shall also within the time aforesaid, put up a correct copy thereof for the inspection of the public, at the place where the last township meeting was held in his township; and the said Assessor shall, and he is hereby required to report to the Board of Commissioners, the names of all such persons in the township as he conceives have either given in a false list or have refused or neglected to give any list as the law directs, of their ratable property, in order that such offender may be dealt with according to law, at least fourteen days previous to his returning such roll to the Clerk of the Peace.

19. *And be it further enacted, &c.* That it shall and may be lawful for every Assessor, and he is hereby required to demand and receive from every inhabitant householder or head of a family in his township, a true and correct list of the number of persons composing such family, male and female, and their respective ages; also all deaf and dumb and insane persons, including therein all persons employed by, or resident with such householder or head of a family, which list shall or may be in the following form:

Names of heads of families.	Number in each Family.				Deaf & Dumb	Insane
	MALES.		FEMALES.			
	Under 16	Over 16	Under 16	Over 16		

And if such householder or head of a family shall refuse or neglect to give a true and correct list to the Assessor, he shall be liable to pay the same penalty as persons are liable to pay, who neglect or refuse to give in a true list of their ratable property to the said Assessor; to be levied and collected and expended in the same way.

20. *And be it further enacted, &c.* That every Assessor shall subscribe such list to be taken by him, and shall deliver or transmit the same to the Clerk of the Peace for the District, before the said sittings of the Quarter Sessions, verified upon oath or affirmation before the Township Clerk or Clerk of the Peace of the District, to be a true list.

21. *And be it further enacted, &c.* That it shall be the duty of the Clerk of the Peace in every District to make out a general return of the population of his District, from the several returns which he may receive from the Assessors for the year, and to transmit the same to the Office of the Governor, Lieutenant Governor, or Person administering the Government of this Province for the time being, on or before the first day of July in each and every year; and if such return shall not contain the whole population of his District, he shall send in a return of such Townships as may be deficient, as soon as practicable after he shall be enabled to do so, by returns of the Assessors of such Townships.

22. *And be it further enacted, &c.* That it shall and may be lawful for each and every Assessor to demand and receive from the Treasurer of his respective district the following fees, as a compensation for the duties imposed upon him by this act, viz: if the assessment of the rate of one penny in the pound for the year does not amount to fifty pounds, he shall receive a sum equal to seven pounds for every one hundred pounds; if above fifty pounds and under one hundred pounds, a sum equal to six pounds ten shillings for every one hundred pounds; if above one hundred pounds, and under one hundred and fifty pounds, a sum equal to six pounds for every one hundred pounds; if above one hundred and fifty pounds and under two hundred pounds, a sum equal to five pounds five shillings for every one hundred pounds; if above two hundred pounds and under two hundred and fifty pounds, a sum equal to four pounds fifteen shillings for every one hundred pounds; if above two hundred and fifty pounds and under three hundred pounds, a sum equal to four pounds five shillings for every one hundred pounds; if above three hundred pounds and under three hundred and fifty pounds, a sum equal to four pounds, for every one hundred pounds; and if above three hundred and fifty pounds, a sum equal to three pounds ten shillings for every one hundred pounds.

23. *And be it further enacted, &c.* That it shall be the duty of the Collector appointed for a township, and he is hereby authorised and required after first having received a certified copy from the Clerk of the Peace, of the Assessment Roll for the township, for the previous year, which certified copy shall be to each and every Collector sufficient authority for collecting the same, from time to time, to demand and receive from the inhabitants of the township, all such rates and assessments as may be due and payable on such assessment list, and shall pay the same over to the Treasurer of the District, on or before the said sittings of the Court of Quarter Sessions: *Provided always,* That it shall and may be lawful for every such Collector to reserve for himself the following fees as a compensation for his services as such Collector; that is to say, if the assessment for the township for which he is Collector does not amount to fifty pounds, he shall retain a sum equal to eight pounds for every £100 he collects; if above fifty pounds and under one hundred pounds, a sum equal to seven pounds ten shillings for every one hundred pounds; if above one hundred pounds and under one hundred and fifty pounds, a sum equal to seven pounds five shillings for every one hundred pounds; if above one hundred and fifty pounds and under two hundred pounds, a sum equal to seven pounds for every one hundred pounds; if above two hundred pounds and under two hundred and fifty pounds, a sum equal to six pounds ten shillings for every one hundred pounds; and that for all sums over two hundred and fifty pounds, a sum equal to five pounds for every one hundred pounds.

24. *And be it further enacted, &c.* That if any person, whose name is inserted upon such Assessment Roll, shall neglect or refuse to pay the sum or rate for which he or she stands rated in manner aforesaid, for the space of fourteen days after demand duly made of the same by the said Collector or his agent duly appointed, the said Collector upon oath, before one of the said commissioners, of such demand and refusal of payment as aforesaid, shall be entitled to demand an execution for the amount of such rate or rates, which execution the said commissioner is hereby authorised and required to grant, and upon the receipt of the same, the said Collector shall, and he is hereby authorised and required to levy the same by distress and sale of the goods and chattels of the person so neglecting or refusing to pay, having eight days previous notice of such sale in three public places in the township, and render the overplus, if any there be, to the owner thereof, after deducting the amount of the rates assessed and the legal charges of distress and sale.

25. *And be it further enacted, &c.* That the following fee and no

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more, shall and may by such Collectors be taken for every distress, advertising and sale, viz : three shillings and nine pence.

26. *And be it further enacted, &c.* That each and every Collector shall, within eight days after his appointment, and before he shall collect any money by virtue of his office, enter into a bond jointly and severally, with two sufficient freeholders to be approved of by the Township Clerk, to the Treasurer of the District, to the full amount of double the assessment of the Township for the preceding year, which bond may be in the following form:

KNOW ALL MEN, by these presents, that we A. B., Collector of the rates for the Township or Townships of \_\_\_\_\_ in the District of \_\_\_\_\_ and C. D. of \_\_\_\_\_ and E. F. of \_\_\_\_\_ are held and firmly bound to J. O. Treasurer of the District of \_\_\_\_\_ in the sum of \_\_\_\_\_ currency to be well and truly paid to the said J. O. Treasurer as aforesaid, or his successor in office; for which payment well and truly to be made to the said J. O. we bind ourselves jointly and severally, our heirs, executors and administrators firmly by these presents, sealed with our seal.

The condition of the above bond is such, that if the above bounden A. B. shall collect all the rates and Assessments of the Township or Townships of \_\_\_\_\_ for the preceding year, ending the first Monday in January in this present year, so far as the law may enable him to do, and shall pay all the monies which he may so collect (except his own per centage) to the Treasurer of the District, on or before the next ensuing sittings of the Court of Quarter Sessions which may be next after the first day of March, then this obligation to be void, or otherwise to remain in full force and virtue.

27. *And be it further enacted, &c.* That if at any time it shall happen to be out of the power of any Collector of any Township to collect the Assessment due from any person for want of assets to satisfy the same, or by reason of any person being out of the Township or upon any other account, it shall and may be lawful for the Collector of such Township in any subsequent year to collect such rates in the same way and manner as if such rate was due for the year for which he shall be appointed.

28. *And be it further enacted, &c.* That each and every Township Clerk shall, on or before the first meeting of the Township Commissioners after his appointment, enter into a bond jointly and severally with two sufficient freeholders, the freeholders and the amount of the bond to be approved of by the Board of Commissioners, which bond shall be to the Commissioners, and in the form prescribed by this act for Collectors, except the condition which may be in the form following:

"The condition of the above bond is such, that if the above bounden A. B. shall well and truly pay over all monies coming into his hands by virtue of his office and applicable to the general uses of the Township, and deliver the remainder (if any there be) together with all books, records and papers belonging to the Township, into the hands of his successor in office as the law directs, then this obligation to be void, or otherwise to remain in full force and virtue."

29. *And be it further enacted, &c.* That it shall be the duty of the Overseers of Highways of any Township, and they are hereby severally authorised and required, to superintend, make and keep in repair, the highways, roads, streets and bridges, that may be allotted to them severally from time to time and ordered by the Board of Commissioners for the Township, and every such Overseer shall after having received such order, by giving at least three days notice of the day, hour and place, summon such persons within his division as are liable to perform statute labor that may be due, and order them to work within the time stated in such order, on such part of the roads, bridges or highways, as they are directed to make, amend or repair, and shall or may direct all persons performing such labor, to destroy as much as may be in their power, such weeds as are in his opinion hurtful to good husbandry, and shall give to every person who may have done his statute labor for the year, requiring the same, a certificate under his hand of having performed his share of statute labor in that Township for the year, in order to prevent such person from being called out again in any other Township to which he may remove.

30. *And be it further enacted, &c.* That when any road or highway passes any deep water, precipice, or other dangerous place, the overseer in whose division such place may be situated, shall, by statute labor, cause good and sufficient guards, rails or fences,

to be erected in order to make such places safe, and shall also erect finger posts at all such places within his division as shall be necessary for the direction of travellers.

31. *And be it further enacted, &c.* That any person liable to perform statute labor according to law, may compound for such duty if he or she shall think fit, on or before the first day of May, by paying to the Overseer acting for the division in which he or she resides, the sum of five shillings for a team and driver for every day that he or she may be required to work on the road with such team and driver, and also by paying as aforesaid the sum of two shillings and six pence for every day he or she may be called on without such team as aforesaid, and such Overseer is hereby authorised and required to accept the said sum in place of such statute labor, and shall and may lay out and expend the same in such manner as to him shall seem best for the improvement of the roads or bridges allotted to his division, and render an account of the same as is provided by this act.

32. *And be it further enacted &c.* That in order to provide materials for making and erecting any bridges or causeways or making or repairing any road, it shall and may be lawful for any Overseer of highways in the actual discharge of his duty, to direct the persons performing statute labor, to cut down or make use of any tree or underwood standing upon any unenclosed and unimproved lands, and also to break up and make use of any stone upon any unimproved and uncultivated land, that such Overseer may think necessary for that purpose, and wilfully doing no unnecessary injury to the premises from whence they are taken.

33. *And be it further enacted, &c.* That the roads and highways in and through every Township, as also a just share of any road actually required and necessarily running between the same and any other Township, shall be cleared, repaired and maintained by the inhabitants thereof; and that every person liable to perform statute labor if not compounded for as aforesaid, shall either in person or by a sufficient and able bodied man in his or her stead, be obliged under the direction of the Overseer acting for the division, to work faithfully and diligently on the said road, and shall bring with him one Spade, Axe, Pickaxe, Bar or such other implement or instrument useful for the purpose aforesaid, as he may be owner of, and be directed by the Overseer to bring, for and during any space of time he may be liable to work on the said roads in each and every year, allowing eight hours to each day's work exclusive of the time of going to and from the place of work; and that every person within any Township keeping a cart wagon or team of one or more horses oxen or beasts of burthen or draught used to draw the same, shall send on every day to be appointed by the said Overseers, a cart, or wagon, and team, and one able bodied man to drive the same, for such space of time as he shall be liable to work on the said roads according to law, allowing eight hours to each day's work, which said day's work shall be held equivalent to two days personal labor, and if any laborer or driver shall refuse or neglect to work faithfully or to carry good and sufficient loads during the time above mentioned, it shall and may be lawful for the said Overseer, and he is hereby authorised and required, to discharge such laborer, and the person furnishing such team shall be liable to the forfeiture which every such person would have incurred by virtue of this act—in case such laborer had not attended, or such team and driver had not been sent, and shall not be allowed for the part or portion of the day which he may have labored.

34. *And be it further enacted, &c.* That the several Overseers of highways in the several townships shall cause all statute labor under their direction and controul to be performed, and all monies coming into their hands in lieu of statute labor to be expended, between the first day of May and the fifteenth day of July in each and every year, except otherwise directed by the Township Commissioners for the said Township.

35. *And be it further enacted, &c.* That every person liable to perform statute labor in any township or division and not having compounded for the same according to law, who shall neglect or refuse after having been duly notified as aforesaid, to attend himself or send a sufficient able bodied man in his stead, with such carriage, team, implement or instrument as may be by this act required and directed by the Overseer at the time and place appointed, shall forfeit and pay the sum of five shillings for each day he shall so neglect or refuse, and every person who shall neglect or refuse, after notice given as is provided by this act, to view fences and appraise damages, and to deliver his determination within the time specified by this act, shall forfeit and pay a sum not less than five shillings nor more than twenty shillings to be recovered by the Board of Commissioners by confession or upon the oath

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of one credible witness; & to be levied by warrant under the hand and seal of the commissioners by distress and sale of the goods and chattels of the person so offending, rendering the overplus if any there be to the party, after deducting the penalty and legal charges attending such distress and sale; and the imposing of any such fine or penalty by the commissioners on any person shall not in any wise release such person from performing any duty required of him by this act, but he shall be liable and subject to perform the same at any time within the current year, when called upon so to do by the proper officer, as though no such fine or penalty had been imposed upon him.

36. *And be it further enacted, &c.* That if any person shall willfully stop up any road or roads in any township or shall pull down or destroy any fence, railway or guard, that shall have been erected along any water bridge or precipice for the safety of travellers, or any guide or finger post, such persons offending shall forfeit and pay for every such offence a sum not less than five shillings nor more than five pounds, to be recovered in the manner provided by the preceding clause of this act, or in case any tree or trees shall be cut down in or fall out of any inclosed land in such a way as to obstruct any public road or highway, the owner or occupier of such inclosure shall remove the same within twenty-four hours after notice received of such obstruction, under the penalty of ten shillings for every day the obstruction shall continue; the penalty to be recovered in like manner.

37. *And be it further enacted, &c.* That the overseers of each and every township shall severally make out a true list or account of all persons within their respective divisions, and also of all who own either a sleigh, cart or wagon, and team, and who are liable to work on the highways, and of the labor done or unperformed by any person liable to perform or compound for the same, and also of all monies that may have come into his hands by virtue of his office, and of the expenditure or payment of the same; which list or account shall be subscribed by such overseer and delivered verified upon oath or affirmation if required, to the board of commissioners for the township, at their meeting on the second Saturday in November.

38. *And be it further enacted, &c.* That it shall be the duty of any pound keeper appointed under the provisions of this act, to provide himself with sufficient yards or enclosures for the safe keeping of all such animals as it may be his duty to impound, and he is hereby authorised and required to impound all animals unlawfully running at large or trespassing and doing damage that may be delivered to him by any person resident within his division, taking up the same; and it shall be his duty to furnish the same with necessary food and drink; and if after the space of forty-eight hours said animals shall not be claimed and redeemed by the owner or some one in his behalf, paying the pound keeper his lawful demand and charges, and the amount of damages awarded in the manner hereinafter mentioned to have been done by such animals to the person taking up the same, he shall cause a notice in writing to be affixed in three public places in the township for at least fifteen days, which notice shall give a description of such animals, and also state the time and place at which he intends to expose the same to sale; and if the owner of such animals or some one in his or her behalf, does not, within the time specified in such notice as aforesaid, redeem the same by paying to the said Pound-keeper his legal charges and the damages awarded to the person taking up such animals, the said Pound-keeper shall proceed to sell the same to the highest bidder at the time and place mentioned in the notice, which sale is hereby declared to be valid in law; and the said Pound-keeper shall, after deducting his own legal charges and the damages awarded to the person taking up the said animals, provided he is the party injured, return the overplus (if any there be) to the original owner: *Provided always,* That if no person shall appear to claim the said animals within the space of three months after public notice and sale as aforesaid, the said Pound-keeper shall pay the overplus (if any) into the hands of the Township Clerk for the time being, to be laid out for the improvement of the roads and bridges within the township.

39. *Provided always and be it further enacted, &c.* That if any ox or oxen, horse or horses, shall be impounded as aforesaid and not claimed before the expiration of fifteen days as aforesaid, and the owner thereof shall not be known by the said Pound-keeper, then and in that case the Pound-keeper shall not sell such ox or oxen, horse or horses, at the time stated in such notice, but shall postpone the sale thereof for the space of three months, at the expiration of which time such Pound-keeper shall proceed to sell the same and dispose of the proceeds in the manner mentioned in the last preceding clause of this act: *Provided always,* That the owner of the same may at any time, before such sale, redeem such animal or animals by paying demands as aforesaid.

40. *Provided also, and be it further enacted, &c.* That it shall be

the duty of all and every person taking any animal or animals to a Pound-keeper to be impounded, at the same time or within twenty-four hours, to state in writing to the said Pound-keeper, all demands he may have against the owner of such animal or animals for damages done by them, and in case the owner of such animal or animals shall tender to the Pound-keeper the full sum which shall or may be awarded as damages to the party suffering the same with the costs then incurred, such owner shall not be liable to any costs afterwards incurred, but all such subsequent costs in such case shall be borne by the party claiming extravagant damages.

41. *And be it further enacted,* That it shall be the duty of the Pound-keeper, and he is hereby authorised and required within twenty-four hours after having impounded any animal as aforesaid, to notify three disinterested freeholders to appraise the damages done by the said animals, and also to judge of the sufficiency of the fence inclosing the ground wherein such animals were found doing damage, and such freeholders, or any two of them, shall within twenty-four hours after the receipt of such notice, view such fence and determine whether the same is a lawful fence according to the resolutions of the Township meeting on that subject; and if so, appraise the damage done, and having reduced their award to writing, shall deliver the same subscribed with their names to the Pound-keeper, within the space of twenty-four hours after having been so notified: *Provided always,* that if the said freeholders shall not award any damages to the person taking up such animals, the Pound-keeper shall on demand deliver the same to the owner thereof, and shall be entitled to recover his costs and charges from the persons at whose instance such animals were impounded.

42. *And be it further enacted, &c.* That it shall not be necessary for the Pound-keeper to cause fences to be viewed, and damages to be appraised, as aforesaid, in cases where animals are impounded by him that may be lawfully impounded without being found doing actual damage, as, for instance, rams and other animals, not free commoners, but shall otherwise proceed as the law directs.

43. *And be it further enacted, &c.,* That it shall and may be lawful for any person whatsoever to take up any ram, bull or boar, which he may find running at large, contrary to the regulations made in that respect for the year at the Township meeting, and deliver the same to the Pound-keeper to be dealt with according to law.

44. *And be it further enacted, &c.* That it shall be the duty of any Pound-keeper to impound any ram, bull or boar, as aforesaid, that may be delivered to him, and advertise the same at three public places in the township for the space of eight days or such further time as shall be lawfully prescribed by any regulation at the township meeting, and at the expiration of the said term publicly to sell the same to the highest bidder at the time and place stated in such advertisement, unless such ram, bull or boar shall be previously claimed and redeemed by the owner thereof by his paying to such Pound-keeper his fees and such other sum as shall be imposed as a fine or penalty at the township meeting on the owner of any ram, bull or boar which may be found running at large at certain seasons of the year; and such Pound-keeper shall pay over all sums that he may so receive, except his fee, to the township Clerk for the year.

45. *And be it further enacted, &c.* That every Pound-keeper appointed by virtue of this Act shall be authorised to take such and no greater fees for performing the duties imposed upon him or for feeding animals as aforesaid as may be authorised and allowed by the Board of Commissioners for the year; and it shall be his duty to pay over without delay to the person entitled to receive the same such sums awarded as damages, as may come into his hands by virtue of his office.

46. *And be it further enacted, &c.* That the Commissioners appointed agreeably to the provisions of this Act, shall be known by the name of "The Board of Commissioners for the Township of \_\_\_\_\_," and as such shall be capable of performing, ordering and doing all such matters and things as shall be authorised by this act, and the majority of them shall be competent to transact any lawful business agreeably to this Act, for the benefit of their respective Townships.

47. *And be it further enacted, &c.* That the Clerks of the respective Townships shall be, and are hereby declared to be the Clerks of and for the Board of Commissioners, and as such shall attend all their meetings, and record in a Book to be by them kept for that purpose, all judgments, decisions or orders that shall be made by such Board, and all other matters and things which it may be necessary to have recorded for reference; which records shall be considered and taken to be part of the records of the Township, & as such shall be delivered by them over to their successors in office.

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43. *And be it further enacted, &c.* That it shall be the duty of such Board, and they are hereby required to meet at the same place at which the Township meeting was last before holden, at the hour of ten of the clock in the forenoon, on the third Saturday in January, on the first Saturday in July, and on the third Saturday in October, and also at as many other times and places in the township as they may deem expedient for the purpose of performing the duties imposed upon them by this Act.

49. *And be it further enacted, &c.* That the Board of Commissioners for any Township shall, and they are hereby authorised and required to take charge of, allot, and order to be made, repaired, and kept in repair, in such manner as they may think expedient, all such roads and bridges as are now or shall be required to be kept in repair by the inhabitants of such township, by any act or acts of the Legislature of this Province.

50. *And be it further enacted, &c.* That it shall be the duty of such Board, and they are hereby authorised and required at their meeting on the third Saturday in January, or at some adjourned meeting before the third Saturday in April to divide the township into divisions, and to allot to the several Overseers their respective divisions, and to order the said Overseers to expend the statute labor on the roads within the same or they may order the whole or any part of such statute labor to be done on the road or roads in any particular part of such township or any adjacent township as to them shall seem expedient, and also to hear and determine upon all such matters as may come before them by virtue of this Act.

51. *And be it further enacted.* That it shall and may be lawful for such Board to resolve what fees or compensation for poundage or for feeding animals, shall or may be taken by the several Pound-keepers in the township for the year, and also the quantity of provender that shall be daily allowed to the several animals impounded and also allot to said Pound-keepers their several precincts or divisions, a statement of which shall be transmitted to the several Pound-keepers for their guidance, and a true copy posted up in some public place in the township within the respective precincts of the Pound-keepers.

52. *And be it further enacted.* That it shall and may be lawful for such Board, and they are hereby required at any of their meetings as aforesaid, to fill up all vacancies in the township offices, by appointing other officers instead, that may occur by reason of death or removal from the township or by any person neglecting or refusing to take the oath or affirmation of office required by law or by neglecting or refusing after having taken such oath or affirmation to perform the duties of the office, and the Township Clerk shall notify and administer an oath or affirmation of office to such as may be appointed at meetings of the Board and report delinquents in the same manner as if they had been appointed at the township meeting, and such officers so appointed by such Board shall have the same power and authority and be liable to the same responsibilities and penalties that they would have been had they been appointed at the township meetings.

53. *And be it further enacted.* That from and after the passing of this Act, any person who is not assessed at more than twenty-five pounds, and who by reason of age, sickness, or numerous family, or misfortune, may be in poor and indigent circumstances, may apply to the Board of Commissioners for the township in which such person resides, and the said Board on such application having first notified the Overseer acting for the division in which such person resides to appear on the part of the public, shall examine and enquire into the situation and circumstances of the person making such application, and if it shall appear to such Board that such person is really poor and indigent, and therefore desires to be released from a part or the whole of his or her statute labor, the said Board may in their discretion exempt such person from the performance of the whole or a part of his or her statute labor upon the highways for the year and give him a certificate to that effect, which shall be an acquittance of the same.

54. *And be it further enacted.* That if any person legally appointed to any township office agreeably to the provisions of this Act, shall neglect or refuse to take an oath or affirmation of office before the proper officer for administering the same within eight days after being duly notified, or after taking such oath or affirmation, shall neglect or refuse to perform the duties of his office agreeably to the provisions of this Act, or shall take any greater fee or allowance than is authorised by this Act, or if any person shall neglect or refuse to deliver in a true list of his or her ratable property, real or personal as the law directs in manner and form aforesaid, or shall wilfully mistake such ratable property, such person shall forfeit and pay a sum not less than one pound nor more than five pounds with costs for every such neglect, refusal or violation of the law, to be levied by distress and sale of the offenders goods and

chattels, eight days previous notice of such sale being given and the overplus if any being rendered to the owners.

*And be it further enacted.* That upon complaint of such neglect, refusal or violation of the law before the Board of Commissioners for the township wherein the offence was committed, or if such neglect or refusal shall come to the knowledge of the said Commissioner by returns as aforesaid, the said Board shall after summoning the party or delinquent before them (which summons either of the members of the said Board is hereby authorised to issue) hear and determine the same and upon sufficient proof being made of such wilful neglect or refusal or violation of the law, or misstatement by the confession of the party or the oath of one credible witness, shall issue such warrant of distress and sale as aforesaid to some constable who is hereby authorised and required to execute the same unless the sum or penalty be immediately satisfied, and such sums or penalties when collected shall be paid into the hands of the Township Clerk.

56. *And be it further enacted.* That the several Commissioners for the several townships shall be entitled to demand and receive from the Treasurer of the District as a compensation for performing their respective services and duties imposed upon them by the provisions of this Act, the sum of five shillings per day for every day they are necessarily engaged in the said duties and services, the said days to be certified by the Township Clerk, which sum the Treasurer of the District is hereby authorised and required to pay on demand and production of such certificate out of the public monies in his hands unappropriated and applicable to the general uses of the District, and the Commissioners aforesaid shall render an account to the Township Clerks respectively of the amount of monies so received by them for their respective services, which account, together with all monies received by the said Clerk for his services, shall be by him laid before the next township meeting for inspection.

57. *And be it further enacted, &c.* That the constable to whom any warrant, execution or summons may be directed, authorised to be issued by this act, shall be entitled to the following fees and no more for executing such warrant, execution or summons, viz: four pence per mile for every mile he may have to travel to execute the same, which travel shall be verified upon oath if required, and for levying, advertizing, selling and making returns, two shillings and six-pence—for every summons served, eight pence.

58. *And be it further enacted, &c.* That it shall be the duty of such Board carefully to examine the returns of the several Overseers, and of the Township Clerk, and also the books, accounts and papers of such Clerk, and when it shall appear from such returns and records that there has been a neglect of duty on the part of such officer, or when it shall appear that any person has neglected or refused to give in a true list of his or her ratable property, or has refused or neglected to perform his or her statute labor according to law, such Board may, and they are hereby authorised and required to summon such person to answer for such offence, and proceed against him as if a complaint had been duly made of such neglect.

59. *And be it further enacted, &c.* That it shall and may be lawful for such Board, or any one of them, to issue a summons under his or their hands to any person in the Township that may be required by any party, or if such Board shall think it necessary to require the attendance of any witness to appear before the said Board at any of their meetings to be held as aforesaid to give evidence or to answer to a complaint, as the case may be, which summons may be in the following form:

"To. A. B.

You are hereby required to be and appear before the Board of Commissioners for the Township of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ in the said Township, to give evidence respecting a complaint against C. D. and for (describing the complaint) or to answer to a complaint against you (describing the complaint) as the case may be.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 183.

E. F.  
Commissioner."

60. *And be it further enacted, &c.* That it shall and may be lawful for His Majesty's Justices of the Peace to pay into the hands of the Town Clerk, appointed under this act, all monies arising from fines, &c. under the act passed in the fourth year of His Majesty's reign, entitled "An Act to provide for the summary punishment of petty trespasses and other offences;" also the commutation in lieu of militia service under the authority of

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a certain Act of the Parliament of this Province, passed in the fourth year of His Majesty's reign, entitled, "An Act for the relief of certain religious denominations of persons called Menonists, Tunkers and Quakers," which said monies shall be paid over to the Town Clerk of the Township in which said fines may be imposed and collected, any law, usage or custom to the contrary notwithstanding.

61. *And be it further enacted, &c.* That it shall be the duty of the Town Clerk to make out a full and detailed statement of all monies received and expended by virtue of this act during the current year, which statement shall be signed and certified by the said Clerk, and a copy thereof shall be by said Clerk put up for public inspection at three of the most public places within said Township, one of which shall be the place at which the ensuing Township Meeting shall be ordered to be held, on or before the third Monday of December—and the said Clerk shall be allowed for each copy of said statements the sum of ten shillings.

62. *And be it further enacted, &c.*, That all monies that shall come into the hands of any Township Clerk by virtue of his office, shall and may be expended by the Board of Commissioners for the Township, in making or improving the public highways, roads and bridges of such Township, and such Township Clerk is hereby authorized and required to pay the sum or any part thereof that may be required, to the order of such Board, and in case any such monies shall remain in his hands unexpended at the expiration of his term of office, the same shall, on demand, be by him paid over to his successor within four days after the said termination of his office.

63. *And be it further enacted, &c.* That it shall and may be lawful for every Township Clerk to ask and receive from the Treasurer of the district in which the township is situated for which he is Clerk, at any time after the holding of the Quarter Sessions, next after the first day of March in that year, all monies that have been paid into the Treasury for his township under the wild land assessment act for the improvement of roads and bridges and that have not been expended: *Provided always*, That the respective Township Clerks, first appointed under the provisions of this act are hereby authorized to demand and receive from the Treasurer all such money as aforesaid, as may be remaining in the Treasury and unappropriated, any law, usage or custom to the contrary in any wise notwithstanding.

64. *And be it further enacted, &c.* That it shall be the duty of the Commissioners for any township to lay out and expend the money coming into the hands of the Clerk of the township, arising from the wild land assessment law, in making or improving the roads and bridges in the township in which the lands are situated, for which such taxes are paid, and the said Commissioners shall make out a return of the amount so received, and the manner and place where the same has been expended, which return shall be handed to the Clerk to be laid before the next township meeting for their information.

65. *And be it further enacted, &c.* That it shall and may be lawful for the Commissioners of any township, legally appointed according to the provisions of this act, to compound or agree with any person or persons resident in the township, for the making, in a permanent and substantial manner, any part of any public road within their township, in lieu of his or their statute labor which he or they may be by law required to perform in the township, for any number of years not exceeding five, which agreement shall be committed to writing and signed by the parties, and thereupon it shall be binding on the Commissioners and their successors, and the other person or persons being a party to such agreement, and upon the due performance and completion of such agreement the person or persons performing the same, shall be exempt from all statute labor in the township for the full term of time agreed upon as aforesaid.

66. *Provided always, and be it further enacted*, That in case any person or persons after having subscribed to any agreement as aforesaid shall neglect or refuse to perform the same in the manner and within the time specified in such agreement, he or they shall be liable to the like penalty that persons are by this act who refuse or neglect to perform their statute labor.

67. *And be it further enacted*, That if it shall happen that any person or persons shall enter into an agreement with the Township Commissioners as aforesaid, and in pursuance of such agreement make a part or the whole of the road required by said agreement, but upon which there shall arise a dispute between the commissioners making the agreement or their successors, and the other party thereto touching the fulfilment of such agreement, such dispute shall and may be submitted to three Overseers of highways acting in the township for the year, and such three

Overseers of highways shall be drawn by a public and impartial ballot from the whole list of Overseers of highways acting in the township for the year, which ballot shall be made by the Township Clerk who shall give the two contending parties due notice of the time and place where such ballot shall take place, and it shall be the duty of such clerk to appoint a time and place for the meeting of such Overseers of highways so balloted, giving them and also the parties to such dispute at least eight days notice, and thereupon it shall be the duty of such Overseers of highways to meet and after having the said agreement submitted to them and examining the premises to make such award as to them shall appear just and right which award shall be binding on the parties and be final.

68. *And be it further enacted*—That if any one to whom an oath or affirmation may be administered under the provisions of this act, except those of office, shall wilfully swear or affirm falsely such false swearing or affirmation, shall be deemed wilful and corrupt perjury, and the person guilty thereof shall and may be prosecuted and punished therefor as for wilful and corrupt perjury.

69. *And be it further enacted*, That it shall and may be the duty of the said clerk, and he is hereby authorized and required to demand and procure the Bond to be given as directed by this act, by the Collector of the Township, and transmit the same to the Treasurer of the District, and in case it shall so happen that the Collector so appointed for the year, shall not procure two freeholders for his sureties as by this act required, the circumstance shall be reported by the Clerk to the Board of Commissioners at their next meeting who may hear and determine the matter in such manner as to them may appear just, and may either remove the said collector from office and appoint another in his stead, or impose a penalty in the same manner as if he had neglected or refused to perform the duties of his office.

70. *And be it further enacted*, That the Commissioners to be chosen under this Act shall have power to discharge the duties incumbent upon Town Wardens under the act passed in the 39th year of the reign of His late Majesty King George the Third, entitled "An Act to provide for the education and support of Orphan Children."

71. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for any person to examine any or all of the books or records of the Township, at all reasonable hours, upon the payment of one shilling to the Township Clerk, as a fee for his trouble in making or assisting to make the same.

72. *And be it further enacted*, That if through any inadvertency, or otherwise the name of any person which should have been inserted in any Assessment Roll shall be omitted such person shall nevertheless be liable to work on the highways in the township or division in which he may reside in the same proportion and manner as if no such omission had taken place.

73. *And be it further enacted*, That this Act shall go into effect on the first day of December next after the passing of the same and no sooner.

74. *And be it further enacted*, That this act shall be and remain in force for four years from the time of its going into operation, and from thence to the end of the then next ensuing Session of Parliament, and no longer.

75. *Provided always, and be it further enacted*, That in case it shall be necessary to repair any sudden breach which may be caused in any public highway by reason of any bridge or causeway giving way, or from any other casualty, or to remove any obstruction on account of snow, or to fix or set up beacons or stakes as a guide for travellers over any frozen waters, marsh, plain or other place, it shall and may be lawful for the overseer or overseers of highways in whose division the same may occur and they are hereby required to repair, remove or establish as aforesaid, or cause the same to be done by applying any money in their hands and applicable to the roads and unappropriated, or to direct the application (for that purpose) of any statute labor subject to their control, and in case it shall happen that such overseer or overseers shall not at the time have any money or statute labor under his direction which he may apply for the purposes aforesaid, it shall and may be lawful for such overseer to direct any person in his division and liable to perform statute labor to repair such breach, remove such obstruction, or erect such guides as aforesaid, and such overseer shall keep the account of the number of days any person or persons may work on the roads for the purposes aforesaid, which account such overseer shall transmit to the clerk of the township to be laid before the com-

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Commissioners of the township and the said commissioners after examining the said account, if it shall appear just and expedient, may exempt any person who may have worked as aforesaid, from performing any part of his or her statute labor for the next year, and shall give such person as aforesaid a writing to that effect, which shall be taken and considered by the overseer under whose direction such person may be liable to work and credited to such person for so much of his statute labor; and any person who shall neglect or refuse to perform such labor or obey the orders of the overseer when required to work as aforesaid, shall be liable to the same penalties and which may be recovered and disposed of in the same way and manner as is provided by this act for neglecting to perform statute labor, or disobeying the overseers of highways, except such person can make it appear that he had a reasonable excuse for so doing; and provided also, that the said overseer shall and he is hereby required to proportion such labor among the several persons within his division liable to perform statute labor as nearly equal as circumstances will permit.

76. And be it further enacted, That the commissioners appointed by this act for their respective townships and their successors duly appointed shall be as a corporation to represent the whole inhabitants of the township for which they are commissioners, and as such may have and hold the property of or belonging to the township and shall and may sue, prosecute, or defend in all presentments, indictments, or actions for and on the behalf of the said township.

(Signed) JOHN B. ROBINSON,  
SPEAKER.

Legislative Council Chamber, }  
7th day of April, 1835. }

(Signed) MARSHALL S. BIDWELL,  
SPEAKER.

Commons House of Assembly, }  
7th day of April, 1835. }

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**THIRD REPORT**

OF THE

**Select Committee**

ON

**FINANCE.**

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**REPORT**  
OF THE  
**COMMITTEE**  
OF  
**FINANCE.**

*To the Honorable the House of Assembly :*

The Committee on Finance beg leave to make this their third Report.

Your Committee remark that although this House has represented to His Excellency on former occasions, in relation to the large balances outstanding in the hands of Collectors and Inspectors, and calling His Excellency's attention to the subject, yet they are much concerned to find that there was a larger balance due on the 31st December last than at any former period, and also that although this was brought forward from year to year, and those persons complained of as defaulters, no proceeding within our knowledge has been had against them for the recovery of so large a sum which should be settled. The Committee would suggest that some steps should be resorted to, to have these arrearages paid, as well as to compel other Accountants in this Province to be more regular in paying over public money into the hands of the Receiver General.

Your Committee have observed that Christopher A. Hagerman, Esq. in the Public Accounts, sent down to this House at its last Session, was a defaulter as a Collector at the Port of Kingston, but that item not appearing in the Public Accounts of this year, the Chairman addressed a letter to the Inspector General, asking information on the subject, whose answer in reply is as follows :

*Inspector General's Office, }  
11th April, 1833. }*

SIR,

I have the honor to state for the information of the Finance Committee that Mr. Hagerman has a claim upon the Council which has long been pending with the King's Government, for his portion of a seizure, as he contends, legally made while he was Collector of the Customs at Kingston, but relinquished to the par-

ties by order of Sir Peregrine Maitland, in consideration of their ignorance of the British Statute under which the proceedings were had.

The amount is much greater than that due by Mr. Hagerman, and I did not consider it right to represent him as a public defaulter and that sum as available while there was a probability of his claim being allowed. I therefore desired his name to be omitted, and the account kept open as before in the office until a decision could be had thereon.

I have the honor to be,

Sir,

Your most obedient servant,

GEO. H. MARKLAND,

*Inspector General.*

Your Committee cannot but express their astonishment that the Inspector General of this Province should have assumed the right to report such and so many of the defaulters to this House as he may have thought expedient, and to omit reporting others, which together with the extremely mystified state in which many of the accounts, especially those relating to the Casual and Territorial Revenue, have been sent down to this House, has tended to lessen the confidence of Your Committee in the correctness of the accounts sent down for their inspection; nor are they at all surprised that so many Collectors and Inspectors are defaulters, while they have before them the example of the head of the Department allowing an account of monies that are placed at the disposal of the Provincial Legislature by the 4th Will. 4th to be taken from the returns of the Public Accounts sent to this House merely upon the ground that the Collector had a supposed claim upon the British Government for the surrender of a seizure; which sum would not have been at the disposal of the Provincial Legislature by any enactment of this Province, seizures being Crown Revenues, and Your Committee are of opinion that the Inspector General might just as well have induced the Governor to have issued a warrant in favor of the Collector for that amount out of the Revenues collected, in any other way, directly from the people, as to have allowed that account to be struck out of the Public Accounts.

The Committee beg leave further to report statements of the appropriation of £25,000 granted by An Act 4th Will. 4th, Chap. 48, grant-

## Third Report on Finance.

ing a sum of money for the improvement of the roads and bridges in the several Districts in this Province, shewing the sums expended, the sums unexpended, and the sums unaccounted for, &c. together with the names of the Commissioners appointed to expend the same.

Also a general statement of the application of the monies granted by the Acts passed in 1832—3—3rd Will. 4th, chap. 60—and continued by the Act 4th Will. 4th, chap. 47, shewing the the sums expended, the sums unexpended, the

sums unaccounted for and the Commissioners appointed to expend the same.

All which is respectfully submitted.

CHARLES DUNCOMBE,

*Chairman.*

*Committee Room, House of As- }  
sembly, April 14th, 1835. }*

Third Report on Finance.

GENERAL STATEMENT of the application of the Monies granted by the Act passed in the Session of 1832-3, (3 W. 4, c. 60) and continued by the Act of last Session, 4 W. 4, c. 47, shewing the sums expended, the sums unexpended, and the sums unaccounted for, together with the names of the Commissioners appointed to expend the same.

Municipality	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for			Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.		£	s.	d.	£	s.	d.				
	COUNTY OF GLENGARRY.													
	130	0	0	On the Post Road from Dundas St. to the rear of Lochiel. ....				130	0	0		Hugh McGillis, John McGillivray, John McLennan, Alexander Chisholm, Donald Catanach, Angus Catanach, Angus McDonell, Alexander Fraser, and Alexander McMartin.	No Returns.	
	25	0	0	On the Road from Lot No. 19 in the 5th con. of Lochiel to Rigaud....				25	0	0				
	25	0	0	On the road from Lot No. 19 in the 5th con. of Lochiel towards the River La Grasse. ....				25	0	0				
	75	0	0	On the road from Dundas Street, E. of the Indian Reservation, to the front of Charlottenburg. ....				75	0	0				
	68	0	0	On the road from Martintown to Kenyon. ....				68	0	0				
	50	0	0	On the 9 mile road from Dundas St. to the South Branch, including a bridge over the River aux Raisins.				50	0	0				
	80	6	8	On the 9 mile road leading from Archibald Cameron's, Dundas St., to the rear of Kenyon. ....				80	6	8				
	50	0	0	On the 9 mile road from John Ban McLennon's to rear of Kenyon. .				50	0	0				
	50	0	0	On the road through the Indian Reservation north of the River Raisin. ....				50	0	0				
	15	0	0	Road north of Dundas St., between Lots 24 and 25 to Kenyon. ....				15	0	0				
	15	0	0	9 mile road from the South Branch to Alexander McGruer's. ....				15	0	0				
	25	0	0	9 mile road from Charles Westley's to Dundas St. ....				25	0	0				
	25	0	0	9 mile road from Dundas St. in Lancaster to the third con. of Lochiel.				25	0	0				
	COUNTY OF STORMONT.													
	40	0	0	On the road between Lots 6 & 7 in the 2nd, 3rd and 4th concessions of Cornwall. ....				40	0	0		John Cameron, John McDonell, and Alexander McDougall.	Oath.	
1	20	0	0	On the road now in use from Daniel Campbell junior's, township of Cornwall, to the Indian Land....	20	0	0							John Cameron, John Gibson, and Duncan Ferguson.
5	20	0	0	Road between the 2nd and 3rd concessions of Cornwall, from Lot 13 to 23. ....	19	4	7	15	5					John Hartle, jun., Nathan Groves, and Joel Eastman.
	95	0	0	Road from Cornwall to the rear of Roxboro'. ....				95	0	0				Alex. McLean, Esq., John McDonell, and Duncan McDonell, Esq.

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GENERAL STATEMENT OF MONIES—(Eastern District)—CONTINUED.

Folio	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.		£	s.					d.
	20	0	0	Road between Lots 18 and 19 from the front of the 3rd con. of Cornwall to Dundas St. ....			20	0	0	Nadab Eastman, John Milroy, and Wm. McLaughlin.	
	31	13	4	Road from Henry Empey's to John Roy's on the St. Lawrence. ....			31	13	4	Alex. McLean, Esq., John Roy, and Henry Empey.	
	30	0	0	To open a convenient road from the west part of the township of Roxboro' to the St. Lawrence....			30	0	0	Alex. McLean, Esq., Jas. Roy McDonell, and Angus McDonell, sen.	
	40	0	0	Road from the Indian Lands between the 1st and 2nd concessions of Cornwall.....			40	0	0	Guy C. Wood, Esq., John Chesley, and Martin McMartin.	
	80	0	0	Road from the front, near the church, in Osnabruck to the rear of Finch. ....			80	0	0	John Crysler, Esq., Joseph Bockus, Esq. & Michael Empey.	
2	30	0	0	From Charlesville to the 5th con. of Osnabruck. ....	30	0	0			John N. Ault, James Grant, and Philip W. Empey.	
3	40	0	0	Road in Osnabruck called Pleasant Valley.....	5	14	8	34	5	4	Jeremiah Vanduser, Wm. Hollister, and John Rambough.
	40	0	0	Road from Thomas Maxwell's to the 5th con. of Osnabruck.....			40	0	0	Thomas Maxwell, Jacob W. Empey, and John Waldroff.	
	60	0	0	Road from John Dixon, jun.'s leading into Finch, in rear of the 3rd concession. ....			60	0	0	Robert Dixon, Alex. McMillan, and Hector McLean.	
	20	0	0	Concession road between Osnabruck and Finch, from the east side of No. 22 to Roxboro'. ....			20	0	0	Alex. McMillan, Donald McIntyre, and Hector McLean.	
4	30	0	0	East part of Roxborough, on such roads as would be most conducive to the interests of the inhabitants.	30	0	0			John Montgomery, Benjamin Helmer, and Duncan McCallum.	
	36	13	4	Road from Fraser's Mills in Cornwall, till it intersects the road leading to the township of Finch.			36	13	4	Simon Fraser, Esq., Angus McDonell sen. & James (Roy) McDonell.	
COUNTY OF DUNDAS.											
	30	0	0	On the 9 mile road between Lots 4 and 5 in the 2nd con. of Williamsburg. ....			30	0	0	John Piller, jun., and John Weaver.	
	55	0	0	Nine mile road between Lots 18 and 19 in Williamsburg. ....			55	0	0	George Cook, and George Fetterley.	
	35	0	0	Nine mile road between Lots 25 and 26 in Williamsburg. ....			35	0	0	Henry Barkley, sen. & Christopher Redick.	
	160	0	0	Nine mile road between Lots 30 and 31 thro' Williamsburg and Winchester. ....			160	0	0	John Dix, Henry Weager, (2d) & John Dillabough of Winchester.	
	16	13	4	To build a bridge on Lot 4 in the 5th con. of Williamsburg.....			16	13	4	Barnard Whittiker, & John T. Merkeley.	
	20	0	0	Nine mile road in Winchester, between the 5th and 6th concessions, between Lot No. 37 and the Commons. A.....			20	0	0	Jacob J. Merkeley, and William Loucks.	

Oath.

No oath.

GENERAL STATEMENT OF MONIES—(Eastern District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
£ s. d.		£ s. d.		£ s. d.			
10 0 0	Nine mile road between Williamsburg and Matilda. ....			10 0 0		Gilbert Van Allen, and Julius Grout.	
25 0 0	Nine mile road between Lots 6 and 7 in Matilda. ....			25 0 0		John Flagg, and David Robinson.	
52 10 0	Nine mile road between Lots 12 and 13 in Matilda. ....			52 10 0		Peter Bowen, and John A. Shaver.	
164 8 4	Nine mile road thro' the centre of Matilda and Mountain. ....			164 8 4		Peter Shaver, Peter Boulton, and Peter Smith.	
52 0 0	Nine mile road between Lots 24 and 25. ....			52 0 0		George Brouse, and Peter Carman.	
12 10 0	Nine mile road between Lots 31 and 32. ....	12 10 0				James West, and John Walliser.	
1899 10 0	†† Eastern District appears by the printed bill to have received ten shillings short of the amount granted.	117 9 3		1782 0 9			
<b>OTTAWA DISTRICT.</b>							
200 0 0	Road from Point Fortune to the eastern boundary of Longueil. ....	200 0 0		*200 0 0		Charles A. Law, and Daniel Wyman. William Kirby, £100. †	* Re'd since the account was made up. † No account from W. Kirby.
200 0 0	Road from the east boundary of Alfred to the Petite Nation River. ....			200 0 0		Charles Waters, Wm. Wait, and John O'Brian.	
200 0 0	Road from the Petite Nation River to the River Rideau, near Bytown.			200 0 0		Bradish Billings, Thomas McKay, and John Buchanan.	
200 0 0	Road from the co. of Glengarry to the Ottawa, commencing in the rear of W. Hawkesbury, and from thence to the Scotch Church on Van Clack's Hill. ....			200 0 0		Peter Van Clack, Waters Wells, and Hugh McGlaughlan.	
50 0 0	Road from George Moades, through East Hawkesbury. ....			50 0 0		Barney Van Clack, Simeon S. Eastman, and John Cameron.	
25 0 0	Road from Griffin's to Caledonia. ....			25 0 0		Joseph Griffin, Donald McAlpin, and John McMaster.	
25 0 0	Road from Chesser's Mills to New Inverness. ....			25 0 0		Alex. McDonell, Sheriff, John Chesser, and John Paxton.	
50 0 0	Road through Osgoode towards Bytown. ....			50 0 0		C. McNab, P. McLaurin, and Arch. McDonell.	
50 0 0	From Chesser's Mills to Longueil, commonly called Chesser's Road.			50 0 0		Chas. P. Treadwell, Elijah Kellogg, and Chancéy Johnson.	
1900 0 0		200 0 0		800 0 0			

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STATEMENT OF MONIES—CONTINUED.

Vouchers.	Sums Granted.			On what Roads, and for what Purposes?	Sums Expended.			Sums Unexpended.	Sums Unaccounted for.			Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.		£	s.	d.		£	s.	d.			
<b>BATHURST DISTRICT.</b>														
17	45	0	0	Road from Simon Hogan's in Drummond to the town line of Beckwith.....	45	0	0					Sutton Frizell, John Tattuck, and Archibald McGregor.	Oath.	
1	45	0	9	From the town line of Beckwith to the road leading from Franktown to Carleton Place.....	45	0	0					John Jackson, Alexander Mackenzie, and John McDowell.	Oath.	
18	25	0	0	To repair the road through McGregor's Swamp.....	25	0	0					Archibald McGregor, John McGregor, and John Cameron.	Oath.	
	50	0	0	Road from Perth to Hughes' Swamp on the road to Richmond.....					50	0	0	James Boulton, Josias Taylor, and Alexander Fraser.		
8	15	0	0	Road from Hughes' Road to Franktown.....	15	0	0					Thomas James, and Palmes Lowe.	Oath.	
5	50	0	0	Road from Franktown to the eastern boundary of Beckwith.....	50	0	0					Stephen Thouldson, William Davies, and Thomas Saunders.	Oath.	
	40	0	0	Road from Franktown to Carleton Place.....					40	0	0	William Wallace, Robert Johnston, and Donald Robertson.		
	45	0	0	Road from Carleton Place to the village of Lanark.....					45	0	0	William Kirkpatrick, John Smith, and David Moffat.		
	25	0	0	Road from the house of Henry Montgomery to Avery's in Bathurst....					25	0	0	James Young, Wm. McNaughton, and Benjamin Boulton.		
21	15	0	0	Road from Avery's to Boulton's Mills.....	15	0	0					Samuel Walker, and James Ward.	Oath.	
24	50	0	0	Road from Boulton's Mills to Lot No. 15, 3rd con. of Dalhousie.....	50	0	0					John McIntyre, John Armour, and James Robertson.	Oath. (Not complete)	
23	45	0	0	From Balderson's Inn to Freer's Falls in Drummond.....	45	0	0					Peter Nichol, Donald Robertson, and George Gould.	Oath.	
6	20	0	0	From the house of George Gould in Drummond to Ferguson's Falls....	20	0	0					Wm. Gould, John Richey, and Peter Ferguson.	Oath.	
	40	0	0	Road from Ferguson's Falls to Bellamy's Mills in Ramsay.....					40	0	0	Andrew Dickson, Samuel Bellamy, and Alexander McVicar.		
	70	0	0	Road from Balderson's Inn to the village of Lanark.....					70	0	0	James Maxwell, senr., Matthew Leach, and John Balderson.		
4	40	0	0	Road from Perth to South Sherbrooke.....	40	0	0					John Nuttall, Patrick Kennedy, and John Milneum.	Oath.	
29	45	0	0	Road from Lot No. 20, 3rd con., to Lot No. 9 in the 6th con. of Bathurst.....	45	0	0					John Bennet, Thomas Coss, and Peter Campbell.	Oath.	
18	35	0	0	Town line between Drummond and Elmsley.....	35	0	0					J. M. Moffat, Wm. MacPherson, and Robert Thompson.	No oath.	
27	20	0	0	Road from Duncan McInnes' to the 4th con. of Sherbrooke, by David Wylie's.....	20	0	0					James Gillespie, James Nichol, and Robert Smith.	Oath.	
	10	0	0	Township line between Bathurst and Dalhousie.....					10	0	0	Robert Crawford, H. M. Keller, and Matthew Miller.		
10	15	0	0	From the house of Hugh Robertson in Drummond, to Freer's Falls....	15	0	0					Hugh Robertson, Thomas McCleary, and James McLean.	No oath (See acct No. 1)	
	30	0	0	Road from Carleton Place, between the 10th and 11th concessions of Beckwith to the east side of the township.....					30	0	0	James Crum, James Robertson, and Duncan Crum.		
31	25	0	0	Town line between Bathurst and Burgess, from Grant's Creek to Lot No. 9 in Bathurst.....	25	0	0					James Bryce, senr., Thomas Barber, and John Ritchie.	Oath.	
	15	0	0	On the 5th con. of Bathurst from Lot No. 14 to the town line of Drummond.....					15	0	0	John Clark, Daniel Fraser, and Alexander Ferguson.		
15	20	0	0	Road from Balderson's to the Mississippi at Le Gary's, and from thence to Boulton's Mills.....	20	0	0					Joseph Le Gary, John F. Elliott, and William Lee.	Oath.	
19	35	0	0	Road from Simon Hogan's to the road leading from Balderson's to Freer's Falls.....	35	0	0					Duncan McEwen, William Ross, and Peter Nichol.	Oath.	
	50	0	0	Road from Pakenham's Mills to Carleton Place.....					50	0	0	Andrew Dickson, William Dryden, and James Egan.		

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STATEMENT OF MONIES—*Bathurst District*—CONTINUED.

£	Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	s.	d.		£	s.		d.	£			
14	15	0 0	Road from Lot No. 16 to No. 24 in the 7th con. of Beckwith.....	15	0 0					Duncan Ferguson, James Ferguson, and F. McEwen.	Oath.
	25	0 0	Road from the town line of Horton to the town line of Ross.....				25	0 0		C. J. Bell, and Thomas O'Neil.	
	25	0 0	Road leading through the township of Macnab.....				25	0 0		Archibald Macnab, and James Morris.	
13	40	0 0	From the main road through Dalhousie along the road past the house of Neil McNeil.....	40	0 0					Neil McNeil, John Livingston, and John McNeil.	Oath.
	25	0 0	Road from the village of Lanark, through the township of Lanark, to the town line of Darling.....				25	0 0		Robert Boyle, Alexander McLane, and James Hall.	
11	200	0 0	To erect a bridge on the creek between Marlborough and Richmond, and to make good the road leading through the swamp to the township of Huntley.....	200	0 0					John Sproule, David Harrison, William Gathcart, Robert Little, and A. McGee.	Oath.
25	50	0 0	Bridge over the creek on Fowler Street, and to open the road from the 4th con. to the said bridge....	50	0 0					Joseph Hinton, Thomas Sturley, and John Turney.	Oath.
	40	0 0	To open the road commencing at Lot No. 14, 4th con. of Goulbourn, and continuing toward the 9th concession.....				40	0 0		George Richie, Thomas Brownlee, and William Barwell.	
	30	0 0	Road commencing at Lot 18, 12th con. of Goulbourn on the road leading to Bytown.....				30	0 0		William Roe, James Parke, and John McGuire.	
9	60	0 0	Commencing on 9th con. of Goulbourn, and continuing on a road recently opened to Bytown.....	60	0 0					James Malone, John Wether, and Chester Cumpman.	Oath.
26	50	0 0	Allowance for road between Lots 20 and 21 in Nepean, to O. Chapman's Mills, and thence to the Rideau.....	50	0 0					Orlando Chapman, Samuel Shuck, and Daniel Fogarty, Esq.	Oath.
20	30	0 0	Road from the 12th con. of Goulbourn to Bytown.....	30	0 0					Robert Grant, Robert Malkinson, and William Looney.	Oath.
2	50	0 0	From Pakenham Mills to Fitzroy Harbor.....	50	0 0					Andrew Dickson, Alpin McMillan.	Oath.
7	25	0 0	From the north-east angle of Pakenham to Huntley.....	25	0 0					James Morris, John Grant.	Oath.
30	40	0 0	Commencing at the allowance for road between Lots 5 and 6 in the 2d con. of Huntley, and between Lots 5 and 6 in the 1st concession of March, and to repair the bridge over the River Carp.....	40	0 0					Sm's Bradley, John Mulligan, and Edward Logan, sen.	Oath.
22	25	0 0	On 6th con. of Huntley.....	25	0 0					George Carter, John Style, and Michael Lowry.	Oath.
12	25	0 0	To complete the road on the 3rd concession line of Huntley.....	25	0 0					Edward Johnston, James Donnington.	Oath.
	25	0 0	Bridge across the River Constance, and improving the road to said bridge, in Torbolton.....				25	0 0		David Beard, jun., John Gerson, and John Buckam.	
19	34	0 0	From Torbolton to the Big Bay, commencing at Kingsbridge, to the rear of Capt. Weatherby's cleared land, where the road, &c.	34	0 0						
"	12	0 0	From said road along the con. that leads to the Lake Road.....	12	0 0						
"	12	0 0	From Headley's Farm along the public road as far as the township line.....	12	0 0					George Clarke, Edward Logan, and Henry Edwards.	
"	12	0 0	On the public road from Lewis' Forge to Goulbourn.....	12	0 0						
	50	0 0	To complete the road from the town line of Huntley to Fitzroy Harbor.				50	0 0		Heman Landon, John Donnington, and F. Hodges.	
	25	0 0	Bridge over the River Carp at Lot No. 17, 3rd con. of Huntley.....				25	0 0		H. Donnington, Thomas Jozy, and James Larrut.	

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GENERAL STATEMENT OF MONIES—(Bathurst District)—CONTINUED.

Voucher.	Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£ s. d.		£ s. d.		£ s. d.			
28	30 0 0	From the town line of Beckwith to the River Fork .....			30 0 0		John Anderson, John Sawyer, and T. T. T. T. T.	
	15 0 0	From Eastman's to F. Davis' in Nepean .....	15 0 0				Amherst Eastman, Bartholomew Monaghan, and James Smith.	Oath.
	10 0 0	From James Shouldier's Tavern in Nepean .....			10 0 0		Robert Vincent, Robert Makinson, and Bernard Hughes.	
£	1900 0 0		1240 0 0		660 0 0			
JOHNSTOWN DISTRICT.								
COUNTY OF GRENVILLE.								
	50 0 0	From the River St. Lawrence to the Rideau, between the counties of Dundas and Grenville.....			50 0 0		Hugh McCargar, John McIntyre, and Peter Smith.	
	25 0 0	Road from the St. Lawrence near Thomas O'Neil's, in Edwardsburg, to the rear of said township ....			25 0 0		Roswell Cook, and James Froom.	
	100 0 0	Road from Johnstown to Kemptville.			100 0 0		Lyman Clothier, John Selick, and Hiram Adams.	
	100 0 0	From Timothy Hodges Senior', in Augusta, to the Rideau, called the White Road.....			100 0 0		Henry Burrit Esq, John Bass, sen., and John Martin.	
11	50 0 0	Road from Lyman Stone's, in Augusta, to the Rideau, called Bellamy Road .....	50 0 0				Samuel J. Bellamy, Edmund Burritt, and Samuel Towlesley.	No oath.
	100 0 0	Road from Merrickville, thro' Wolford, till it intersects the Bellamy Road, near the south branch of the Rideau.....			100 0 0		Elisha Collier, Edmund Burritt, and Alexander McCue.	
	50 0 0	From Kemptville, thro' Oxford, to Abel Adams' .....			50 0 0		Abel Adams, Truman Ford, Esq., and Israel Banks, sen.	
	25 0 0	Road from John Froom's to the River Rideau.....			25 0 0		John Froom, and Milo McCargar.	
	50 0 0	From Merrickville, towards Smith's Falls, within the county of Grenville .....			50 0 0		Thomas McCrae, and James Maitland.	
	100 0 0	Road from John Lawrence's, in Edwardsburg, to A. Cumming's, in Augusta by J. Heck's Mills .....			100 0 0		Jacob Heck, Abraham Cummings, and Henry Lane.	
	25 0 0	Road from Eastman's, in North Gower, to Richmond, between the 2nd and 3rd concessions of North Gower .....			25 0 0		Gilbert Thompson, David McCue, and Andrew Christie.	
	75 0 0	Road established and partly opened, from Kemptville till it intersects the road leading to Johnstown and G. Adams' in Edwardsburg.....			75 0 0		William H. Bottom, Esq., Thomas McCargar, and Andrew Carson.	
	75 0 0	From Maitland's Rapids to Beckwith, through Montague .....			75 0 0		James Maitland, Esq. and John Kilborn, Esq.	
1	57 0 0	From H. Brownles' in Marlborough, to Martin's in North Gower.....			57 0 0		Zeba Eastman, Richard Martin, and Richard Oimstead, sen., Esq.	
	50 0 0	From James Humphrey's, 1st con. of Edwardsburg, to Gideon Adams', in South Gower. ....	50 0 0				Lewis Grant, Esq. and Elijah Froom.	No oath. This sum is credited in this acc't, but there is a sum of £5 0 10 unaccounted for, according to Mr. Grant's letter. See letter and accounts for 1833 & 4, Nos. 1 and 2.
COUNTY OF LEEDS.								
	50 0 0	On front road from Jones' Mills, Yonge, to F. Brandy's in Elizabeth-town .....			50 0 0		John Wetherhead, Esq., and Isaac Cole.	
9	50 0 0	Road leading northerly from Hogeboom's in Yonge to Wiltse's Mills.	50 0 0				B. R. Munsell, Esq., Joseph Witse, Esq., and Cornell Mount.	No oath.
10	40 0 0	Town line between Bathurst and Burgess .....	40 0 0				J. Haldiday, James Allan, and James Ritchie.	Oath.
	40 0 0	Road from Thomas Barber's in Burgess to the narrows of the Rideau Lake .....	40 0 0				Thomas Barber, James Condie, and Thomas Thompson.	

GENERAL STATEMENT OF MONIES—(Johnstown District)—CONTINUED.

Vouchers.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.	Sums Unexpended.	Sums Unaccounted for	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.			
	35	0	0	From Alexander McTavish's, on the town line of Elmsley, to Weatherhead's Mills, and from said mills to Smith's Falls.....					35 0 0		Wm. I. Weatherhead, Duncan McTavish, and John Kilborne, Esq.	
5	30	0	0	From Seth Cornell's, in Yonge, to John Wiltse's .....			29 5 0		15 0 0		Henry Zeed, Edward Paris, and John Wiltse.	Oath.
7	40	0	0	From the school-house near J. Johnston's, in Yonge, to Cleveland Stafford's, in Lansdown .....			40 0 0				William Webster, Richard Johnston, and Thomas Studfield.	Oath.
	50	0	0	Road from the town of Brockville to Abraham Dayton's.....					50 0 0		A. Dayton, Elihu Hubbard, and Daniel Jones, Esquires.	
3	25	0	0	Road from Increase Smith's to Smith King's, in Elizabethtown ..			25 0 0				Increase Smith, Smith King, and Reuben Mott.	Oath.
15	40	0	0	From Ira Lewis' in Elizabethtown, to B. F. Wilson's, in Kitley .....			40 0 0				Benj. F. Wilson, J. M. Church, jun., and John Ketchum, Esq.	No oath.
8	40	0	0	From Benjamin F. Wilson's, in Kitley, to Oliver's Ferry, in Elmsley .....			40 0 0				Ephraim Koyl, Elisha Landon, and Solomon Landon.	Oath.
16	40	0	0	From Oliver's Ferry to the town line of Perth.....			40 0 0				W. R. F. Burford, Abel Wright, and W. McPherson.	Oath.
	40	0	0	From Russell Field's, in Elizabethtown, to Robert Clark's in do....					40 0 0		Robert Clark, Ebenezer Smith, and John Heidersou.	
	30	0	0	From Joshua Bates', in Yonge, to to Beverley, in Bastard .....					30 0 0		Joshua Bates, Otis Smith, and Seneca Washburn.	
14	35	0	0	Road and bridges from Smith's Falls to the Perth Road at Dack's .....			35 0 0				Wm. Elliott, James Brownlee, and Wm. Riddle.	Oath.
	150	0	0	Bridge over Mud Creek, on Lot 17 in the 8th con. of Elizabethtown.					150 0 0		N. Horton, H. Munde, W. Atkins, and Thomas Hill.	
	100	0	0	Bridge over the outlet of South Lake, township of Leeds, between Marble Rock and the Kingston Road.....					100 0 0		John McDonell, Esq., John Emery, and James Howard.	
6	80	0	0	From Peter Cole's, in Elizabethtown, to Unionville.....			80 0 0				Zenas Orton, Samuel Uronwell, and Archibald Fletcher.	Oath.
£	1900	0	0				559 5 0		1340 15 0			
<b>MIDLAND DISTRICT.</b>												
<b>COUNTY OF FRONTENAC.</b>												
8	50	0	0	On the front road leading from Cataroqui Bridge, along the River St. Lawrence, to Fairman's, on the Montreal Road.....			50 0 0				John Marks, and Richard Rice.	Oath.
15	50	0	0	On the Perth Road, leading from the Montreal Road near Franklin's, to Brewer's Mills .....			50 0 0				Allan McEwen, Robert Drummond, and James Matthewson.	Oath.
	30	0	0	Road leading from Barriefield, to intersect the Montreal Road near Franklin's Inn.....					30 0 0		John Marks, Adam Laidlaw, and John Baillie.	
22	100	0	0	Road from Waterloo to Loughborough.....			100 0 0				Horace Yeomant, Henry Wood, and William Lattimore.	Oath.
	25	0	0	Road round the south end of Loughboro' Lake.....					25 0 0		Donald Bethune, John Simkins, and Lawrence Rait.	
9	20	0	0	Road from Jacob Shibley's to the top of Hoggin's Hill, Portland .....			20 0 0				William Scott, John Goldsmith, and William Jackson.	Oath.
	80	0	0	Road from the 2nd con. of Portland, between Lots 6 & 7, to Waterloo.					80 0 0		Jacob Shibley, James Gordon, and Henry Shibley.	
24	170	0	0	Road from Kingston to Waterloo...			170 0 0				Henry Smith, Albert McMichael, and Benjamin O'cott.	No oath.
	50	0	0	From Waterloo to Earnestown line ..			45 2 3	4 17 9			Lambert Van Alstine, Anthony McGuin, and James Powley.	No oath. £4 17 9 unexpended of the last two sums.
<b>LENNOX AND ADDINGTON.</b>												
	25	0	0	Road leading from the York Road, in Earnestown, to Peters' Mill, in Camden .....					25 0 0		Milton Fisk, Sidney Warner, and Nathaniel Hucks.	

Third Report on Finance.

STATEMENT OF MONIES—(Midland District)—CONTINUED.

Vouchers	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.			Sums Unexpended.	Sums Unaccounted for.			Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.		£	s.	d.		£	s.	d.			
7	200	0	0	In the township of Ernestown.....	200	0	0						Henry Lasher, John Asselstine, N. Fellows, Jacob Ham, and M. Asselstine.	Oath.
22	150	0	0	Township of Fredericksburg .....	150	0	0						J. B. Chamberlayne, Jas. Forshee, Fred'k Kellar, John Fralick, and Henry Ham.	Oath.
	100	0	0	Township of Richmond .....					100	0	0		Allan McPherson, Arch'd Caton, James Long, Wm. Prindle, and John Baldwin.	
	100	0	0	Township of Camden.....					100	0	0		Samuel Clark, Jacob Rambough, Jac'b Huffman, C. Perry, J. Pomeroy, S. Madden, & Sam'l Scott.	
COUNTY OF HASTINGS.														
	135	0	0	Repairing bridge over the River Moira, at the town of Bellville....					135	0	0		John Turnbull, William Zwick, and Robert Smith.	
19	150	0	0	To aid in the erection of a bridge across the River Moira in the 6th con. of Thurlow, &c.....	150	0	0						William Ketcheson, jun., Gideon Turner, and Samuel McTaggart.	Oath.
16	10	0	0	To cut down the hill at Rawdon Creek, on the road to Madoc....	10	0	0							
	7	10	0	To erect a bridge on road leading to Madoc, near John McCoy's .....	7	10	0							
	10	0	0	Crossways on road through Lots Nos. 4 and 5, 5th con of Madoc.....	10	0	0						James O'Hara, Jacob Young, and Cyrus Riggs.	Oath.
	12	10	0	Levelling the hill near Hog Lake, in the township of Huntingdon.....	12	10	0							
	100	0	0	To aid in erecting a bridge across Salmon River, &c .....					100	0	0		William Portt, Richard Lazier, and John Reynolds.	
	40	0	0	Forty-foot Road, between Lots 12 and 13, in the township of Sidney, &c.....					40	0	0		Thomas Ketcheson, Henry Bonesteel, and George McMullen.	
	60	0	0	Opening and making the road laid out and confirmed by the Quarter Sessions, commencing &c.....					60	0	0		Euliff Purdy, Henry Hagerman, and James Farley.	
COUNTY OF PRINCE EDWARD.														
	25	0	0	Road from Billus', in Ameliasburg, to James Pearson's, in Hillier....					25	0	0		Edmund Marsh, and James Pearson.	
20	45	0	0	From Marsh's Mills to Hollowell village.....	45	0	0						James Knoxon, jun., and Daniel Lovens.	Oath.
4	65	0	0	Road from Wellington, past Freer's Mills, to H. Rednor's, Ameliasburg .....	65	0	0						Arch'd McFall, Caleb Platt, Owen Roblin, and William Brickman.	Oath.
1	15	0	0	Road from Job Young's, Ameliasburg, to Benjamin Stapleton's .....	15	0	0						John B. Way, and Simon De Long.	Oath.
6	25	0	0	From Demorestville, in Sophiasburg, to Benjamin Stapleton's.....	25	0	0						Jacob Howell, and Benjamin Stapleton.	Oath.
13	35	0	0	Road from Demorestville to Hollowell.....	35	0	0						Thomas Davis, and John Ellison.	Oath.
	20	0	0	Road from Demorestville to John Gosling's .....					20	0	0		Israel Tripp, and Peter Stickles.	
3	10	0	0	Road between John Darling's and David Covert's, Ameliasburg....	10	0	0						John Darling, Thomas Howard, sen., and Samuel Paterson.	Oath.
11	30	0	0	Bridge across Mafsh Creek, from Murney's Point to Missasagua Point, on Lot 68, 2nd con. of Ameliasburg.....	30	0	0						Samuel Potter, Richard Spring, and A. P. Wapnamaker.	Oath.
18	20	0	0	New Road from Henry Harris' to Hollowell village .....	20	0	0						Calvin Pyre, and Andrew A. Johnson.	Oath.
21	55	0	0	New road from Jacob Platt's to Hollowell, across the swamp.....	55	0	0						Daniel Fare, and Nicholas Williams.	Oath.
	15	0	0	Road from Picton to Wm. Johnson's.					15	0	0		Henry Spafford, and William Johnson.	
14	50	0	0	Road from Picton, past John Richards', to Philip Clap's Mills .....	50	0	0						Andrew Minacre, and John Lane.	Certified. No oath.
	40	0	0	From Hollowell Bridge to the top of the hill, Lake of the Mountain, Marysburg .....					40	0	0		Thomas Eyre, and Hugh McDonell, Esq.	
	15	0	0	Cross road from Pruyn's, in Marysburg, to the Stone Mills.....					15	0	0		Alexander McIntosh, and Samuel Mollyneux.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Midland District)—CONTINUED:

Voucher.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.					
12	20	0	0	From Elijah Bentley's to Soup Harbor.....	20	0	0						Benjamin Richards, and John Scott, junior.	No oath.
2	20	0	0	Road between 1st and 2nd con., S. side of East Lake.....	20	0	0						James Thomson, and David Kelly.	Oath.
17	20	0	0	On the Cross Road from Elisha Millar's to John Cooper's.....	20	0	0						Arthur Ellesworth, and Amos Hubbs.	Oath.
	2200	0	0		1385	2	3	4	17	9	810	0	0	
<b>NEWCASTLE DISTRICT.</b>														
<b>COUNTY OF NORTHUMBERLAND.</b>														
	50	0	0	Road from the River Trent, in Murray, to Kellogg's Tavern.....							50	0	0	Sheldon Hawley, and William Robinson.
	20	0	0	On the Trent, from Sheldon Hawley's till it intersects the Sidney town line.....							20	0	0	
	50	0	0	Road from John Simpson's, Cramahé, to the Percy settlement.....							50	0	0	
9	25	0	0	From the English settlement, in Murray, to the highway through said township.....	25	0	0							Joshua Webster, and Richard Stevens.
	25	0	0	From the Percy settlement to the Asphodel Bridge.....							25	0	0	Abijah Smith, and Richard Bullock.
	50	0	0	In the townships of Percy and Seymour.....							50	0	0	
10	300	0	0	Rebuilding the bridge over the Trent, between the townships of Percy and Asphodel.....	300	0	0							Thomas Walker, Esq. Ebenezer Perry, Esq., and John Gilchrist, Esq.
7	75	0	0	From west side, 4th con. of Haldimand, to cut a road to the Asphodel Bridge, across the Trent.....	75	0	0							Ebenezer Perry, Esq., and John McCarty.
	50	0	0	Road surveyed by Mr. Rubidge, from the rear of Cobourg to the Rice Lake.....							50	0	0	William Faulkner, and John McCarty.
14	80	0	0	From the Rice Lake to Peterboro'..	80	0	0							Charles Rubidge, and William Whitlar, Esq.
11	25	0	0	From the bridge near Gilchrist's Mills, Otanabee, to the base line, thence along said line easterly to Asphodel.....	25	0	0							Thomas Carr, Esq., and John Hope.
	60	0	0	From Peterborough to the western boundary of Monaghan.....							60	0	0	Thomas V. Tupper, and John Hall, Esquires.
	100	0	0	Communication Road from Peterborough to Mud Lake.....							100	0	0	John Hutchinson, and Thomas V. Tupper, Esquires.
12	40	0	0	Road 4th con. of Haldimand to Baltimore in Hamilton.....	40	0	0							Josiah Muirhead, and Robert English.
<b>COUNTY OF DURHAM.</b>														
	150	0	0	Stage road from Brown's Mills to Peterborough, till it intersects the boundary of the townships of Cavan and Monaghan.....							150	0	0	John Huston, Esq. Barnabas Bletcher, and David Bedford.
9	100	0	0	Middle road through Hope, till it intersects the middle road in the 3rd con. of Cavan, between Lots 12 and 13 in Cavan.....	100	0	0							John Houston, Esq. Richard Bullock, Esq., and Thomas Keik.
9	25	0	0	To open the base line from King St., Port Hope, till it intersects the stage road from Port Hope to Kingston.....	25	0	0							John D. Smith, and Richard Bullock, Esquires.
9	50	0	0	To open a road between Lots 32 & 33, commencing on the stage road from York to Kingston to the 6th con. of Hope.....	50	0	0							John D. Smith, Esq., Richard Bullock, Esq., and Wm. S. Marsh.

Third Report on Finance.

STATEMENT OF MONIES—Newcastle District—CONTINUED.

Year	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.		Sums Unaccounted for		Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.				
	50	0	0	To open a road on con. between the 5th and 6th concessions of Hope, till it intersects the boundary road now open between Hope and Clarke, Cavan and Manvers.....							50	0	0	John D. Smith, Esq., Richard Bullock, Esq., and William S. Marsh.		
5	50	0	0	Between the front of Ops and Emily, and then to the mills of Mr. Purdy in Ops.....			50	0	0	}				John Logie, John Houston, and Alex. McDonald, Esquires.	No oath.	
5	50	0	0	To open a road through Ops, from Purdy's Mills to the township of Mariposa .....			50	0	0					C. T. Baldwin, Alex. McDonell, and John Houston, Esq.	No oath.	
4	75	0	0	To build a bridge near Purdy's Mills .....			75	0	0					John Logie, Robert Fairclairn, Esqs., and Capt. William McIntosh.	No oath.	
2	100	0	0	Bridge across Pigeon Creek, in Emily near C. S. Baldwin's Mills.....			100	0	0				John D. Smith, and Richard Bullock, Esquires.	No oath.		
8	50	0	0	Road between Clarke and Darlington, Manvers and Cartwright, and to crossway said road, or build a bridge in Manvers, near the township of Ops.....			50	0	0				George Hughes, Alex. Brown, and John Houston, Esqs.	No oath.		
9	100	0	0	To rebuild the bridge in Walton St., Port Hope, across the Port Hope River .....			100	0	0				David Armstrong, Samuel Cottenham, and Thomas Mitchell.	No oath.		
	37	10	0	To open a road between the 4th and 5th concessions of Manvers, commencing on the boundary road of Cavan and Manvers .....						}	37	10	0	Robert McCammiss, John Kennedy, and George Elliott.	No oath.	
1	50	0	0	To open a road between the 11th and 12th concessions of Manvers, or as near as practicable .....			50	0	0					Jacob Stouffer, L. Wideman, and John Bogart.	No oath.	
15	50	0	0	To open the road north of the 3rd con. of Emily, between Lots 6 and 7 in the said township .....			50	0	0				John Kenedy, Joshua Lamoureux, and Duncan Weir.	If rightly stated this acc't is overpaid £3 2s.		
6	12	10	0	To open the boundary Road between Cavan and Hope, or as near the same as practicable, commencing on the boundary road of Hope and Hamilton .....			12	10	0				David Spragge, Henry Rose, jun., and John Lepard, sen.			
	1900	0	0				1257	10	0		642	10	0			
HOME DISTRICT.																
9	50	0	0	On the township line between Markham and Whitchurch.....			50	0	0				James O. Bourthier, William Johnson, Esq., and John Comer.	Oath.		
	40	0	0	On allowance for road between Lots 20 and 24, east side of Yonge St., in the township of York .....						}	40	0	0	Arch'd McNaught, } Caledon, and George Bell, } W. Jehasou, Chinguacoucy.		
	50	0	0	On main road through North Gwillimbury.....								50	0	0	John Oyer, William Clark, and Abraham Lemon.	Oath.
	50	0	0	On main road through East Gwillimbury .....								50	0	0	John Farquharson, J. Way, and Thomas McMullen.	
1	50	0	0	Main road through Georgina .....			50	0	0				Thomas Whaley, Joshua Tomlinson, and John De Hart.	Oath.		
	50	0	0	For further opening the road through Chinguacoucy and Caledon .....							50	0	0			
12	50	0	0	On the allowance for road in Markham, on the line from Yonge St. to the 8th concession .....			50	0	0							
	150	0	0	Road from Windsor Bay, in Whitby, through Reach and Brock, to Lake Simcoe.....							150	0	0			
5	50	0	0	Bridge over the Rouge, in the 8th con. of Markham, and bridge on branch of said river in the 10th con. of Markham.....			50	0	0							

STATEMENT OF MONIES—(Home District)—CONTINUED.

Vouchers	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.				d.	
	100	0	0							100	0	0	Timothy Street, Israel Ransom, and Peter Wolfe.	No oath.		
	33	15	0							33	15	0				
	16	5	0							16	5	0				
	50	0	0							50	0	0	James McKay, Edward W. Thomson, and Gordon Burgess.	Acc't not in form required by law. Damage to plough, £3 10s. Goods deliv'd by Ransom & Sheldon £2 10s. See accounts.		
	50	0	0							50	0	0	Samuel Marlatt, C. Cameron, and Alexander Proudfoot, Esq.			
	50	0	0							50	0	0	William Patterson, James Embleton, and James Patterson.			
	92	10	0							92	10	0	John McFarlane, John McGill, Amos Wilcox, and Stan' Daniels.			
	25	0	0							25	0	0	George Miller, and Daniel Custard.			
	25	0	0							25	0	0	Thomas Burrell, and James Read.			
7	25	0	0				25	0	0				John Eastwood, Samuel Sinclair, and Philip Di Grassi.		Oath.	
	50	0	0							50	0	0	Abraham Stouffer, sen., John B. Plank, and C. B. Sheldon.			
	30	0	0							30	0	0	William Davenish, and William Fitzpatrick.		No oath:	
	20	0	0							20	0	0	Peter Seror, Richard Houck, and Robert Armstrong.			
	50	0	0							50	0	0	Capt. William Campbell James Coates, and James Boulton, sen.			
1	100	0	0				100	0	0				William Campbell, Esq., Isaac Maxwell, and William Porter.	No oath		
10	150	0	0										Abner Hurd, Ezra Cray, and Edward Skaye.	* For drawing contract, attending to examine the execution of the work, &c.		
6	92	10	0				144	3	1½			5	16	10½	Francis Leys, Esq., Jabez Hall, and William Wellar.	Oath. Note. The balance £32, is lodged in the U. C. Bank subject to the order of F. Leys, only.
COUNTY OF SIMCOE.																
	20	0	0							20	0	0	W. Mears, and John Thomson.			
	15	0	0							15	0	0	William Hammil, and F. Stevens.			
	10	0	0							10	0	0	James Doan, and William Mears.			
	25	0	0							25	0	0	John Perry, and George Dinwoody.			
	30	0	0							30	0	0	John Caton, Christopher Burns, and James Tisdell.			

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Home District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
8 20 0 0	Penetanguishine Road, from L. J. Clement's to Kempenfeldt Bay ..	16 15 0			3 5 0	Lewis I. Clement, and Thomas McConkey.	Grants of 1833 & '34, (£600). £23 15s. expended by McConkey, by days' work. This charge for so perintending and keeping account.
4 30 0 0	Road on the Beach around the head of Kempenfeldt Bay ..			20 0 0		David Walker, and Alexander Edgar.	No oath.
4 25 0 0	Penetanguishine Road, causewaying swamp along Lots 22 and 23 ..	30 0 0	}				
4 25 0 0	Penetanguishine Road, from Thos. Mair's to Lot 22 ..	25 0 0					Peter White, and Thomas Mair.
2 50 0 0	From Craig's Hotel, Penetanguishine Road, to the Naval Establishment ..	50 0 0				Samuel Richardson, Robert Jeff, and John Craig.	Oath.
3 25 0 0	From Peter White's, Penetanguishine Road, through Oro, to Lake Simcoe, eastward ..	25 0 0				Peter White, and Arthur Cartlew.	Oath.
30 0 0 0	In Thorah, from Lot 23, on what is called the Lake Road, to the Talbot River ..			30 0 0		William Turner, Esq. and S. Farusworth.	
20 0 0 0	Main Road through Mono and Mulmer, to join the main road between Caledon and Albion, leading to York ..			20 0 0		F. McLaughlin, and John Walker.	
15 0 0 0	Town line between Mono and Adjala, from No. 1, northward ..			15 0 0		George McManus, and George Snell.	
15 0 0 0	In 5th con. of Adjala, from Lots 23 to 27 ..			15 0 0		Michael Healey, and Hugh Ferguson.	
10 0 0 0	Town line between Tossoronto and Adjala, from 7th con. west to the town line of Mono ..			10 0 0		James Forbes, and Robert Keenan.	
10 0 0 0	Town line between Garafraxa and Amaranth, from Lots 1 to 4 ..			10 0 0		Robert Keys, and Usha Goldsmith.	
30 0 0 0	In Thorah, from Mr. Turner's, between the 1st and 2nd concessions, to the leading road through Eldon, to Ops ..			30 0 0		Ewan Cameron, and Duncan Cameron.	
1900 0 0		676 8 1½	32 0 0	1182 10 0	9 1 10½		
GORE DISTRICT.							
COUNTY OF WENTWORTH—£600.							
9 50 0 0	On the road called the Highway, from Dundas to Ancaster ..	50 0 0				Manuel Overfield, James B. Ewa. t, and Matthew Crooks, Esquires	Oath.
90 0 0 0	From Wm. Vanderlip's to Fairchild's Creek, on the Indian Lands			90 0 0		S. Andrus, J. Westbrooke, E. Bunnell, and E. Vanderlip.	
50 0 0 0	Road from the top of the Mountain, near Hamilton, to the village of Ancaster ..			50 0 0		Thomas Hammill, Patrick Hammill, and Jacob Bymal.	
11 75 0 0	Road from Glanford to Crawford's, on the Grand River, in the Niagara District ..	75 0 0				Thomas Choat, David Kerns, and Elisha Bingham.	Oath.
3 40 0 0	Road from Samuel Tapley's, on the Mountain, to the west boundary of Saltfleet, between 6th and 7th concessions ..	40 0 0				Samuel Tapley, Jeremiah Springsted, and John Law.	No oath.
50 0 0 0	Road from Albion Mills, in Barton, past late Wm. Davis' farm, to Lake Ontario, in Saltfleet ..			50 0 0		Elijuh Secord, Daniel K. Servos, and Lewis Beazley.	
50 0 0 0	Main road from Stoney Creek to the 50 Mile Creek, in Saltfleet ..			50 0 0		Samuel Green, J. Galbrath, J. Pettitt, Ebenezer Place, and Samuel Nash.	
50 0 0 0	Road from Wm. Case's to Wm. Lottridge's, near the beach ..			50 0 0		Michael Aikman, and Thomas Lottridge.	
25 0 0 0	Road from Terryberry's Tavern, in Barton, to Glanford ..			25 0 0		Stephen Blackstone, and David Kerns, Jun.	
25 0 0 0	Road from Hamilton to Dundas, called Beazley's Hollow ..			25 0 0		Peter Hess, and Caleb Forryth.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Gore District)—CONTINUED.

Vouches	Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges &c.	Names of the Commissioners.	Remarks.
	£	s. d.		£	s. d.		£	s. d.			
10	25	0 0	Road up the Mountain, by Ananias Smith's, Saltfleet.....				25	0 0		William Carpenter, Robert Pettit, and Silas Smith.	
	30	0 0	Road from the Albion Mills, past Ob. Taylor's, to William Terryberry's.....	30	0 0					Onadiah Taylor, John Snyder, and Elijah Secord.	Oath.
	30	0 0	From Stony Creek, up the Mountain, to Binbrook, to rear of 4th con. of Binbrook.....				30	0 0		John Rathbin, John Zenger, and William Green.	
	10	0 0	Road from the 8th con. of Saltfleet, past Cospar K. B. Teneyck's, &c.				10	0 0		Thomas Camden, sen. Cospar K. B. Teneyck.	
EASTERN DIVISION OF HALTON. (£600, as follows:)											
	25	0 0	Town line between Toronto and Trafalgar, Esquesing and Chinguacoucy.....				25	0 0		A. Proudfoot, S. Mallatt, and Charles Cameron.	
12	50	0 0	From Post's Inn, through Trafalgar, Esquesing and Erin.....	50	0 0					John Keun, C. Kennedy, and Philip Trueman.	Oath.
	50	0 0	From Post's Inn, in Trafalgar, to Oakville.....				50	0 0		M. Thomas, Jacob Randall, and William Butts.	
2	37	10 0	From Mr. Munn's Tavern to Oakville.....	37	10 0					George Chalmers, Charles Biggers, and John Keating.	Oath.
	12	10 0	Road from Dundas Street, between the 4th and 5th concessions of Trafalgar, (new survey) to Esquesing.....				12	10 0		A. Fitzpatrick, William Beatty, and John Beggars.	
	50	0 0	Road from Ephraim Hopkins', Dundas Street, to Oakville.....				50	0 0		Robert Smith, Hiram McCraney, and John Street.	
	50	0 0	Road from Hager's, through Trafalgar, Esquesing and Erin.....				50	0 0		Joseph Bowes, George Brown, and John Burns.	
	25	0 0	Town line between Nelson and Trafalgar, Nassegaweya & Esquesing.				25	0 0		W. H. Proctor, F. McNaughton, and William Campbell.	
8	50	0 0	From Moses McKay's, in Nelson, to the rear part of Eramosa.....	50	0 0					William McKay, William Smith, and E. Easterbrook.	Oath.
7	12	10 0	From Moses McKay's, between Lots 15 and 16, to Lake Ontario.....	12	10 0					Joseph Ireland, James Wilson, and James Faber.	Oath.
	25	0 0	Lake Road, from Oakville to Burlington Beach.....				25	0 0		W. J. Kerr, A. Gage, and Merrick Thomas.	
	25	0 0	From Daniel O'Reilly's to the line between Nelson and Trafalgar, and to Lake Ontario.....				25	0 0		J. Triller, J. Lucas, and Ramsay Crooks.	
2	187	10 0	Bridge across 16 Mile Creek, and to improve the hill on the west side of said creek.....	187	10 0					George Chalmers.	Oath.
	150	0 0	On Dundas Street, from the village of Dundas to the west of the Indian Land.....				150	0 0		Peter Bomberger, Hiram Capron, and Nathan Howell.	
	280	0 0	On the Waterloo Road from the east line of Beverley, through Beverley and Dumfries, by Galt, to the town line of Waterloo.....				280	0 0		George Clement, Jacob C. Snyder, and Absalom Shade.	
6	65	0 0	On the road between Lots 6 and 7, from the 2nd con. W. Flamboro' to Robert Paterson's, thence thro' the corner of Beverley, &c.....	39	4 4		25	15 8		James Crooks, John Linderman, and William Reynolds.	Oath.
	20	0 0	Road up the Mountain, from Dundas to Flamborough West.....				20	0 0		Peter Bomberger	
5	25	0 0	Road between 1st and 2nd concessions of the township of Beverley.	25	0 0					Bernard Howard Adam Thomson, and Bernard Markie.	Oath.
	45	0 0	Road between 2nd and 3rd concessions of Beverley.....				45	0 0		H. Mulholland, David Cornell, and William Coleseau.	
	65	0 0	In the township of Dumfries.....				65	0 0		T. S. Howell, Hiram Capron, and Absalom Shade.	
4	18	15 0	From Waterloo town line to the Falls of the Grand River, east side of Grand River, &c.....	10	15 0		8	0 0		Zephaniah Sexton, A. Smith, and Thomas Robinson	Oath, as to the sums expended unaccounted for, for the two years, £18 10 0.

STATEMENT OF MONIES—Gore District—CONTINUED.

Vouchers.	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for			Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.		£	s.	d.	£	s.	d.			
	36	5	0	Road through the centre of E. Flamborough to the rear of said township.....				36	5	0		Alexander Brown, John Eaton, and Edward Evans.	
	20	0	0	Road from Dundas, past Harker Lyons, up the Mountain, to John Davis', on Dundas St., in East Flamborough.....				20	0	0		Manuel Overfield, and Harker Lyons.	
	50	0	0	In the township of Waterloo.....				50	0	0		Henry Warner, Isaac Shontz, and I. S. Shoemaker.	
	12	10	0	In the German or centre block.....				12	10	0		Christian Erb, and John Haymaker.	
	12	10	0	Township of Woolwich, west side of the Grand River.....				12	10	0		David Muselman, and George Eby, jun.	
	2000	0	0		607	9	4	1992	10	8			
<b>NIAGARA DISTRICT.</b>													
<b>1ST RIDING LINCOLN.</b>													
3	47	10	0	Road from Chas. Anderson's, Grimsby, to Daniel Camp's on the 20 Mile Creek.....	47	10	0					John Beamer, Daniel Palmer, and William Fresher.	Oath.
9	25	0	0	On the line between Lots 15 and 16, in the 8th con. to the Caistor line.	25	0	0	}				William Bridgeman, John Harris, and George Adams.	
9	25	0	0	Road from Daniel Camp's, by Geo. A. Ball's, to the Gore line.....	25	0	0						
	40	0	0	Road from 30 Mile Creek, Clinton, to the Welland, on the Canboro' line.....				40	0	0		Smith Griffin, Robert Waddle, and John Beam.	
	12	10	0	Road from Cyrus Sumner's to Lake Ontario.....				12	10	0		C. Sumner, Timothy Hixon, and John Kilburn.	
	12	10	0	Road from Michael Rittenhouse's to Lake Ontario.....				12	10	0		M. Rittenhouse, Andrew Black, and Abram Gruff.	
	12	10	0	Road from James Simmerman's corner to the south line.....				12	10	0		Robert S. Kelly, Daniel Smith, and David Moyer.	
4	25	0	0	Line between Lots 16 and 17, from the main road in Grimsby to Geo. A. Ball's.....	25	0	0					Dennis Woolverton, Ralph Walker, and Jacob Tufford.	Oath.
2	12	10	0	From the Cherry Tree to George Adams', on the 20 Mile Creek...	12	10	0					William Bridgeman, and George Adams.	No oath.
	12	10	0	Lake Road from the Clinton line to the 30 Mile Creek.....				12	10	0		Conrad Tufford, Thomas Walker, and H. Conklin.	
11	12	10	0	Road between the 3rd and 4th concessions of Gainsborough to the Canboro' Road.....	12	10	0					Jacob Schram, and William Adams.	Oath.
<b>2ND RIDING LINCOLN.</b>													
1	100	0	0	From Niagara, through the Black Swamp, to the Clinton line.....	100	0	0					William Ball, (Niagara) Joseph Smith, and George Henry Kerr, of Louth.	Oath. £11 15 0 overpaid.
14	25	0	0	Lake road, from Port Dalhousie to the Clinton line.....	25	0	0					Nathan Pawling, J. W. O. Clark, and Isaac Wiesner.	Affirmation.
8	50	0	0	From Hainer's corner, in Grantham, by Adam Brown's & Henry Disher's, to the Pelham line.....	50	0	0					Jacob Hainer, Adam Brown, and William Adams.	Oath.
	25	0	0	Road from Henry Disher's, by Ball's Mills to the main road.....				25	0	0		Henry Disher, John Salmon, and Peter Hostrosser.	
14	50	0	0	Road from St. David's to the 10 Mile Creek, on the road intersecting the Swamp Road.....	50	0	0					David Secord, Richard Woodruff, and Frederick Goring.	Oath.
	25	0	0	Road from Daniel Gregory's, by E. Colver's to the Pelham line.....								Barnabas Gregory, and James Johnson.	

STATEMENT OF MONIES—(Niagara District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
		£	s.	d.	£	s.			
<b>3RD RIDING LINCOLN.</b>									
50 0 0	Repairs to the bridge at the village of Chippawa .....					50 0 0		Samuel Street, and William Hepburn, Esquires.	
25 0 0	Main road from Beaver Dams, by John Decow's to Adam Brown's ..					25 0 0		George Brown, and Nicholas Smith.	
25 0 0	From Jacob Ball's to the Beaver Dams, thence to St. John's, and	25 0 0						Jacob Ball, Jacob Keefer, and John Street.	Oath.
25 0 0	On the road from St. John's to Brown's Bridge .....	25 0 0							
5 12 10	From John Snure's to John Bowman's, by Clarke's Mills .....					12 10 0		John Raisin, and Joseph Disher.	Oath. The acct seems to have been lost.
7 37 10	From St. John's to George Oill's ..	37 10 0						Hezekiah Davis, John Snure, and George Oill.	Oath.
25 0 0	From the Quaker Meeting House in Pelham to Reilly's Bridge. on Welland .....					25 0 0		James Fell, and William Beckett, jun.	
12 10 0	To finish the new bridge across the Welland at Port Robinson .....					12 10 0		Duncan McFarland, and Edward Beckett.	
<b>4TH RIDING OF LINCOLN.</b>									
50 0 0	Repairs to the bridge at the mouth of the Chippawa .....					50 0 0		Samuel Street, and William Hepburn, Esquires.	
25 0 0	Road from Chippawa, by Crook's Mills, to the Sugar-loaf Settlement .....					25 0 0		David Davie, and Henry Fitch.	
25 0 0	From Chippawa, along the Welland, to the Canborough line .....	24 10 0				10 0 0		Daniel Robins, and Christopher McAlpine.	Oath.
50 0 0	From Chippawa to Fort Erie, River Road .....					50 0 0		Reuben Wait, and Samuel McAfee.	
25 0 0	To complete the new bridge over the River Welland, at Port Robinson .....					25 0 0		Duncan McFarland, and Edward Beckett.	
13 100 0	From Fort Erie, on the Garrison Road, by the Sugar Loaf, to the London District line .....							C. Mc Neilledge, Elijah Doan, Emanuel Winter, M. Graybiel, John Baxter, Jacob Hoover, and William Steel.	Oath.
13 250 0	On the best Road from Fort Erie, through Dunnville, to the London District line, leading to McNeilledge's Mills, &c. &c. ....	215 7 9				134 12 3		William Wilson, £2 0 0 John Decow, £2 0 0 Benjamin Cunby, 3 5 0 Benjamin Brasill, 3 5 0 James Davis, Peter Steenboof, & Anthony Upper, 3 0 0—£7 5 0	Affirmation.
12 350 0	On the road leading from the Falls of Niagara, via Canboro', to the District line, &c. &c. ....	350 0 0							
1600 0 0		1049 17 9				550 2 3	7 5 0		
<b>LONDON DISTRICT.</b>									
3 275 0	From the Furnace, in Dereham, to Port Burwell on Lake Erie, viz. £75 between the furnace and Talbot's Road, &c. &c. ....	275 0 0						Samuel Edison, John Burwell, A. Dobbie, & Isaac Drawer, Esqs. J. Hutchinson, & Jos. Merrill.	Oath.
8 30 0	Between Lots 20 and 21 in Malahide, between Talbot Road and front of the 2nd concession .....	30 0 0						Gilbert Wrong, William Summers, and Doyle McKenny.	Oath.
50 0 0	Road from St. Thomas to Port Stanley .....					50 0 0		Benjamin Wilson, James Neville, and John Thompson, Esqs.	
20 0 0	Hill west side Kettle Creek, on Talbot Road, in Southwold .....					20 0 0		Edward Warren, Samuel Smith, and Richard D. Drake.	
20 0 0	Road from the Five Stakes to St. Thomas .....					20 0 0			
17 10 0	Union Road, Southwold, from N. branch of Talbot Road to Samuel Burwell's .....					17 10 0		John Waddle, Esq., James Meek, Samuel Burwell, and Benjamin Johnson.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(London District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
		£ s. d.	£ s. d.	£ s. d.			
37 10 0	On same road, from Samuel Burwell's to John Waddles .....			37 10 0		John Waddle, Esq., Jas. Meek, Sam'l Burwell, & B. Johnson.	
25 0 0	Road allowance between Dunwich and Southwold, from Thames to the dividing ridge.....			25 0 0	}	Lesslie Patterson, Esq., Thomas McCall, and Bray Willy.	
25 0 0	Tyrconnell Road between Lots 12 and 13 in Dunwich, from the back street to the Thames.....			25 0 0			
100 0 0	On the main road in the township of Dorchester.....			100 0 0		James Ingersoll, Joshua Putnam, and G. Meyrick	
25 0 0	On the Dundas Street, township of London .....			25 0 0		J. Scatchard, Esq. and S. Shenick.	
25 0 0	On Wharnclyffe Highway, from Michael McLaughlin's to the River Thames .....	25 0 0				John O'Neil, and Henry Shenick.	Oath.
25 0 0	On the road from the town of London, passing Blackfriars' Bridge..			25 0 0		John Kent, and Thomas Parke.	
25 0 0	From the Commissioners' Road in Westminster, to London, passing O'Neil's Bridge over the Thames.			25 0 0		John O'Neil, Albert Odell, and Linus Forbes.	
50 0 0	Road from the N. Branch of the Talbot Road, near W. Oury's farm to the bridge over Thames, at Carradoc, &c.....			50 0 0		Benjamin Springer, William Oury, and Andrew Martin.	
15 0 0	On the Long Woods in Carradoc...			15 0 0		James Craig, and James Fisher.	
15 0 0	Allowance for road between Ekfrid and Mosa, north of the Long Wood.....			15 0 0		Archibald McKeller, J. Ferguson, and Alex. McIntyre.	
2 15 0 0	Road in front of the 4th con. of London, west of the proof line.....	15 0 0			}	Duncan McKenzie, Esq., James Craig, and Benjamin Woodhull.	Oath.
2 15 0 0	In front of the 2nd con. of Lobo ...	15 0 0					
2 20 0 0	From the east line of Carradoc to James Craig's.....	20 0 0			}	Marvell White, and Benjamin Woodhull.	
40 0 0	To pay a balance due on a bridge across the Thames, at Woodhull's Mills.....			40 0 0			
30 0 0	On the road from Woodhull's Mills to M. White's in Lobo, on the route laid out by Roswell Mount, Esq. ....			30 0 0			
5 12 10 0	On the road from Finlay Malcolm's to Norwich.....	12 10 0				F. Malcolm, Esq., John Kelly, and Peter Sackrider.	Oath.
9 50 0 0	From Whitehead's to the Quaker Meeting House .....	50 0 0				G. W. Whitehead, Esq. David Wilson, and George Wright.	Oath.
100 0 0	From Whitehead's, in Burford, to Dodge's in Oxford.....			100 0 0		John Weir, John Kern, and Calvin Martin.	
20 0 0	Road from Ingersoll's to Dundas St., opposite the 2nd con. of Zorra...			20 0 0	}	Hugh McDermid James Ingersol, and John Galloway.	
20 0 0	From Thomas Choat's Mill to Dundas Street .....			20 0 0			
40 0 0	From Peter Hagle's to the Furnace, in Dereham .....			40 0 0			
20 0 0	Township line between Zorra and Missouri.....			20 0 0			
85 0 0	On Dundas Street, from the town plot of Oxford to the town line of London .....			85 0 0		Jacob Kern, Hugh McDermid, and S. Vining.	
7 50 0 0	On Dundas Street, from Lewis Charles' to the town plot of Oxford.....	50 0 0				John Hatch, Esq., Joseph Smith, and John Baraclough.	Oath.
10 0 0	On the 12th con. of Zorra.....			10 0 0		Alexander Harris, and Daniel Mowin.	
15 0 0	From D. Cross' to White's Mills, in Zorra .....			15 0 0		R. M. Stitt, and Welcome Yale.	
13 12 10 0	From Whitehead's to Dundas Street, at Well's Tavern.....	12 10 0				G. W. Whitehead, Esq. and Lovi Lawrence.	Oath.

Third Report on Finance.

STATEMENT OF MONIES—London District—CONTINUED.

Account.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.	Sums Unaccounted for		Extrns. Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.			
	15	0	0							15	0	0	James McLeod, Thomas Ronch, and John Daniels.	
	15	0	0							15	0	0	Michael Showers, sen. and jun.	
	10	0	0							10	0	0	Peter Bastedo, Burns and Martin, living on said road.	
	15	0	0							15	0	0	C. Duncombe, Esq., Abner Matthews, and Stephen Douglass.	
	15	0	0							15	0	0	Peter Hamilton, Esq., John Hardy, and William Cromwell.	
	10	0	0							10	0	0	Hugh McDermid, Samuel Canfield, and John Cameron.	
	25	0	0							25	0	0	John Jackson, Thomas Ronch, and John Daniels.	
	10	0	0							10	0	0	Michael Showers, jun., and Elias Martin.	
	10	0	0							10	0	0	L. V. Spurr, and Benjamin Cole.	
	10	0	0							10	0	0	G. W. Whitehead, Esq., and Horatio Fowler.	
	10	0	0							10	0	0	Francis Stodd, and George Wright.	
	10	0	0							10	0	0	Edward Buller, Capt. Drew, and Capt. Graham.	
	10	0	0							10	0	0		
6	150	0	0							150	0	0	William Wilson, Peter Steinhoff, John Decow, Anthony Upper, James Davis, Benjamin Birdsall, and Mr. Fisk.	Oath.
	150	0	0				150	0	0				Colin McNeilledge, Elijah Donn, Jacob Hoover, John Baxter, Michael Graybiel, Eman'l Winton, & Wm. Steele.	
	40	0	0							40	0	0	Philip Austia, and John Parks.	
12	40	0	0										Israel W. Powell, Esq., John Robins, Jacob Lange, and Philip Beamer.	Oath.
12	15	0	0				15	0	0					
12	30	0	0				30	0	0					
4	20	0	0										Aaron Barber, and Uriah Corlis.	Oath.
	10	0	0				20	0	0				Frederick Sovreen, Tisdale Parley.	
1	20	0	0							10	0	0	Jacob Potts, Esq., and William Backhouse.	Oath.
11	15	0	0				20	0	0				Aquilla M. Walsh, and Henry Sovreen.	Oath.
	10	0	0				15	0	0				Edward Forster, and Thomas Burgar.	
	£2000	0	0				795	0	0					

Third Report on Finance.

STATEMENT OF MONIES—CONTINUED.

Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
£	s. d.		£	s. d.	£	s. d.	£	s. d.			
<b>WESTERN DISTRICT.</b>											
200	0 0	For opening one rod wide and bridging the middle road between Talbot Road and the River Thames, through &c.....					200	0 0		George Jacob the elder, George Jacob the younger, and Benjamin Lavallee.	
25	0 0	For opening one rod wide, a road to be laid out from Lot 24, on the middle road in East Tilbury, to the Thames .....					25	0 0		George Jacob, sen., George Jacob, jun., and Benjamin Lavallee.	
100	0 0	On the communication road in the township of Harwich .....					100	0 0		Duncan McGregor, James W. Little, and Robert Wood, Esqs.	
50	0 0	On the road between Dover and Chatham, to Big Bear Creek....					50	0 0		Duncan McGregor, Esq., Pierre P. Lacroix, and L. McDougall.	
20	0 0	Road along the River St. Clair, in Sombra and the Indian Reservation adjoining .....					20	0 0	}	Wm. Jones, and Claude Gouin, Esqs., and Louis Rendt.	
30	0 0	Same road in the township of Moore					30	0 0			
20	0 0	Talbot Road in 5 Mile Woods, Romney .....					20	0 0	}		
50	0 0	On the road between Joseph Klinansmith's and John Smith's, in Raleigh, &c.....					50	0 0			James W. Little, Joseph Smith, and Thomas Renwick.
25	0 0	Road between Lots 91 and 92, in Howard, to the Lake shore .....	25	0 0						Robert Wood, and John Unsworth.	Oath.
40	0 0	Road between Chatham and Camden, from the Thames, through Dawn, to the east branch of Bear Creek .....					40	0 0		George Kirby, Esq., Christopher Arnold, and William Wallen.	
250	0 0	Towards erecting a drawbridge across the Thames, from the town of Chatham, in Harwich, to the township of Chatham, &c.....					250	0 0		John Dolson, and Duncan McGregor, Esqs., and Lewis Arnold the elder.	
25	0 0	On the Sandwich Talbot Road, from Sandwich to Goodbody's Farm....					25	0 0	}	George Jacob, Charles Askin, and Chrysostom Pajot, Esqs.	
140	0 0	From Lot 296 to 282 inclusive.....					140	0 0			
75	0 0	On Sandwich Talbot Road from Lot 260 to 264, inclusive.....	75	0 0						John Fulmer, Eliakim Field, and George Bruner, jun.	Oath.
50	0 0	On Talbot Road, in Mersea, east of Hairsign's .....					50	0 0		Francis Wilkinson, Daniel McKenzie, and Charles Hairsign.	
25	0 0	On the concession roads in the township of Gosfield.....					25	0 0		Peter Scratch, John Scratch, and Joseph Wigle.	
25	0 0	On the road allowance between the E. and W. divisions of Gosfield, from Lake Erie to Talbot Road..					25	0 0		John Scratch, John Wigle, and Prideaux Girty.	
50	0 0	Upon the new road in Colchester, from John Little's to Beaman's...					50	0 0		Alexander McCormick, Thomas Wright, and Adam Fox.	
25	0 0	Concession roads in Colchester .....					25	0 0		Jarius Brush, Matthew McCormick, and J. Lockhart.	
100	0 0	Bridging the Malden Road, from Amherstburg to Sandwich, Talbot Road.....					100	0 0		James Caldwell, William McGee, and Charles Berczy.	
25	0 0	From the east side of Rochester to Lavallee's, along Lake St. Clair .					25	0 0		Benjamin Lavallee, Charles Compeau, and James Askin.	
10	0 0	Road on the Huron Reserve, from B. Drouillard's to the River au Canards .....					10	0 0		Laurent Bondy, and François Monfretton.	
62	0 0	Road between the townships of Howard and Harwich .....	12	0 0	500	0				Robert Wood, John Unsworth, and Charles Arnold.	Oath.
40	0 0	Road between Lots 86 and 87 in Howard, from Talbot Road to Lake Erie .....	40	0 0						David S. Baldwin, John Unsworth.	Oath.
100	0 0	Repairing the bridge across the Thames, from Camden to Howard					100	0 0		Christopher Arnold, and George Kirby, Esq.	

STATEMENT OF MONIES—(Western District)—CONTINUED.

Vouchers.	Sums Granted.		On what Roads, and for what Purposes.		Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.		Names of the Commissioners.	Remarks.
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.		
	25	0 0	Road in Gosfield, from Jonas Fox's to the Furnace .....						25	0 0			Jonas Fox, and Eliakim Field.	
	25	0 0	On the road from Detroit River to the 2nd con. between Lauzon's & Campeau's farms .....						25	0 0			Antoine Cecile, and James Dore Langlois.	
	88	0 0	On the new road, from Jacob Shaffer's, above Pike's Creek, to the 2nd con. line of Sandwich, and along the same to André Peltier's						88	0 0			Benjamin Lavigne, Charles Campeau, and James Askin.	
	1700	0 0			152	0 0	50	0 0	1498	0 0				



## General Abstract

OF THE

# PRECEDING ACCOUNT.

DISTRICTS.	Expended.		Unexpended.		Unaccounted for.		Extra charges.		Grants.		Remarks.
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
Eastern.....	117	9 3	.....	.....	1782	0 9	.....	.....	1899	10 0	10s. short on Eastern Dist.
Ottawa.....	200	0 0	.....	.....	800	0 0	.....	.....	1000	0 0	
Bathurst.....	1170	0 0	.....	.....	730	0 0	.....	.....	1900	0 0	
Johnstown.....	559	5 0	.....	.....	1340	15 0	.....	.....	1900	0 0	
Midland.....	1385	2 3	4	17 9	810	0 0	.....	.....	2200	0 0	
Prince Edward.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Newcastle.....	1257	10 0	.....	.....	642	10 0	.....	.....	1900	0 0	
Home.....	676	8 1½	32	0 0	1182	10 0	9	1 10½	1900	0 0	
Gore.....	607	9 4	.....	.....	1392	10 8	.....	.....	2000	0 0	
Niagara.....	1049	17 9	.....	.....	550	2 3	.....	.....	1600	0 0	
London.....	795	0 0	.....	.....	1205	0 0	.....	.....	2000	0 0	
Western.....	152	0 0	50	0 0	1498	0 0	.....	.....	1700	0 0	
	£	7,970 1 8½	86	17 9	11,933	8 8	9	1 10½	19,999	10 0	Amount of Grant £20,000.

N. B. From the two year's accounts being so blended together, it has been extremely difficult to make out an account of each year separately, or at all, but the above is as nearly correct as it can well be made.

Some few accounts of small amount have been received since this account was made up.

Third Report on Finance.

STATEMENT of the APPROPRIATION of the sum of TWENTY-FIVE THOUSAND POUNDS granted by the Act of the last Session—4th Will. 4th, chap. 48 shewing the sums EXPENDED; the sums UNEXPENDED; the sums UNACCOUNTED FOR; &c. together with the NAMES of the COMMISSIONERS appointed to expend the same.

Voucher.	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.			Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.		£	s.		d.	£	s.				d.
<b>EASTERN DISTRICT.</b>														
<b>COUNTY OF GLENGARRY.</b>														
	80	0	0	On the Post Road, From Dundas St. to the rear of Lochiel.....				80	0	0	}	Alex. Fraser, Alexander McMartin, John McGillivray, Hugh McGillis, John McLellan, Alexander Chisholm, Archibald McDonell, Angus McDonell, Donald Catenach, John McDonell, Finnan McDonell, Alexander McNab, John Cameron, John Roy Cameron, Allan McDearmid, Alex. McDonell, (Inch) John Millar, Angus McGillis, Donald McMillan, Norman McLeod, Donald McDonell, Donald McMillan, and Thomas Duncan.		
	48	6	8	From Williamstown to Dundas St...				48	6	8				
	100	0	0	From Lancaster to Dundas Street ..				100	0	0				
	25	0	0	From Finnan McDonell's to the front of Charlottenburgh .....				25	0	0				
	100	0	0	From Dalhousie Mills to the boundary line .....				100	0	0				
	40	0	0	Nine Mile Road from the S. branch, including the bridge across the River Raisins, to Dundas Street....				40	0	0				
	50	0	0	Bridge across the River Delisle, between the 8th and 9th concessions of Lancaster .....				50	0	0				
	30	0	0	Bridge across the River Bodette, between the 8th and 9th concessions of Charlottenburgh .....				30	0	0				
	50	0	0	Road from Archibald Cameron's, on Dundas Street, to the rear of Kenyon .....				50	0	0				
2	25	0	0	From Widow McMillan's, in Lochiel, to the Breadalbane Settlement .....	25	0	0							
3	25	0	0	From 9th con. of Charlottenburgh to Donald McDonald's, Kenyon ..	25	0	0							
	50	0	0	On the road dividing the townships of Kenyon and Lochiel, along the Commons.....				50	0	0				
	30	0	0	From Hay's Corner, Lochiel, between Lots 13 and 14, to the Hawkesbury line .....				30	0	0				
1	20	0	0	Nine Mile Road, between Lots 25 & 26, 4th con. Lochiel, to the 8th con. of Lancaster .....	20	0	0							
	20	0	0	From the School-house in Breadalbane Settlement, between Lots 7 and 8, to the Hawkesbury line ....				20	0	0				
	15	0	0	Nine Mile Road, between Lots 24 & 25, in the 7th and 8th concessions of Charlottenburgh .....				15	0	0				
	30	0	0	From Martintown to front of Charlottenburgh .....				30	0	0				
	20	0	0	Road through the Indian Reservation from Martintown to the rear.....				20	0	0				
	25	0	0	From Martintown to the rear of Kenyon .....				25	0	0				
<b>COUNTY OF STORMONT.</b>														
	40	0	0	On the road, between Lots 6 and 7, in the 4th con., and 9 and 10 in the 5th con. of Cornwall.....				40	0	0	}	Alexander McDonell, (Garnish) John Cameron, and John McDonell, of Lot 10, 5th con. of Cornwall.		
	50	0	0	On the road now in use from Daniel Campbell, junior's in the township of Cornwall to the Indian Lands.				50	0	0				
	40	0	0	From the Indian Lands between the 1st and 2nd concessions of Cornwall.....				40	0	0				
													Daniel Campbell, Duncan Farguson, and James Copeland.	
													Guy C. Wood, John Chesley, and Martin McMartin.	

GENERAL STATEMENT OF MONIES—(Eastern District)—CONTINUED.

VARIATION	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.		Sums Unaccounted for		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			
	75	0	0							75	0	0		Duncan McDonell, (Jackson) John McDonell, and A. McPhail.	No oath.
5	50	0	0				50	0	0					John Montgomery, B. Helmer, and Duncan McCallum.	
	50	0	0							50	0	0		Dr. Wm. Johnston, James Roy McDonell, and John F. Poapst.	Oath.
	30	0	0							30	0	0		Alex. McLean, John Roys, and Sewell Cutler.	
7	20	0	0				20	0	0					John Hartle, Nathan Groves, and Joel Eastman.	Oath.
6	30	0	0				30	0	0					Sewell Cutler, Adam Johnston, and James Milroy.	Oath.
	75	0	0							75	0	0		John Crayler, Joseph Backus, and Michael Empey.	Oath.
	40	0	0							40	0	0		Philip W. Empey, John N. Ault, and James Grant.	
	40	0	0							40	0	0		Jeremiah Vandusen, J. Rumbough, and Joseph Callinger.	Oath.
	25	0	0							25	0	0		George Morgan, Jacob Baker, and Francis Maxwell.	
	50	0	0							50	0	0		Roger Wood, William Wynt, and Tennis Shaver.	Oath.
	50	0	0							50	0	0		Robert Dixon, Alexander McMillan, and Hector McLean.	
	40	0	0							40	0	0		John McMillan, Ewan McMillan, and Alexander McMillan.	Oath.
	38	6	8							38	6	8		Duncan McMillan, John Link, jr. Hector McLean and Hugh McMillan.	
	40	0	0							40	0	0		Donald Grant, Duncan Cameron, and Angus Camorou.	Oath.
	TOWNSHIP OF WILLIAMSBURGH.														
	35	0	0							35	0	0		Peter Baker, and Charles Weagent.	Oath.
	60	0	0							60	0	0		George Cook, John Le Pointe, and John Berkley.	
	25	0	0							25	0	0		W. S. Customan, and John Loucks.	Oath.
	35	0	0							35	0	0			
157	0	0	0							157	0	0		John Cook, Henry Weager, (2nd) and John Dillabough, of Winchester	Oath.
	20	0	0							20	0	0		Abraham Wees, and Peter McLutosh.	
	40	0	0							40	0	0		Bernard Whitaker, and John F. Murkley.	Oath.
	4	13	4							4	13	4		John V. Bedstead, and Henry Van Allen.	
	15	0	0							15	0	0		Jacob Bedstead, Henry Van Allen, and John V. Bedstead.	Oath.

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Eastern District)—CONTINUED.

Vouchers	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			
	<b>TOWNSHIP OF MATILDA.</b>														
	35	0	0	On the Nine Mile Road, between Lots 6 and 7 in Matilda.....						35	0	0	George Eighleek, David Robinson, and James Flagg.		
	50	0	0	Nine Mile Road, between Lots 12 and 13, running back to the 6th concession .....						50	0	0	Peter Bowen, and John A. Shaver.		
	166	13	4	Nine Mile Road, running through the centre of Matilda and Mountain.....						166	13	4	Peter Boulton, Peter Smith, and Peter Shaver.		
	35	0	0	To build a bridge over the Creek at Peter Carman's, on the Front Road .....						35	0	0	Peter Carman, James Coons, and George Brouse.		
	50	0	0	Nine Mile Road, between Lots 24 & 25, running back to the 7th con..						50	0	0	George Brouse, Peter Carman, and Nicholas Shaver.		
4	15	0	0	Nine Mile Road, between Lots 31 and 32 .....			15	0	0				John Wallisor, J. N. Shaver, and James West.	Oath.	
	40	0	0	Road between the townships of Mountain and S. Gower, commencing at Petite Nation River, and back between said townships to the 11th concession .....						40	0	0	John Middaugh, Hugh McCargar, and David Brown.		
	2350	0	0				185	0	0	2165	0	0			
	<b>OTTAWA DISTRICT.</b>														
	100	0	0	Road from Glengarry to the Ottawa, commencing in rear of West Hawkesbury, and thence to the Scotch Church on Van Clack's Hill.....						100	0	0	Peter Van Clack, Waters Walls, and Hugh McLachlin.		
	25	0	0	On the road from George Moade's, through East Hawkesbury.....						25	0	0	Barney Van Clack, Simeon S. Eastman, and Peter Beers.		
	100	0	0	From Pointe Fortune to the eastern boundary of Longueuil .....						100	0	0	Charles A. Low, Daniel Wiman, and William Kirby.	£200 accounted for by Low and Wiman, in 1883, £100 unaccounted for by Wm. Kirby.	
	25	0	0	On the road from William Kirby's to the rear of East Hawkesbury..						25	0	0	William Kirby, John Cameron, and George Waddle.		
1	50	0	0	Road from East Hawkesbury to the Province line.....			50	0	0				William McDonald, and Capt. Tisdale.		
	50	0	0	On the road leading from Cornwall through Plantagenet .....						50	0	0	William Paxton, James Molloy, and D. McDonald.		
	50	0	0	Road from Donald McDonell's to Chesser's Mills, on east side of the Nation River .....						50	0	0	James Molloy, John Paxton, and James Chesser, Esqs.		
2	50	0	0	Road from Longueuil to Chesser's Mills .....			50	0	0				Charles Johnson, C. P. Treadwell, and Elijah Kellogg, Esqs.		
	200	0	0	Road from the River Rideau to the Petite Nation River .....						200	0	0	Thomas McKay, Charles Waters, and Bradish Billings, Esqs.		
	200	0	0	Road from New Inverness to Longueuil .....						200	0	0	William Wait, John W. Marston, and Charles Flynn.		
	350	0	0	On the road leading from King St. to the navigable waters of the Ottawa .....						350	0	0	John O'Brien, Charles Waters, and Donald McDonald, of Longueuil.		
	100	0	0	On the road leading thro' the townships of Osgoode and Gloucester, to the Hog's Back .....						100	0	0	Colin McNab, Archibald McDonell, and Peter McLaurin.		
	1800	0	0				100	0	0	1200	0	0			
	<b>BATHURST DISTRICT.</b>														
	150	0	0	To erect a bridge across the south branch of the Tay, in the town of Perth, on the continuation of Gore Street .....						150	0	0	John Haggart, Henry Graham, and John McKay, Esquires.		

Third Report on Finance.

STATEMENT OF MONIES—*Bathurst District*—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
		£ s. d.	£ s. d.		£ s. d.	£ s. d.			
75 0 0	To construct an opening or swing for the passage of vessels through the new bridge across the Tay, adjoining the property of Z. Cutley.				75 0 0			W. R. F. Burford, H. Glass, and Alexander Fraser.	
40 0 0	For a Bridge across the Mississippi, at Ferguson's Falls, in the township of Drummond .....				40 0 0			Robert Blair, Alexander Ferguson, and Robert Healey.	
40 0 0	For a bridge across the Mississippi, at Freer's Falls .....	18 1 7			21 18 5			John Boyd, Thomas Codd, and James Innes.	Oath.
10 10 0	To repair the bridge across the Mississippi, at Carleton Place .....	10 0 0						Hugh Bolton, and William Wallace.	Oath.
3 145 0 0	To repair the principal roads in the township of Bathurst.....	47 0 1							
8	Ditto.....	46 12 10							
21	Ditto.....	51 6 1						R'd Rudsdale, Jas. Armstrong, Jas. Ward, Winkworth Brown, John Weagent, Joseph Legary James Fraser, John Clark, Peter Campbell, and A. W. Playfair.	Oath.
28	To repair the principal roads in the township of Drummond .....	18 2 6			126 17 6			Alex. Hay, Jas. Mecklewham, Samuel Clark, Alex. Ferguson, Thomas Codd, John McTavish, John King, James Flintoff, and Adam Robson.	Oath. Oath.
13 16 20	To repair the principal roads in the township of Beckwith.....	16 1 4½			96 19 7½	16 4½		Finlay McEwan, Peter Cram, Peter McGregor, Peter McArthur, Richard Finlay, James Jackson, Jas. Ferguson, Alex. McKenzie, Donald Robertson.	Oath.
14	To repair the principal roads in the township of Ramsay.....	15 2 7½			10 9 3			Dugald Ferguson, Duncan Bain, John Bowes, Jas. Aikenhead, Don'd Sutherland, Thos. Mansell, Thos. Bowes, John Gilmore, and Matthew McFurland.	Oath.
1 15	To repair the principal roads in the township of Lanark.....	31 7 0			55 5 4			Geo. Tennant, John McLaughlin, John Boyd, David Bower, Anthony Ryan, William James, James Hall, Robert Muirhead, & William McGee.	Oath. Oath.
2 4	To repair the principal roads in the township of Dalhousie .....	32 0 11			67 18 4½			Alex. Matthie, And. Wallace, James Hood, James Parko, Duncan Stewart, Wm. Hammond John Donald, William Lambie, Sam'l Walker, & Owen Hughes.	Oath. Oath.
	To repair the principal roads in the township of McNab.....	50 0 0			50 0 0			Archibald McNab, Andrew Buchanan, and Alexander McDonell.	
12	To repair the principal roads in the township of North Sherbrooke....	50 0 0						Archibald McDougall, Ebenezer Wilson, George Watson, Hugh McLean, Jas. Nesbit, Donald McLean, & Josiah Davis.	Oath.
	To repair the principal roads in Horton .....				30 0 0			Christopher J. Bell, and Henry Airth.	
5	To repair the principal roads in the township of Darling.....	25 0 0						John Gammel, Charles Rintoul, and James Waddell.	Oath.
	To repair the roads in the township of South Sherbrooke.....				30 0 0			John Hughes, Thomas Mellican, Patrick Kennedy, John Mellican, Edward Comer.	
9	In the township of Pakenham .....	100 0 0						Andrew Dickson, Andrew Forbes, John King, John Grant, Hamilton Lowry, & Owen McCarthy.	
23	In the township of Fitzroy.....	100 0 0						Alpin McMillan, Esq., Andrew Dickson, Hamilton Lowry, John Grant, Cornelius Gleason, John Forbes, William Monro.	Oath.
1	In the township of Torbolton.....	34 2 3½			15 17 8½			David Baird, James McLaren, and Grieron, Esq.	Oath.
	In the township of March .....	100 0 0						George Edge, Thomas Raynard, Geo. Clark, Fred'k Richardson, Tho's Wiggins, Tho's Morgan, John Armstrong, & Tho's Scarff.	No oath.

Third Report on Finance.

STATEMENT OF MONIES—(Bathurst District)—CONTINUED.

Voucher.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.				
27	80	0	0	In the township of Nepean, commencing at the town line of Goulbourn, to McQuade's Farm .....	80	0	0							John McNaughton, Chester Chapman, and Samuel Shiel.	Oath.	
	100	0	0	From McQuade's to Beaman's.....						100	0	0		F. Davidson, James Beauvan, and Hugh Bell.		
	70	0	0	From Beaman's to Bytown.....	70	0	0							W. Thompson, William Bell, and — Ayling.	W. Thompson com'r pro tem.	
25	100	0	0	In the township of Goulbourn, (4th line) .....	100	0	0							John Gordon, Hugh Montgomery, jun. and Thomas Davis.	Oath.	
	30	0	0	On the 9th line .....						30	0	0		James Wilson, William Simpson, and Isaac Pratt.		
24	30	0	0	On the 12th line .....	30	0	0							Francis Powell, Joseph Woolsey, and George Ayre.	Oath.	
	20	0	0	On the side road between Lots 15 and 16 .....						20	0	0		Joseph Farman, Robert Dady, and Patrick McPherson.		
	10	0	0	From the town line to the Creek ...						10	0	0		Edward Mills, David Harrison, and James Brownlie.		
	20	0	0	On the 7th line .....						20	0	0		William Harley, junior, Simon Kerrisons, and Carleton Cathcart.		
	20	0	0	On the road from the 4th line to the Mississippi .....						20	0	0		Thomas Shellington, Wm. Moreton, and Thomas Garland.		
	20	0	0	On the road to Huntley .....						20	0	0		Wm. Walker, James Wilson, and John Lewis.		
	10	0	0	Town line between Goulbourn and Beckwith .....						10	0	0		Donald Livingston, James Lemon, and Thomas Wrath.		
	25	0	0	In the township of Huntley, from Lot 1, 5th con., to Taylor's Tavern .....						25	0	0		John Kemp, George Telford, and Martin Marrion.		
26	25	0	0	From Anderson's Store to the 12th concession .....	25	0	0							Robert Johnson, Luke White, and Henry Montgomery.	Oath.	
22	30	0	0	From Hamilton Lowry's to the March line.....	30	0	0							Hamilton Lowry, Henry McBride, and James Simpson.	Oath.	
	25	0	0	On the 6th line .....						25	0	0		Wm. Mooney, Richard Hara, and Wm. Carter.		
17	35	0	0	On the 3rd line .....	35	0	0							Wm. Alexander, Denis Cavanagh, and Benjamin Barton.	Oath.	
					1298	17	5			1050	6	2½	16	4½		
					18	17	½			18	1	7½			Adam Robson.	Oath.
	2350	0	0		1316	19	0½			1032	4	7				
<b>JOHNSTOWN DISTRICT.</b>																
	50	0	0	On the road between Dundas and Grenville, from the St. Lawrence to the Rideau.....						50	0	0		Hugh McCargar, John McIntyre, and Peter Smith.		
	25	0	0	From the St. Lawrence, near Thomas O'Neil's, in Edwardsburg, to rear of said township .....						25	0	0		Roswell Cook, and James Froom.		
	50	0	0	Road from Johnstown to Kemptville.						50	0	0		Lyman Clothier, John Sellick, and Hiram Adams.		
100	0	0	0	From Timothy Hodge the elder's, in Augusta, to the Rideau, called the White Road.....						100	0	0		Henry Burrett, Esq., John Bass the elder, and John Martin.		
	50	0	0	From Merrickville, through Wolford, till it intersects the Bellamy Road.						50	0	0		Elisha Collar, Edmund Burrett, and Alexander McCue.		
	50	0	0	Road from Kemptville, through Oxford, to Abel Adams' .....						50	0	0		Abel Adams, Truman Hurd, and Israel Banks, sen.		
	25	0	0	From John Froom's to the Rideau..						25	0	0		John Froom, and Milo McCargar.		
	50	0	0	From Merrickville, towards Smith's Falls .....						50	0	0		Thomas McCrea, and James Maitland.		
100	0	0	0	From David Spencer's in Edwardsburg, to Abraham Cumming's, in Augusta, by J. Week's Mills .....						100	0	0		Jacob Weeks, Abraham Cumming, and John Lane.		

STATEMENT OF MONIES—(Johnstown District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
		£	s. d.	£	s. d.	£	s. d.			
25 0 0	From Eastman's, in North Gower, to Richmond, between 2nd and 3rd concessions of North Gower.....					25 0 0			Gilbert Thompson, David McEwen, and Andrew Christio.	
75 0 0	Road partly opened from Kemptville, 'till it intersects the road leading towards Johnstown and George Adams' in Edwardsburg .....					75 0 0			William Rottum, Esq., Thomas Cargur, and Andrew .....	
75 0 0	Road leading from Maitland's Rapids to Beckwith, through Montague .....					75 0 0			James Maitland, and John Kilburn.	
25 0 0	From Henry Brownlee's, in Marlboro' .....					25 0 0			Ziba Eastman, Richard Martin, and Richard Olmstead, sen., Esq.	
1 50 0 0	From James Humphrey's, 1st con. Edwardsburg, to Gideon Adams' Esq., S. Gower.....	44	19 10 1/2			5 0 1 1/2			Lewis Grant, Esq., and Elijah Froom.	Oath.
100 0 0	From Thomas Hicks', in N. Gower, to Edward Mills', in Marlboro'...					100 0 0			Benjamin Eastman, Thomas Hicks, and Edward Mills.	
8 100 0 0	Road Commencing at Kemptville, between Lots 26 and 27, and intersecting the Richmond Road at Pierce's Inn .....	100	0 0						Mahlon Beech, Lyman Clothier, and Thomas McCargur.	No oath.
100 0 0	For repairing bridges in the township of Woford.....					100 0 0			John Kilborn, T. Beech, and Terence Smyth, Esquires.	
125 0 0	To open a road from Jacob Weeks' (2nd), in Augusta, to the South branch of the Rideau .....					125 0 0			Mahlon Beech, Tyrus Hurd, and Jacob Week.	
COUNTY OF LEEDS.										
2 50 0 0	For a bridge near Benjamin Brown's, in Elizabethtown (formerly Stewart's Mills) .....	0	0 0						William Hallock, and David Boyce.	No oath.
17 60 0 0	On the road running north from Peter June's, in Yonge, to the bridge on Lot 23, &c.....	60	0 0						Peter June, and John Johnson.	Oath.
165 0 0	Road from town line of Brockville to John Craft's, in Elizabethtown.					165 0 0			Elmathan Hubblo, Abraham Dayton, and Daniel Jones, Esquires.	
40 0 0	From John Craft's, in Elizabethtown, to Reuben Mott's.....					40 0 0			Enos Beech, Reuben Mott, and Edward Howard.	
7 30 0 0	Road from Increase Smith's corner to Peter Cole's, in Elizabethtown.	30	0 0						Peter Cole, Increase Smith, and Smith King.	Oath.
4 40 0 0	On the road from Peter Cole's to Unionville .....	40	0 0						Archibald Fletcher, Zenas Orton, and Samuel Cromwell.	Oath.
30 0 0	On the Road from Wilson's corners to Oliver's Ferry, in Elizabethtown.....					30 0 0			Ephraim Koyle, Elisha Landon, and Solomon Landon.	No oath.
15 60 0 0	Road from Unionville to Wilson's corner's, in Kitley.....	60	0 0						John Ketchum, Esq., Jonathan Mills Church, jun., and Benjamin F. Wilson.	
12 75 0 0	To build a bridge over Irish Creek in the 7th con. of Kitley.....	70	0 0				5 0 0		James L Schofield, Esq., Ephraim Koyle, and George Marshall.	£5 charged for commissioners' trouble.
16 60 0 0	Road from the town line of Perth to Oliver's Ferry .....	60	0 0						W. R. F. Burford, William McPherson, and Abel Wright.	Oath.
100 0 0	From Farmersville in Yonge, to the Long Falls and Chaffy's Mills, in Crosby.....					100 0 0			Arvin Stoddard, Joshua Bates, and Charles Davidson.	
70 0 0	On the road from Beverly to the isthmus in North Crosby.....					70 0 0			Levi Soper, Esq., James Phillips, and William Robertson.	
10 40 0 0	Road south side of Rideau Lake, from Donaldson's, west, to the old landing .....	40	0 0						Thomas Donaldson, Amos Gill, and Richard Meyers.	Oath.
25 0 0	Road, north, from Russell Field's to Robert Clark's, Elizabethtown ...					25 0 0			John Henderson, Robert Clark, and Ebenezer Smith.	
14 40 0 0	From Smith's Falls to the Perth Road, at Dack's .....	40	0 0						William Elliott, James Brownlee, and William Riddle.	Oath.
75 0 0	Front road from Jones' Mills in Yonge, to the line between the Johnstown and Midland Districts.					75 0 0			Thomas P. Kenyon, George McKelvey, and John McDonell.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Johnstown District)—CONTINUED.

Vouchers.	Sums Granted.		On what Roads, and for what Purposes.		Sums Expended.	Sums Unexpended.	Sums Unaccounted for	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s. d.	£	s. d.	£	s. d.	£	s. d.		
	25	0 0					25	0 0	John McDonell, John Emery, and James B. Howard.	
9	50	0 0							Philip Shook, Esq., and Timothy Supor.	Oath.
5	50	0 0			50	0 0			Allan Sweet, Hiram Eaton, and Samuel Halliday.	Oath.
13	30	0 0			50	0 0			Thomas Barber, James Condie, Thomas Thompson, and Reuben Sheppard.	Oath.
11	25	0 0			30	0 0			John Halliday, James Allen, and John Richie.	Oath.
	35	0 0			25	0 0			William L. Weatherhead, Duncan McTavish, and William Simpson.	
	2350	0 0			749	19 10½	1595	0 1½	5 0 0	
MIDLAND DISTRICT.										
LENNOX AND ADDINGTON.										
6	25	0 0							Milton Fisk, Nathaniel Hicks, and Sidney Warner.	Oath.
4	262	10 0			262	100			Henry Lasher, Michael Asselstine, Nathaniel Fellowes, Jacob Ham, and Michael Asselstine.	Oath.
8	162	10 0			159	15 0	2	14 11	Jacob B. Chamberlain, James Forshee, Frederick Kellar, John Fraick, and Henry Ham.	£2 14 11 repaid Treasurer.
	125	0 0					125	0 0	Allan McPherson, Archibald Caton, James Long, Wm. Prindie, and John Baldwin.	
	125	0 0					125	0 0	Samuel Clark, Jacob Rambough, Jacob Hullman, Calvin Perry, John Pomeroy H. Madden, and Samuel Scott.	
COUNTY OF HASTINGS.										
	50	0 0					50	0 0	Wm. Ketcheson, jun., Gideon Turner, and James McTaggart.	
	75	0 0					75	0 0	Donald McKenzie, John Allan, and Cyrus Riggs.	
	10	0 0					10	0 0	James O'Hara, Cyrus Riggs, and John Allan.	
2	50	0 0			50	0 0			Allan Monro, and James McTaggart.	
	50	0 0					50	0 0	John Fortt, Donald Murchison, and Richard Lazier.	Oath.
12	30	0 0			30	0 0			Thomas Clapp, and John Allan.	
	25	0 0					25	0 0	Wm. Thompson, Simeon Ashley, and Jonas Garrison.	Oath.
	75	0 0					75	0 0	Thomas Ketcheson, Henry Bonesteel, and George McMullen.	

STATEMENT OF MONIES—Midland District—CONTINUED.

Vouchers	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for		Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.		£	s.	d.	£	s.	d.			
9	55	0	0	Opening and making the road laid out and confirmed by the Court of Quarter Sessions, &c.....	51	8	9	3	11	3	Ruliff Purdy, Henry Hagerman, and James Farley.	Oath.	
5	50	0	0	To improve the Trent Road, from E. side line of Murray, through nearly to Lewis Bush's, east side of said river.....	50	0	0				James O'Connor, John Tomkins, and Stephen Tomkins, son.	Oath.	
1	100	0	0	To improve the roads and bridges in the 1st con. of Sidney, &c. &c....	100	0	0				Henry S. Sailor, Charles Bonestool, and Reuben White.	Oath.	
13	50	0	0	Road from near John Wee's, in Rawdon, to the Marmora Iron Works .....	50	0	0				Edward Fidler, John Hilton, and Solomon Johns.	Oath.	
11	80	0	0	Main road between the 1st and 2nd concessions of Thurlow, from the eastern boundary of same to the Moira.....	80	0	0				Jabez Kellogg, John Reynolds, and Thomas Parker.	Oath.	
COUNTY OF FRONTENAC.													
10	25	0	0	Road from Cataraqui Bridge, along the St. Lawrence, to Fairman's on the Montreal Road.....	25	0	0				John Marks, and Richard Rice.		
	60	0	0	On the Perth Road, leading from the Montreal Road, to Brewer's Mills.				60	0	0	James Mathewson, Albin McLenn, and Robert Drummond.		
	15	0	0	Road from Barriefield to intersect the Montreal Road at Franklin's Inn .....				15	0	0	John Marks, Adm Laidlaw, and John Bailie.		
	100	0	0	Road from Waterloo to Loughboro'.				100	0	0	Horace Yeomans, Henry Wood, and William Lattimore.		
3	100	0	0	From the front of the 2nd con. of Portland, between Lots 6 and 7, to Waterloo .....	100	0	0				Jacob Shibley, James Gordon, and Henry Shibley.	Oath.	
7	275	0	0	Road from Kingston, by Waterloo, to the Ernest-town line, near James Powley's.....	274	2	1	4	17	11	A. McMikle, B. Olcott, H. Smith, J. Powley, L. Van Alstine, & A'y McGuin.	Oath.	
14	125	0	0	Road leading from Abbot's Inn, near Kingston, to the Ernest-town line, near McGuire's Mills.....	125	0	0				Joseph Ferris, Daniel Everitt, and Anthony McGuin.	No Oath.	
	2100	0	0		1378	15	11	11	4	1	710	0	0
PRINCE EDWARD DISTRICT.													
3	170	0	0	In the township of Hallowell .....	170	0	0				Benjamin Hubb, Daniel Ware, Calvin Pyre, Daniel Loovens, and Benjamin Richards.	Oaths.	
5	140	0	0	In the township of Sophiasburg .....	140	0	0				Jacob Howell, George Boulter, Thomas Bourman, John Ellison, and Jacob Shorts.	Oaths.	
4	120	0	0	In the township of Ameliasburg.....	120	0	0				John B. Way, Daniel Gerow, Peter Dempsey, Thomas Howard, and Samuel Peterson.	Oath.	
6	120	0	0	In the township of Hillier .....	100	0	0		20	0	0	James T. Lane, Stephen Niles, Eliakim Corry, Edmund Marsh, and Peter Valteau.	Oath.
1	100	0	0	In the township of Marysburgh .....	55	0	0				John Lane, Thomas Carson, Andrew Minacro, Joshua Hicks, and William McLoid.	Oath.	
2					45	0	0					Oath.	
	650	0	0		630	0	0		20	0	0		

Third Report on Finance.

STATEMENT OF MONIES—CONTINUED.

Vouchers.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.		Names of the Commissioners.	Remarks.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.					
<b>NEWCASTLE DISTRICT.</b>																	
<b>COUNTY OF NORTHUMBERLAND.</b>																	
15	100	0	0	On the road leading from the River Trent to Kellogg's Tavern.....	100	0	0								George Harris, Abijah Smith, and Simeon Kellogg.	Oath.	
	50	0	0	From Percy Landing to Heely's Falls, by the side of the Trent, &	100	0	0								D. Campbell, Esq., Benjamin B. Ranney, and Thomas Allan.	Oath.	
1	50	0	0	From the Ferry, between the 6th & 7th concessions in Seymour, leading to township of Rawdon.....													
	50	0	0	Road from Colborne to the Asphodel Bridge .....						50	0	0			John Keeler, Esq., John Steele, Esq., and Donald Campbell.		
4	100	0	0	On the Asphodel Bridge across the Trent .....	100	0	0								Ebenezer Perry, John Gilchrist, and Thomas Walker, Esquires.	Oath.	
	50	0	0	On the road from Dummer to Mr. Keeler's Mill, in Asphodel .....						50	0	0			Adam Starke, Walter Scott, and Thomas Walker, Esq.		
	50	0	0	Front road by the Trent, from Gilchrist's Mills, in Otanabee, to Cook's Mills, Asphodel.....						50	0	0			John Gilchrist, Adam Stark, and Thomas Walker, Esquires.		
	50	0	0	On the line between the 6th and 7th concessions of Asphodel.....						50	0	0			Thomas Walker, Esq., and Walter Scott.		
4	75	0	0	On the town lines between Otanabee and Asphodel, and Dummer and Douro.....	75	0	0								John Gilchrist, Adam Stark, and Thomas Walker, Esquires.		
	50	0	0	Road between Otanabee and Douro to Peterborough.....						50	0	0			Charles Rubidge, and Alex. McDonell, Esqs.		
16	50	0	0	New road from middle of 4th con. of Haldimand to the front of 3rd con. of Hamilton.....	50	0	0								J. Joroms, and Robert English.	No oath.	
8	50	0	0	Road round Wilson's Hill, 2nd con. of Hamilton, as the Commissioners may think best.....	50	0	0								Thomas Page and Charles Butler.	No oath.	
2	50	0	0	In the township of Haldimand.....	48	0	0								Eliakim Barnham, Esq., and Thomas Stewart.	Oath.	
	75	0	0	Road from Peterborough to the boundary line of Cavan .....						75	0	0	2	0	0	Gustus Dundas, Thomas Leadbeater, and John Hall, Esq.	£2 charged & paid Treasurer.
	50	0	0	From the 9th con. of Monaghan to the boundary line of Emily and Smith.....						50	0	0			Gustus Dundas, John Thompson, and Richard Sillicoe.		
17	50	0	0	Roads in Otanabee where the Commissioners may deem best.....	50	0	0								Andrew Nelson, John Hope, and Charles Rubidge.	Oath.	
	25	0	0	On the communication road between Peterboro' and the Mud Lake.....						25	0	0			Robert Madge, and John Hall, Esq.		
	100	0	0	To build a bridge across the Buckhorn Rapids.....						100	0	0			Robert Madge, William Green, and John Hall.		
7	50	0	0	On the new road from No. 3 in the 2nd con. of Hamilton, to the front road .....	50	0	0								John Parker, Thomas Page, and Charles Butler.	No oath.	
	50	0	0	On the road leading from the bridge across the Trent, in Asphodel, to Percy.....						50	0	0			Joseph Keeler, John Steele, Esq., and Donald Campbell.		
<b>COUNTY OF DURHAM.</b>																	
	50	0	0	To open or repair roads in Mariposa,						50	0	0			Robert Jemison,		
	50	0	0	To open or repair roads in the township of Eldon.....						50	0	0			John Logie,		
	50	0	0	To open or repair roads in the township of Fenelon .....						50	0	0			Richard Athill,		
	125	0	0	To open or repair roads and bridges in the township of Verulam.....						125	0	0			Thomas Need,		
12	50	0	0	To open and repair the roads in the township of Ope .....	50	0	0								Henry Ewing, and Alex. McAndrew, Esqs.	No oath.	

GENERAL STATEMENT OF MONIES—(Newcastle District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Charges, &c.	Names of the Commissioners.	Remarks.
		£ s. d.		£ s. d.			
50 0 0	To clear out the timber in the river running into Scugog Lake, and from Scugog Lake to Purdy's Mills, in Ops .....			50 0 0			
50 0 0	To repair the middle road through Cavan .....			50 0 0		John Knowlson, William Benson, and H. Hughes.	
50 0 0	To repair the Stage road through Darlington .....			50 0 0		W. Munson, W. Wollar, and Robert Fairburn, Esq.	
25 0 0	To open a road from the centre of Darlington till it intersects Cartwright .....			25 0 0		William Warren, and George Smart.	
50 0 0	To open a road through the centre of Cartwright, from Darlington to the best ground for a landing place on Scugog Lake .....			50 0 0		Luther Price, George Smart, and John Farley.	
9 50 0 0	To repair the boundary road between Clark and Darlington .....	50 0 0				William McIntosh, and William Warren, Esq.	Oath.
10 50 0 0	To open a road from the boundary of Cavan and Manvers, thro' Lot 1 in the 6th and 7th concessions of Cavan, &c. ....	50 0 0				Amberson Murphy, Valentine Mitchel, and Thomas Foster.	Oath. Not completed.
75 0 0	To open a road from the boundary of Emily and Smith, north, till it intersects Pigeon Lake .....			75 0 0		Richard Sillicoe, John McCall, and John Thompson.	Oath.
10 50 0 0	On the boundary road between Manvers and Cavan .....	26 15 0		23 5 0		Amberson Murphy, Valentine Mitchell, and Thomas Foster.	Not completed.
14 50 0 0	On the base line from Port Hope, till it intersects the York and Kingston Road .....	50 0 0				John D. Smith, and William Wallace Esq.	No oath:
5 50 0 0	To open a road between the 11th & 12th concessions of Manvers, to the Scugog Lake .....	50 0 0				Henry Jones, Ralph Lee, and James McGill.	Oath. Not completed.
6 100 0 0	To repair the road from Brown's Mills, in Hope, to the boundary of Cavan and Monaghan .....	100 0 0				Robert Graham, John Ainley, and John Brown, Esqs.	Oath.
11 50 0 0	To open a road between the 5th and 6th concessions of Cartwright, and do. in Manvers, to Scugog Lake ..	50 0 0				Thomas Mitchell, James McGill, and Thomas Foster.	Oath. Not completed.
15 0 0	To open a road from Jeremiah Britton's, in Hope, to the boundary of Cavan .....			15 0 0		Jeremiah Britton, and Robert McCanniss.	
3 10 0 0	To open a road between the boundaries of Hope and Cavan .....	10 0 0				John Kennedy, and Robert McCanniss.	No oath
10 0 0	To repair the middle road through Hope, to Cavan .....			10 0 0		Samuel Colwell, and John Riddel.	
15 0 0	To open the road between the 7th & 8th concessions of Hope, to the boundary of Clark and Hope .....			15 0 0		William Trick, and James Corbet.	
13 50 0 0	Boundary road between Cavan and Monaghan, as far as the 10th con. of Cavan .....	50 0 0				Joseph Graham, John Deyell, and Gustavus Dundass.	Oath. 14s. 10d. overp'd.
50 0 0	To open a road between the 6th and 7th concessions of Manvers, or as near as may be .....			50 0 0		James McGill, James Galloway, and Thomas Foster.	
2350 0 0		1109 15 0		1238 5 0	2 0 0		
<b>HOME DISTRICT.</b>							
11 50 0 0	On the main road running through Georgina .....	50 0 0				James O. Bouchier, William Johnson, and John Comer.	Oath.
100 0 0	Main road through E. Gwillimbury to N. Gwillimbury, and through said township .....			100 0 0		David Sprague, Henry Rose, jun., and John Lepard.	
40 0 0	Cross road in East Gwillimbury, between Lots 10 and 11, 8th con. to assist in crossing swamp .....			40 0 0		Titus Wilson, and Henry Shuttleworth.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Home District)—CONTINUED.

Vouchers.	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for			Extras, Charges, &c.	Names of the Commissioners.	Remarks.	
	£	s.	d.		£	s.	d.	£	s.	d.				
16	25	0	0	Town line between Toronto and Trafalgar, Chinguacoucy and Esquesing .....	25	0	0					James Currie, John Miller, and James McNab.	Oath.	
	50	0	0	To improve the road in the 6th line of Toronto, Gore of Toronto and Albion.....				50	0	0		William Campbell, Esq., James Boulton the elder, and John Coates.		
2	25	0	0	On the road from the Don Bridge, through the 3rd concession from the Bay.....	25	0	0					Philip Di Grassi, Samuel Sinclair, and Alexander Milne.	No oath.	
18	40	0	0	Road between Lots 20 and 21, east side Yonge Street, township of York, to Scarboro' .....	40	0	0					Joshua Lamoureux, John Kennedy, and John Sandbourne.	No oath.	
	70	0	0	Town line between the Gore of Toronto and Vaughan .....				70	0	0		William Campbell, Esq., and Albert Finch.		
	25	0	0	On the side line between Lots 5 and 6, in the Gore of Toronto and Chinguacoucy .....				25	0	0		William Campbell, Esq., and Peter McVean.		
7	75	0	0	Road between the townships of York and Scarborough .....	75	0	0					William Davenish, John Armstrong, and Mr. Howell.	No oath.	
1	50	0	0	Road from 8th con. of Markham to the Danforth Road.....	50	0	0					Richard Houch, Peter Secor, and Robert Armstrong.	No oath.	
14	40	0	0	On the Kennedy Road through Scarborough, to Markham .....	40	0	0					Nicholas Hagerman, Henry Kennedy, and Randal Bentley.	No oath.	
10	25	0	0	Town line between King and West Gwillimbury.....	25	0	0					John Cawthra, Francis Clark, and Thomas Coaford.	Oath.	
	40	0	0	On the Lake Road west from the River Credit, to Merrigold's corner..				40	0	0		Frederick S. Jarvis, Aaron Oliphant, and Moses Polley.		
	50	0	0	On the 7th concession of Vaughan, between Lots 10 and 25.....				50	0	0		John McBride, Donald Cameron, and Arthur McNeil.		
5	50	0	0	Road from the 8th con. of Markham to the Highland Creek, in Scarborough.....	44	6	4		5	13	8	Archibald Barker, Stephen Pherrill, and Peter Reesor, Esq.	No oath.	
	50	0	0	To improve the Credit Hill .....				50	0	0		John McGill, Joseph Spragge, and John Carey.		
	50	0	0	To improve Barber's Hill, on Dundas Street .....				50	0	0		John McGill, Joseph Spragge, and Jacob Cook.		
	50	0	0	To improve the road from Hurontario Street to Lake Ontario, near the Credit.....				50	0	0		Frederick S. Jarvis, Joseph Cook, and Moses Polley.		
9	500	0	0	To improve the hill at the River Rouge.....	350	0	0	* 150	0	0		Francis Leys, Charles Fothergill, and William Wellar.	* £150 in Bank of U. C. subject to order of F. Leys.	
6	100	0	0	For opening the centre road through Chinguacoucy and Caledon.....	75	0	0		25	0	0	John Lindsay, William Clark, of Caledon, and William Johnson, Chinguacoucy.	Oath.	
	100	0	0	To improve the road through Whitby, Reach, and Brock, to Lake Simcoe.....					100	0	0	John Farquharson, Jacob Way, and Thomas McMullen.		
18	50	0	0	To reduce the hill on the Albion Road, from the new bridge on the Humber to Lot 34 con. A., Etobicoke .....	50	0	0					William Campbell, Esq., William Thistle, and David Jardine.	Oath.	
	20	0	0	To reduce the hills at the Black Creek, on the road leading to Farr's Mills .....				20	0	0		John Buckholder, John Chew, and Charles Wadsworth.		
	50	0	0	On the road from Sandford's corner to Cooper's Mills on the Humber.	50	0	0					George Dennison, John Scarlett, Esq., and S. Daniels.		
COUNTY OF SIMCOE.														
	150	0	0	On the Simcoe Road, from the Narrows to Coldwater.....				150	0	0		John Thompson, Thomas G. Anderson, and Andrew Borland.		
	50	0	0	Main road from Mono and Mulmer, to Dundas Street .....				50	0	0		Francis McLaughlin, and Robert Keenan.		
	15	0	0	Town line between Essa and Tecumseth, to causeway the swamp at 11th concession.....				15	0	0		George Dinwoodie, and Charles Chapman.		

STATEMENT OF MONIES—(Home District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums		Sums Unaccounted for	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
		Expended.	Unexpended.				
£ s. d.		£ s. d.		£ s. d.			
15 0 0	Line between the 9th and 10th concessions of Tecumseth at No. 24, for causeway and bridge .....			15 0 0		William Mears, and Richard Callaghan.	
15 0 0	Town line between Adjala and Toronto .....	15 0 0				Robert Keenan, and Francis McLaughlin.	Oath.
50 0 0	Road from the town line of Tecumseth, westward, to the 5th con. of Adjala .....	40 0 7½	*9 19 4½			Robert Keenan, and Paul McCabo.	* In the printed statutes, the grant for this road is £40, in the bill £50. Commissioners have expended £40 0 ½ where the balance of £9 19 4½ is does not appear.
50 0 0	On the main road in Thorah, commencing at Lot 23, 1st con. Thorah to Calder's Mills .....			50 0 0		William Turner, and John E. White.	
25 0 0	From Lot No. 2, in the 1st concession of Thorah .....			25 0 0			
40 0 0	To repair the crossway over Holland River .....	40 0 0				James Evans, and Andrew McBeath.	Oath.
25 0 0	On town line between King and W. Gwillimbury, from Cawthra's Mills to west line of Tecumseth ..	10 3 1½		14 16 10½		Francis Clark, and William Walker, jun.	Oath.
40 0 0	From Evan's Tavern, on the Penetanguishine Road, to Innisfil .....			40 0 0		James Tindall, and George Thorpe.	
40 0 0	From the town line of Innisfil to the head of Kempenfeldt Bay .....	40 0 0				Thomas McConkey, and Lewis J. Clement.	No Oath this year.
20 0 0	To improve the road round the head of Kempenfeldt Bay .....			20 0 0			
100 0 0	On the Penetanguishine Road, from Kempenfeldt Bay to Pentanguishine .....	33 6 8				A. Walker, and Robert Oliver.	Oath.
33 6 8		33 6 8				Robert Oliver, Thomas Mairs, John Craig, and Samuel Richardson.	Oath.
33 6 8		33 6 8					Oath.
35 0 0	Main road through Oro, from P. White's to the Lake, eastward ...	35 0 0				Peter White, and Arthur Carthew, Esq.	No oath.
30 0 0	To erect a bridge over the Nottawaga, between Lots 5 and 6 in the 6th con. of Essa .....	30 0 0				Robert Brice, and John Perry.	Oath.
2425 0 0		1209 10 1	159 19 4½	1055 10 6½			
<b>GORE DISTRICT.</b>							
<b>EASTERN DIVISION CO. OF HALTON.</b>							
25 0 0	On the town line between Trafalgar, Toronto, Esquesing and Chingouacouy .....			25 0 0		Samuel Marlatt, Thomas Fyfe, and James Macnab.	
75 0 0	From Posts Inn, in Trafalgar, thro' Trafalgar, Esquesing and Erin ..	75 0 0				John Kenny, Charles Kennedy, and Philip Freeman.	Oath.
50 0 0	From Post's Inn, in Trafalgar, to Oakville .....			50 0 0		Merrick Thomas, William Butts, and Ezekiel Post.	
50 0 0	From Durham's Inn, in Trafalgar, to Oakville .....	50 0 0				George Chalmers, Charles Biggar, and John Kaiting.	Oath.
62 10 0	Road from Dundas Street, between Lots 20 and 21 O. S., and between the 4th and 5th concessions N. S. of Trafalgar, to the Scotch Block.			62 10 0		Anthony Fitzpatrick, William Beatty, and John Biggar.	
25 0 0	Road from Hopkins' Tavern, Dundas Street, in Trafalgar, to the Lake Road .....	25 0 0				Robert Smith, H. McCrony, and John Street.	Oath.
37 10 0	Road from Lawrence Hagar's, Dundas Street, through Trafalgar, Esquesing and Erin .....			37 10 0		Joseph Bowes, George Brown, and John Burns.	
25 0 0	On the town lines between Nelson and Trafalgar, Nassegaweya and Esquesing, north of Dundas St...			25 0 0		William H. Proctor, Finlay McNaughton, and William Campbell.	
75 0 0	Road from Moses McKay's, in Nelson to the rear of Eramosa .....	75 0 0				William McKay, William Smith, sen., and Elias Easterbrooke.	Oath.
25 0 0	Road from Moses McKay's, in Nelson, between Lots 15 and 16, to the Lake shore .....	25 0 0				Joseph Ireland, James Wilson, and Peter Fisher.	Oath.

Third Report on Finance.

STATEMENT OF MONIES—(Gore District)—CONTINUED.

Vouchers.	Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s. d.		£	s. d.		£	s. d.			
	62	10 0	On the Lake road from John Soverein's, through Wellington Square, to the north-west line, near Geo. Chisholm's .....					62 10 0		William J. Kerr, Andrew Gage, and George Chisholm, jun.	
	25	0 0	Road leading from Dundas Street, on west side of 12 Mile Creek, to the Lake shore .....					25 0 0		John Triller, John Lucas, and Ramsay Crooks.	
2	112	10 0	For erecting a bridge over the 16 Mile Creek, on Dundas Street, and improving the hill .....	112	10 0					George Chalmers.	Oath.
19	25	0 0	From McNab's Mills, in Esquesing, to the main road, near Thompson's Inn .....	25	0 0					James McNab, Thomas Thompson, and Thomas Fife.	Account not in form required, no receipts. Oath.
	12	10 0	From John Cleaver's, on Dundas Street, past Widow McGregor's, to the rear of Nelson .....					12 10 0		George Dice, and John McGregor.	
24	37	10 0	From L. Hagar's, in Trafalgar, to the Lake, on the east side of the 12 Mile Creek .....	37	10 0					Benjamin Smith, Henry Harwood, and Joseph Hickson.	Oath.
	12	10 0	On Dundas Street, at the 12 Mile Creek .....					12 10 0		William Crooks, and Walter O'Reilly.	
	112	10 0	On Dundas Street, from the village of Dundas to the west side of the Indian Lands .....					112 10 0		Peter Bomberger, Hiram Capron, and Nathan Howell.	
	150	0 0	On the Waterloo Road from the east line of Beverly to the town line of Waterloo .....					150 0 0		George Clemens, Jacob C. Snyder, and Absalom Shade.	
18	210	0 0	Road from 2nd con. West Flamborough to R. Paterson's, and thro' the corner of Beverly, to Puslinch; thence through Puslinch and Guelph, and on the line between Woolwich and Nichol, to the Falls of the Grand River .....	210	0 0					Honorable James Crooks, David Gilkison, Robert Paterson, William Poore, Henry Strange, and John Linderman.	Oath.
16	10	0 0	On the road up the Mountain, from Dundas to Flamborough West ...					10 0 0		Peter Bomberger.	Oath.
5	15	0 0	On the road between the 1st and 2nd concessions of the township of Beverly .....	15	0 0					Bernard Howard, Adam Thompson, and Bernard Markie.	Oath.
14	20	0 0	Between the 2nd and 3rd concessions of Beverly .....	20	0 0					Hugh Mulholland, D. Cornell, and W. Coleman.	Oath.
	125	0 0	In the township of Dumfries .....					125 0 0		H. W. S. Mans, David Shontz, Thomas McBane, J. Baracrough, Henry Clemens & N. E. Mainwearing.	
4	35	0 0	From Waterloo town line to the Grand River Falls, in Woolwich, east side Grand River .....	30	10 0			4 10 0		Zephaniah Sexton, Alpheus Smith, and David Gilkison.	Oath.
	45	0 0	Road through centre of East Flamborough, to the road from West Flamborough to Guelph, &c. ....					45 0 0		Alexander Brown, John Eaton, and Edward Evans.	
25	15	0 0	Road from Dundas, by Harker Lyons', up the Mountain to John Davis', East Flamboro' .....	15	0 0					Manuel Overfield, and Harker Lyons.	Oath.
21	70	0 0	In the township of Waterloo .....	46	13 5			23 6 7		Jacob Bechtel, John Erb, Daniel Steuffer, Peter Erb, Daniel Snyder, and Abraham Clemens.	Oath.
13	20	0 0	In the township of Woolwich, west side of Grand River .....	20	0 0					David Musselman, and George Eby, jun.	Oath.
	20	0 0	In the German or centre block in Wilmot .....					20 0 0		Christian Erb, and John Hamaker.	
27	15	0 0	To repair Burlington Bridge, on the Road from Wellington Square to Hamilton .....	15	0 0					William Applegarth, George Chisholm, and John Erwin.	
	25	0 0	On the road from Elora, in Nichol, to Garafraxa .....	25	0 0					David Gilkisson, Wharton Medcalf, and William Reynolds, Esq.	Oath.

STATEMENT OF MONIES—(Gore District)—CONTINUED.

Voucher	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.		Sums Unexpended.		Sums Unaccounted for.		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			
6	10	0	0	From Hamilton, across the Old Bridge, to Joseph Hopkins'.....			10	0	0					Joseph Hopkins, James Lafferty, and Isaac Mills.	
	15	0	0	To build a bridge across Big Creek, near Lot 36 .....							15	0	0	Richard Decker, and Samuel Coruell.	
COUNTY OF WENTWORTH.															
20	25	0	0	On the allowance for road between Lots 4 and 5, in Saltfleet, from the Lake to main road.....			25	0	0					Joseph Pettit, and John Carpenter.	Oath.
	50	0	0	From E. Hopkins', up the Mountain, to Binbrooke, to the rear of the 4th concession .....							50	0	0	— Van Waggoner, Thomas Wilson, and William Green.	
	50	0	0	On the allowance east side of John Leys to the east boundary of Saltfleet, &c. ....							50	0	0	— Morgan, John Lee, and Samuel Tapley.	
11	50	0	0	On the road through Glanford, to Crawford's on the Grand River..			50	0	0					Thomas Choat, David Kerns, and Braithwaite Looming.	
23	50	0	0	Town line between Glanford and Barton, from Lot 9 to 14.....			50	0	0					Daniel K. Servos, James Glover, and Samuel Hamon.	
22	25	0	0	Side line between Lots 6 and 7, in the 7th con. of Barton.....			25	0	0					Daniel K. Servos, James Hunter, and George Yonge.	No oath.
	50	0	0	On the side line, from the Dundas Road, by Henry Beazley's, and so up the Mountain .....							50	0	0	Henry Beasley, Peter Hess, and James Mills.	
	30	0	0	The road from Hamilton to Dundas, called Beazley's Hollow .....							30	0	0	— Ashbaugh, William B. Van Every, and Philip Cline.	
	37	10	0	Road from Binkley's up the Mountain, called Tiffany's Road .....							37	10	0	John Binkley, George Tiffany, and — Philman.	
9	30	0	0	On the road leading from Dundas to Ancaster .....			30	0	0					James B. Ewart, John Hatt, Matthew Crooks, and W. Notman.	Oath.
10	75	0	0	On the Government road from Dundas, till it intersects the line of the London District.....			75	0	0					M. Overfield, Nathan Howell, Hiram Capron, and P. Bomberger.	
	85	0	0	On the Grand River Road from Ancaster to Brantford .....							85	0	0	John Westbrook, Wm. Richardson, S. Andrus, & James Chep.	
	50	0	0	On the stage road between the Grand River and the Burford line .....							50	0	0	James Muirhead, Florentine Migholla, and Nathan Gage.	
	42	10	0	On the road leading from John Aikman's to Daniel Crossthwait's....							42	10	0	Michael Aikman, W. B. Sheldon, and William Case.	
	50	0	0	In the Jersey Settlement, on such parts as the Commissioners may direct .....			50	0	0					John Stanclough, Daniel Howell, James Goddes, and — Wilson.	No oath.
	2350	0	0				1112	35			1237	16	7		
NIAGARA DISTRICT.															
1ST RIDING OF LINCOLN.															
	12	10	0	On the road between Clinton and Louth, from the Lake to the Niagara Road.....							12	10	0	Andrew Black, and Isaac Werson.	
	15	0	0	Lake Road, from the town line of Clinton to the 30 Mile Creek....							15	0	0	Thomas Walker, Adam Conkle, and Isaac Tufford.	
18	25	0	0	From Dean's Mills, by M. Rittenhouse's, to Lake Ontario .....			25	0	0					Michael Rittenhouse, Samuel Moyer, and John Hervey.	Oath.
	25	0	0	Line between Lots 14 and 15, from Joel Talman's, on Lake Ontario, to the main road.....							25	0	0	Cyrus Sumner, Timothy Hixon, and John Kilburn.	
	30	0	0	Main road from the 30 Mile Creek, in Clinton, to the River Welland.							30	0	0	John Beam, Robert Waddle, and Smith Griffin.	
3	25	0	0	From Charles Anderson's, in Grimsby, to Daniel Camp's, 20 Mile Creek.....			25	0	0					John Beamer, Daniel Palmer, and William Fisher.	Oath.
4	15	0	0	On the line between Lots 16 and 17, from main road in Grimsby to George A. Ball's.....			15	0	0					Ralph Walker, Denis Woolverton, and Jacob Tufford.	Oath.

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Niagara District)—CONTINUED.

Vouchers	Sums Granted.			On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for.			Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.		£	s.	d.	£	s.	d.			
	25	0	0	On the road from Simmerman's corner, on the Fly Road, to the town line of Clinton .....				25	0	0		Robert Skelley, Daniel Smith, and David Mayer.	
	15	0	0	From Beamsville to the Fly Road....				15	0	0		Timothy Hixon, and Robert Skelly.	
20	12	10	0	From the Cherry Tree to George Adams', on the 20 Mile Creek ...	12	10	0					William Bridgman, and George Adams.	Oath.
	25	0	0	From the Pelham line, thro' Gainsborough, to the Canborough line..				25	0	0		Eber Rice, Samuel Birdsall, and William Dits.	
9	25	0	0	On the line between Lots 15 and 16, 8th con. of Grimsby, to the Cais-tor line .....	25	0	0						
9	25	0	0	Main road from Daniel Camp's, by George Ball's, to Gore District line .....	25	0	0					William Bridgman, John Harris, and George Adams.	Oath.
	12	10	0	Road from Snyder's Mills to the River Welland.....				12	10	0		William Taylor, and Peter Snyder.	
1	12	10	0	From John Mort's, in Clinton, to Weir's Mill's on the Welland ....	12	10	0					Jacob Schram, and Robert Servos.	Oath.
2ND RIDING OF LINCOLN.													
28	25	0	0	On the road from Hainer's corner, in Grantham, to Adam Brown's, Louth .....	25	0	0					Henry Mittleberger, and Walter Detrick.	Oath.
	25	0	0	From John Wright's at St. Catharines, to the Lake Road, by Lambert's and Welsh's.....				25	0	0		John Wright, and James Detrick.	
26	25	0	0	On the road from Samuel Wood's, to Daniel Gregory's.....	25	0	0					Samuel Wood, and Daniel Gregory.	Oath.
2	25	0	0	Hill and road from William Bassy's, Grantham, to the Thorold line...	25	0	0					William Bassey, and Peter Kerr.	No oath.
17	12	10	0	Hills on the Lake Road from Frederick Schram's.....	12	10	0					Robert Townsend, and Frederick Schram.	No oath
21	12	10	0	On the line between Clinton and Louth .....	12	10	0					Isaac Wiesman, and Andrew Black.	Affirmation.
14	25	0	0	From St. Davids to the 10 Mile Creek.....	14	11	3	10	8	9		David Secord, and Frederick Goring.	Oath.
25	25	0	0	For a bridge across the 16 Mile Creek, near Runchey's farm....	19	10	7½	5	9	4½		Jabez Johnson, Adam Beamer, and Frederick Schram.	Oath.
27	50	0	0	On the Black Swamp Road to the 10 Mile Creek .....	50	0	0					William Ball, and Thomas Butler.	Oath.
19	50	0	0	For altering the road on the west side of the 20 Mile Creek.....	50	0	0					Henry Kerr, Daniel Clendinging, and Joseph Smith.	No oath.
	12	10	0	Lake Road from Niagara to the 10 Mile Creek.....				12	10	0		John Connelly, and John Serves	
	12	10	0	On the hills and road from St. Catharines, along the Canal to John Vanderburgh's .....				12	10	0		Oliver Phelps, and John Vanderburgh.	
3RD RIDING OF LINCOLN.													
11	50	0	0	On the Great Canboro' Road.....	50	0	0					Eber Rice, S. Birdsall, and William Delta.	Oath.
16	25	0	0	From Robin Hood's to St. John's...	25	0	0					Anthony Upper, and William Davis.	Oath.
23	12	10	0	Town line between Pelham and Gainsborough, from the 20 Mile Creek to Canboro' Road.....	12	10	0					John Moore, and Peter Bradt.	Oath.
6	25	0	0	From St. John's to Brown's Bridge, on the Welland .....	25	0	0					Jacob Keefer, and John Street.	Oath.
10	37	10	0	From the Aqueduct to the Canboro' line .....	37	10	0					George Bradshaw, and James Brown.	Oath.
	12	10	0	From David Disher's, by Michael Slough's, to the Canboro' Road ..				12	10	0		Moses Brady, and Samuel Beckett.	
7	25	0	0	From the village of St. John's, by George Oill's, to William Adams'	25	0	0					Hereskiah Davis, George Oill, and John Saure.	Oath.

STATEMENT OF MONIES—(Niagara District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
£ s. d.		£ s. d.		£ s. d.			
25 0 0	Line between Grantham and Thorold, to the south line .....			25 0 0		George Keefer, Esq., Stanhope Bull.	
25 0 0	From the village of St. John's, west to Moses Brady's, and thence to the Gainsborough line .....			25 0 0		Henry Snure, William Dishor, jun., and John McGlashen, Esq.	
5 12 10	From John Snure's to Bowman's, on the 20 Mile Creek .....	12 10 0				Joseph Dishor, and John Raisson.	No oath.
25 0 0	From Nicholas Smith's, by Beckett's, to the Quaker Meeting House. ....			25 0 0		James Fell, and George Oill.	
8 25 0 0	From the Quaker Meeting House, in Pelham, to the Gainsboro' line ...	25 0 0				Lewis Wilson, and Lawrence Jennings.	Oath.
4TH RIDING OF LINCOLN.							
25 0 0	From Chippawa along the River to Fort Erie .....			25 0 0		William Forsyth, Reuben Waite, and Samuel McAfee.	
50 0 0	From Fort Erie (Garrison Road) to the Haldimand line, by Neif's ...			50 0 0		Emanuel Winter, Michael Graybiel, and John Baxter.	
2 25 0 0	From Marshville to the Forks of the Chippawa .....	25 0 0				Guy C. Atkins, Leonard Misoner, and Pritchett.	Oath.
25 0 0	From Chippawa, on the Sugar-loaf Road, by Cook's Mills, to the Stone Bridge .....			25 0 0		David Davis, Henry Fitch, and Richard Yeocum.	
50 0 0	From the Niagara River, by Black Creek, to the Sugar-loaf Road ...			50 0 0		Martin Beam, Moses Byard, and Adam Beam.	
25 0 0	From Andrew Millar's, on the Niagara, to intersect the Sugar-loaf Road .....			25 0 0		Andrew Millar, John Laur, and Jacob Wilson.	
25 0 0	From Port Robinson to Cook's Mills .....			25 0 0		Jesse Nevil, Richard Yeocum, and C. Cook.	
37 10 0	From Chippawa village, along the Welland, to the Canboro' line ....			37 10 0		Matthias Misener, Daniel Robins, and Christopher McAlpine.	
37 10 0	From Kinnaird's Bay to Marshville.			37 10 0		M. Graybiel, John Askin, and Edward Lee.	
COUNTY OF HALDIMAND.							
200 0 0	From Dunnville to McNeilledge's Mills, (the concession road on the Indian Lands) .....	200 0 0				John McGaw, Jacob Wolfe, William Street, and Jacob Hoover.	Oath.
13 50 0 0	Town line between Rainham and Walpole, from the mouth of Stony Creek to the Grand River ...	50 0 0				Joseph McGee, James Gilmore, and James Atwood.	Oath.
100 0 0	From Canboro' to the town line in Haldimand, by Cayuga .....			100 0 0		William Fitch, Marcus Blair, and John Decow.	
100 0 0	From Canboro' to Farr's on Grand River .....			100 0 0		Matthew Smith, Samuel Birdsall, and Barton Farr.	
24 50 0 0	On the road and bridges from Dunnville to Farr's .....	50 0 0				— Minor, T. J. Lymburner, — Keeler.	Oath.
50 0 0	On the road and bridges from Farr's to Cayuga .....			50 0 0		Gustavus Dennison, Oliver Burnham, and Christopher Lymburner.	
29 100 0 0	On the roads in the township of Moulton .....	100 0 0				Horatio N. Camp, William Milne, and William Robertson.	Oath.
15 100 0 0	On the roads in the township of Sherbrooke .....	100 0 0				Wm. Eyres, — Minor, Jacob Furry, — Nicely, and — Rimer.	Oath.
50 0 0	On that part of the new road to be laid out between Hamilton and Port Dover which runs through the Niagara District .....			50 0 0		Elijah Dean, Thomas Choate, and Colin McNeilledge.	
2000 0 0		1111 11 10½	40 18 1½	847 10 0			
LONDON DISTRICT.							
IN THE COUNTY OF MIDDLESEX.							
On the Proof Line in the township of London, £110, as follows :							

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(London District)—CONTINUED.

Vouchers.	Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpended.	Sums Unaccounted for		Extras, Charges, &c.	Names of the Commissioners.	Remarks.
	£	s. d.		£	s. d.		£	s. d.			
	35	0 0	From Black Friars Bridge to the rear of 3rd con. of said proof line.				35	0 0		Rev. Benjamin Cronyer, John Kent, and Nicholas Gatteny.	
	25	0 0	From the rear of the 3rd con. to the bridge in the 7th concession . . . . .				25	0 0		Thomas W. Howard, John Geary, and William Haskett.	
	25	0 0	From said bridge to the rear of 10th concession . . . . .				25	0 0		Charles Goulding, John Ferguson, and John Robson the elder.	
	25	0 0	From the rear of the 10th concession to the rear of the township. . . . .				25	0 0		David McConnell, John Willis and William McMahon.	
	25	0 0	On the Wortley Road from Westminster Bridge to the Commissioners Road . . . . .				25	0 0		John B. Askin, Henry Shenick, and Joshua Odell.	
	25	0 0	From the town of London to Putnam's Inn, by Doty's Bridge. . . . .				25	0 0		Joshua Putnam, Linus Forbes, and William Burgess.	
	100	0 0	Through the Dorchester Woods, between Heron's Farm & Reynold's Mills . . . . .				100	0 0		James Ingersoll, Peter Carrol, and Albert S. Odell.	
	50	0 0	Road from Capt. White's, in Lobo, to the line between Adelaide and Warwick . . . . .				50	0 0		Thomas Radcliffe, Andrew McKenzie, and John White.	
21	25	0 0	On Wharncliffe Highway, between Michael McLaughlin's and Andrew Boughart's. . . . .	25	0 0					Henry Shenick, Peter Schram, and Andrew Bogart.	Oath.
	50	0 0	On the road crossing from the N. branch of the Talbot Road, near the farm of William Oury, to the bridge across the Thames at Caradoc, &c. . . . .				50	0 0		Benjamin Springer, William Oury, and Thomas Hunt.	
	50	0 0	On the Long Wood Road, in Caradoc . . . . .				50	0 0		Richard Noble Star.	
	50	0 0	On the same road in Ekfrid. . . . .				50	0 0		James Craig.	
	50	0 0	On the same road in Mosa, to be laid out as the Commissioners may direct . . . . .				50	0 0		Thomas Lantry, Singleton Gardener, and George Gibb.	
	20	0 0	On the road allowance between Ekfrid and Mosa . . . . .				20	0 0		Archibald Kellar, John Ferguson, and Alexander McIntyre.	
	25	0 0	Road in Mosa, leading from Long Wood Road, to meet the road laid out in Zone . . . . .				25	0 0		Duncan McKellar, John Miles Farland, and James McFarlane.	
	50	0 0	Road from St. Thomas to Port Stanley . . . . .				50	0 0		James Nevills, Benjamin Wilson, and James Thompson.	
	50	0 0	On the road from the 5 Stakes to St. Thomas . . . . .				50	0 0		Samuel Smith, Samuel Eccles, and Garrett Smith.	
	50	0 0	To aid in erecting a bridge across Kettle Creek, on Talbot Road. . . . .				50	0 0		Edward Ermatinger, James C. Cryslar, and Richard D. Drake.	
	17	10 0	On the Union Road in Southwold, from the N. branch of Talbot Road to Samuel Burwell's . . . . .				17	10 0		John Weddle, James Meek, Thomas Fowler, and Samuel Burwell.	
	37	10 0	On the same road from Samuel Burwell's to John Waddle's. . . . .				37	10 0			
16	25	0 0	Between Dunwich and Southwold, from the dividing ridge to the Thames . . . . .	25	0 0					Leslie Patterson, Thomas McCall, and Bray Willie	Oath.
	25	0 0	On the Furnival Road, in Aldboro', from Talbot Road to the Thames, between Lots 6 and 7 . . . . .				25	0 0		Ewan McKinlay, George Munro, and Donald Currie.	
	10	0 0	For improving the Hill at P. McKellar's . . . . .				10	0 0			
18	25	0 0	Town line between Bayham and Malahide, between Talbot Road and front of the 2nd concession . . . . .	25	0 0					Thomas Edison, sen. Doyel McKenny, and William Sexton.	Oath.
	12	10 0	Road between Lots 20 and 21 in Malahide, between Talbot Road and front of 2nd con. . . . .				12	10 0		John Wooley, and Henry Sager.	
15	12	10 0	Between Lots 10 and 11 in Malahide, from front of the 2nd con. to the 9th . . . . .	12	10 0					Thomas Keith, and Humphry Johnson.	Oath.

Third Report on Finance.

STATEMENT OF MONIES—(London District)—CONTINUED.

Sums Granted.	On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
£ s. d.		£ s. d.		£ s. d.			
12 10 0	Side line between Lots 5 and 6 N. of Talbot Road, in Malahide, to the 9th concession. ....			12 10 0		Charles Gustavus, Tozer, and William Adams.	
75 0 0	Road between Port Burwell and Port Stanley, and to aid in bridging Cat Fish Creek. ....			75 0 0		Gilbert Wrong, Abraham Backhouse, Walter Chase, and Nathan Lyon.	
14 10 0	Between Lots 15 and 16, S. side of Talbot Road in Bayham, to open it a chain wide. ....	10 0 0				John Burwell, and John Silverthorn.	Oath.
15 25 0	On Chatham Street, between Lots 10 and 11 in Bayham, from S. side Big Otter Creek, to front of the 2nd concession. ....	25 0 0				John Burwell, Joseph Merritt, and Hatfield Saxton.	Oath.
19 33 15	On Pitt Street, between Big Otter Creek and the east boundary of Bayham. ....	33 15 0				John Burwell, James Hutchinson, and Robert Eakins.	Oath.
IN THE COUNTY OF OXFORD. (£727 15s.)							
20 175 0	On Dundas Street, from the town plot, in London, to the town plot in Oxford. ....	140 0 0	35 0 0			Hugh McDermid, Alvin Turner, and Elijah James.	Oath.
100 0 0	Main stage road, from Whitehead's, in Burford, to Dodge's, in Oxford. ....			100 0 0		Geo. W. Whitehead, Esq., John Weir, Esq., Calvin Martin, Esq.	
50 0 0	On Dundas Street, from Lewis Charles' to the town plot in Oxford. ....			50 0 0		Lewis Charles, John Phelan, and Silas Martin.	
50 0 0	On the road from Whitehead's to the Quaker Meeting House. ....			50 0 0		G. W. Whitehead, Esq., David Wilson, and George Wright.	
50 0 0	From Peter Hagle's to the Furnace, in Dereham. ....			50 0 0		Peter Hagle, and William Cook.	
50 0 0	From Darius Cross' to the north side of the township of Zorra. ....			50 0 0		Israel Read, Darius Cross, and Hendrick C. Hull.	
37 10 0	Bridge over the Canning River, in Blenheim, and to open con. eastward to Dumfries. ....			37 10 0		Erastus Holmes Spalding, and Thomas Love.	
5 30 0	In the township of Blandford. ....			30 0 0		Edward Bullar, Esq., and Capt. Drew.	
12 10 0	Town line between Burford and Windham, to Norwich. ....	12 10 0				Finlay Malcolm, P. Sackrider, and John Kelly.	Oath.
25 0 0	Between Choate's, on the stage road, and Dundas Street. ....			25 0 0		David Doty, and — Hess.	
45 0 0	On the eastern town line of Burford. ....			45 0 0		C. Duncombe, Esq., Abner Matthews, and Adam Yough.	
20 0 0	Township line between Zorra and Nissouri. ....			20 0 0		Hugh McDermid.	
12 15 0	Road from Whitehead's to Dundas Street. ....			12 15 0		Geo. W. Whitehead, Levi Lawrence, and Mansford Rounds.	
20 0 0	Road from James McLeod's to Spalding's Mills. ....			20 0 0		E. H. Spalding, James McLeod, and John Daniels.	
17 15 0	Road from Spur's to Dundas Street. ....			15 0 0		Luke V. Spur, and Peter Martin.	
10 0 0	Road from George Wright's to Cromwell's Mill. ....	10 0 0				George Wright, and Frances Stodd.	Oath.
15 0 0	Road along east side of Lot 7, in the 7th con. of Burford. ....			15 0 0		Geo. W. Whitehead, and Horatio Fowler.	
10 0 0	Road from Bastedo's to Spalding's Mills. ....			10 0 0		Peter Bastedo, and Denton Burns.	
COUNTY OF NORFOLK.							
6 90 0	On the main road between Woodhouse and Townsend, from Lot 7 to Nanticoke Creek. ....	90 0 0				William Wilson, and Peter Steinhoff.	Oath.
90 0 0	2nd con. of Woodhouse, from Colin McNeillidge's Mills to Walpole line. ....			90 0 0		Colin McNeillidge, and Elijah Down.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(London District)—CONTINUED.

Funders.	Sums Granted.			On what Roads, and for what Purposes.			Sums Expended.			Sums Unexpended.			Sums Unaccounted for.			Extras. Charges, &c.	Names of the Commissioners.	Remarks.
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.			
	20	0	0							20	0	0				Robert Waddil, and Alexander McQueen.		
	20	0	0							20	0	0				Philip Austin, and John Parks.		
	25	0	0							25	0	0						
23	40	0	0													Edward Foster and Thomas Burgar.	Oath.	
22	20	0	0							20	0	0				Jacob Potts, Esq., and William Backhouse.	Oath.	
	50	0	0													Philip Wilson, and John Maybee.		
	15	0	0							15	0	0				Frederick Sovreen, Tisdale Parley, and Oliver Edmunds.		
	10	0	0							10	0	0						
	35	0	0													Israel W. Powell, Esq., Jacob Leags, and Philip Beuer.		
12	20	0	0						65	0	0							
	10	0	0															
	20	0	0															
	20	0	0							20	0	0						
	20	0	0							20	0	0				Aaron Barber, John Harris, and Uriah Colbis.		
	20	0	0							20	0	0				Aaron Elanght, and Abraham Mesicac.		
	10	0	0							10	0	0				Isaac Merritt, Stephen Nichol, and John Nichol.		
	10	0	0							10	0	0						
	10	0	0							10	0	0						
	21	0	0							21	0	0				Adrian Fecourc, and John Law.		
	50	0	0															
16	25	0	0							50	0	0				Colin McNeillidge, and Elijah Down.		
	15	0	0						25	0	0							
16	15	0	0						15	0	0					Leslie Patterson, Thomas McCall, and Gray Willie.	Oath.	
	2425	0	0															
WESTERN DISTRICT.																		
COUNTY OF KENT.																		
5	95	0	0													Christopher Arnold, John Bogart, Alexander Wallen, and Amos Stowe	Oath.	
	125	0	0													Duncan McGregor, George Kerby, Pierre Paul Lacroix, and Laughlin McDougall.		
11	50	0	0							125	0	0						
	50	0	0							50	0	0				Jared Lindsley, [nold, Lewis Arnold, son of John Ar- Thomas Elliott.	Oath.	
2	50	0	0							50	0	0				Nathan Cornwall, John Boulton, and Thomas Malcolm.	Oath.	
	180	0	0													Lewis Rendt, William Jones, Claude Gouin, Esq., and Capt. Alexander McDoucl.		
										180	0	0						

STATEMENT OF MONIES—(Western District)—CONTINUED.

Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.	Sums Unexpended.	Sums Unaccounted for.	Extras, Charges, &c.	Names of the Commissioners.	Remarks.
£	s. d.		£	s. d.	£	s. d.		
40	0 0	Bridging and repairing road in Sombra and the Indian Reserve adjoining .....			40	0 0	Lewis Rondt, William Jones, Claude Gouin, Esqs., and Capt. Alexander McDonell.	
60	0 0	On the road from Bear Creek, in Zone, to Mosa in the London District .....			60	0 0	J. Miles Farland, Thomas Malcolm, and Thomas Morehouse.	
95	0 0	On the town line between Howard and Harwich, from the Thames to the Talbot Road, or to Lake Erie .....			95	0 0	Christopher Arnold, Robert Wood, and John Unsworth.	
12	25	0 0 Between Lots 91 and 92 in Howard, from Talbot road to Lake Erie ..	25	0 0			Robert Wood, and John Unsworth.	Oath.
6	90	0 0 Between Howard and Oxford, from Talbot Road to the Middle Road.	90	0 0			Richard Bootheroyd, David S. Baldwin, and John Desmond.	Oath.
9	50	0 0 To open a road from Talbot Road to Lake Erie .....	50	0 0				Oath.
7	70	0 0 To open the road between Lots 61 and 62 North, on the Talbot Road, &c. ....	70	0 0			David H. Giesner, David S. Baldwin, and Frederick Lampman.	Oath.
	10	0 0 For a bridge across the Duck Pond in the township of Raleigh .....			10	0 0	Lawton Case, and Daniel Dolson.	
	75	0 0 On the communication Road in the township of Harwich, from the Ridge Road to the Little Lake ..			75	0 0	Duncan McGregor, James W. Little, Esq., and Robert Wood.	
	25	0 0 Road between Joseph Klinansmith's and Joseph Smith's, in Raleigh, to the middle road, &c. ....			25	0 0	James W. Little, Esq., James Price, and Jeremiah De Clute.	
10	80	0 0 For the main highway across the plains of the township of Tilbury, &c. ....	80	0 0			George Jacob, Esq., Daniel Dolson, and Pierre Janette.	Oath.
	30	0 0 On the Talbot Road through the township of Romney .....			30	0 0	J. W. Little, Thomas Kenwick, Esq., and James H. Price.	
	40	0 0 From the River St. Clair between the 13th and 14th concessions, to Lot 14 in Sombra .....			40	0 0	Claude Gouin, Esq., Paul Sturdevant, and Louis Renette, Esq.	
1	30	0 0 For building the two bridges across the east branch of Bear Creek ...	30	0 0			William Taylor, John Bolton, and Alexander J. Wallen.	Oath.
	50	0 0 On the middle road between the Talbot Road and the Thames .....			50	0 0	George Jacobs, Joseph Woods, Esq., and Benjamin Lavallee.	
8	20	0 0 On the second concession of Chatham, on the allowance for road ...	20	0 0			Isaac Blackburn, Robert Blackburn, and Peter French.	Oath.
COUNTY OF ESSEX.								
	25	0 0 On the Sandwich Talbot Road, from Sandwich to Goodbody's, and			25	0 0		
	200	0 0 From Lot No. 296 to 270 inclusive, in ditchlog and improving the same			200	0 0	Charles Askin, Chryssosom Pajot, and John L. Williams.	
3	75	0 0 On Sandwich Talbot Road between Lots 263 and 240 inclusive .....	75	0 0			John Fulmer, Eliakim Field, and George Brewer, jun.	Oath.
	50	0 0 On the Talbot Road east of Hairsign's .....			50	0 0	Charles Hairsign, Francis Wilkinson, and Daniel McKenzie.	
	25	0 0 On the road from Jonas Fox's to the Furnace .....			25	0 0	Jonas Fox, and Eliakim Field.	
	50	0 0 On the concession roads in Gosfield.			50	0 0	Peter Scratch, Joseph Weighly, and Windle Weighly.	
	50	0 0 Between the east and west divisions of Gosfield, from Lake Erie to Talbot Road .....			50	0 0	W. Weighly, Pridesaux Girty, and John Weighly.	
	50	0 0 Concession Roads in the township of Colchester .....			50	0 0	Jarius Brush, Matthew McCormick, and James Lockhart.	
	100	0 0 On Malden Road, from Sandwich Talbot Road to Amherstburg .....			100	0 0	Charles Berezy, James Caldwell, and William McGee.	
	50	0 0 On the 4th concession line in Malden to the Colchester line .....			50	0 0	Matthew Elliott, William Ambridge, and Charles Fortier.	
	25	0 0 On the east side of Rochester, to Lavallée's (front road) .....			25	0 0	Benjamin Lavallee, and Charles Campcau.	

Third Report on Finance.

GENERAL STATEMENT OF MONIES—(Western District)—CONTINUED.

Vouchers.	Sums Granted.		On what Roads, and for what Purposes.	Sums Expended.		Sums Unexpected.	Sums Unaccounted for.		Charges, &c.	Names of the Commissioners.	Remarks.
	£	s. d.		£	s. d.		£	s. d.			
	25	0 0	From Detroit River to the 2nd con. between Lauzon and Campeau's farms .....				25	0 0		Antoine Cecile, and Charles Lawson.	
	85	0 0	From Jacob Shaffer's, above Pike's Creek, to Andrew Peltier's .....				85	0 0		Joseph Woods, Benjamin Lavallee, and Charles Campeau.	
	10	0 0	Toward turnpiking the road east side of the Canard River .....				10	0 0		Laurent Pandy, and Francois Monfreton.	
4	50	0 0	On 2nd con. of Petite Cote, from Huron Church line to the River Canard .....	50	0 0					Jean B. Baby, Louis Drouillard, and Thomas Martin.	Oath.
	50	0 0	On road along Huron Church line, from 3rd con. of Sandwich to the Colchester line .....				50	0 0		John A. Wilkinson, John Scott, and John L. Williams.	
	15	0 0	Road east of River aux Puces, from Lake St. Clair to Talbot Road .....				15	0 0		Joseph Woods, Jacob Shoffer, and B. Lavallee.	
	25	0 0	Road from Goodbody's to No. 296 ..				25	0 0		Joseph Woods, Charles Askin, and C. Pajot.	
	75	0 0	On new road from Alexander Duff's, in Colchester, and bridge over Snider's Creek .....				75	0 0		John Parke, Thomas Wright, and Alexander McCormick.	
	12	10 0	On the Road east side of Belle River to Talbot Road .....				12	10 0		John Roy, and Antoine Gaysau.	
	12	10 0	Road west side of Belle River, to Talbot Road .....				12	10 0			
	2350	0 0		685	0 0		1665	0 0			



ABSTRACT OF THE PRECEDING ACCOUNT shewing the Sums accounted and unaccounted for by each District.

DISTRICTS.	Expended.		Unexpected.		Unaccounted for.		Extra charges.		Grants.		Amount of Grant
	£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.	
Eastern.....	185	0 0	.....	.....	2165	0 0	.....	.....	2350	0 0	
Ottawa.....	100	0 0	.....	.....	1200	0 0	.....	.....	1300	0 0	
Bathurst.....	1316	19 0½	.....	.....	1032	4 7	.....	16 4½	2350	0 0	
Johnstown.....	749	19 10½	.....	.....	1595	0 1½	5	0 0	2350	0 0	
Midland.....	1378	15 11	11	4 1	710	0 0	.....	.....	2100	0 0	
Prince Edward.....	630	0 0	.....	.....	20	0 0	.....	.....	650	0 0	
Newcastle.....	1109	15 0	.....	.....	1238	5 0	2	0 0	2350	0 0	
Home.....	1209	10 1	159	19 4½	1055	10 6½	.....	.....	2425	0 0	
Gore.....	1112	3 5	.....	.....	1237	16 7	.....	.....	2350	0 0	
Niagara.....	1111	11 10½	40	18 1½	847	10 0	.....	.....	2000	0 0	
London.....	573	15 0	35	0 0	1816	5 0	.....	.....	2425	0 0	
Western.....	685	0 0	.....	.....	1665	0 0	.....	.....	2350	0 0	
	£ 10,162	19 2½	247	1 7	14,582	11 10	7	16 4½	25,000	0 0	

NO. 39.

# CANADA COMPANY.

COPY OF THE

## MINUTES OF THE INTENDED ARRANGEMENTS

BETWEEN

EARL BATHURST, HIS MAJESTY'S SECRETARY OF STATE,

AND THE PROPOSED

## CANADA COMPANY.

The merchants and others, who have united together to establish a company for purchasing, improving, settling, and disposing of lands and other property in Upper Canada, and especially for purchasing and settling certain lands in the Province of Upper Canada, which have been reserved for certain public purposes, and for the support of a Protestant Clergy, and which are known by the name of "The Crown Reserves," and "The Clergy Reserves," and which merchants and others, for that purpose, have subscribed a capital of one million sterling;—having applied to Earl Bathurst, His Majesty's Principal Secretary of State having the department of the colonies to advise His Majesty to grant to them a charter of incorporation, and to grant and convey to them, for certain valuable considerations, the said reserved lands in the Province of Upper Canada;—the following arrangement has been concluded between the committee or Court of Directors appointed by those persons, and acting for the general body on the one part, and Lord Bathurst on the other part.

1st.—It being necessary that the consent of Parliament should be obtained, before His Majesty can grant that part of the lands proposed to be conveyed to the company, which have been reserved for the support of a Protestant clergy, Lord Bathurst will, at an early period of the next session of Parliament, take the necessary measures for introducing a bill for this purpose.

2nd.—As it may be expedient to invest the proposed company with certain powers and privileges which His Majesty, by the mere exercise of his royal prerogative could not confer, Lord Bathurst will introduce into the bill to be submitted to Parliament, the necessary clauses for investing the proposed company with those powers and privileges.

3rd.—Subjoined to the present minute is a memorandum, containing the heads of the bill which Lord Bathurst proposes thus to lay before Parliament, for its consideration. His Lordship must be distinctly understood as not binding himself to support any particular parts of this bill, which, in the course of the parliamentary discussion of the subject, it may appear to him right or expedient to abandon. The subjoined memorandum must therefore be regarded only as containing those provisions which, upon his present consideration of the subject, Lord Bathurst thinks it would be proper to suggest to Parliament for its adoption.

4th.—Lord Bathurst will move the Lords of the Privy Council to advise His Majesty to issue, under the great seal, a royal charter for the incorporation of the proposed company. By this charter would be granted such powers and privileges as it is competent to the crown, by virtue of its prerogative, to confer, without the aid of Parliament. Subjoined to the present minute is a memorandum, containing the heads of the charter which it is proposed thus to grant. It is however to be clearly and distinctly understood, that notwithstanding the present arrangement, the Lords of the Privy Council (as the constitutional advisers of the crown on subjects of this nature,) and the Lord Chancellor (as keeper of the great seal)

## Canada Company Charter.

## APPENDIX.

will exercise their judgment both as to the propriety of issuing such a charter, and as to any particular clauses in it which may appear to them illegal or objectionable.

5th.—When the company shall have been actually incorporated, Lord Bathurst will further advise His Majesty to convey to them, upon the terms and conditions subsequently mentioned, the lands in the Province of Upper Canada which are subsequently described.

6th.—That part of the Province of Upper Canada which has hitherto been occupied by His Majesty's subjects, is at present divided into districts, which are subdivided into counties, and in each of the counties various townships have been laid out. In pursuance of the statute 31st Geo. 3, c. 31, one seventh of the land comprised in these townships has been reserved for the maintenance of a Protestant clergy. These lands are called "The Clergy Reserves." One other seventh part of the lands included in these townships has been reserved by His Majesty for public purposes, and are known by the name of "The Crown Reserves." In the district of Niagara, no reserves have been made for the crown. But the deficiency has been supplied by a large reservation in the adjoining district of Gore. Various grants in fee simple have already been made of parts both of the "Clergy Reserves" and of the "Crown Reserves." Some parts of these lands have been demised for terms of years; other parts have been occupied either with the written license of the Colonial Government, or on the faith of verbal promises made by that government, that the occupants should receive grants on leases of lands in their occupation. There are other parts of these lands which, without any legal conveyance, or even any actual promise or license, have been appropriated to purposes of a public nature, or for the convenience or advantage of the clergy of the Province; other portions which have not hitherto been actually so appropriated, are yet, from their peculiar local advantages, or from other circumstances, so situated as that the occupation of them may be peculiarly convenient or necessary for the public service within the Province, or for the erection of churches, school-houses, or parsonage-houses, with small adjoining pieces of land to be used as burying-grounds, yards, or gardens. Finally, there are within the clergy and crown reserves, various parcels of land which have been occupied for ten years and upwards, by persons who have resided upon them, not only without any grant, but without any pretence of legal title, and who, in America, are usually designated by the appellation of "squatters," but who, notwithstanding, have not been disturbed in that occupation. When the company shall actually have been incorporated, Lord Bathurst will advise His Majesty to convey to them, upon the conditions subsequently stated, the whole of the crown reserves, and one-half of the clergy reserves, in those townships which, on or before the first day of March, 1824, were actually laid out in the several districts before mentioned, in the Province of Upper Canada; it being understood that the several portions of the crown and clergy reserves which, as above mentioned, have been granted or demised on lease, or occupied on the license or promise of the government, or appropriated to public or clerical purposes, or occupied without disturbance for ten years, or which may be peculiarly convenient or necessary either for the public service or the ecclesiastical objects already mentioned are to be wholly excepted; so that there will be conveyed to the company one-half of that part only of the clergy reserves which will remain, after deducting these excepted lands from the entire quantity originally reserved, and the whole of the crown reserves which will remain after making the corresponding deduction of the excepted lands from them.

7th.—In order that the exceptions mentioned in the preceding paragraph may not operate more extensively than is at present contemplated, Lord Bathurst will immediately instruct the Lieutenant Governor of Upper Canada to adopt all necessary measures for preventing any new grants or leases being made, or licenses of occupation given, of any part either of the clergy or crown reserves. But as until the proposed charter of incorporation shall be granted, the corporation already existing in Upper Canada, for the management of the clergy reserves, will in point of law be invested with the power of granting leases of those lands, His Majesty's Government is not to be held responsible to the company, if any intermediate leases shall actually be granted; a contingency, however, which it may be presumed is highly improbable. To obviate any danger of misconception upon so important a subject, it is to be most distinctly understood, that the present arrangement is not in any degree whatever to affect the right of the clergy of the Pro-

vince, or of the corporation established for the management of the clergy estates, or of the King as head of the church in Canada, to manage, cultivate, and settle that portion of the clergy reserves which is not to be included in the sales to the company; but that when the portion of the clergy reserves which is still to be reserved to the clergy, shall be ascertained and set apart, as is subsequently mentioned, every restriction upon the corporation, in respect of granting leases or otherwise, relating to the management of such portion of the clergy reserves, shall be at an end.

8th.—The lands to be granted to the company when incorporated will be conveyed to them in fee simple, to be held in free and common soccage.

9th.—The company will have no claim to become purchasers of any lands which may be reserved for the crown or for the clergy, in any townships which may be laid out in any part of the Province subsequently to the 1st day of March, 1824.

10th.—It is arranged, that so soon as the proposed charter of incorporation shall have passed the great seal, (and sooner if the company should think fit,) five commissioners shall be appointed, who shall proceed to Upper Canada, with power to ascertain the quantity and to determine the price to be paid by the company for the said reserved lands.

11th.—Of the five commissioners, two will be nominated by Lord Bathurst, and two by the committee or Court of Directors of the proposed company. These nominations being made, the Court of Directors shall then name three other persons as candidates for the office of fifth commissioner. If any two of the four first named commissioners concur in objecting to any one or more of the three candidates, the name or names of the person or persons so objected to shall be withdrawn, and other names substituted by the court of directors, until three candidates shall be named, to no one of whom any two of the four first-named commissioners concur in objecting; of these three candidates, Lord Bathurst will select one who will be the fifth commissioner.

12th.—The decision of the commissioners in every case will be guided by the majority in number of votes. The senior commissioner appointed by the crown will be the permanent chairman of the commission.

13th.—In the event of a vacancy occurring by the death, resignation, incapacity, or permanent sickness, of any commissioner, the vacancy is to be supplied by the same party and in the same method as the commissioner creating the vacancy was himself appointed; but until the successor can be nominated in England, a provisional appointment may be made in the Province, either by the Lieutenant Governor, if the commissioner creating the vacancy was appointed by the crown, or by the surviving or continuing commissioner of the company, if the commissioner creating the vacancy was appointed by the company, or in the mode prescribed in the preceding paragraph, No. 11, if the commissioner should create the vacancy; the Lieutenant Governor will in that case have a right of selection from the three candidates presented to him. A secretary will be attached to the commission, to be appointed by the commissioners themselves, with a salary not exceeding £500.

14th.—The remuneration of the two commissioners nominated by Lord Bathurst, will be provided for by His Majesty's Government; the company will remunerate the commissioners appointed by themselves. The remuneration of the fifth commissioner and of the secretary, and all the expenses which may be reasonably incurred by the commissioners in travelling or otherwise, by reason and in the execution of the commission with which they are to be charged, will be equally divided between His Majesty's Government and the company.

15th.—The five commissioners thus nominated will receive a commission under the great seal of the Province; for their guidance in the execution of the duties to be committed to them, they will receive written instructions from Lord Bathurst. If in the progress of the commission it should be necessary to issue further instructions, they will be given by Lord Bathurst in concert and communication with the Court of Directors; subjoined to this minute is a copy of the commission which it is proposed to grant, and of the instructions which will immediately issue for the guidance of the commissioners.

16th.—Upon their arrival in Upper Canada, the commissioners, assisted by every means which the local government can command, will proceed to ascertain what is the price to be paid by the company to His Majesty's Government for the lands proposed to be granted to them. In fixing that price they will be governed by the principles and rules subsequently laid down.

## APPENDIX.

17th.—The commissioners will first inquire what sales of land have been effected in each district of Upper Canada, for ready money, during the period of the last five years preceding the first day of March, 1824. By the expression “Sales effected for ready money” will be understood not only sales in which, upon the conveyance of the land, the money was actually paid to the seller in cash, but also sales in which the purchase money was paid by bills of exchange, whether home or foreign, at the usual sights. In such inquiry reference shall not be had to sales of single lots of not more than 200 acres, or smaller parcels of land, or to sales of lands which at the time of such sale were cleared or cultivated; all the lands so as aforesaid to be granted to the said proposed company, being uncleared and unoccupied, and the arrangement between the parties and the intent and meaning of this agreement being that the most recent transactions and the largest sales which shall be found to have taken place previous to the said first day of March, 1824, shall be the criterion or standard by which the commissioners shall be principally regulated in the prices which they are to ascertain and determine. Having ascertained, as far as possible, the most recent, and the largest classes of the ready money sales thus affected during the before mentioned period in all of the districts in Upper Canada, the commissioners will proceed to strike an average ready money price for each district, upon equitable principles, regulated by the facts so to be ascertained, and by every other information, in conformity with the terms and spirit of the arrangement made between the parties.

18th.—As it may happen that the value of lands in different parts of the same districts may be materially different, sales effected in one part of such a district would afford no criterion of the value of lands in another part of that district; for the purpose of the intended average valuation, the existing division of the territory into districts which was adopted for political purposes merely, may perhaps be found entirely inapplicable. Adjoining parts of different districts may bear so strong a resemblance to each other, in those circumstances which constitute the value of lands, that a fair average would be most effectually obtained by classing together lands which lie in different political divisions of the Province. If these suppositions should prove to be consistent with the fact, it will be in the discretion of the commissioners, if they shall think fit, in forming the general average to observe the following rules:—They will ascertain the population of each township in the Province, according to the latest census; they will then consider, without reference to the existing division of the Province into districts, what townships most nearly resemble each other in population, in advantages or disadvantages of locality, and in natural fertility of soil. They will place together in one class as many townships, whether lying in the same or in separate districts, as may appear to them sufficiently to resemble each other in the three particulars already mentioned, of population, fertility, and locality.

19th.—In fixing the price to be paid by the company for the lands to be granted to them, the commissioners will have regard to the ready money price of lands in each district, when thus ascertained and averaged. These averages will be regarded as the first and most important, but not as the single criterion, by which the price to be paid by the company to His Majesty’s Government is to be determined. To correct any misconception as to the valuation which might arise from having agreed to this single test of value, the commissioners will also have regard to the extent of the purchase to be made by the company, and to the advantages to the Colony with which the introduction of so large a capital may be attended; & they will be at liberty to take into their consideration every fact of a distinct and specific kind, which may enable them to draw a more sound and satisfactory conclusion upon the question of value; it being, however, understood that the criterion derived from ready money sales actually effected is always to be adopted, unless reasonable ground may exist for supposing, that in any particular case it would lead to conclusions substantially and materially erroneous.

20th.—In order to obviate any doubt as to which part of the Clergy Reserves is to be granted to the proposed company, the commissioners will cause an exact transcript to be made of the public or government charts of each township, in order that on such transcript they may mark the lots which are to be granted to the company, and the lots which are still to be retained for the maintenance of a protestant clergy. For this purpose, after marking the various lots in the transcripts of the chart of each township, falling within any of the exceptions enumerated in the preceding paragraph numbered 6, with the word “*excepted*,” the commission-

ers will, upon the same transcript of the public chart affix a numerical mark upon each of the remaining lots of the clergy reserves, proceeding in order from No. 1, to the highest number corresponding with the number of lots thus to be divided. The commissioners' marks will be made in red ink, to distinguish them from the numerical marks of the government offices. Those lots of the clergy reserves which shall thus appear upon the transcript of the government chart, bearing in red ink the alternate numbers 1, 3, 5, &c. shall still be retained for the support of a protestant clergy. Those other lots of the Clergy Reserves which shall then appear upon the same transcript, bearing in red ink the alternate numbers 2, 4, 6, &c. shall be those which the company are to purchase from His Majesty.

21st.—During a period of fifteen years, to commence and be computed from the 1st day of January 1826, the company shall in each year enter into possession of so much of the lands to be conveyed to them as, according to the valuation to be made by the commissioners, shall be of the value of £20,000 sterling.

The company will nevertheless be at liberty, during the year 1825, and in any one of the years during the said period of fifteen years, to take possession of a larger quantity of such lands, if they shall think proper so to do.

22nd.—On the Monday next following the 25th day of March, the 24th day of June, the 29th day of September, and the 25th day of December in each year during the before-mentioned period of fifteen years, the Company shall pay to such civil or military officer connected with the receipt of His Majesty's Revenues in the Province, as His Majesty shall from time to time appoint, the sum of £5,000 sterling at the least. On each of the days last mentioned, the Company, or their agents duly authorised in that behalf, in the Province, are to deliver to the Lieutenant-Governor or other person administering the Government, a return, stating particularly and minutely the several lots of land which during the preceding quarter of a year have been occupied by or on behalf of the Company, or by or on behalf of any persons claiming by virtue of any grant or lease from them. If it shall appear that, during any such quarter of a year, the Company or their agents, grantees, or lessees, have entered into possession of lands which, according to the Commissioners' valuation, shall exceed in value the sum of £5,000 sterling, the excess of value is to be paid to such civil or military officer as aforesaid in addition to the quarterly payment of £5,000.

23rd.—If the Company, their agents or grantees, shall in any year enter into the possession of any lots of lands not included in any of the the quarterly returns of that year, the lands so entered upon, with all their improvements, shall be forfeited to and resumable by the Crown at pleasure.

24th.—The Company will be bound in each quarter of a year to take possession of the lands to be granted to them, in the proportion of one lot of the Clergy Reserves for every two lots upon which they may enter of the Crown Reserves, so long as a sufficient quantity of lands of both descriptions, remains unoccupied.

25th.—Subject to the preceding conditions, the Company will have the right of deciding which of the lands included in the proposed grants to them shall be occupied by them, their agents, grantees, or lessees, at any particular time; and His Majesty will not control the power of the Company to select such districts or townships as to them at any particular period appear best adapted for effecting settlements.

26th.—A receipt, under the hand and seal of the civil or military officer who may be appointed to receive from the Company the quarterly payments before-mentioned, such signature being attested by one credible witness, shall be a good and sufficient discharge to the Company, for every sum of money acknowledged in any such receipt to have been received by the officer granting the same; and for obviating any doubt as to the proper officer into whose hand such money is to be paid, notices will from time to time be transmitted to the office of the Company in London, from the Secretary of State, signifying what officer in the Colony has been appointed to discharge this duty and grant the proper receipts.

27th.—Upon producing to the Lieutenant-Governor, or person administering the government of the Province, a receipt, signed, sealed and attested, in manner before mentioned, a grant will be issued to the company under the great seal of the Province, of all the lands occupied by them, their agents, grantees, or lessees in the preceding quarter of a year. Four such grants, therefore, and no more will be issued in each year. It is to be understood, that the quarterly payment of the money

## APPENDIX.

due, and the delivery of the receipts and conveyances, are to be strictly contemporaneous acts, and that such arrangements as may be necessary for that purpose, will be made in the government offices of the colony. The Company will execute under their common seal or otherwise, grants or leases to their own grantees or lessees.

28th.—The successive grants of land will be made to the Company gratuitously, without any fee, that is of office, demand, or duty being due or payable to any public officer in the Province for preparing, expediting, sealing, or issuing the same.

29th.—Persons claiming lands in Upper Canada under any grant, lease, licence of occupation, or other conveyance from the Company, will hold such lands under and subject to all the laws and regulations which may be then in force within the Province, in reference to the grantees or lessees of the crown.

30th.—The company will, in each year, during the before mentioned period of fifteen years, place one half at least of the lands, which during that year may have been occupied and purchased by them, in the possession of settlers, either as grantees or as lessees under them, in the proportion of one head of a family, or one adult unmarried settler for every two hundred acres of such lands; and a proof of such actual settlement of one half of the lands so to be occupied and purchased by the company shall be admitted and received by the provincial government as an equivalent for the performance of the partial clearing and improvements usually required, under the name of "Settlement Duties;" it being agreed that such actual settlement of one half of the lands, or such expenditure in compensation for the same, as is hereinafter provided for, shall acquit the company from the performance of any settlement duties on the remaining or unsettled half of the said lands purchased by them. On the Monday next following the 25th day of December in each year, the company or their agents will deliver to the Lieutenant Governor, or person administering the Government of the Province, a return of the names of all settlers placed on such lands during the then current year, with a description of the lands upon which they have been so placed.—If it shall, upon any such return, appear that more than one half of the lands delivered during the then current year into the company's possession remain unsettled, then for every lot of 200 acres so remaining unsettled over and above the said one half of the whole which may remain unsettled and in compensation for the performance of settlement duties as aforesaid, on the whole of the lands purchased in such year, the company shall, within six calendar months next after the expiration of the year in which such settlement duties ought to have been performed, expend and lay out for each such lot, the sum of thirty-five dollars, in opening, constructing, or improving, public roads and bridges, in some one or more of the different townships in which the lands purchased by the Company shall be situated, such expenditure to be made in the discretion of the Company's Agents, and the fact of the money being so expended in such public improvements, to be certified to the satisfaction of His Majesty's Surveyor General, for the time being, or any other officer, whom the Executive Government of the Province may appoint for that purpose (or the Company, shall become liable to pay to His Majesty the sum of 25 dollars for each such lot, which sum will, by His Majesty be expended during the next succeeding year, in opening, constructing or improving, the public land or water communications of some one or more of the townships in which the lands purchased by the Company shall be situated.)

31st.—Any lands which in pursuance of this arrangement may be granted to the Company, or which the Company may grant or demise or lease to any person or persons, shall be resumable by His Majesty in case the same should be required for canals, roads, the erection of forts, hospitals, arsenals, or any other purpose connected with the defence or security of the Province, such requisition to be made by the Provincial Legislature, or by the Executive Government of the Province, and in any such event, one arbitrator shall be named by His Majesty, and another arbitrator by the Company, or their grantees or lessees, as the case may be, who shall concur in choosing a third; and the price to be paid to the Company, their grantees or lessees, for any lands so resumed, shall be decided by the majority in number of such three arbitrators.

32nd.—If within the lauds to be sold and conveyed to the Company, any persons shall be found, who without any legal title, have been, or are, in the actual occupation of any particular lands, the Company will have the option either of declining to proceed with the purchase of any lot in which such illegal settlements have been made, or of accepting a grant thereof upon the conditions already stated, with the power of proceeding, in due course of law, at their own expense,

to dispossess persons who may be found in any such unlawful occupation. It will be understood that this provision does not apply to the case of persons who, without any legal title, have held the quiet and undisturbed possession of lands for ten years, such persons being included within the excepted cases enumerated in the preceding paragraph numbered six.

33rd.—His Majesty's Government will recommend to the Legislature of the Province of Upper Canada, the adoption of any laws which it may be thought expedient to pass there, for carrying into full and perfect effect the arrangement between His Majesty and the Company, as explained in this minute.

34th.—In case the charter which may ultimately be offered to the company by His Majesty's Government, or the bill which may ultimately pass through every stage, except the last reading in the two Houses of Parliament, should be considered by the company insufficient to give full effect to the present agreement; and if they should, therefore, by a notification made to Lord Bathurst, through their chairman, deputy chairman, secretary or solicitor, decline to accept such charter, on the ground of an essential variance from the terms of this agreement, or having accepted it, should, within seven days before the last reading of the proposed bill in Parliament, by a notification made as aforesaid, signify their desire that on such grounds as aforesaid such bill should not pass into a law; and if by reason of such alleged variation, the company should claim to be relieved from the payment of their share of the expense incurred by the commission; the following process shall be observed: Lord Bathurst will nominate one person, being either a sergeant at law, or one of His Majesty's Council, and the company will nominate another person, holding such rank as before mentioned, in the profession of the law, which two persons will be arbitrators, with power to nominate an umpire, holding the same professional rank; and such arbitrators, or in the event of their disagreement, such umpire, shall, within one calendar month next after the reference to them, give their opinion in writing, in answer to the following question: viz. "Whether the charter offered by His Majesty's Government, or the bill which may ultimately pass through every stage, except the last reading in the two Houses of Parliament (according as the objection of the company may be taken, either to the charter or the bill,) is or is not such as to give full and fair effect to the agreement contained in the present minutes, and especially to the memoranda subjoined, of the heads of the proposed charter and bill, according to the fair and reasonable construction of those instruments, and without reference to variations not affecting their substance and spirit?" According to the decision pronounced by the arbitrators or their umpire, the expense of the commission will be divided between His Majesty's Government and the company, or will be borne wholly by His Majesty's Government. If, however, the company should think proper to proceed without an act of Parliament, they will, of course, bear the whole of their share of the expense of the commission.

35th.—If any event should occur which should render it impossible for His Majesty's government to execute their part of the agreement, by granting and delivering possession of the lands, this arrangement is to be considered suspended during such inability on the part of the government, and the period of such suspension not to be calculated as any part of the fifteen years before mentioned, but the same portion of the fifteen years as remained at the time of such suspension is to continue and remain at the time of the removal of such suspension; and in the mean time, it is not to be considered that any debt has been contracted by the company to His Majesty, in respect of the payments which would have become due but for such suspension.

36th.—It is understood that until the proposed company shall be legally constituted, the individual subscribers do not by the present arrangement incur any personal pecuniary responsibility; but by this stipulation the individual subscribers do not intend to deny their liability (subject to the preceding condition No. 34,) to defray their moiety of the expense of the commission.

*A memorandum containing the heads of the Provisions to be introduced into the Charter to be granted to the Canada Company.*

1st.—The objects with a view to which the company is established will be stated in the charter, by way of preamble, in the same or similar terms as those employed in the preamble, or introductory paragraphs of the preceding minutes.

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2nd.—It will be recited as a matter of fact, that a capital of One Million sterling has actually been subscribed towards the undertaking, and that of this capital a certain part has been actually paid up by the subscribers.

3rd.—The Charter will then grant to such gentlemen, being shareholders, as the Company shall nominate, and to all the other shareholders, whether present or future, a corporate character, and the style of the Corporation will be "The Canada Company."

4th.—Perpetual succession, the power of suing and being sued, and the power to use a common seal will be granted to the Company.

5th.—The specific object of the Company thus created will be declared to be that of purchasing waste and uncleared lands in the Province of Upper Canada and of settling, clearing, and disposing of such lands.

6th.—It will further be declared that the Company is established with the view of carrying into effect all such other lawful objects as it may be necessary to pursue, in order to the efficient accomplishment of the primary object designated in the preceding paragraph. Among these subsidiary purposes will be enumerated, in express terms, the making advances of capital to settlers, the opening and improving of roads, and other internal communications, and the promoting the cultivation of such articles as can advantageously be exported from the Province.

7th.—The Charter will then recite the conditions upon which His Majesty will grant, and subject to which the Company are to hold the lands to be conveyed to them in Upper Canada, so far as such conditions are specified in the preceding minutes.

8th.—It will immediately be declared that the Company are to have for the management of their concerns, a chairman, a deputy-chairman, eighteen directors, four auditors, and a secretary.

9th.—The names of the first chairman, deputy-chairman, directors, and auditors, will be mentioned in the charter; and it will be declared that the persons thus named shall continue in office until the 25th of March, 1829, and until such cessors in their respective offices have been elected; with a proviso, that any intermediate vacancy, arising from the death, resignation, or disqualification of any of these officers, shall be filled up by the election of a successor.

10th.—A power will be granted, to enable the Court of Directors to appoint two or more commissioners, resident in Upper Canada, to conduct the affairs of the company in that Province, with power to contract for and bind the company to such extent, and subject to such restrictions, as the directors may see fit to direct and impose. It will, however, be provided, that any restrictions as to the power of contracting for and binding the company, which may be imposed upon the commissioners, shall be made publicly known in the Province, to the intent that all persons with whom they deal may know the extent and limits of their authority.

11th.—Provision will be made for holding annual general courts of the company, for the election of the directors and auditors.

12th.—That at all general courts, the shareholders are to vote according to the following rules:—A person holding five shares and less than ten, to have one vote. If holding ten shares and less than twenty, he will have two votes. If holding twenty shares and less than twenty-five, he will have three votes. If holding twenty-five shares or more, he will have four votes, that being the largest number of votes which any person is to have.

13th.—At each annual court which may be holden after the 25th of March 1829, six directors and one auditor at the least must retire from office, and an equal number of persons be chosen in their stead to fill the vacancies thus created.

14th.—It will be determined by rotation, which of the directors and auditors are to vacate their offices at each successive annual court; but in the year 1829, and in each of the two following years, this question will be decided by casting lots, there being no seniority of appointment, as between the original officers of the company, by which, in those years, the rotation could be determined.

15th.—Directors and auditors vacating their offices shall be capable of being re-elected, if otherwise properly qualified.

16th.—Every director must be a holder of twenty-five shares, at the least, of the capital stock of the Company, in his own right; and every auditor must possess a similar qualification. Every director or auditor diminishing such qualification shall forthwith vacate such his office, and a person shall be elected in his stead to serve for the remainder of the year.

17th.—A power will be given to the general court to grant such salaries and allowances to all, or any of the officers of the Company, as may be deemed expedient; provided that circular notices, convening any such general court, shall issue at least one month before the meeting of it, and shall contain a distinct statement that a motion will be then made for the grant of such salaries and allowances.

18th.—Two general courts at the least will be held in each year, when the half-yearly dividends shall be declared.

19th.—Special general courts may be held, which the directors will be bound to convene, on the requisition of any two or more proprietors, and in default of the directors issuing the necessary summons, such proprietors may themselves convene such special general courts by advertisement under their hand, in the London Gazette.

20th.—General courts, or special general courts, will be invested with the power of making or confirming bye-laws, and making all resolutions relative to the affairs of the company, such bye-laws and resolutions not being repugnant to the charter or to the laws of England. The bye-laws must be duly recorded in a book, to be kept for that purpose, to which all members of the company may have access.

21st.—Notice is to be given in the Gazette, and by circular letters addressed to all members of the company in England, whose residence is known, of all general and special general courts; and such notices must state the particular objects or business, with a view to which such courts may be so convened.

22nd.—The directors are annually to choose, from among their own number, a chairman and deputy-chairman, within fourteen days next after the annual election of directors. In the absence of the chairman and deputy-chairman, the court of directors, or the general court of proprietors, as the case may be, may elect a person to act on that occasion for and to represent the chairman.

23rd.—The chairman, or deputy-chairman, or the director, acting as chairman for the day, and presiding at any court of directors, or general court of proprietors, may vote on the question under discussion, and may also give a casting vote.

24th.—The company will be authorised to raise an additional capital, amounting to 1,000,000 sterling, or other smaller amount in pursuance of any resolution adopted at one, and confirmed at another general or special general court; and the new subscribers will be entitled to all the privileges and advantages of the old.

25th.—Power will be granted to the company to cultivate, settle, clear, hold, and dispose of such waste lands as they may purchase from His Majesty, in the Province of Upper Canada, with powers to make loans of money to the settlers on any such lands, upon mortgage or other security.

26th.—Power will also be granted to the company to purchase, hold and dispose of, lands situate in any other part of His Majesty's dominions, which it may be necessary for them, to acquire, in order to the carrying the purposes of this charter into more complete effect; provided that the lands so purchased in England be not altogether of more than the annual value of £2,000; and also provided that any such purchases as aforesaid be made in conformity to the local laws and statutes in force in those parts of His Majesty's foreign dominions in which the lands so to be purchased may be situated.

27th.—A power will be granted to the company to purchase, and send to the Province of Upper Canada, all such matters and things as may be necessary or convenient for the cultivation, clearing, or improvement, of the lands which may be purchased by them therein; and they will also be empowered to receive, and to sell and dispose of, all goods and merchandize which may be consigned or remitted to them from such their lands, in payment and satisfaction of any rent or purchase money arising from the occupation or sale of any such lands; and they will further be empowered to receive and negotiate in England, bills of exchange, notes, or other negotiable securities for money, which may be remitted to them on account of any such rent or purchase money.

28th.—The company will be empowered to make loans to the Upper Canadian Government, in case any loan bill should receive the royal assent.

29th.—The appointment of secretaries, solicitors, and agents, the fixing their salaries, and the power of displacing them, the general conduct of the business

## Canada Company charter.

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of the company, and the nomination of sub-committees, will be entrusted exclusively to the court of directors.

30th.—The corporate seal must never be affixed to any instruments except in pursuance of a written resolution of the court of directors, and in the presence of at least two directors.

31st.—No person holding the office of chairman, deputy-chairman, director, secretary, or auditor, may, in his own personal and individual character, enter into any contract with the company.

32nd.—No dividend may ever be declared, by which the capital stock of the company will be diminished; but this not to affect the right of paying interest not exceeding four per cent. per annum.

*A memorandum, containing the heads of the Provisions of the Bill which Lord Bathurst proposes to bring into Parliament.*

1st.—The bill will contain a clause enabling the King to sell and convey to the Canada Company that proportion of the clergy reserves which is mentioned in the preceding minutes.

2nd.—The bill will prescribe a simple form for the registration and transfer of the shares of individual proprietors of the company.

3rd.—It will be declared that the shares of the company are to be regarded as personal estate.

4th.—Provision will be made for the forfeiture to the company of the shares of persons who, after a certain period, shall fail to comply with calls for paying up their subscriptions; and such persons will in the meantime be declared incompetent to sell their shares, or vote or act as members of the corporation.

5th.—A short and simple form of conveyance of lands from the Company to individuals will be prescribed and declared effectual in the law, to all intents and purposes.

6th.—Power will be given to the Company to purchase and hold lands in England, which it may be expedient for them to acquire, in order to their carrying the purposes of their incorporation into more complete effect, and to dispose of such as may not be required for such purposes; provided that the lands so purchased and held be not of more than the annual value of £2,000.

*Commission to be granted to the commissioners appointed to value the lands in Upper Canada.*

George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth; To our trusty and well beloved Francis Cockburn, Lieutenant-Colonel in our army, Simon McGillivray, Esquire, Sir John Harvey, K. C. H. Lieutenant-Colonel in our army, John Galt, Esquire, and John Davidson, Esquire, greeting: Whereas, we have deemed it expedient to cause an inspection and valuation to be made of the lands which have been reserved to the use of us, our heirs and successors in the townships which were laid out previous to the first day of March, 1824, in the several districts of our Province of Upper Canada, and which are usually known by the name and description of the Crown Reserves; and we have also deemed it expedient that a similar inspection and valuation should be made of one moiety of the lands reserved within the several townships aforesaid of our said Province, for the support of a Protestant Clergy; Now know ye, That we, being well assured of the loyalty, integrity, and skilfulness of you, the said Lieutenant Colonel Francis Cockburn, Simon McGillivray, Esquire, Sir John Harvey, K. C. H. John Galt, Esquire, and John Davidson, Esquire, have nominated and appointed, and do hereby nominate and appoint you to be our commissioners for making the valuation aforesaid; and we do hereby appoint you, the said Lieutenant Colonel Francis Cockburn, to be our senior or chief commissioner for the purposes hereinafter mentioned; and we do hereby give and grant to you, and each of you, full power and authority to inspect and value the several lands aforesaid: And for the better carrying into execution and effect the objects aforesaid, we do further give and grant to you, and each of you, full power and authority to summon, and by all lawful ways and means to compel the attendance before you, of all our officers, civil and mili-

tary, within our said Province, when it may appear to you necessary or expedient to examine in or for the execution of this our commission; And we do further grant to you, as such commissioners as aforesaid, full license, power, and authority, to inspect and to cause to be brought before you, all public maps, plans, charts, or other official and public papers and documents, of what nature and kind soever, which may be necessary or expedient for you to peruse, inspect or examine, as such commissioners as aforesaid; and in the execution of the duties hereby committed to you, it is our will and pleasure, that you shall and do, in all things, conform to such orders and instructions as shall or may be given to you, in that behalf, by our Principal Secretary of State, having the department of the Colonies: And we do charge and command you, when and so soon as you shall have completed such your valuation of the lands aforesaid, to make a report thereof in writing to us, under your hands and seals at arms; And we do hereby command and require all our officers, civil and military, and all other our loving subjects within our said province, to be aiding and assisting you in the execution of this our commission, as they will answer the contrary thereof at their peril. Witness Sir Peregrine Maitland, (*add his proper titles and designation*) at York Town, in the Province of Upper Canada, this            day of            , 1824, in the fifth year of our reign.

By His Majesty's command,

(Signed)            PEREGRINE MAITLAND, (L. S.)

*Instructions to the Commissioners appointed to value the Lands in Upper Canada.*

DOWNING STREET,  
29th December, 1824. }

GENTLEMEN,

I enclose for your perusal a copy of a document, which on the 26th ultimo, I communicated to the merchants and others who have associated themselves together as a Company for settling certain lands in the Province of Upper Canada. From this document you will learn what are the nature of the arrangements into which I have entered with the proposed Company. Especially, you will perceive that it has been determined to appoint five Commissioners who are to proceed to the Province, there to make a valuation of the lands which the Company are to purchase.—You have been selected to be Commissioners for this purpose, and therefore, in pursuance of the arrangement with the proposed Company, I proceed to give you such instructions as appear necessary for your guidance in the execution of the trust committed to you.

1st.—You will proceed with all convenient despatch to the province of Upper Canada, and on your reaching the town of York, you will report your arrival to the Lieutenant Governor, or officer administering the government.

2nd.—You will receive from the Lieutenant Governor a commission under the great seal of the Province, authorising you to execute the duties of your office; and so soon as you have received that commission, you will enter upon the discharge of those duties.

3rd.—You will also receive from the Lieutenant Governor, commissions to act throughout the province as justices of the peace; you will, however, distinctly understand, that you are to be invested with that character merely with the view of promoting the objects of your commission, and therefore you will entirely abstain from exercising your powers as magistrates, except when it may be necessary to make those powers subservient to the due execution of your office as commissioners.

4th.—You will receive from the Lieutenant Governor, and all His Majesty's civil and military officers in the province, such co-operation and assistance as they may be able to render. Especially, directions will be given to the proper departments of the colonial government, to lay before you all public maps, charts, surveys, or admeasurements, of the several districts and townships in the province, with all other documents in the charge of any of those departments from which any useful information can be derived, respecting the topography of the province; the natural or artificial divisions of it; the value of lands throughout the several districts; or respecting any other subject which it may be necessary for you, in your character of commissioners, to investigate.

5th.—You will be allowed to take copies of any of the maps, charts, surveys, or documents mentioned in the preceding paragraph; but you will consider your-

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selves as receiving such copies under a strict obligation not to communicate them to any persons, nor to permit transcripts to be made from them, either for the use of others or for your own use, after your public duties have terminated. Before the commission is actually closed, you will return all documents of this nature in your possession, to the various public departments from which you may have received them. You will, however, consider yourselves at liberty in making the report subsequently mentioned, to annex to it any copies of or extracts from any of the said documents above mentioned, which may seem to you necessary to elucidate such your report.

6th.—His Majesty's civil and military officers in the province will further be required to communicate to you all such information connected with the object of the mission, as their personal knowledge may enable them to afford, with the exception only of such matters as they may consider themselves bound under any obligation of official confidence and secrecy to conceal. Whatever official communication may take place between yourselves and any of the public departments of the province, will pass through the medium of the Lieutenant Governor, whom you will, in every such instance, request to transmit your inquiries to the subordinate officers of Government, and through whom answers to such inquiries will be communicated to you.

7th.—In the execution of the duties of your commission, you will understand that you are not separately and individually to represent the particular party by whom you are appointed, so as to consider yourselves as agents deputed to protect and promote the interest of either party as opposed to that of the other; but you will all regard yourselves as impartial arbitrators, and as bound without affection or favour to make an equal and impartial award upon the questions submitted to your decision.

8th.—For maintaining order and regularity in the performance of your duties, and to obviate doubts and misconception as to the effect and nature of your proceedings, you will, from the day on which you receive your commission, keep a regular journal of all your public transactions. In this journal will be entered,—1st. A minute of all deliberations held, and of all resolutions adopted at any meeting of the commissioners.—2nd. A minute of every material occurrence which may happen in the execution of your duties.—3rd. If any one or more of the commissioners shall dissent from any resolution of the majority, and shall conceive that the subject in controversy is of adequate importance, he will be permitted to enter upon the journal a minute containing the grounds and reasons of his dissent.

9th.—A meeting of the commissioners will be held once at the least in every two weeks, when the minutes of the proceedings at their last meeting, and of all subsequent transactions, will be read over and confirmed or corrected, as may be necessary; all the commissioners will subscribe their names to the minutes when ultimately confirmed, to obviate any dispute respecting their authenticity.

10th.—You will correspond officially with this department only. Every such communication will, by this department, be transmitted to the office of the company in London, for the information of the directors, and all official communications which I may have occasion to make to you, will also be previously communicated to the directors. All official communications from you to this department, must be made in the name and on behalf of the commissioners in general, and signed by the senior commissioner. If any one or more of the commissioners should think it right to make any official communication in which the rest refuse to concur, he will be at liberty to do so; upon condition, however, that before it is actually transmitted to England, it be entered upon the journals, for the perusal and consideration of the other members. No attention will be paid to any official communication which may be transmitted to this department, in violation of this regulation. All official communications from this department must be entered at length upon the journal.

11th.—In the event of the illness of any commissioner, or any other occurrence which for a time may prevent his attending to the duties of his office, the rest of the body will proceed in the execution of the commission, postponing, however, the adoption of any formal resolutions until the whole body can re-assemble and act together. The commissioners at large will not be considered as assenting to or bound by any act or resolution, which is not done or entered into, or subsequently approved, at a meeting at which you shall all be present, nor unless at such meeting, three at least of the commissioners concur in the vote for doing, entering into, or approving such act or resolution.

12th.—At every meeting of the commissioners, the senior commissioner will preside as chairman. The secretary to the commission will be charged with the duty of giving to the commissioners a written notice of the time and place at which every meeting is to be held.

13th.—The written arrangement between this department and the proposed company has defined the nature of the duties which you are to perform, and has settled, as accurately as possible, the principles by which you are to be guided in performing them. Upon that subject, therefore, I have only to refer you for your guidance to that document.

14th.—When you have completed your valuation of the lands to be purchased by the company, you will draw up a written report, stating with all practicable precision what are the particular lands in each township which are to be sold to the company, and stating the average price which such lands are to bear; such average being calculated in the manner and upon the principles mentioned in the annexed minutes of the arrangement with the Canada Company; any such report being approved by the majority of your members, at a meeting at which you are all present, must be adopted by you all; and you will then cause three copies of it to be engrossed on parchment, and signed and sealed by each of you. One copy of this report, together with your original journal, you will transmit to this department; another copy of your report will be sent to the office of the company in London, and the third to the Lieutenant Governor of the Province. You will make this report before you quit Upper Canada, and having made it, you will consider your commission as closed.

(Signed) [L. S.] BATHURST.

To

LIEUTENANT COLONEL FRANCIS COCKBURN,  
SIMON MCGILLIVRAY, ESQUIRE,  
LIEUTENANT COLONEL SIR JOHN HARVEY, K. C. H. C. B.  
JOHN GALT, ESQUIRE, and  
JOHN DAVIDSON, ESQUIRE.

Colonial Department, Downing Street, }  
20th May, 1825.

R. W. HORTON.



ANNO SEXTO.

GEORGII IV. REGIS.

CAP. LXXV.

AN ACT to enable His Majesty to grant to a Company, to be incorporated by Charter, to be called "The Canada Company," certain lands in the Province of Upper Canada, and to invest the said Company with certain powers and privileges, and for other purposes relating thereto.

[27th June, 1825.]

WHEREAS by an act passed in the thirty-first year of the reign of His late Majesty entitled, "An Act to repeal certain parts of an Act passed in the four-<sup>31</sup>teenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the government of the Province of Quebec in North America, and to make further provision for the government of the said Province,' " it was enacted that it should and might be lawful for His Majesty, His Heirs, or Successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces of Upper and Lower Canada respectively, or the person administering the Govern-

31 Geo. III. chap

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ment therein, to make, from and out of the lands of the Crown within such Province, such allotment and appropriation of lands for the support and maintenance of a Protestant Clergy within the same, as might bear a due proportion to the amount of such lands within the same, as had at any time been granted by or under the authority of His Majesty, and that whenever any grant of lands within either of the said Provinces should thereafter be made, by or under the authority of His Majesty, His Heirs or Successors, there should at any time be made in respect of the same a proportionable allotment and appropriation of lands for the above-mentioned purpose within the township or parish to which the lands so to be granted should appertain or be annexed equal in value to the seventh part of the lands so granted; and whereas in pursuance of the said Act such proportionable allotments and appropriations of lands as aforesaid have from time to time been reserved for the purposes therein mentioned, which lands are known by the name of "The Clergy Reserves." And whereas, the greater part of the said Clergy Reserves in the said Province of Upper Canada have ever since continued and are now waste and unproductive; and it is expedient that means should be adopted for clearing and cultivating the said lands, and for that purpose His Majesty should be authorised to sell and dispose of certain parts thereof to the company to be established as here mentioned. And whereas certain other lands in the said Province of *Upper Canada* have been reserved for the use of His Majesty, and are known in the said province by the name of "The Crown Reserves;" And whereas divers persons have united together to establish a company for purchasing, improving, settling, and disposing of lands in *Upper Canada*, and especially for purchasing and settling the whole of the before-mentioned lands known by the name of "The Crown Reserves," and such parts of the said lands known by the name of "The Clergy Reserves," as His Majesty may be so authorised to sell and convey to them, and for such other lawful purposes as to His Majesty shall seem meet; and the said persons have, in order to carry such purposes into effect subscribed a capital of one million pounds, sterling, upon which the sum of ten pounds, *per centum*, has been paid by the several subscribers; and they have humbly besought His Majesty to grant to them a charter of incorporation; Be it therefore enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in case His Majesty shall, within three years after the passing of this Act, be pleased, by charter of incorporation under the Great Seal of *Great Britain and Ireland*, to declare and grant that such and so many persons as shall be named therein, and all and every such other person or persons as from time to time shall be duly admitted members into their corporation, shall be a body politic and corporate, by the name of "The *Canada Company*," and to declare that the said Corporation, so to be made and created shall be established for the purpose hereinbefore mentioned, and for such other lawful purposes as to His Majesty may seem meet, then and in that case it shall and may be lawful for the said corporation to hold to them and their successors such lands, tenements, and hereditaments within the said Provinces, as shall or may be granted by His Majesty to them and their successors, within the said Provinces, or as subject to the restrictions hereinafter mentioned, shall be contracted for, and purchased or acquired by them therein; and to hold, alienate, sell, and dispose of all such lands, tenements and hereditaments, upon, under, and subject to such conditions, provisoes, limitations and restrictions, as His Majesty, by such his charter, may impose, direct or prescribe.

If His Majesty shall grant a charter the *Canada company* may hold lands &c.

His Majesty may sell to *Company* the land called *clergy reserves*.

2. *And be it further enacted*, That His Majesty shall be, and he is hereby empowered to sell and convey to the said Company and their successors, in fee simple, for such valuable considerations as shall be agreed upon between His Majesty and the said Company, as he shall deem expedient, and upon such conditions, and with and subject to such restrictions, limitations, and provisoes, as His Majesty may be pleased to impose, one equal half part, and no more, of the said reserved lands in the Province of *Upper Canada*, called "the Clergy Reserves," lying in those townships of the said Province, which on or before the first day of *March*, one thousand eight hundred and twenty-four were actually laid out in any of the several Districts thereof; *Provided always*, That the several portions of the said Clergy Reserves which have been granted or demised to any person or persons by any lawful authority, or which have been occupied under any license or promise made or given by any lawful authority, or which have been specially appropriated or set apart for any public purposes, or which have been occupied by any person or persons without disturbance, for a period of ten years, shall not, for

the purposes of any such grant or conveyance, be considered as forming any part of the Clergy Reserves, whereof one moiety may be sold and conveyed to the said Company, as aforesaid; *Provided also*, that the purchase money which shall be paid by the said Company for the lands so to be granted to them, in whatever securities the same may be vested, shall be appropriated exclusively to the support and maintenance of a Protestant Clergy, and shall be in the place of, and remain to the same uses, and for the same purposes, to and for which the said Clergy Reserves have, by virtue of the above recited Act, been allotted and appropriated: *Provided also*, that nothing herein contained shall be deemed or taken to limit or restrict any other grant by His Majesty to the said Company, which by His Majesty's Royal Prerogative he is authorised and empowered to make, or to restrict or prevent the said Company from taking, accepting, and enjoying the same, in as full, ample, and beneficial a manner as His Majesty may be pleased to direct.

3. *And be it further enacted*, That in case His Majesty shall see fit to set apart and appropriate in the said Province of *Upper Canada* other waste lands of and belonging to His Majesty, of equal value with that part of the said Clergy Reserves which His Majesty is so empowered as aforesaid to sell and convey to the said Company, it shall and may be lawful for His Majesty, and he is hereby empowered by any order to be by Him for that purpose made, by and with the advice of His Privy Council, to declare, that the lands so set apart and appropriated shall thenceforward be substituted and change for such last mentioned part of the said Clergy Reserves; and then and in that case such substituted lands shall, from and after the issuing of any such order, be held, set apart, and appropriated upon, for, and to such and the same uses, trusts, interests and purposes, upon, for and to which the said Clergy Reserves are now held, set apart and appropriated.

4. *And whereas*, it may be necessary for the purpose of raising the capital for the proposed undertaking with a view to the accomplishment of the beneficial objects aforesaid, to vest in the said Company such powers and privileges as cannot be granted without the aid of Parliament; *Be it therefore enacted*, That the shares in the said undertaking, and in the profits and advantages thereof, shall be and be deemed personal estate, and as such personal estate shall be transmissible accordingly.

5. *And be it further enacted*, That if any subscriber or any proprietor or proprietors of any share or shares in the said Company, his or their executors, administrators, successors, or assigns, shall neglect or refuse to pay his or their part or portion of the money to be called for, in such manner as may be directed by letters patent, to be granted as aforesaid, during the space of six calendar months next after the time appointed for payment thereof, together with the lawful interest from the appointed time of payment, then and in every such case such person or persons, bodies politic or corporate, so neglecting or refusing, shall absolutely forfeit his or their share or shares in the said Company, and all profits and advantages thereof, and all monies theretofore advanced by him, her or them on account thereof, to and for the use and benefit of said Company; and all shares which shall or may be forfeited shall or may at any time or times thereafter be sold at a public sale, for the most money that can be gotten for the same, and the produce thereof shall go to and make part of the capital stock of the said Company; and such share or shares, forfeited and sold, shall be assigned and transferred to the purchaser by an instrument under the common seal of the said Company, in the manner required upon other transfers: but no advantage shall be taken of such forfeiture of any share or shares, until the same shall be declared to be forfeited at some general or special meeting of all the said proprietors, which shall be held not earlier than six calendar months next after the said forfeiture shall happen, and that every such forfeiture so to be declared shall be an absolute indemnification and discharge to and for the proprietor or proprietors, or his, her, or their, executors, administrators, successors, and assigns, from all liability in respect thereof.

6th.—*And be it further enacted*, That after any call for money, shall have been made and become due and payable by virtue of the provisions which may be introduced for that purpose in any charter or Letters Patent to be granted as aforesaid, no person or persons, bodies politic or corporate, shall sell or transfer any share, or shares which he, she, or they, shall possess in the said stock of the said company, until the money so called for in respect of his, her, or their, share or shares intended to be sold shall be paid, and until such money so called for shall be paid, any such sale or transfer of any share or shares shall be void; and all and every person and persons body politic and corporate, making default therein, shall be subject and liable to forfeit such, his, her, or their, share or shares in the said

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His Majesty may substitute other land for the lands called clergy reserves.

Shares to be personal estate.

Subscribers to forfeit their shares in default of payment of calls.

Shares not to be sold till calls are paid.

## Canada Company charter.

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company, to and for the general benefit of the said company, unless he, she, or they, shall at the time of such sale or transfer pay to the Banker of the said company or such other person or persons as the court of Directors for the time being shall appoint to receive the same, the full sum of money called for upon every share so to be sold or transferred; such forfeiture to be first notified and declared in such manner as may be directed with respect to the forfeiture of shares for not answering the calls to be made therein as aforesaid.

Company may hold lands in every part of His Majesty's dominions.

Limitation of the value of the lands to be purchased.

7th.—*And be it further enacted*, That the said company, may be and are hereby authorised to purchase, take, hold, and sell all Lands, Tenements, and Heriditaments, situate in *Great Britain and Ireland*, or in the said Provinces of *Upper Canada* and *Lower Canada*, which it may be necessary or convenient for the said company to acquire, in order to carry the purposes aforesaid into more complete effect; provided that such Lands, Tenements, and Heriditaments, as may be purchased in *Great Britain and Ireland*, be not altogether of more than the value of five hundred pounds *per annum* at the time of the purchase, and also provided that any such purchases as aforesaid in the said provinces of *Upper Canada* and *Lower Canada*, be of such annual value only as His Majesty by such His Charter or Letters Patent, or by any order, or orders to be by Him issued, with the advice of His Privy Council may from time to time authorise and direct, and be made in conformity with the local Laws and statutes in force in those parts of His Majesty's dominions in which the land so to be purchased may be situate; and the said company may do all other acts and things in relation to the premises, in all respects as beneficially as any other body politic or corporate, or any subject of this Realm, is by Law entitled to do.

Conveyance of lands to be in the following

8th.—*And be it further enacted*, That all conveyances which shall be made, by the said *Canada Company*, to any individual or individuals, of any part of the lands to be granted to, or purchased, or held, by the said Company in the manner and subject to the restrictions aforesaid, shall and may be made according to the form following, or as near thereto as the circumstances of the case will admit, (that is to say,)

Form.

"We, the *Canada Company*, incorporated under and by virtue of an Act made "and passed in the sixth year of the reign of His Majesty King *George* the "fourth, entitled *An Act to enable His Majesty to grant to a Company to be incorporated by charter to be called "The Canada Company,*" certain lands in the Province of "Upper Canada, and to invest the said company with certain powers and privileges, and "for other purposes relating thereto, in consideration of the sum of——— to us "paid, do hereby grant and release to——— all,——— and all our right, title "and interest, to and in the same, and every part thereof; to have and to hold "unto the said——— and his heirs forever."

And every such conveyance shall be valid and effectual in law to all intents and purposes whatsoever.

Charter to be verified and registered.

9th.—*And be it further enacted*, That a copy of His Majesty's charter of incorporation, being duly verified on oath before one of the masters in ordinary of the high court of chancery at *Westminster*, shall be transmitted to the Governor or Lieutenant Governor of the said Province of *Upper Canada* and the said Province of *Lower Canada*, and registered in the office of the chief secretary of each of the said Provinces; and such registry, or copy thereof, shall within the said Provinces respectively be and be deemed and taken to be good and sufficient evidence of the contents of such charter of incorporation, to all intents and purposes.

Public act.

10th.—*And be it further enacted*, That this act shall be deemed and taken to be a public act, and shall extend to and be in force in the said Provinces of *Upper Canada* and *Lower Canada*, and shall be judicially taken notice of as such by all judges, justices, and others, in the United Kingdom aforesaid, and in the said Provinces without being specially pleaded.

A COPY OF THE  
**A R R A N G E M E N T S**  
 MADE AND CONCLUDED  
**BETWEEN HIS MAJESTY'S GOVERNMENT**  
 AND THE  
**CANADA COMPANY.**

*Canada House, London, }  
 3rd October, 1826. }*

SIR :

Mr. Galt, who has been appointed by the directors of the Canada Company to proceed on a special mission to Upper Canada, will have the honour of delivering this letter, and he is instructed to convey the strongest assurances of the personal respect of every member of the court, for the character and government of Your Excellency.

The directors are convinced that the interests of their important establishment are identified with the prosperity of Upper Canada, which under the auspices of Your Excellency has acquired so many advantages and attracted such distinguished attention, and that their interests will be best promoted by a liberal co-operation in every measure calculated to advance the general improvement of the Province. This sentiment they will always impress on their officers and servants, and they are assured that in those transactions to which Mr. Galt may have occasion to solicit the consideration of Your Excellency, he will experience every facility which the subject may require or he can possibly expect.—By the authority of a court of directors held this day.

I have the honor to be,

Sir,

Your Excellency's most

Humble and very obedient servant,

(Signed) JOHN HULLETT,

*Chairman.*

To His Excellency

SIR PEREGRINE MAITLAND, K. C. B.

Lieutenant Governor of Upper Canada,

&c. &c. &c.

*Downing Street, 23rd May, 1826.*

At a meeting held this day at the colonial office at which Lord Bathurst and Messieurs Downie, Hullet, Fullerton, McGillivray, Logan, and Galt, were present, the following arrangement was made and concluded between Lord Bathurst on behalf of His Majesty's Government, and the said Messieurs Downie, Hullett, Fullerton, McGillivray, Logan, and Galt, on behalf of the Canada Company.

1st.—It appearing from the award of the commissioners that the clergy reserves valued by them, comprised 829,430 acres, and those lands being valued at three shillings and sixpence, current money of Upper Canada, per acre, the Canada Company would have to pay to His Majesty's Government the sum of £145,150 5s current money of Upper Canada, if those clergy reserves had been conveyed to them. In lieu of the before mentioned 829,430 acres, His Majesty's Government will grant and convey to the Canada Company, for the same price of £145,150 5s currency, a block of land containing one million of acres, in the territory lately purchased from the Indians, in the London and Western Districts.

2nd.—One third part of the before mentioned sum of £145,150 5s. currency, shall be expended by the Canada Company in public works and improvements

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within the said block of land, and the remaining two third parts only of the said sum of £145,150 5s. currency, shall be actually paid to His Majesty's Government.

3rd.—By the terms "public works" and "improvements" will be understood canals, bridges, high roads, churches, wharves, school houses, and other works undertaken and calculated for the common use and benefit of His Majesty's subjects resident within that part of the Province of Upper Canada, in contradistinction to works intended for the use and accommodation of private persons.

4th.—The plan and estimate of every such undertaking will originate with the Company, and must be invariably submitted by them to the Governor in Council prior to his consent being given, that the expense of such undertaking shall be received in part of payment; and in the event of any difference of opinion arising between the Company and the local Government respecting the advantage or expense of any such proposed undertaking, or respecting the time or mode in which the same may most conveniently be carried into execution, the question is to be referred to the Secretary of State whose decision shall be final.

5th.—Upon the completion of any such undertaking, the Company shall lay before the Governor in Council a statement of the cost incurred by them in effecting the same, and if the Governor and Council shall deem such work to have been duly executed according to the plan upon which the estimate was founded, and in such a manner as was intended at the time that the estimate was formed, the Company shall be allowed credit in account for the amount actually expended, provided it has not exceeded the estimate. If, however, the expense should in any instance exceed such estimate, and the Governor in Council shall deem such excess to have been justified by special circumstances, the Company shall in that case also be allowed credit in account for the amount actually expended, provided such such sums do not exceed in the whole one third of the said purchase money of the said million acres.

6th.—The block of one million acres of land to be allowed to the Company shall be selected by them from such part of the lands, lately purchased from the Indians, as are situated in the London and Western Districts. The block shall be marked out by the Surveyor General or his deputies, and shall approximate to the form of some regular mathematical figure, as nearly as may be, consistently with preserving any well defined natural land mark or boundaries.

7th.—The provisions contained in the original contract of the 26th November, 1824, respecting the resumption of lands by His Majesty for public services; and generally all the provisions contained in those arrangements for the security and benefit of the public, shall be applied to, and affect, the lands to be substituted for the Clergy Reserves.

8th. The block of one million acres of land will be surveyed, and a road will be made through the blocks of Clergy Reserves in the District of Gore, such survey and road will be made at the expense of His Majesty's Government.

The Company shall be allowed *sixteen years* to commence from 1st July, 1826, for the fulfilment of their contract with His Majesty's Government.

9th. In substitution for the provisions contained in the minutes of the agreement respecting the mode of paying the purchase money to His Majesty's Government, it is agreed that the Company shall pay—

In the year commencing the first July 1826, and ending the 1st July, 1827,.....	£20,000
In the year ending the first July, 1828,.....	15,000
In the year ending the first July, 1829,.....	15,000
In the year ending the first July, 1830,.....	15,000
In the year ending the first July, 1831,.....	16,000
In the year ending the first July, 1832,.....	17,000
In the year ending the first July, 1833,.....	18,000
In the year ending the first July, 1834,.....	19,000
In the year ending the first July, 1835,.....	20,000
And in each of the seven succeeding years the like sum of....	20,000

10th.—The sums above mentioned are the amount of what the Canada Company is actually to pay to His Majesty's Government, and do not include the sums which they are to invest in public works and improvements in the block of land in the London and Western districts.

The preceding sums are the greatest amount which in each of the years above mentioned, the Canada Company shall be obliged to pay to His Majesty's Government; but this arrangement is not to prejudice the right of the company to lay out any greater sums of money in any of those years according to the terms of the original contract.

11th.—In the year ending the 1st July, 1843, the company shall either take up on the terms already stated all the lands then remaining to be taken up, or shall terminate the contract and abandon all claim to such lands as have not at that time been taken up by them.

12th.—If any of the lands to be sold to the company shall be alleged by them to be altogether unfit for cultivation, either in arable or in pasturage, arbitrators shall be appointed in the manner prescribed in the 31st article of the original contract; and such arbitrators shall decide both whether such lands, or any of them, are totally unfit for cultivation, and what is the amount of the compensation or equivalent to be allowed to the company in respect of any such lands; and the lands which shall have been thus decided to be totally unfit for cultivation, shall be thenceforth considered as having lapsed to the crown, and belong exclusively to the crown.

13th.—Lord Bathurst will immediately take the necessary measures for completing the charter of the company with all practicable despatch.

Lord Bathurst does not consider that the formation of high roads would be a legitimate application of money within the meaning of clause No. 3, except in those peculiar and special cases in which the formation of the road may be directly conducive to the public interest of the Province, and His Lordship will instruct the Lieutenant Governor, that he is to approve of expenditure on high roads under this clause only in those cases where such general interests may be promoted by the undertaking.

(Signed) BATHURST.

## CANADA COMPANY'S CHARTER.

*GEORGE the FOURTH by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth.*

To all whom these present shall come,

GREETING :

**W**HEREAS in and by a certain Act of Parliament, made and passed in the sixth year of our reign, entitled "An Act to enable His Majesty to grant to a company to be incorporated by charter, to be called 'The Canada Company,' certain lands in the Province of Upper Canada, and to invest the said Company with certain powers and privileges, and for other purposes relating thereto," after reciting, among other things, that divers persons had united together to establish a company for purchasing, improving, settling, and disposing of, certain lands in the Province of Upper Canada, and for other lawful purposes; and in order to carry into effect the purposes aforesaid, had subscribed a capital of one million pounds, sterling, upon which the sum of ten pounds per centum had been paid by the several subscribers, and had humbly besought us to grant to them a charter of incorporation; it was enacted, that in case we should, within three years after the passing of that act, be pleased, by charter of incorporation, under the great seal of Great Britain and Ireland, to declare and grant that such and so many persons as should be named therein, and all and every such other person or persons as from time to time should be duly admitted members into their corporation, should be a body politic and corporate by the name of "The Canada Company," and to declare that the said corporation so to be made and created, should be established for the purpose therein before mentioned, and for such other lawful purposes as to us might seem meet; then and in that case it should and might be lawful for the said corporation to hold to them and their successors, such lands, tenements, and hereditaments, within the Province of Upper Canada and Lower Canada, as should or might be granted by us to them and their successors, within the said Provinces, or as, (subject to the restrictions hereinafter mentioned) should be contracted for, and purchased or acquired by them therein, and to hold,

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alienate, sell, and dispose of, all such lands, tenements, and hereditaments, upon, under, and subject to such conditions, provisoes, limitations, and restrictions, as we by such our charter might impose, direct, or prescribe; and further provisions were in and by the said act of parliament made for raising the capital of the said company, and for transferring the shares, and for other matters therein mentioned.

NOW KNOW YE, That upon the prayer of the several persons hereinafter named, and others, and also of our special grace, certain knowledge and mere motion, we have given, granted, made, ordained, constituted, declared, and appointed, and by these presents us, our heirs and successors, do give, grant, make, ordain, constitute, declare, and appoint, that Charles Bosanquet, Esquire, William Williams, Esquire, Robert Biddulph, Esquire, Richard Blanchard, Esquire, Robert Downey, Esquire, John Easthope, Esquire, Edward Ellice, Esquire, James Wm. Freshfield, Esquire, John Fullarton, Esquire, John Galt, Esquire, Charles David Gordon, Esquire, William Hibbert, the younger, Esquire, John Hodgson, Esquire, John Hullett, Esquire, Hart Logan, Esquire, Simon McGillivray, Esquire, James McKillop, Esquire, John Masterman, Esquire, Martin Tucker Smith, Esquire, and Henry Osborne, Esquire; together with such and so many other person or persons, bodies politic or corporate, as have become, or shall at any time hereafter become, subscribers or shareholders of or for the capital stock hereinafter mentioned, in manner hereinafter provided, and their respective successors, executors, administrators, and assigns; and such other person or persons, bodies politic or corporate, as shall from time to time be possessed of or entitled to, such shares as are hereinafter provided, shall be one body politic and corporate, in deed and in name, by the name of "The Canada Company," and by that name shall and may sue and be sued, implead and be impleaded, in all courts whether of law or equity, and shall have perpetual succession, with a common seal, which may by them be changed or varied at their pleasure.

And we do declare, that the said corporation shall be, and is, established for the purpose of purchasing, holding, improving, clearing, settling, and disposing of waste and other lands in our Province of Upper Canada, and for making advances of capital to settlers on such lands, for the opening, making, improving and maintaining roads and other internal communications for the benefit thereof, and for promoting the cultivation of such articles as can advantageously be exported from the said province, and for the other purposes hereinafter mentioned, with all such powers, privileges, and authorities as are in and by the said act of parliament contained and expressed.

And we do further declare and ordain, that the present capital or joint stock of the said Company, to be used and applied in establishing and carrying on the said undertaking, and for the purposes aforesaid, shall be a sum of not exceeding one million pounds sterling; to be raised in shares of one hundred pounds each: and that the shares in the said undertaking, and the profits and advantages thereof, shall be and be deemed personal estate, and as such personal estate shall be transmissible accordingly.

And we do further declare and ordain, that all and every person and persons, bodies politic or corporate, by or from whom any subscription shall be made or accepted, or any payment made pursuant to the provisions herein contained, for that purpose, for or toward the raising of the said capital sum of one million pounds, as aforesaid, his, her, or their successors, executors, administrators, and assigns, respectively, (no such subscription being less than one hundred pounds) shall have and be entitled to a share of and in the said capital or joint stock of the said company in proportion to the monies which he, she, or they, shall have so contributed towards making up the same, and shall have and be entitled to a proportionable share of the profits and advantages attending the capital stock of the said company, and shall be admitted to be a proprietor or proprietors of and in the same.

And we do further declare and ordain, that the said Company, or the directors to be appointed by virtue of this our charter, shall cause the names and designations of the several persons and bodies politic and corporate who have subscribed for, or may at any time hereafter be entitled to, a share or shares in the said Company, with the number of such share or shares, and also the proper number by which every share shall be distinguished, to be fairly and distinctly entered in a book or books, to be kept by their Clerk or Secretary.

And we do further declare and ordain, that the several persons, bodies politic or corporate, who have subscribed for and towards the said capital, or who shall at any time hereafter have or hold any share or shares in the same, shall, and they are hereby required to pay the sum or sums of money by them respectively subscribed, or such parts or proportions thereof as shall from time to time be called for, pursuant to or by virtue of the powers and directions of this our charter, at such times and places, to such person or persons, and in such manner as shall be ordered and directed by any Court of Directors for the time being of the said Company; and in case any person or persons, bodies politic or corporate, shall neglect or refuse to pay any such sums of money, at such times and in such manner as shall be ordered and directed by the Court of Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same, together with lawful interest, from such appointed time of payment, from such person or persons, bodies politic or corporate; or in cases where two or more persons, bodies politic or corporate, shall have jointly subscribed for, or be jointly possessed of, any one or more share or shares in the said Company, then from all, any or either of such persons, bodies politic or corporate.

And we do further declare and ordain, that whenever two or more persons, bodies politic or corporate, shall be jointly possessed of, or entitled to, any share or shares in the said Company, the person whose name shall stand first in the books of the said Company as proprietor of such share or shares, shall, for all the purposes of the said Company, and of this our charter, be deemed and taken to be the owner or proprietor of such share or shares; and all notices required to be given to the owner or proprietor of any share or shares in the said Company, shall or may be given to or served upon such person or body whose name shall so stand first in the books of the said Company; and such service upon such person or body shall be deemed and taken to be a service upon all the owners or proprietors of such share or shares, for all the purposes for which such service is intended to be made upon the owners or proprietors of such share or shares; and all such owners or proprietors shall be entitled to give their vote or votes, in respect thereof, by the person or body whose name shall stand first in the books of the Company, as such proprietor of such share or shares, and his vote shall on all occasions be deemed and allowed to be the vote for and in respect of the whole property in such share or shares, without proof of the concurrence of the other proprietor or proprietors of such share or shares.

And we do further order, declare, and ordain, that it shall be lawful for the several proprietors of the said company, their executors, successors, and assigns, to sell and transfer any share or shares, of which they shall respectively be possessed, and every such transfer shall or may be in the form and to the effect following, that is to say:—

(I, or we) \_\_\_\_\_ of \_\_\_\_\_ in consideration of \_\_\_\_\_ paid to (me or us) by \_\_\_\_\_ of \_\_\_\_\_ do hereby bargain, sell, assign, and transfer unto the said \_\_\_\_\_ the sum of \_\_\_\_\_ capital stock of and in the undertaking called the Canada Company, being \_\_\_\_\_ (share or shares) (number or numbers) in the said undertaking, to hold to the said \_\_\_\_\_ executors, administrators, or assigns subject to the same rules, orders, and regulations, and on the same conditions that (I, or we) held the same immediately before the execution hereof; and (I, or we) the said \_\_\_\_\_ do hereby agree to accept and take the said \_\_\_\_\_, (share or shares,) subject to the same rules, orders, regulations and conditions; witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_, or such transfers shall be in some other convenient form, to be devised by the said company; and every such transfer shall be under the hand or hands of the member or members transferring such share or shares, or of some person or persons lawfully authorised by him, her, or them for that purpose, under which transfer the person or persons, bodies politic or corporate, to whom such transfer shall be expressed to be made, or some other person by him, her, or them, lawfully authorised, shall sign his, her, or their name or names, signifying the acceptance of such transfer; which said transfer shall be made and entered in a book to be kept by the said company for that purpose, for which a fee shall be paid to and for the use of the company, not exceeding ten shillings for each share transferred, to be from time to time fixed by the said court of directors, in addition to the stamp duty, payable in respect of such transfer, and that such transfer so to be executed as aforesaid, shall affect the transfer of such share or shares, and shall convey the

## Canada Company charter.

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whole estate and interest therein of the person or persons so transferring, or authorising the same to be transferred to the person or persons, bodies politic or corporate, so taking or accepting the same—which person or persons, bodies politic or corporate, shall thereby forthwith become in all respects members of the said company in respect of such share or shares, in the place of such person or persons so transferring the same or authorising the same to be transferred; and that until such transfer shall be made and entered in such book, in manner aforesaid, no person or persons claiming an interest in any such share or shares, by purchase or otherwise, shall be deemed the proprietor or proprietors of such share or shares, or shall be entitled to any dividend or beneficial interest in the said capital stock in respect thereof, nor until six calendar months, after such transfer shall have been made, be entitled to vote at any meeting or meetings as proprietor or proprietors of the said company in respect of such share or shares; and a copy of such transfer extracted from the said book wherein the same is made and entered, and signed by the said clerk, secretary, or other officer of the said company duly authorised thereto, shall be sufficient evidence of every such transfer, and be admitted and received as such.

Provided always, and we do further order, declare, and ordain, that after any call for money shall have been made and become due and payable by virtue of this our charter, no person or persons, bodies politic or corporate, shall sell or transfer any share or shares which he, she, or they, shall possess in the said stock of the said company, until the money so called for in respect of his, her, or their share or shares intended to be sold shall be paid, and until such money so called for shall be paid, any such sale or transfer of any share or shares shall be void; and all and every person and persons, body politic and corporate, making default therein, shall be subject and liable to forfeit such his, her, or their share or shares in the said company, to and for the general benefit of the said company, unless he, she, or they, shall at the time of such sale or transfer, pay to the banker of the said company, or such person or persons as the court of directors for the time being shall appoint to receive the same, the full sum of money called for upon every share so to be sold or transferred, such forfeiture, nevertheless, to be first notified and declared in manner directed by this charter with respect to forfeiture of shares for not answering the calls to be made thereon as aforesaid.

And we do further declare and ordain, that when any person or persons shall claim any part or share in the said capital or joint stock of the said company, or the profits thereof in right of marriage, an affidavit, or solemn affirmation by Quakers, of such marriages containing a verified copy of the register of such marriage, or the purport of such register, shall be made and sworn to or affirmed or made by some credible person before one of our justices of the peace, or before a judge of some court of record in the United Kingdom, or in any of our Colonies and settlements abroad, or before some person duly qualified to administer an oath, if in any other country, and shall be delivered to and left with the clerk, secretary, or other proper officer, for the time being, of the said company, appointed for that purpose, who shall preserve the same, and make an entry thereof in the book or books which shall be kept by the said clerk for the entry of transfers and sales of shares in the said company, before such person or persons shall be entitled to sell or assign any share or shares, or to claim payment of any dividend or dividends in respect thereof, or to vote as the proprietor of such share or shares. And when any person or persons shall claim any part or share in the capital or joint stock of the said company, or the profits thereof, under or by virtue of any will or bequest, or in a course of administration the probate copy of the will, or the letters of administration in case the proprietor shall have died intestate, shall be produced and shewn to the said clerk, secretary, or other officer aforesaid, who shall make an entry of such will, or of so much thereof as shall relate to the disposition of the share or shares of the testator, or of the letters of administration in case the proprietor shall have died intestate, before any person or persons shall be entitled to sell and assign such share or shares, or to claim payment of any dividend or dividends, in respect thereof.

Provided nevertheless, that no bequest, clause, matter, or thing, in any such will contained, shall bind or affect the said company with notice of any trust or disposition of any share or shares in the capital or joint stock of the said company, or the gains and profits thereof, but the registry of every such share or shares shall be in the name or names of the executor or executors who shall prove the will of such testator, or the administrator or administrators of his effects, whose receipt or receipts to the said company for the gains and profits thereof, and to any

purchaser or purchasers for the amount of the purchase money paid upon the sale and conveyance of such share or shares, shall be good and effectual, and shall bind the cestueque trusts, and all other persons claiming in trust or otherwise under such testator.

And we do further declare and ordain, that the directors hereafter mentioned or the directors for the time being, or such of them as shall be present at and constitute a court of directors, or the major part of them, shall have full power to make such call or calls for money from the several subscribers and proprietors, for the time being, of the said company, their respective executors, administrators, successors, and assigns, not exceeding in the whole the sum of one hundred pounds on each of the shares of and in the capital stock of the said company, held by him, her, or them, respectively, as the said court of directors shall from time to time find wanting and necessary for the purposes of the said company, so that no one such call do exceed the sum of ten pounds sterling for or in respect of any one share of one hundred pounds, and so that no call or calls be made but at the distance of three months, at least, from another, and the sum or the several sums of money so to be called for shall be paid to the bankers of the said company, for the time being, or to such other person or persons, and at such time and place, as shall be appointed by the said court of directors, of which time and place twenty days previous notice, at least, shall be given in the London Gazette, and in such two or more of the daily London newspapers, as the said court of directors shall direct.

And we do further declare and ordain, that if any subscriber or any proprietor or proprietors of any share or shares in the said company, his, her, or their executors, administrators, successors, or assigns, shall neglect or refuse to pay his, her, or their part or portion of the money to be called for by the court of directors as aforesaid, during the space of six calendar months next after the time appointed for payment thereof, together with lawful interest from the appointed time of payment, then and in every such case, such person or persons, bodies politic or corporate, so neglecting or refusing, shall absolutely forfeit all his, her, or their share or shares in the said company, and all profits and advantages thereof, and all monies theretofore advanced by him, her, or them, on account thereof, to and for the use and benefit of the said company, and all shares which shall or may be so forfeited, shall or may at any time or times hereafter, be sold at public sale for the most money that can be gotten for the same, and the produce thereof, shall go to and make part of the capital stock of the said company; and such share or shares forfeited and sold shall be assigned and transferred to the purchaser by an instrument under the common seal of the said company in manner required upon other transfers of any share or shares, but no advantage shall be taken of such forfeiture of any share or shares until the same shall be declared to be forfeited at some general or special meeting of the said proprietors, which shall be held not earlier than six calendar months next after the said forfeiture shall happen; and that every such forfeiture so to be declared, shall be an absolute indemnification and discharge to and for the proprietor or proprietors, or his, her, or their executors, administrators, successors, or assigns, so forfeiting, against all actions, suits, and prosecutions, from all liability in respect thereof, and for any breach of contract, or other agreement between such proprietor or proprietors, his, her, or their executors, administrators, successors, and assigns, and the said company, in respect of such share or shares, with regard to the future carrying on and management of the said company.

And for the better ordering, managing, and governing, the affairs of the said company, and for making and establishing a continual succession of persons to be directors and auditors of the said corporation,—We do by these presents, for us and our heirs and successors, grant unto the said company and their successors, and we do hereby ordain and appoint, that there shall be from time to time, constituted in manner hereinafter mentioned, out of the members of the said company, a governor and a deputy governor, who shall also be directors, and sixteen other directors, as hereinafter mentioned, and four auditors of the said Company, and a secretary; which governor, deputy governor, and other directors, or any five of them, shall constitute and be called a court of directors, for the ordering, managing, and directing, in the manner, and under the provisions hereinafter contained, the affairs of the said Company; and that the said Charles Bosanquet shall be the first governor, and the said William Williams shall be the first deputy

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governor, and the said Robert Biddulph, Richard Blanchard, Robert Downie, John Easthope, Edward Ellice, John Fullarton, Charles David Gordon, William Hibbert, Junior, John Hodgson, John Hullett, Hart Logan, Simon McGillivray, James McKillap, John Masterman, Martin Tucker Smith, and Henry Osborne, shall be the first directors, in addition to the said Charles Bosanquet, and William Williams; and that Thomas Starling Benson, Esquire, Thomas Poynder, Junior, Esquire, Thomas Willson, Esquire, and John Woolley, Esquire, shall be the first auditors, and that the said governor, deputy governor, and other directors and auditors, shall continue in their respective offices until the first Wednesday after the twenty-fifth day of March, which will be in the year of our Lord, one thousand eight hundred and twenty-nine, and until others shall be duly elected in their respective offices, unless they, or any of them, shall sooner die, resign, or become disqualified, as hereinafter mentioned; which election shall be had and made in manner hereinafter in that behalf provided, and the persons then so elected to such offices, shall be in the places of the first governor, deputy governor, other directors and auditors.

And we do, by these presents further ordain, constitute and appoint, that it shall be competent to the said Company to manage and conduct the affairs of the said Company, in the Province of Upper Canada, by a board of commissioners, to consist of two or more persons resident in Upper Canada, with such powers and authorities to contract for, and bind the Company to such extent, and subject to such restrictions as the court of directors of the said Company shall, from time to time, determine; and such commissioners shall, in all things, conform themselves to such directions, regulations, and instructions, as shall, from time to time, be communicated to them by the court of directors of the said company.—*Provided always*, that such restrictions as shall be imposed by the said court of directors upon the powers or authorities of the said commissioners to contract for and bind the said Company, shall be, from time to time, publicly made known in the said Province, by transmitting a copy of such restrictions to the clerk of the peace of the said Province, which the said commissioners are hereby required to do, and to certify the same under their hands, which copy the clerk of the peace shall permit all persons to inspect at all reasonable times; and the said commissioners shall, from time to time, communicate to the said court of directors in London, full and particular information of all transactions, acts, deeds, matters, and things, concerning the affairs of the said company, or in anywise affecting the same.

And we do further, by these presents, ordain, will, and appoint, that it shall and may be lawful for all and every the members or shareholders of the said Company, from time to time, to assemble and meet together at any convenient place or places, for the choice of their governor, deputy governor, other directors, and auditors, and for the making bye-laws, rules, orders, and regulations, for the government of the said Company, and for other affairs or business concerning the same, twenty-one days previous notice thereof being given by advertisement in the London Gazette, and in two or more of the daily London newspapers, and a notice in writing also affixed upon the Royal Exchange of London, at least fourteen days previous to the time appointed for such meeting, and all the members of the said Company, or so many of them as shall be so assembled, shall be and be called a general court of such Company, which court shall assemble and meet at such times, and in such manner, as hereinafter mentioned, and that such meetings being so duly assembled shall, with the majority of the proprietors so assembled, have power to adjourn from time to time as shall be convenient; and that on some day or days between the tenth day of January, and the first Wednesday after the twenty-fifth day of March, inclusive, which shall be in the year of our Lord one thousand eight hundred and twenty nine, and in every succeeding year; there shall be yearly and successively chosen all succeeding directors and auditors of the said Company as hereinafter provided, out of the members of the said company, by the majority of the votes of all and every such members of the said company in general court assembled, as shall be personally present, and of all bodies politic or corporate, who may vote by deputation under their common seal at such meeting, who shall be entitled to vote in respect of their shares in the said capital stock of the said company, in the proportions following: that is to say, that every holder of five and less than ten shares in the said capital stock shall be entitled to one vote; every holder of ten and less than twenty shares, to two votes; every holder of twenty and less than twenty-five

shares, to three votes, and every holder of twenty-five shares or upwards, to four votes, and no more; which succeeding directors and auditors shall severally and respectively continue in their offices to which they shall be so elected for the period, and in manner, hereinafter provided, and until others shall be duly chosen in their places respectively; and the election of such directors and auditors at the annual or other elections, shall take place by ballot, or in such other mode as shall be determined by any bye-law of the company, to be made as herein provided. It being hereby ordained and declared, that one third of the said directors, and one of the said auditors, shall go out of office in rotation every year, to commence with the said election in the year one thousand eight hundred and twenty-nine; and another election of six directors and one auditor shall thereupon take place; but, nevertheless, the directors and auditors so going out of office in rotation for the time being are, and shall, at all times hereafter, be capable of being re-elected to their said offices, or elected to any other offices in the said company, if otherwise properly qualified, and in regard that the said rotations cannot take place during the three years including and commencing with the said year one thousand, eight hundred and twenty-nine, the directors and auditors hereby appointed respectively who are to go out of office, as aforesaid, on the first Wednesday after the twenty-fifth day of March of the same three years, shall be ascertained and known by drawing lots for that purpose at any of the meetings of the said directors and auditors respectively, in such fair and proper manner as the said directors shall in their discretion agree to and approve of, so always that the names of the directors to go out by rotation shall be declared, and notice thereof affixed in some conspicuous place in the office of the company, at least fourteen days before the day of the annual election for the choice of directors; but the governor, or deputy governor, shall not be included in the ballot or list for drawing lots within the year one thousand, eight hundred and twenty-nine, or one thousand, eight hundred and thirty, but shall vacate their offices with the directors upon whom the lot shall fall to go out of office in the year one thousand, eight hundred, and thirty-one, and shall, with those directors, be re-eligible, if otherwise properly qualified; and the governor, deputy-governor, and other directors or auditors, so, from time to time, elected and chosen shall be elected and chosen for the term of three years, unless such governor, deputy governor, or other director, or auditor, shall be elected in the room of some other governor, deputy-governor, or other director or auditor dying, resigning, or becoming disqualified, in which case he or they shall be elected for such period or time as the governor, deputy-governor, or other director or auditor in whose room or stead he or they were elected had to serve. *Provided, nevertheless,* That in all cases of a vacancy of governor or deputy-governor, at the annual or any other election, it shall be competent for the proprietors duly qualified to elect any of the continuing directors, or any of the directors to be chosen at such election, to be governor or deputy-governor, such proprietors declaring and specifying by their vote or ballot, the name or names of the person, whether a continuing director or directors elected or re-elected at such election, for whom such proprietors vote to be governor or deputy-governor; and if any continuing director or directors shall be chosen governor or deputy-governor, he or they shall be governor or deputy-governor for the period he or they shall have to serve as director at the time of election as governor or deputy-governor; and if any new director or directors shall be chosen governor or deputy-governor, he or they shall be governor or deputy-governor for the period which he or they shall be chosen at such election; *Provided also,* that the person who shall have served the said office of director or auditor shall, if otherwise properly qualified, be eligible to be re-chosen to the said office.

And we do further, by these presents, for us, our heirs and successors, grant unto the said company and their successors, and will and ordain, that no person shall, at any time, be capable of being chosen governor, deputy governor, or other director or auditor of the said company, unless he shall, at the time of such election, be a natural born or naturalized subject of the United Kingdom, and shall also have, in his own name, and in his own right, twenty-five shares or more of the capital stock of the said company; and that no director or auditor shall continue in his or their respective offices longer than the continuance of such their respective interest in such number of shares in their own names and rights, and to their own uses respectively:—and in case any governor or deputy governor, other director or auditor, shall be in any manner divested of or part with such of his shares as to reduce the same to any lesser number than aforesaid, then the court of directors for the time being, at their next meeting, when such fact shall

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be made to appear to them, shall proceed to declare the said respective offices or places of such governor, deputy governor, other directors or auditors so divested of, or parting with, their said shares as aforesaid, to be vacant, and the said vacancy or vacancies, so declared, shall be filled up in the same manner as in the case of other vacancies at the general court of the said company, which shall be duly held next after such declaration; and that in every case where any governor, deputy governor, other director or auditor, shall happen to die, or resign his office, before the annual election of such officers, the major part of the members of the said company, qualified as aforesaid to be assembled in a general court, shall and may elect and choose any other member or members of the said company, qualified as aforesaid, into the office of such governor, deputy governor, other director or auditor, that shall so die or resign; which person or persons so to be elected, shall continue in his or their said office for such and the like period as the governor, deputy governor, director or auditor, had to serve in whose place or stead he shall be so elected.

And we do further ordain and direct, that the want of, or failure to elect all or any of the directors to compose a competent court of directors, shall not in any manner tend to work the dissolution of the said corporation, but that the general body of members shall and may be lawfully assembled and convened at some day to be fixed by the remaining directors or the major part of them for the election of the requisite number of directors in manner hereinbefore provided, which directors so elected shall have and continue all powers, privileges, and authorities, hereinbefore provided for the continuance and government of the said corporation.

And we do further by these presents, ordain, constitute, and appoint, that it shall and may be lawful to and for the said company, at any general court, to grant such salaries and allowances to be paid to the said governor or deputy governor, and other directors, and auditors, and secretary, of the said company, as may be deemed expedient, provided that circular notices convening such general court shall issue at least one month before such meeting, and which notices shall contain a distinct statement, that a motion will be made at such court for the grant of such salaries and allowances.

And we do further will, direct, and appoint, that for the better ensuring the good government and prosperity of the said company, there shall be holden two general courts of the said company, at the least, in each year, some time in the course of the months of June and December, on a day to be appointed by the court of directors, and with such notices as are hereinbefore provided, at which the half-yearly dividends shall be declared; and if there shall at any time hereafter be a failure of holding a general court in either of the said months as aforesaid, then and in such case, any three or more of the said directors shall and may, giving such notices as are hereinbefore directed, summon and call a general court, which shall be holden in the month next ensuing the month in which such general meeting should have been holden, as aforesaid, or as soon after as the notices hereby directed will allow.

And we do further will, direct, and appoint, that fourteen days before the general court to be held in the month of December in every year, the accounts of the said company shall be submitted to and audited by the auditors for the time being, or any two of them, and a statement of the income and outgoings of the said company, being the result of such accounts, shall be signed by the said auditors, or any two of them, and laid before the then next meeting of the said court of directors.

And further, we do, by these presents, direct and appoint, that upon the requisition in writing of any twenty or more of the members of the said company, each having not less than ten shares in the said capital stock, the court of directors shall, within twenty-one days after such requisition, (and of which such notices shall be given as are hereinbefore directed,) summon and call a special general court, either for special or general purposes, to be held of the members of the said company, qualified to vote as electors as aforesaid, and in default of the court of directors, to summon and call such court, it shall and may be lawful for the said twenty or more members, having such shares as aforesaid, upon fourteen days previous notice, by advertisement under their hand, in the London Gazette, and in two or more of the daily London newspapers, and by writing affixed on the Royal Exchange in London, to summon and hold a special general court,

and there to consider and debate upon any business relating to the government or affairs of the said company, and in case such special general court shall have been convened for any special purpose, then to proceed in such special matter, and to come to any determination, or to despatch any business belonging to such special purposes, or otherwise to come to any resolution or resolutions for the further examination into the matters relating to the affairs and government of the said company; and that it shall and may be lawful, in pursuance of any resolution by the major part of the members composing such special general court, to adjourn the same to a day then to be fixed upon, and so from time to time, and that such special general or adjourned general court, composed of members qualified as aforesaid, shall be holden finally to determine by the majority of their voices upon all resolutions relating to the affairs and government of the said company. *Provided always*, that in every such case the requisition and summons for a general court shall express the purpose thereof.

And we do hereby further, for us, our heirs and successors, give all power to all and every the members of said company, qualified to vote as aforesaid in a general court duly assembled by the majority of the votes of those there present, to make and constitute such bye-laws, rules, orders, and regulations, for and relating to the affairs and government of the said company, so that such bye-laws, rules, orders, and regulations, be not repugnant to the laws and statutes of this realm, nor repugnant to any of the enactments herein contained. *Provided always*, that such bye-laws, rules, orders, and regulations be duly recorded in the public book of the said company, so that the same may be at all seasonable times accessible to the members and officers of the said company.

And, we do further constitute, direct, and appoint, that the governor, or in his absence, the deputy governor, shall preside and act as chairman of the said court of directors and general meetings of the said company; and if it shall so happen, that at any meeting of the said directors, or at any general meeting of the said company, neither the governor or deputy governor shall attend, it shall be lawful for the major part of the directors then present to appoint a chairman for that occasion; and in case no director shall be present at a general meeting of the said company, or in case the director or directors present shall not appoint a chairman for such occasion, it shall be lawful for the members of the said company then present, or the major part of them, to appoint a person to preside at such meeting; and the governor, deputy governor, or other person presiding at any such meeting, shall, in case of any equality of votes, have a second or casting vote.

And we do hereby, for us, our heirs and successors, ordain, declare, limit, direct, and appoint, that all sums of money paid and received in respect of the shares of the said company, together with all requisitious or investments whatsoever, whether real or personal, or wheresoever lying, being, and situated, in the United Kingdom or elsewhere, whether vested in the said company in their own name, or in the names of trustees, or in what manner soever the same shall be vested, shall form and constitute the joint or capital stock of the said company and their successors for ever, and shall be liable and answerable for the debts, liabilities and engagements of the said company.

And we do further, by these presents, for us, our heirs, and successors, grant unto the said company, and we do will and direct, that in case the sum already subscribed shall be found insufficient in the opinion of the court of directors of the said company, to carry into full effect the beneficial purposes aforesaid then and in such case it shall be lawful for the members of the said company, for the time being, in pursuance of any resolution adopted at one and confirmed at a subsequent general, or general special court, to raise and contribute amongst themselves, in such shares and proportions as they shall think proper, or by the admission of new subscribers, any further or other sum of money, not exceeding the sum of one million pounds sterling, and every subscriber towards raising such further sum of money shall be a proprietor of and in the capital of the said company, and shall have a like vote in respect of his or her shares in the said additional sum so to be raised, and be liable to such forfeitures, and stand interested in all the rights, profits and advantages of the said company, in proportion to the sum he, she, or they, shall subscribe to the said capital so extended, to all intents and purposes, as if such further or other sum hereby allowed to be subscribed for or raised, had been originally part of the capital of the said company, anything hereinbefore contained to the contrary in anywise notwithstanding.

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And we do hereby further, for us, our heirs and successors, grant unto the said company, and their successors, and we do will direct and appoint, that it shall and may be lawful for the said company, for the purposes aforesaid, not only to purchase, take hold, sell, let, and dispose of, all such lands in the provinces of Upper Canada and Lower Canada, as aforesaid, and more especially any such lands as shall be granted by us in virtue of our royal prerogative, or by the authority of Parliament, and also to contract for, bargain, purchase, and export, all such merchandizes, matters, and things, as may be necessary or convenient for the cultivation, clearing, or improving of the lands which may be purchased by the said company, as aforesaid, or as hereinafter mentioned; and shall also be empowered, and they are hereby authorised, to import and receive, and to sell and dispose of all goods and merchandize which may be consigned or remitted to them from such their lands, in payment or satisfaction of any rent or purchase money arising from the occupation or sale of any such lands, and to receive and negotiate in England bills of exchange, promissory notes, or other negotiable securities, for money which may be remitted to them on account of any such rent or purchase money; and also to purchase, take, hold, sell, and dispose of, all lands, tenements, and hereditaments situate in Great Britain and Ireland, or in the said provinces of Upper Canada and Lower Canada, or elsewhere in our dominions, which it may be necessary or convenient for the said company to acquire, in order to the carrying the purposes of this charter into more complete effect; *Provided*, that such lands, tenements, and hereditaments, as may be purchased in Great Britain and Ireland, be not altogether of more than the value of five hundred pounds per annum at the time of such purchase; and also provided, that any such purchasers in the said provinces of Upper Canada and Lower Canada, be of such annual value only as we, by any order or orders to be by us issued, with the advice of our privy council, may from time to time authorize and direct, and be made in conformity with the local laws and statutes in force in those parts of our dominions in which the lands so to be purchased may be situate; and that the said company may do all other acts and things in relation to the premises in all respects as beneficially as any other body politic or corporate, or any subject of this realm is by law entitled to do.

And we further will, declare and appoint, that it shall and may be lawful to and for the said company, to advance and lend money to the local governments in the said provinces of Upper Canada and Lower Canada for any purpose whatsoever, or to any trustees, commissioners, or other persons having the care of making or executing any public works in the said provinces, or either of them, at such rate of interest as may be agreed upon in every such case, and to take and accept from such government, or from any such trustees, commissioners, or other persons, such assignment, grant, demise, or other security, of or upon any public revenues of the said provinces, or upon any rates, tolls, charges or assessments within the said provinces, or any or either of them, or such other security for the payment of the money so to be advanced, and also for the interest thereon, as to the said company shall appear satisfactory, and which shall be good, valid, and effectual, for the purposes expressed therein, and shall and may be enforced for the benefit of the said company, their successors and assigns.

And we do further, by these presents for us, our heirs and successors, grant, direct and appoint, that the said governor, deputy governor, and other directors, for the time being, or any five or more of them, shall and may from time to time, and at all convenient times, and when, and as often as they shall think fit, assemble and meet together at any place or places for the direction and management of the affairs of the said company; and being so assembled, shall in such direction and management in all respects conform themselves to such bye-laws, rules, orders, and regulations, as shall from time to time be made by any general or special court of the said company, and subject to all such bye-laws, rules, orders, and regulations, shall and may direct and manage the affairs and business of the Company in all and singular the matters and things hereinbefore particularly set forth in the disposition and investment of all cash, bills, notes and other securities to the company, and in all other the traffic, commerce, and dealings of the said company, and that they shall have power and authority to enter into all contracts whether under seal or otherwise, on behalf of the company, and to make and execute all assignments, conveyances and all other acts to which the corporate seal is required to be affixed, and to appoint a clerk, secretary or secretaries, solicitors, attorneys, commissioners, factors, agents, or servants, which shall, from time to time be ne-

cessary to be employed in the affairs and business of the said company, and to allow and pay them reasonable salaries and allowances, and to displace and remove them, or any of them, as they shall see cause, and generally to do and act in all matters and things whatsoever, which they shall judge necessary for the well ordering and managing the said company, and the affairs thereof; and to do, enforce, perform, and execute all powers, authorities, provisions, acts and things in relation to the said company, and to bind the said company as if the same were done by the whole corporation. *Provided always*, that all matters and things which the said directors shall, in manner aforesaid, and in writing, order and direct to be done by sub-committees, or other persons appointed under them, shall and may, by virtue of such orders, be done by the said sub-committees or other persons appointed.

*Provided also*, that in no case shall the corporate seal of the said company be affixed to any instrument whatsoever, except by order in writing of the court of directors, and in the presence of at least two of the directors, who shall attest by their signatures such sealing, and that the same was done by order of the court of directors, which attestation shall be evidence of the fact of such order.

*Provided always*, and we do further declare and ordain, that all and every contract or contracts made or entered into, by or on behalf of any governor, deputy governor, director, auditor, or secretary, of the said company, or in which any such governor, deputy governor, director, auditor, or secretary, shall be either directly or indirectly interested or concerned for doing or causing to be done, any work for or on behalf of the said company, or for supplying any of the articles, materials, or things, to or for the use of the said company, shall be absolutely null and void to all intents and purposes whatsoever; and every such governor, deputy governor, director, auditor, and secretary, who shall enter into any such contract or contracts as aforesaid, shall, *ipso facto*, cease to be such governor, deputy governor, director, auditor, or secretary, as the case may be, and a new election of some other proprietor, duly qualified, shall take place in manner herein mentioned. *Provided nevertheless*, that all acts done by such governor, deputy governor, director, auditor, or secretary, in his official character, on behalf of the company, before such successors be elected, shall be valid and binding.

And we do further direct and appoint, and our will is, that interest calculated to the tenth day of July, one thousand eight hundred and twenty-six, shall within one month from the date thereof, be payable to the members of the said company, at and after the rate of four per centum per annum, from the respective periods at which the said deposit and subsequent calls (if any) shall have been paid, to be calculated upon, and in respect to such deposit and calls, and on the tenth day of January and tenth day of July, one thousand eight hundred and twenty-seven, and on each and every tenth day of January and tenth day of July, until and ending with the tenth day of January, one thousand eight hundred and thirty-one, further interest at the like rate shall be calculated and become payable to the said members upon the said deposit, and upon the amount of the several calls which shall or may have been made upon and paid by them. And from and after the tenth day of January, in the year of our Lord one thousand eight hundred and thirty-one, it shall and may be lawful, to and for the said court of proprietors, twice in every year, in the said months of June and December, if the state of the affairs of the said company shall warrant the same, to declare such dividend to and amongst the members of the said company, for the half year ending on the tenth day of July and tenth day of January, next succeeding such respective general court as to the said court of proprietors shall appear proper, in addition to such payment of interest, as aforesaid; and in declaring such dividends respectively due, regard shall be had to all the debts and engagements of said company, and the risks and contingencies affecting their assets and securities, and so as no dividend nor interest, after the said tenth day of January, one thousand, eight hundred and thirty-one, be in any case paid out of the capital of the said company, or otherwise, than as a division of the whole, or a part of the gains and profits of the said company.

And we do further will and direct, that all conveyances which shall be made by the said company, to any individual or individuals of any part of the lands to be granted to, or purchased or held by the said company, may be made in manner, and may be in the form prescribed in and by the said act of parliament.

And we do for us, our heirs and successors, grant and declare, that these our letters patent, or the inrollment thereof, shall be in all things valid and effectual in the law, according to the true intent and meaning of the same, and shall

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be taken, construed, and adjudged, in the most favorable and beneficial sense for the best advantage of the said corporation, as well in our courts of record as elsewhere, notwithstanding any non-recital, mis-recital, uncertainty, or imperfection, in these our letters patent. And our will and pleasure is, that these presents to the company aforesaid, under the great seal of our United Kingdom of Great Britain and Ireland, shall be in due manner made and sealed, without fine or fee, great or small, to us in our Hanoper or elsewhere, to our use therefor, or in any ways to be paid or made. In witness whereof, WE have caused these our letters to be made patent, witness ourself at our palace of Westminster, this nineteenth day of August in the seventh year of our reign.

SCOTT.

By Writ of Privy Seal.

JOHN GALT, of Saint Helen's Place, in the city of London, esquire, secretary to the Canada Company, maketh oath and saith, that he hath carefully examined and compared the above copy of a charter of incorporation granted to the Canada Company, with the original charter, sealed with the Great Seal of the United Kingdom of Great Britain and Ireland, and deposited at the house of the said Company; and the deponent saith that the above is a true and faithful copy of such original charter of incorporation.

(Signed)

JOHN GALT.

*Sworn at the public Office, South-hampton Buildings, in the County of Middlesex, this thirteenth day of September, one thousand eight hundred and twenty-six.*

Before me,

G. WILSON,

STAMP.

*One of the Masters in Ordinary of the High Court of Chancery, at Westminster.*

*Secretary and Register's Office, York, Upper Canada,  
18th December, 1826.*

I certify that the above charter of incorporation is enregistered in this office, in book 1, Folio from 213 to 235.

(Signed)

D. CAMERON,  
*Secretary and Registrar.*

**DUPLICATE OF AN AGREEMENT**

ENTERED INTO

**BETWEEN HIS MAJESTY'S GOVERNMENT,**

AND THE

**CANADA COMPANY,**

ON THE 28TH MARCH, 1828;

ACCOMPANIED BY A LETTER FROM JOHN GALT, ESQUIRE,

DATED 10TH JUNE, 1828.

CANADA COMPANY'S OFFICE,  
York, 10th June, 1828.

SIR,

I have the honor to enclose a duplicate of an agreement entered into between His Majesty's Government and the Canada Company, on the twenty-eighth March, of which an official transcript has probably been transmitted from the Colonial Department to the Lieutenant Governor—and I have to beg you will represent to His Excellency that, as arrangements have been made for set-

ting a portion of the Huron Tract, some of the intending settlers being actually arrived, it is very desirable that the Surveyor General should be instructed to direct the surveys as soon as circumstances will admit.

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I have to beg the favour of your also mentioning to His Excellency, that having been furnished with a map of the manner in which the directors propose to lay out the Huron Tract, together with a *pro forma* diagram of a township to be called Goderich, I have lodged the same with the Surveyor General.

On the present occasion, it is my duty to state, that although the names given in the townships have been inserted the list is yet subject to the approbation of the Lieutenant Governor. They consist of those of the actual Court of Directors with the addition of Horton, Goderich, Stanley, Hoy, and Stephen, and in anticipation of the tract being hereafter formed into a county it has been called Huskisson. On this subject you will have the goodness to report to me the pleasure of His Excellency.

I have the honor to be,

SIR,

Your Most Obedient

Humble Servant,

JOHN GALT.

GEORGE HILLIER, Esquire,  
&c. &c. &c.

*Downing Street, 23th March, 1828.*

At a meeting held this day at the Colonial Office, at which Mr. Secretary Huskisson, and Messrs. McGillivray, Hullett, and Easthope, were present, for the purpose of definitively settling certain questions of difficulty which had arisen upon the agreements entered into between Lord Bathurst and the Canada Company, of the dates of the 26th of November, 1824, and the 23rd of May, 1826, and also for ascertaining certain points not therein provided for; the following arrangement was made and concluded between Mr. Secretary Huskisson, on behalf of His Majesty's Government, and the said Messrs. McGillivray, Hullett, and Easthope, on behalf of the Canada Company.

1st.—As it appears that in some of the lots of the crown reserves to be sold to the company, the original land-marks and lines of survey have been so effaced as to render a re-survey necessary; in all such cases such re-survey shall be made under the direction and at the expense of His Majesty's Government.

2ndly.—As in the report sent by the Surveyor General to the Commissioners, certain lots of the crown reserves appear to have been returned as vacant, which were actually possessed by persons having either legal titles, or occupation under licence from the provincial government, or undisturbed residence for ten years and upwards, which lots according to the sixth article of the contract of 26th November, 1824, were to be excepted from the lands to be granted to the company, and as on the other hand it appears that other lots of the said crown reserves were so returned in that report as excepted, which were either not occupied at all, or occupied by persons having no such legal claim, or licence of location, or undisturbed residence as aforesaid; it is agreed that the Canada Company shall receive in lieu of the first class of lands an equal extent of the second class; it being understood that the company in selling to the before-mentioned unauthorised settlers, the land upon which they have so established themselves, are to sell it at the price of wild land, to be settled by arbitration, allowing to such settlers all the benefit of their improvements.

3rdly.—The Canada Company abandon all pretension to any land in townships which, though laid out, were not surveyed prior to the 1st March, 1824, and which are therefore not included in the report of the commissioners.

4thly.—The Canada Company having expressed a wish that their land not yet surveyed, should be surveyed upon a different plan from that surveyed by the government, and which plan, varying according to local circumstances, and requiring with a view to sale more minute subdivision admeasurement of lots, with detailed reports of the quality of soil, will necessarily cause increased expense; it is agreed that such survey shall be made by the Surveyor General in such manner as the company shall require, subject to the approbation of the Lieutenant Governor, and that for such survey His Majesty's Government shall pay at the rate

## Canada Company charter.

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usually paid for ordinary surveys, the company defraying the difference of expense. All surveys so taken are to be deposited in the Surveyor General's office as evidence of title, in common with those of other lands, executed under the directions of government.

5thly.—The instalments to be paid according to the ninth article of the agreement of 23rd May, 1826, shall be paid within the province to such officer as His Majesty shall from time to time appoint to receive the same, half-yearly in equal moieties, that is to say, on the 20th December, and the 20th June, respectively in each year, and titles or grants shall be given for any quantity of land, not exceeding in value the amount of such instalments within three months after payment of the same. *Provided always*, that when the whole quantity of land, for which titles may be so required, shall exceed in value the amount of the instalment previously paid, such additional land shall be paid for at the time of applying for the title, and shall not in any way be taken as a diminution of the instalment to become due at the following half-yearly payment.

6thly.—Simon McGillivray, Esquire, as chairman of the committee of correspondence of the Canada Company, having by the direction of that committee, addressed to Mr. Secretary Huskisson, a letter, bearing date the 13th day of March, instant, in the following words, that is say :

SIR,—

I am directed by the committee of correspondence of the Canada Company, to submit to your consideration the following statement and remarks, with reference to the 21st and three following articles of the arrangement, dated the 26th of November, 1824, between His Majesty's Government and the company.

The effect of those articles may be shortly stated to be, that the company are at liberty to select for settlement such parts of the lands comprised in their intended purchase as they may deem best adapted for that purpose. They are to be restricted neither as to the quantity nor as to the situation of the lands which they are thus to occupy. But they are bound to make quarterly returns of all the lands of which they may so take possession, and to pay in each quarter the whole price of the lands so occupied, upon receiving from the crown a grant of them in fee simple. The effect of these provisions is, that the settlements of the company must always be limited by their power to command the necessary capital for defraying the price of the land upon which they may enter. A minimum is fixed, below which the annual investments of the company may not fall, and to that minimum their investments will necessarily be confined, unless they should have at their command funds enabling them to exceed it.

The consequences of this part of the contract will, it is apprehended, be equally detrimental to the company and to the public.

It is obvious that if no such restriction existed, the company might with comparative rapidity effect their ultimate object of settling the territory they have contracted to purchase. The province would thus reap all the additional benefit to be anticipated from the more early introduction of population and capital.

The company, on the other hand, by the abolition of this restraint, would be enabled to anticipate the location and sale of a large part of their territory, which must otherwise remain for many years in a wild and unproductive state; they would at a comparatively early period hope to enter into the receipt of profits, and be enabled with the less pressure upon the general body of proprietors to meet the annual demands of the government.

The increased rapidity which might, by these means, be imparted to the operations of the company would have the effect of preventing the settlement of unauthorised intruders. The crown would thus be relieved from much of the expense and trouble which it must otherwise sustain by ejecting this class of persons, in order to make an effectual transfer of the property to the company. It is further submitted, that the crown would sustain no loss by the concession which is thus proposed. If the settlements of the company be limited to the territory for which they are actually able to pay, large tracts must remain awaiting their future purchases in a state totally unproductive of any intermediate profit to the public.

Neither is it apprehended that by placing the company in possession of territory exceeding in value the price which they may be able to pay, the crown would

incur any risk of ultimately losing any part of the purchase money. The Company do not presume to ask for any grant or legal conveyance of any land until the price has been actually paid. They solicit only permission to occupy such territory as they may think desirable on a merely permissive title. If the prescribed payments should fall in arrear such a permission could not destroy or impair the right of the crown to resume possession of the land so occupied.

The Company further presume to suggest, that the delay which arose in granting their charter, for which they certainly were not responsible, has given them a strong claim to the favourable consideration of the government on this occasion. That delay had unavoidably the effect of depreciating their capital stock, and of augmenting the difficulty of making calls upon the proprietors for advances of capital; since the original contract was made with the company, the government have also unexpectedly, offered lands to settlers upon terms so advantageous as to raise a formidable competition against the sale of the Company's territory. This circumstance also, it is humbly conceived, affords the company a strong claim to some relaxation of the terms of that contract.

If it be deemed necessary to require that the Company should give to His Majesty's Government any security for the due payment for lands occupied before the payment is actually made, the company would be willing to engage that if any instalments should be in arrear, the crown should, at its option, either resume possession of a part of the occupied but ungranted lands equivalent to any such arrear, or should receive a quit-rent chargeable upon the whole of the occupied but ungranted territory, equal to — per cent. per annum, upon the amount of such arrears. If the crown should elect to receive such quit-rent, it would of course be redeemable by the Company upon the arrears being paid up.

Under these circumstances I am directed to request that a license of occupation may be granted to the company, enabling them to take immediate possession of the whole or any part of the territory included in their purchase, upon condition, that such license of occupation shall not prejudice or alter the existing contract, so far as respects the payment of the stipulated instalments to the crown, and also upon condition that the company shall not be entitled to any grant or legal conveyance from the crown of any lands of which the price has not been actually paid.

I have the honor to be,

Sir,

Your most obedient humble servant,

SIMON MCGILLIVRAY.

Mr. Huskisson having regard to the considerations stated in the preceding letter, engages on behalf of His Majesty's Government, that the Canada Company shall receive from the local government of Upper Canada, an immediate license of occupation of the whole or any part of the territory to be comprised in the company's purchase upon condition that such occupation shall not prejudice or affect the right of the crown to receive the half-yearly instalments, which the company are at present bound to pay, and also upon condition, that the company shall, by all necessary deeds, or other instruments, convey and assure to the crown, the option, either of resuming a part of the occupied but ungranted lands, equivalent to any arrears of any such quarterly payments, or of receiving a quit rent at the rate of ten per cent. per annum, upon such arrears, chargeable upon the whole of such occupied but ungranted territory, and redeemable in the manner stated in Mr. McGillivray's letter.

The company however, reserve to themselves the right of declining to receive such license of occupation any time within the next twelve calendar months, if they should upon further consideration, find reason to think that the interests of the company would be best consulted by declining to receive it.

7th.—Mr. Secretary Huskisson will at an early period of the present session of parliament, introduce a bill for the purpose of amending the act of the 6th Geo. 4th, cap. 75, so as to enable the company to make conveyances of the lands comprised within their contract, in such form as to constitute good and valid titles in Upper Canada, and to exempt such conveyance when executed in England, from the payment of any stamp duties, and in the event of any modification of the laws of Upper Canada in regard to the registry of such conveyances being found requisite, His Majesty's Government will recommend the same to the provincial legislature.

8th.—By the twelfth article of the second contract, it is stipulated, that if any

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of the lands sold to the company shall be alleged by them to be altogether unfit for cultivation either in arable or in pasturage, arbitrators shall be appointed in the manner prescribed in the 31st article of the original contract, and such arbitrators shall decide both whether such lands or any of them are totally unfit for cultivation, and what is the amount of the compensation or equivalent to be allowed to the company in respect of any such lands, and the lands which shall have been thus decided to be totally unfit for cultivation, shall be thenceforth considered as having lapsed to the crown, and to belong exclusively to the crown.—In lieu of all claims which may hereafter be made under this clause, His Majesty's Government being informed that a large portion of land of this description must necessarily be included in the block of a million of acres, independent of lakes, &c. agreed to extend the million to eleven hundred thousand acres, according to a map, (a copy of which is deposited in this office) and the territory comprised within which is from its contiguity to Lake Huron, to be called the Huron Block or Tract, with the distinct understanding, that the north eastern boundary line of the tract, as at present drawn includes not less than 50,000 acres of swamp, or lakes, or ponds, situated in such swamp, or land unsaleable and wholly valueless to ordinary settlers, lying together within such north eastern boundary.—In order to bring this understanding to a definitive result, it is agreed that His Majesty's Surveyor General for the Province of Upper Canada, shall be instructed to ascertain and to report the extent of swamp, including lakes or ponds therein situated, or land unsaleable and wholly valueless, to ordinary settlers, lying together within such north eastern boundary, and that if by such report, the quantity shall be found to be less than 50,000 acres, the company shall pay for the number of acres by which it shall fall short of 50,000, in the same manner as hereinafter provided, in regard to the excess, if any, of the whole tract over 1100,000 acres.

9thly.—Should the Huron Tract, upon actual survey, be found to contain more than eleven hundred thousand acres, the company are to pay for the excess at the price fixed for the other lands in the same tract, should it be found to fall short of the above amount, a ratable deduction shall be allowed to the company. The additional 100,000 acres being granted in lieu of all claims or exceptions which might be advanced by the company, under the 12th article of the second agreement hereinbefore mentioned, it is admitted at the same time, that the part of that clause which provides, that the lands so objected to, and "which shall have been decided to be totally unfit for cultivation, shall be thenceforth considered as having lapsed to the crown and to belong exclusively to the crown," shall cease to operate, the present agreement being, that the tract of 1,100,000 acres, including swamps, lakes, sand hills, and such other varieties of soil as it may contain, shall belong and be granted to the company on payment of the price formerly agreed on for the million of acres.

[L. S.]

*Sealed by order of the Court of Directors, in our presence.*

(Signed)

SIMON MCGILLIVRAY,  
JOHN HULLETT,

*Directors of the Canada Company.*

Aggregate account of the Ratable Property in the Eastern District for the year 1834.

TOWNSHIPS.	LANDS.		HOUSES.										MILLS.		Saw Mills.	Storehouses.	Merchant Shops.	Stone Horses for covering Mares for hire or gain.	Horses of 3 years old and upwards.	Oxen of 4 years old and upwards.	Milk Cows.	Horned Cattle from two to 4 years old.	Carriages with two wheels kept for pleasure only.	Wagons kept for pleasure only.	AMOUNT of valuation of Property Assessed. Currency.			AMOUNT OF RATE, at one penny per pound, Currency.		
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Town Lots, Cornwall.	Squared timber on 2 sides, 1 story.	Additional fire places.	Squared timber on 2 sides, 2 stories.	Framed under 2 stories.	Additional fire places.	Brick or stone, one story.	Additional fire places.	Frame, brick or stone of 2 stories.	Additional fire places.	Wrought by water, 1 pair of stones.	Additional pairs of stones.											£	s.	d.	£	s.	d.
Cornwall and } Roxborough } Osabruck	56353	12344	192	142	3	251	26	21	7	24	25	4	3	6	16	3	934	218	1536	351	10	16	61821	12	0	257	11	94		
Finch	32669	89884	...	20	...	135	2	3	...	9	...	2	...	6	10	...	585	127	933	227	2	2	32501	6	0	135	8	54		
Matilda	9056	918	...	13	...	73	14	8	4	3	6	1	2	3	...	...	418	124	728	178	...	...	21718	8	0	19	8	104		
Williamsburgh	281644	56784	...	14	...	106	1	6	1	8	7	...	...	2	2	9	456	111	750	243	...	...	25773	4	0	90	9	104		
Winchester	28611	6367	...	17	...	6	...	...	...	...	...	...	...	2	2	...	28	34	66	11	...	...	107	7	34	10	16	24		
Mountain	5593	297	...	...	...	...	...	...	...	...	...	...	...	3	...	...	95	109	231	90	...	...	2594	12	0	31	14	54		
Charlottenburgh	14236	2007	...	4	...	7	1	...	...	...	...	...	...	6	...	...	955	187	1934	591	2	8	58109	15	0	242	2	54		
Lancaster	585574	102724	...	307	...	159	6	5	1	11	13	4	1	4	...	...	489	84	1037	212	...	...	29070	19	0	121	2	64		
Kenyon	40601	70104	...	83	...	55	2	5	...	4	1	3	...	2	...	...	267	52	572	75	...	...	16993	16	0	70	16	14		
Lochiel	43509	3228	...	18	...	2	...	...	...	...	...	...	...	1	...	...	439	118	993	268	...	...	25518	16	0	106	6	64		
Lochiel	43649	6290	...	21	...	8	...	3	...	...	...	...	...	3	...	...	...	...	...	...	...	...	286381	16	0	1193	5	14		
Total	360999	69401	192	639	3	802	52	51	13	59	52	19	7	36	57	8	4736	1204	9020	2283	14	32	286381	16	0	1193	5	14		

ARCHIBALD McLEAN,  
Clerk of the Peace's Office,  
Eastern District,  
September 18th, 1834.

Assessment Returns for 1834.

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Aggregate account of the Ratable Property in the Ottawa District for the year 1834.

TOWNSHIPS.	LANDS.		HOUSES.										MILLS.		Saw Mills.	Storehouses.	Merchant Shops.	Stone Horses for covering Mares for hire or gain.	Horses of 3 years old and upwards.	Oxen of 4 years old and upwards.	Milch Cows.	Horned Cattle from two to 4 years old.	Carriages with two wheels kept for pleasure only.	Wagons kept for pleasure only.	No. of Ratable Inhabitants.	AMOUNT of valuation of Property Assessed. Currency.		AMOUNT OF RATE, at one penny per pound, Currency.		TOTAL amount to be COLLECTED. Currency.	
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Squared timber on 2 sides, 1 story.	Squared timber on 2 sides, 2 stories.	Framed under 2 stories.	Additional fire places Brick or stone, one story.	Additional fire places stone of 2 stories.	Frame, brick or stone of 2 stories.	Additional fire places	Wrought by water, 1 pair of stones.	Additional pairs of stones.	Wrought by water, 9 upwards.	Horses of 3 years old and upwards.	Oxen of 4 years old and upwards.												Milch Cows.	Horned Cattle from two to 4 years old.	Carriages with two wheels kept for pleasure only.	Wagons kept for pleasure only.	No. of Ratable Inhabitants.	£
Hawkesbury East.....	16011	16404	35	2	1	6	1	1	3	2	1	113	108	274	60	1	1	164	9742	14	0	40	11	11½	.....	.....	.....				
Hawkesbury West.....	15740	4459	35	1	1	25	3	4	5	6	178	154	510	154	3	3	224	17809	0	0	74	8	11	.....	.....	.....					
Longueuil.....	121334	29434	41	2	1	39	16	5	2	2	145	82	252	80	4	6	148	11727	4	0	48	17	3	.....	.....	.....					
Alfred.....	5543	273	6	1	1	1	1	1	1	1	9	34	44	19	1	1	36	1935	12	0	8	1	3½	.....	.....	.....					
Caledonia.....	6251	1006	7	1	1	2	1	1	1	1	44	28	132	33	1	1	60	3374	4	0	14	17	11	.....	.....	.....					
Plantagenet.....	12134	1222	29	1	1	4	1	1	1	1	47	102	182	60	2	2	110	6413	16	0	26	14	7	.....	.....	.....					
Clarence.....	6114	320	2	1	1	1	1	1	1	1	9	28	48	27	1	1	32	1937	16	0	8	1	6	.....	.....	.....					
Cumberland.....	6206	319	2	1	1	1	1	1	1	1	7	27	29	15	1	1	28	9201	4	0	9	3	5	.....	.....	.....					
Gloucester.....	15419	1512	15	4	1	3	3	2	2	1	59	82	224	73	2	2	156	7716	16	0	32	2	11	.....	.....	.....					
Osgoode.....	13475	575	7	1	1	1	1	1	1	1	13	52	107	41	1	1	84	4081	0	0	17	0	6½	.....	.....	.....					
Russell.....	1990	85	1	1	1	1	1	1	1	1	8	9	10	8	1	1	9	841	0	0	3	10	1	.....	.....	.....					
Total.....	1110164	14355	180	9	2	81	23	12	2	2	632	706	1812	370	7	8	1031	67983	6	0	283	5	4½	.....	.....	.....					

I certify that the above account is correctly calculated from the original Assessment Rolls of the above named townships, for the year 1834.

RICHARD PHILLIPS HOTHAM,  
Clerk of the Peace, District of Ottawa.







APPENDIX.

Aggregate account of the Ratable Property in the Prince Edward District for the year 1834.

TOWNSHIPS.	LANDS.		HOUSES.										MILLS.			Saw Mills.	Storehouses.	Merchant Shops.	Stone Horses for covering Mares for hire or gain.	Horses of 3 years old and upwards.	Oxen of 4 years old and upwards.	Milch Cows.	Horned Cattle from two to 4 years old.	Carriages with two wheels kept for pleasure only.	Wagons kept for pleasure only.	AMOUNT of valuation of Property Assessed. Currency.	AMOUNT OF RATE, at one penny per pound, Currency.	REPRESENTATIVES Wages, and charges of collection.			TOTAL amount to be COLLECTED. Currency.				
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Squared timber on 2 sides, 1 story	Additional fire places	Squared timber on 2 sides, 2 stories.	Framed under 2 stories.	Additional fire places	Framed of 2 stories.	Additional fire places	Brick or Stone of 2 stories.	Additional fire places	Wrought by water, 1 pair of stones.	Additional pairs of stones.	Wrought by water, 1 pair of stones.	Additional pairs of stones.													£	s.	d.		£	s.	d.	£
Marysburgh .....	23713	8055	16	4	72	5	3	1	4	5	3	1	1	3	1	10	...	4	2	355	262	765	290	...	7	25717	107	3	1	18	9	9	125	12	10
Hallowell .....	36309	20407	25	...	240	31	11	61	63	4	4	1	1	4	1	14	...	11	5	897	354	1474	418	...	51	61534	256	7	10	44	0	0	300	7	10
Sophisburgh .....	23171	12142	6	...	20	1	135	12	35	22	6	2	1	6	3	3	1	6	6	656	317	1107	476	...	45	39614	165	1	2	28	10	0	193	11	2
Amelisburgh .....	24116	9428	30	1	80	3	4	...	9	6	2	1	...	4	4	4	...	5	435	267	831	265	...	13	28002	116	13	6	20	6	11	137	0	5	
Hillier .....	17729	11467	8	...	109	5	1	...	9	9	4	...	...	5	7	...	5	2	476	201	725	189	...	19	31917	132	19	9	21	16	7	154	15	0	
Total .....	125038	61499	85	5	521	45	154	15	114	105	19	5	...	8	30	20	2319	1401	4902	1638	11	135	...	186784	778	5	4	133	3	3	911	8	7		

DAVID L. FAIRFIELD,

Clerk of the Peace.

Assessment Returns for 1834.

Aggregate Account of the Ratable Property in the Newcastle District for the year 1834.

TOWNSHIP.	LANDS.		HOUSES.										MILLS.		Saw Mills.	Store Houses.	Merchant Shops.	Stone Horses for hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.	Milch Cows.	Horned Cattle from two to four years old.	Carriages, Gigs or other Carriages with 2 wheels, kept for pleasure.	Wagons kept for pleasure only.	Wagons kept for pleasure.	No. of Persons Assessed.	AMOUNT OF valuation of PROPERTY assessed.		AMOUNT OF RATES at one penny per pound Currency.		AMOUNT OF representative TAX. Currency.		TOTAL amount to be COLLECTED. Currency.		
	Uncultivated.	Cultivated, Arable, Pasture, or Meadow.	Squared timber, 2 sides, 1 story.	Framed under two stories.	Additional fire places.	Framed of two stories.	Additional fire places.	Brick or stone of one story.	Additional fire places.	Brick or stone of two stories.	Additional fire places.	Wrought by water with 1 pair of stones.	Additional pairs of stones.	Wrought by water with 1 pair of stones.													Additional pairs of stones.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Darlington, ...	24338	42254	6	37	2	8	11	1	1	1	2	1	2	1	156	248	476	185	185	...	2	285	17288	18 0	71	18	24	17	16	11 1/2	89	15	2		
Clarke, ...	18645	4815 1/2	1	24	1	1	1	1	1	1	1	1	1	1	183	242	404	198	198	...	2	229	15880	5 0	64	18	44	16	5	11 1/4	81	4	3 1/2		
Hepe, ...	29489	8913 1/2	5	137	10	30 1/2	41	2	1	3	3	4	3	4	423	323	737	257	257	...	3	437	26133	9 2	150	11	0	37	10	10 1/2	188	1	10 1/2		
Cavan, ...	35648	7969	2	13	4	...	...	...	...	...	1	2	2	2	245	464	728	296	296	...	...	281	10753	9 0	44	15	11	4	2	25	6	4 1/2	126	5	6
Emily, ...	25141	2189	2	3	...	...	...	...	...	...	1	1	1	1	58	181	257	96	96	...	...	111	4552	16 0	18	19	3 1/2	4	14	2 1/2	23	13	6		
Eldon, ...	14894	982	1	...	...	...	...	...	...	...	1	1	1	1	5	48	128	35	35	...	...	214	7766	10 0	32	7	2	8	3	11	40	11	4		
Ops, ...	25146	958	1	...	...	...	...	...	...	...	1	1	1	1	10	62	95	28	28	...	...	63	2787	8 0	11	12	4	2	17	11 1/4	14	10	4		
Mariposa, ...	7757	583	1	...	...	...	...	...	...	...	2	3	3	3	539	344	887	398	398	...	...	550	48715	18 0	130	3	11	15	3	9	218	3	8		
Hamilton, ...	28457 1/2	12730 1/2	9	232 1/2	72	54	66	1	1	1	2	4	4	4	378	306	789	332	332	...	...	402	31247	12 0	126	0	5	9	12	1 1/2	139	16	0 1/2		
Haldimand, ...	21763	12185	10	102	7	13	15	...	...	...	4	1	1	1	324	290	605	223	223	...	...	22	30245	6 0	112	13	10	8	7	7	135	7	8 1/2		
Cramabe, ...	24486 1/2	8482 1/2	15	137	13	25	25	...	...	...	3	1	1	1	288	327	665	175	175	...	...	370	27046	8 0	64	8	8 1/2	4	15	5	69	4	1 1/2		
Murray, ...	31152 1/2	7094 1/2	13	79	10	20	17	...	...	...	2	1	1	1	107	173	286	145	145	...	...	227	15464	17 0	7	18	10	7	18	10	8	10	7		
Moneghan, ...	18193 1/2	3317 1/2	...	39	7	...	...	...	...	...	1	1	1	1	24	42	39	...	...	...	...	67	1905	8 0	4	15	5	0	11	9 1/2	26	7	11 1/2		
Emm'smore, ...	6006	422	...	16	4	1	...	...	...	...	1	1	1	1	78	99	177	78	78	...	...	182	10205	0 0	24	10	10 1/2	3	4	0 1/2	45	4	6 1/2		
Percy, ...	5881	1846	5	16	4	1	...	...	...	...	1	1	1	1	38	215	278	189	189	...	...	169	4896	0 0	42	10	5	2	0	6	21	17	5 1/2		
Smith, ...	22023	3363	6	...	...	...	...	...	...	...	...	...	...	6	52	95	13	13	13	...	...	159	7856	4 0	32	14	7 1/2	2	8	8 1/2	35	3	4		
Dummer, ...	18877	3514	...	2	...	...	...	...	...	...	...	...	...	11	133	146	25	25	25	...	...	84	4935	12 0	20	11	2	1	11	0	23	2	2		
Douro, ...	29056	2008	2	3	...	...	...	...	...	...	1	1	1	1	30	81	73	14	14	...	...	78	5314	7 0	22	2	11	1	13	5 1/2	23	16	4 1/2		
Seymour, ...	13834	640	2	1	...	...	...	...	...	...	1	1	1	1	19	80	110	70	70	...	...	266	15880	18 0	66	3	3	4	18	3 1/2	71	1	6 1/2		
Ashpodel, ...	12338 1/2	13044	2	29	3	10	10	...	...	...	1	1	1	1	47	264	330	217	217	...	...	13	328668	13 2	1369	7	10 1/2	189	0	9 1/2	1588	8	7 1/2		
Otanabee, ...	30890 1/2	8550 1/2	2	29	3	10	10	...	...	...	1	1	1	1	47	264	330	217	217	...	...	13	328668	13 2	1369	7	10 1/2	189	0	9 1/2	1588	8	7 1/2		
423017	51590 1/2	71	361 1/2	147	163 1/2	186	3	3	4	2	26	13	176	10	2990	4040	7497	3062	3062	...	...	52	395062	13 2	1369	7	10 1/2	189	0	9 1/2	1588	8	7 1/2		

T. WARD,  
Clerk of the Peace, Newcastle District.

APPENDIX.

Assessment Returns for 1834.

(COPY)

Aggregate Account of the Rateable Property in the several Wards of the City and Liberties of Toronto, for the year 1834.

WARDS.	LAND.		HOUSES.																PROPERTY ASSESSMENT.											
	Uncultivated in Liberty.	Cultivated in Liberty.	Town Lots.	Squared or hewn timber on 2 sides, one story.	Additional fire places.	Framed under 2 stories.	Additional fire places.	Squared timber, 2 stories.	Additional fire places.	Framed, brick, or stone of 2 stories with not more than 2 fire places.	Additional fire places.	Brick or stone 1 story, not more than 2 fire places.	Additional fire places.	Merchants' Shops.	Store Houses.	Stone Horses for covering Mares for hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.	Milch Cows.	Horned Cattle from two to four years old.	Close Carriages with four wheels, kept for pleasure.	Phatons or other open carriages, with 2 wheels, kept for pleasure.	Curricles, Gigs, or other Carriages with 2 wheels, kept for pleasure.	Wagons kept for pleasure.	ASSESSED VALUE of	AMOUNT of				
St. David's	5464	1934	515	9	181	42	211	215	3	1	46	1	108	82	95	8	1	11	15	8	1	11	5	15	63564	0	0	794	11	0
St. Patrick's	718	772	223	5	144	18	73	96	10	21	43	14	82	8	101	17	2	8	4	16	2	8	3	4	25368	0	0	315	17	0
St. Lawrence's	2073	295	382	1	120	14	209	11	4	3	8	1	119	2	79	.....	1	1	5	5	2	3	4	16	49920	0	0	624	0	0
St. Andrew's	.....	.....	330	3	175	10	120	100	2	1	9	.....	61	8	58	.....	2	2	5	5	2	6	1	3	39075	0	0	413	8	9
St. George's	.....	.....	130	.....	27	.....	74	74	.....	.....	.....	.....	24	16	16	.....	5	5	3	.....	.....	.....	.....	3	15119	0	0	188	19	9
Total	1472	12604	1480	9	647	84	687	496	19	26	106	15	394	10	349	25	11	36	43	25	11	36	18	43	186946	0	0	2336	16	6

Truly extracted from the Rolls of the several Wards.

WILLIAM T. KENNEDY,

Acting Clerk of the Peace,

City of Toronto.

Office of Clerk of the Common Council, Toronto, }  
this 24th day of December, 1834.

APPENDIX.

Assessment Returns for 1834.

Aggregate account of the Ratable Property in the Home District for the year 1834.

TOWNSHIPS.	LANDS.		HOUSES.										MILLS.		Taw Mills.	Store Houses.	Merchant Shops.	Stone Horses for covering Mares fore hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.	Milk Cows.	Horned Cattle from two to four years old.	Carriages or other Carriages wheels kept for pleasure.	Wagons for pleasure only.	AMOUNT of PROPERTY ASSESSED.		AMOUNT of RATES at one penny per pound.		REPRESENTATIVES WAGES.		TOTAL amount to be COLLECTED.	
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Squared timber, 2 sides, 1 story.	Additional fire places	Squared or hewed on 2 sides, 2 stories.	Additional fire places	Framed under two stories.	Additional fire places.	Framed, Brick, or stone of 1 stories.	Additional fire places.	Framed, brick or stone of 2 story.	Additional fire places	Wrought by water, 1 pair of stones.	Additional pairs of stones.											£	s.	£	s.	£	s.	£	s.
York.....	33275	11178	54	15	11	132	4	3	2	41	38	5	9	22	3	3	6	490	386	970	228	3	10	46233	0	0	192	10	74	201	16	104
Markham .....	44637	18478	65	5	5	153	...	15	...	40	12	6	6	17	13	1	6	784	461	1633	695	...	...	58013	6	0	241	13	7	253	14	0
Oro .....	33883	1421	2	...	...	...	...	...	...	40	...	...	...	...	...	...	...	14	108	183	100	...	...	9598	16	0	39	18	104	41	18	6
Whitchurch .....	37291	10441	43	5	...	113	1	...	...	49	19	4	6	11	2	17	4	501	244	975	347	2	5	37777	16	0	156	19	114	164	12	0
West Gwillimbury, ...	26739	5823	2	...	...	27	9	...	...	3	2	1	...	4	4	4	181	388	609	196	...	...	...	19386	0	0	80	10	104	84	6	0
Gore of Toronto .....	8511	1861	...	...	...	...	...	...	...	...	...	...	...	...	...	...	43	188	176	99	...	...	...	5797	4	0	24	2	104	25	12	84
East Gwillimbury .....	18209	6071	5	...	...	87	2	...	...	16	6	1	1	5	1	5	233	170	586	211	...	...	4	20631	16	0	85	16	64	90	0	64
Medonte.....	17181	115	4	4	...	...	...	...	...	...	...	...	...	...	...	...	4	29	37	3	...	...	...	4674	0	0	19	8	34	20	7	64
Flos .....	3385	125	2	...	...	...	...	...	...	...	...	...	...	...	...	...	2	16	12	2	...	...	...	1095	0	0	4	11	24	4	15	84
Georgina .....	8462	973	1	...	...	...	...	...	...	...	...	...	...	...	...	...	23	62	80	31	...	...	...	4571	8	0	19	0	114	19	19	74
Yessra .....	7622	576	1	...	...	...	...	...	...	...	...	...	...	...	...	...	15	38	40	15	...	...	...	3026	8	0	12	13	24	13	5	24
Ajiala .....	13097	899	7	...	...	16	...	...	...	...	...	...	...	...	...	...	12	87	134	80	...	...	...	4463	4	0	18	13	6	19	11	11
Chingacousey .....	46832	10456	...	...	...	...	...	...	...	...	...	...	...	...	...	...	220	549	749	381	...	...	...	28956	6	0	120	9	44	126	8	84
North Gwillimbury .....	6631	1639	1	...	...	1	1	...	...	...	...	...	...	...	...	...	68	44	155	87	...	...	...	4702	4	0	19	11	114	20	10	114
Whitby .....	36637	11766	15	1	...	132	26	...	...	11	17	3	2	8	2	14	436	508	973	410	2	14	...	39841	6	0	165	5	74	173	1	14
Albion .....	24269	3916	2	...	...	3	...	...	...	...	...	...	...	...	...	...	71	230	329	127	...	...	...	11766	16	0	49	0	64	51	8	24
Mono .....	16227	973	7	...	...	...	...	...	...	...	...	...	...	...	...	...	10	86	161	83	...	...	...	5431	8	0	22	11	64	23	13	64
Uxbridge.....	5035	1507	7	...	...	10	...	...	...	...	...	...	...	...	...	...	82	44	134	12	...	...	...	4603	0	0	19	3	6	20	2	6
Brook .....	25418	2709	6	...	...	...	...	...	...	...	...	...	...	...	...	...	77	116	263	157	...	...	...	10868	12	0	45	7	7	47	10	74
Scarborough .....	22208	7378	43	4	...	38	...	...	...	...	...	...	...	...	...	...	237	272	643	211	...	...	...	20868	17	0	86	17	104	91	0	84
Innisfil.....	11351	648	2	...	...	...	...	...	...	...	...	...	...	...	...	...	21	66	98	48	...	...	...	3831	8	0	15	19	34	16	14	94
Vaughan .....	40494	10237	47	1	...	71	2	22	1	18	21	4	8	11	8	...	301	462	953	358	...	...	...	35111	14	0	146	6	44	153	14	44
Etoicoke .....	15649	6791	8	...	...	40	6	3	3	1	3	3	1	9	3	...	232	240	559	184	1	2	...	18234	8	0	75	17	114	79	8	6
Reach .....	8363	839	1	...	...	...	...	...	...	...	...	...	...	...	...	...	27	62	103	25	...	...	...	3332	0	0	13	18	54	14	12	24
Toronto .....	36765	18744	58	4	24	171	4	2	4	18	5	3	3	18	19	...	510	625	1182	448	...	...	...	51562	4	0	215	3	64	225	19	64
King .....	29326	4324	10	3	...	29	...	...	...	...	...	...	...	...	...	...	154	256	501	200	...	...	...	18052	8	0	75	3	14	78	13	14
Pickering .....	31077	8214	7	...	...	42	9	...	...	...	...	...	...	...	...	...	250	366	760	327	...	...	...	25587	8	0	106	12	94	111	15	11
Caledon .....	29299	3782	7	...	...	...	...	...	...	...	...	...	...	...	...	...	52	278	312	213	...	...	...	13247	8	0	55	3	74	57	15	14
Easa .....	4884	312	1	...	...	...	...	...	...	...	...	...	...	...	...	...	3	41	35	148	...	...	...	1581	16	0	6	11	9	6	18	3
Tecumseth.....	24308	4163	1	...	...	4	...	...	...	...	...	...	...	...	...	...	111	294	402	...	...	...	...	13306	12	0	55	8	74	58	3	4
Total, .....	657060	156069	400	11	47	35	1110	64	47	10	222	138	40	150	6110	23	5214	6616	1747	5418	7	36	526162	17	0	2190	15	0	2300	16	104	

S. WASHBURN, Clerk of the Peace, Home District.

City of Toronto, Clerk of the Peace's Office, }  
22nd December, 1834.

APPENDIX.

Aggregate Account of the Ratable Property in the Gore District for the year 1834.

TOWNSHIPS.	LANDS.		HOUSES.										MILLS.		Horned Cattle from two to four years old.	Carriages, Cigs, or other Carriages, 2 wheels, kept for pleasure only.	Waggons kept for pleasure only.	Phostons & wheels.	AMOUNT OF valuation of PROPERTY assessed.		AMOUNT OF RATES at one penny per pound.		MEMBERS' WAGES.		TOTAL amount to be collected.									
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Squared timber, 2 sides, 1 story.	Additional fire places.	Squared or hewed on 2 sides, 2 stories.	Framed under two stories.	Additional fire places.	Framed, Brick, or stone of 2 stories.	Additional fire places.	Brick or stone of 1 story.	Additional fire places.	Wrought by water, 1 pair of stones.	Additional pairs of stones.	Raw Mills.					Store Houses.	Merchant Shops.	Stone Horses for covering Mares fore hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.	Milch Cows.	Curries, Cigs, or other Carriages, 2 wheels, kept for pleasure only.	Waggons kept for pleasure only.	Phostons & wheels.	£	s.	d.	£	s.	d.	£
<b>COUNTY OF HALTON.</b>																																		
Trafalgar, .....	44016	14426	18	4	55	42	19	15	1	3	4	3	20	2	10	1	441	494	1231	542	5	5	47350	197	6	6	21	5	8	218	12	3		
Esqueing, .....	37714	9642	7	1	34	1	1	1	1	4	4	1	4	4	4	1	154	442	710	332	7	7	26004	108	7	0	12	8	2	120	10	4		
Nelson, .....	21506	8348	6	1	73	19	17	17	6	2	2	1	10	2	7	2	243	358	724	307	1	1	29018	120	18	2	13	12	2	134	10	4		
Erin, .....	22114	2338	1	1	1	1	1	1	1	1	1	1	1	1	1	1	47	162	239	131	1	1	9122	38	0	2	4	2	0	42	2	2		
Nassagaweya, .....	18515	1942	1	1	2	1	1	1	1	1	1	1	1	1	1	1	12	150	212	101	1	1	7335	30	11	3	3	6	9	33	18	0		
Erarnosa, .....	14399	2110	1	1	1	1	1	1	1	1	1	1	1	1	1	1	28	157	210	178	1	1	7460	31	1	8	3	6	9	34	10	8		
Guelph, .....	20921	3841	1	1	1	1	1	1	1	1	1	1	1	1	1	1	54	301	399	181	1	1	15242	63	10	2	6	18	1	70	8	3		
Nichol, .....	17230	492	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	66	61	32	1	1	4790	19	19	2	2	3	2	22	2	4		
Garafaxa, .....	5244	186	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5	25	34	22	1	1	1464	6	2	0	0	18	0	6	15	0		
Fiamboro' East, .....	4298	1696	7	1	38	7	9	7	1	3	1	1	7	7	1	1	153	161	309	163	9	9	11506	47	18	11	5	4	4	53	3	3		
Fiamboro' West, .....	6012	14696	2	1	127	5	33	21	1	4	9	1	9	6	19	1	242	126	385	137	2	2	24422	101	15	2	11	4	6	112	19	8		
Puslinch, .....	21090	1348	1	1	1	1	1	1	1	1	1	1	1	1	1	1	168	279	551	224	1	1	7877	32	16	5	3	11	3	36	7	8		
Beverly, .....	25816	5236	19	1	21	1	1	1	1	1	1	1	5	1	1	1	475	990	1231	507	1	1	16376	68	4	8	7	8	10	75	13	6		
Dumfries, .....	65987	18240	61	1	114	1	1	1	1	2	3	3	9	8	1	1	509	328	1026	672	1	1	53351	222	5	11	24	5	10	246	11	9		
Waterloo, .....	50208	16858	82	1	54	79	75	1	1	4	4	9	12	7	4	1	81	137	207	138	1	1	50368	209	17	4	22	7	10	232	5	2		
Woolwich, .....	17806	3435	8	1	15	3	4	1	1	1	1	1	1	1	1	1	43	229	356	194	1	1	10144	42	5	4	5	0	9	47	6	1		
Wilnot, .....	32954	3986	1	1	1	1	1	1	1	1	1	1	1	1	1	1	43	229	356	194	1	1	14142	58	18	6	6	8	4	65	6	10		
<b>COUNTY OF WENTWORTH.</b>																																		
Grand River Tract, .....	17466	11102	26	2	111	13	1	1	29	31	5	2	6	21	3	371	444	755	258	26	26	35341	147	5	1	36	10	1	183	15	2			
Ancaster, .....	21459	8975	25	4	92	22	30	20	4	3	2	2	6	5	5	578	243	959	299	32	32	38564	160	13	8	39	10	4	200	4	0			
Barton including Hamilton, .....	5454	4513	18	1	120	28	58	55	3	3	1	1	4	15	4	330	196	295	84	25	25	32350	134	15	10	33	12	6	168	8	4			
Glanford, .....	11118	4336	14	1	21	6	2	1	1	1	1	1	3	1	1	163	116	337	160	1	1	11630	48	9	2	12	3	10	60	13	0			
Saltfleet, .....	15408	7560	27	1	41	8	11	10	44	13	1	1	8	2	5	2	296	296	652	222	2	2	24477	101	19	2	25	7	7	127	7	4		
Binbrook, .....	22007	1760	4	1	6	1	1	1	1	1	1	1	2	1	1	50	91	161	54	1	1	6029	25	2	5	6	2	10	31	6	3			
Total, .....	522561	136284	326	71	955	130	266	156	92	49	35	33	113	21	112	28	4326	5058	1298	4866	12	150	5148	2018	4	3	306	11	10	2324	16	1		

ROBERT BERRIE, Clerk of the Peace.

Office of the Clerk of the Peace, Gore District, 1st Nov. 1834.

Aggregate Account of the Ratable Property in the Niagara District for the year 1834.

NAMES of Town and Townships.	LANDS.		HOUSES.										MILLS.				Phatons or other carriages kept for pleasure.	Carriages, gigs or other carriages with 2 wheels, kept for pleasure.	Waggons kept for pleasure.	Rate per pound.	AMOUNT OF valuation of PROPERTY assessed.		AMOUNT OF RATES at one penny per pound.		*AMOUNT OF representative TAX.		TOTAL amount to be COLLECTED. Currency.											
	Uncultivated.	Arable.	Squar'd or heav'd timber on two sides, 1 story.	Additional fire places.	Squar'd timber 2 stories.	Additional fire places.	Framed under 2 stories.	Additional fire places.	Brick or stone 1 story, not more than 2 fire places.	Additional fire places.	Brick or stone of 2 stories with not more than two fire places.	Additional fire places.	Framed under 1 story.	Additional fire places.	Wrought by water with pair of stones.	Additional pairs of stones.					Saw Mills.	Merchant Shops.	Store Houses.	Stone Horses for covering Mares for hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.		Milch Cows.	Horned Cattle from two to four years old.	Close carriages with 4 wheels kept for pleasure.	£	s.	d.	£	s.	d.	£	s.
Town of Niagara	569	5124	5	1	151	105	1	4	9	77	186	186	3	2	2	2	2	32	1	1	166	24	167	11	4	4	39949	0	0	169	9	1	39949	0	0	169	9	1
Twp of Niagara	11898	8896	21	1	7118	57	1	9	6	32	71	22	4	6	8	8	2	5	2	7	399	319	648	247	2	2	31750	0	0	132	5	10	31750	0	0	132	5	10
Theold,.....	13087	89974	9	38	125	38	125	5	5	22	22	22	3	4	6	6	9	6	9	1	393	267	693	314	2	2	30172	0	0	125	14	4	30172	0	0	125	14	4
Grimsby.....	17054	7790	20	36	7	3	130	5	9	9	21	21	3	4	6	6	6	6	6	1	377	260	682	238	3	3	27065	0	0	113	5	5	27065	0	0	113	5	5
Chilton.....	14174	10015	30	6	7	6	149	9	9	13	9	9	2	2	2	2	7	7	1	429	333	801	391	3	3	30911	0	0	128	15	11	30911	0	0	128	15	11	
Bartie.....	226754	10774	129	63	9	2	52	1	3	25	41	41	2	2	2	2	10	10	3	532	265	761	189	18	6	33577	0	0	139	18	8	33577	0	0	139	18	8	
Stamford.....	11767	9641	13	29	2	2	208	1	4	54	48	48	3	3	3	3	3	3	6	396	267	666	217	7	7	33524	0	0	155	2	6	33524	0	0	155	2	6	
Granttham.....	12103	9453	35	17	2	2	73	1	1	2	2	2	1	1	1	1	3	3	2	251	204	549	202	2	2	37214	0	0	79	2	6	37214	0	0	79	2	6	
Chatsboro'.....	17131	6762	17	11	2	2	62	3	1	17	8	8	1	1	1	1	5	5	1	304	258	607	228	2	2	18510	0	0	79	19	5	18510	0	0	79	19	5	
Leath.....	9488	6316	24	4	2	2	59	4	4	12	5	5	3	3	3	3	2	2	3	293	285	583	250	2	2	19193	0	0	69	18	3	19193	0	0	69	18	3	
Palham.....	16998	6444	23	3	3	3	36	11	4	4	1	1	2	2	2	2	5	5	1	203	154	246	148	2	2	16779	0	0	46	9	0	16779	0	0	46	9	0	
Willoughby.....	10130	5099	22	1	1	1	27	1	5	1	3	3	1	1	1	1	3	3	1	189	140	371	102	2	2	11148	0	0	50	13	9	11148	0	0	50	13	9	
Crowland.....	88114	4135	35	1	1	1	21	1	8	3	3	3	4	4	4	4	1	1	1	191	179	411	201	1	1	12165	0	0	62	2	11	12165	0	0	62	2	11	
Hamberstone.....	14439	4308	50	2	11	4	21	3	5	3	3	3	3	3	3	3	4	4	1	183	144	367	192	1	1	13091	0	0	54	10	11	13091	0	0	54	10	11	
Wainfleet.....	16627	4075	13	5	5	1	7	6	1	3	3	3	1	1	1	1	2	2	1	83	57	133	20	2	2	6980	0	0	29	1	8	6980	0	0	29	1	8	
Canborough.....	6764	1350	3	2	1	1	2	1	1	1	1	1	1	1	1	1	3	3	2	69	63	161	67	2	2	5167	0	0	21	10	7	5167	0	0	21	10	7	
Caistor.....	86014	24524	14	2	2	2	13	2	1	1	3	3	1	1	1	1	5	5	1	83	109	233	129	6	6	7452	0	0	31	1	0	7452	0	0	31	1	0	
Revelina.....	7384	2257	11	12	2	2	12	5	2	2	2	2	2	2	2	2	4	4	2	56	108	218	64	10	10	7493	0	0	32	4	5	7493	0	0	32	4	5	
Walpole.....	149454	146924	19	3	1	2	3	5	2	2	2	2	3	3	3	3	3	3	2	84	112	175	10	10	10	7265	0	0	30	5	5	7265	0	0	30	5	5	
U. D. Haldim'd.	8753	1967	30	7	1	1	21	1	1	2	2	2	5	5	5	5	3	3	5	80	131	228	77	7	7	9528	0	0	39	14	0	9528	0	0	39	14	0	
L. D. Haldim'd.	2509484	106552	383	530	27	316	177	1244	238	60	53	309	480	7	51	30	20	93	105	5260	4023	9489	3730	27	27	413848	0	0	1730	17	4	391	16	74	2122	14	04	

CHARLES RICHARDSON, Clerk of the Peace.

Office of Clerk of the Peace, Niagara District, 1834.

APPENDIX.



Aggregate Account of the Ratable Property in the Western District for the year 1834.

TOWNSHIPS	LANDS.		HOUSES.										MILLS.		PROPERTY				AMOUNT OF RATES		AMOUNT OF WAGES TO MEMBERS OF PARLIAMENT.		TOTAL amount to be COLLECTED.																
	Uncultivated.	Cultivated, Arable, Pasture or Meadow.	Squared or hewed timber on 2 sides, 1 story.	Squared or Hewed on 2 sides, two stories.	Additional fire places.	Framed under 2 stories.	Additional fire places.	Framed of 2 stories.	Additional fire places.	Framed or stone of one story.	Brick or stone of two stories.	Additional fire places.	Wrought by water with one pair of stones.	Additional pair of stones.	Saw Mills.	Store Houses.	Merchant Shops.	Stone Horses for covering Mares for hire or gain.	Horses of three years old and upwards.	Oxen of four years old and upwards.	Milch Cows.	Horned Cattle from two to 4 years old.	Carriages or other Carriages 2 wheels, kept for pleasure.	Waggons kept for pleasure.	Town Lots in Sandwich.	Coaches, &c. 4 wheels.	£	s.	d.	£	s.	d.	£	s.	d.				
Sandwich, .....	32813	8667	178	83	13	5	1	1	1	1	1	1	1	1	6	1	567	408	709	218	56	10	82	1	36046	12	0	150	3	10½	30	0	94	180	4	7½			
Maiden, .....	13185	2149	85	45	30	12	19	3	11	1	1	1	1	1	12	2	254	100	299	86	16	3	1	1	15843	16	0	66	0	3	13	4	0½	79	4	3¼			
Colchester, .....	13744	2710	37	6	2	1	1	1	1	1	1	1	1	1	2	2	217	70	355	134	3	10	2	2	10697	16	0	44	11	5	8	18	3¼	53	9	8¼			
Gosfield, .....	18667½	2697½	46	7	1	1	1	1	1	1	1	1	1	1	3	1	201	100	368	145	1	2	1	1	12759	15	0	53	3	3½	10	12	7¾	63	15	11¼			
Mersa, .....	9527½	1202½	12	1	1	1	1	1	1	1	1	1	1	1	1	1	88	67	172	68	23	2	1	1	5103	14	0	21	5	3¼	4	5	0¼	25	10	4½			
Maidstone & Rochester	7270	570	16	3	1	1	1	1	1	1	1	1	1	1	1	1	74	57	142	23	2	1	1	1	3850	0	0	16	0	10	3	4	2	19	5	0			
Kent, .....	5719	733	12	2	1	1	1	1	1	1	1	1	1	1	1	1	62	52	96	38	2	1	1	1	3271	16	0	13	12	7¾	3	8	1¾	17	0	9¾			
Tilbury, .....	4491	439	13	4	3	11	1	3	1	1	1	1	1	1	2	3	29	12	56	21	14	1	1	1	1806	4	0	7	10	6	1	15	1½	9	5	7¼			
Romney, .....	17555	7410	10904	18	5	11	4	2	2	2	2	2	2	2	4	1	121	206	357	124	1	2	1	1	5318	10	0	22	3	2½	5	10	9½	27	14	0			
Raleigh, .....	25062	4156½	18	2	1	1	1	1	1	1	1	1	1	1	1	1	99	117	142	75	1	1	1	1	15440	3	0	64	6	8¼	16	1	8¼	80	8	4¼			
Harwich, .....	12011	1812	2	1	1	1	1	1	1	1	1	1	1	1	1	1	13	105	154	42	1	1	1	1	6050	4	0	25	4	2¼	6	6	0¼	31	10	2¼			
Howard, .....	15284	844	1	1	1	1	1	1	1	1	1	1	1	1	1	1	57	98	180	84	1	1	1	1	5148	16	0	21	9	0¾	5	7	3¼	25	16	3¼			
Oxford, .....	12286	1395½	9	4	4	1	2	3	2	2	2	2	2	2	4	1	107	163	251	85	1	1	1	1	6847	14	0	22	3	8	7	2	7¾	35	13	3¼			
Zone, .....	7045	1407	8	2	1	8	2	3	2	2	2	2	2	2	1	1	75	64	132	61	1	1	1	1	5326	0	0	22	3	8	5	10	11	27	14	7			
Caunden & Dawn, .....	6815	1323	19	1	3	6	1	4	5	1	1	1	1	1	1	1	107	163	251	85	1	1	1	1	6011	0	0	25	0	11	6	5	2¼	31	6	1¼			
Chatham, .....	5895½	572½	6	1	1	1	1	1	1	1	1	1	1	1	1	1	59	143	203	73	1	1	1	1	5097	12	0	21	4	9¼	5	6	2¼	26	10	11¼			
Dover, .....	9150	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1919	0	0	7	19	11¼	1	19	11¼	9	19	10¼			
Rombs, Moore & Walpole Is.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
Plympton, .....	524050½	.....	474	21	19	7	206	41	46	36	1	13	2	12	4	39	14	2165	1971	4078	1510	82	30	82	1	158749	12	0	661	8	9¼	147	13	5¼	809	2	3		
Total, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

CHARLES ASKEN,  
Clerk of the Peace W. District.

Clerk of the Peace's Office, Sandwich, }  
29th October, 1834.

APPENDIX.

Population Returns.

GENERAL RETURN OF THE POPULATION OF THE OTTAWA DISTRICT FOR THE YEAR 1834.

COUNTIES.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.	
	TOWNSHIPS.	Males under 16 years.	Females under 16 years.	Males above 16 years.				Females above 16 years.
County of Prescott.	Hawkesbury.. } East & West	242	229	258	222	951	The population of the township of Gloucester has decreased 363; in the course of the last year this decrease is accounted for by the fact that the last year's return included a great number of labourers & their families, who, having for a long time found employment on the works of the Rideau Canal, still lingered around the scene of their former labour, but have since removed to other parts of the country. Notwithstanding this apparent diminution, the township of Gloucester has received an accession of 29 ratable inhabitants with their families during the past year, being an increase of more than one-fifth in actual settlement.	
	Longueil .....	380	367	401	363	1511		
	Caledonia .....	229	212	242	220	903		
	Alfred .....	80	81	97	73	331		
	Plantagenet .....	88	85	61	34	168		
		175	168	171	144	658		
		1144	1092	1230	1056	4522		4522
Russell	Clarence .....	44	38	54	40	176		
	Cumberland .....	59	48	49	30	186		
	Russell .....	12	7	40	17	76		
	Cambridge .....	0	0	0	0	0		
	Osgoode .....	100	99	101	92	392		
	Gloucester .....	221	256	286	220	983		
		436	448	530	399	1813	1813	
	Grand Total.....	1580	1540	1760	1445	6335	6335	

I certify that the above return is correctly compiled from the original returns of the several assessors of the above mentioned townships.

RICHARD PHILLIPS HOTHAM.  
Clerk of the Peace District of Ottawa.

L'Original, April 19th, 1835.



GENERAL RETURN OF THE POPULATION OF THE BATHURST DISTRICT FOR THE YEAR 1834.

COUNTIES.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
	TOWNSHIPS.	Males under 16 years.	Females under 16 years.	Males above 16 years.			
Lanark.	Bathurst .....	565	609	528	473	2175	The town of Perth contains nine hundred and eighty-nine souls. Last year it exceeded one thousand. The census was taken early in the year, and I apprehend at this moment the town has a population of more than 1000 souls.
	Drummond .....	689	642	751	649	2731	
	Beckwith .....	537	514	551	477	2079	
	Lanark .....	511	485	461	411	1818	
	Dalhousie .....	324	331	313	280	1248	
	Ramsay .....	455	564	565	487	2071	
	N. Sherbrooke .....	113	105	111	97	426	
	S. Sherbrooke .....	27	43	39	31	140	
	McNab .....	84	66	202	92	444	
	Darling .....	48	42	40	32	162	
	Horton .....	94	29	83	38	184	
		3387	3380	3644	3067		13478
Carleton.	Goulborn .....	613	598	557	486	2254	
	Huntly .....	255	269	24	254	1102	
	March .....	141	114	143	107	505	
	Torbolton .....	37	32	48	38	155	
	Packenham .....	127	138	183	127	575	
	Nepean .....	743	737	963	893	3336	
	FitzRoy .....	153	157	211	153	674	
		2069	2045	2429	2058		8601
Total in the District.....						22079	

G. H. READE,  
Clerk of the Peace District of Bathurst.

**NO. 41.**  
**Population Returns.**

**GENERAL RETURN OF THE POPULATION OF THE EASTERN DISTRICT FOR THE YEAR 1834.**

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Dundas.	Mountain .....	225	218	237	171	851	5262	
	Winchester .....	65	64	94	55	278		
	Williamsburgh .....	523	498	537	485	2043		
	Matilda .....	559	541	512	478	2090		
Stormont.	Cornwall and Roxborough } .....	1040	1033	989	957	4019	8107	
	Osnabruck .....	701	586	606	531	2424		
	Finch .....	118	116	192	123	549		
	Town of Cornwall ...	247	231	326	311	1115		
Glengarry.	Charlottenburgh .....	1199	1113	1301	1244	4857	11736	
	Lochiel .....	634	596	641	584	2455		
	Lancaster .....	645	632	690	634	2601		
	Kenyon .....	481	469	449	424	1823		
		6437	6097	6574	5997		25105	

*Clerk of the Peace's Office,  
Eastern District,  
1st May, 1834.*

**ARCHIBALD McLEAN,**  
*Clerk of the Peace, E. D.*



**GENERAL RETURN OF THE POPULATION OF THE JOHNSTOWN DISTRICT FOR THE YEAR 1834.**

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.	
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.				
Leeds.	Elmsley .....	277	226	301	255	1059	16549		
	Elizabethtown .....	1341	1337	1495	1352	5525			
	Front of Leeds and Lansdown } .....	329	294	386	279	1288			
	Kitly .....	370	319	389	316	1394			
	South Crosby .....	166	128	175	145	614			
	Bastard .....	503	481	524	450	1958			
	North Crosby .....	66	64	99	79	308			
	Rear of Leeds and Lansdown } .....	238	209	227	177	851			
	Yonge .....	846	869	820	649	3184			
	Burgess .....	95	83	102	88	368			
Grenville.	Montague .....	107	149	118	165	539	11512		
	North Gower .....	90	84	81	57	312			
	Augusta .....	1060	1064	1230	1079	4433			
	South Gower .....	176	137	175	141	629			
	Edwardsburgh .....	556	572	594	518	2240			
	Oxford .....	423	387	436	361	1607			
	Wolford .....	306	273	300	250	1129			
	Marlborough .....	177	143	165	138	623			
		7126	6819	7617	6499	28061	28061		

**JAMES JESSUP,**  
*Clerk of the Peace District of Johnstown.*

Population Returns.

GENERAL RETURN OF THE POPULATION OF THE MIDLAND DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Frontenac.	Town of Kingston ...	939	959	1382	1298	4578	12505	Return not completed.
	Township of Kingston	1010	867	1039	891	3807		
	Pittsburgh .....	362	351	477	349	1539		
	Loughborough .....	364	318	362	310	1354		
	Portland .....	178	176	142	124	620		
	Wolf Island .....	151	154	171	131	607		
		3004	2825	3573	3103	12505		
Lennox & Addington.	Ernest-town .....	929	818	1006	898	3651	11639	
	Fredericksburgh .....	671	588	713	590	2562		
	Adolphustown .....	154	146	212	172	684		
	Richmond .....	399	421	421	328	1569		
	Camden .....	634	543	581	489	2247		
	Sheffield .....	62	53	88	53	256		
	Amherst Island .....	158	166	201	145	670		
		3007	2735	3222	2675	11639		
Hastings.	Sidney .....	668	581	643	561	2453	8365	
	Thurlow .....	777	749	943	753	3222		
	Rawdon .....	158	106	134	100	498		
	Marmora .....	54	68	70	61	253		
	Huntingdon .....	110	125	115	96	446		
	Hungerford .....	71	67	131	64	333		
	Madoc .....	295	267	354	244	1160		
		2133	1963	2390	1879	8365		
		7510	6980	8604	7168	32509		
						32509		

I do hereby certify that the foregoing has been truly taken from the original returns, as made to me by the several Assessors, for the present year.

Kingston, 16th July, 1834.

J. NICKALLS, JUN'R,  
Clerk of the Peace, M. D



GENERAL RETURN OF THE POPULATION OF THE PRINCE EDWARD DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Prince Edward.	Marysburgh, .....	508	506	462	408	1884	11823	
	Sophiasburgh, .....	582	542	664	537	2325		
	Hallowell, .....	888	867	1019	902	3676		
	Ameliasburgh, .....	559	482	538	467	2046		
	Hillier, .....	458	504	512	418	1892		
	Total, .....		2995	2901	3195	2732		11823

DAVID L. FAIRFIELD,  
Clerk of the Peace for the District of Prince Edward.

**NO. 41.**  
**Population Returns.**

**GENERAL RETURN OF THE POPULATION OF THE NEWCASTLE DISTRICT FOR THE YEAR 1834.**

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Northumb'd.	Murray.....	519	478	565	476	2038	In this County there is a few settlers in the townships of Harvey, Burleigh, Methuen and Belmont, the numbers not yet ascertained, no town meeting having been held therein.	
	Otanabee.....	340	303	388	297	1327		
	Cramahe.....	533	546	584	512	2175		
	Haldimand.....	548	537	643	544	2267		
	Monaghan.....	291	241	353	280	1165		
	Asphodel.....	102	92	108	77	379		
	Douro.....	187	173	208	166	734		
	Seymour.....	68	74	182	80	404		
	Percy.....	138	111	158	124	531		
	Ennesmore.....	86	63	79	53	281		
	Smith.....	284	227	255	210	976		
Hamilton.....	830	764	1063	814	3471			
Dummer.....	150	129	210	146	635			
		4071	3737	4796	5779	16383		
Durham.	Darlington.....	428	385	458	354	1625	The number of settlers in the townships of Manvers, Cartwright, Fenelon and Verulam have not yet been ascertained, no town meetings having been held therein.	
	Hope.....	588	517	794	601	2500		
	Cavan.....	678	621	628	538	2465		
	Clarke.....	389	327	361	296	1373		
	Ops.....	199	176	249	172	796		
	Marriposa.....	80	102	92	72	346		
	Eldon.....	136	149	148	127	560		
	Emily.....	365	369	347	275	1356		
		2863	2646	3077	2435	11021		
RECAPITULATION.								
Northumb'd.	Total.....	4071	3737	4796	3779	16383		
Durham.	Ditto.....	2863	2646	3077	2435	11021		
	Total in the District..	6934	6383	7873	6214	27404		

T. WARD,  
*Clerk of the Peace.*



**GENERAL RETURN OF THE POPULATION OF THE CITY OF TORONTO, FOR THE YEAR 1834.**

WARDS.	Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.	Aliens.	Total amount of each Ward.	Total amount City Population
St. David's.....	722	680	1033	959		3394	9252
St. Lawrence.....	412	290	666	554		1922	
St. Andrew's.....	320	383	532	485	28	1748	
St. Patrick's.....	328	317	426	397	4	1472	
St. George's.....	228	123	240	125		716	

J. H. PRICE,  
*Clerk Common Council.*

*Common Council Office, 12th July, 1834.*

**NO. 41.**  
**Population Returns.**

GENERAL RETURN OF THE POPULATION OF THE LONDON DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Middlesex.	Town of London and the Reservation . . . }	234	229	383	280	1122	20865	
	Malahide . . . . .	561	524	458	400	1943		
	Delaware . . . . .	45	38	83	56	222		
	Ekfrid . . . . .	84	106	119	97	406		
	Dorchester . . . . .	119	82	88	68	357		
	Lobo . . . . .	198	182	163	140	683		
	Bayham . . . . .	491	482	500	398	1871		
	Westminster . . . . .	434	396	402	344	1576		
	Mosa . . . . .	173	201	172	144	690		
	Aldborough . . . . .	156	184	157	140	637		
	Carradoc . . . . .	134	143	162	111	550		
	Southwold . . . . .	608	605	657	534	2404		
	London . . . . .	889	846	672	619	3030		
	Yarmouth . . . . .	722	585	785	584	2676		
	Dunwich . . . . .	136	128	165	134	563		
	Adelaide . . . . .	237	201	320	209	967		
	Williams . . . . .	39	55	102	55	251		
Goderich . . . . .	180	159	334	174	847			
Biddulph . . . . .	17	18	9	26	70			
Oxford.	Oakland . . . . .	125	125	137	103	490	9470	
	Nissouri . . . . .	197	182	190	156	725		
	Norwich . . . . .	524	469	540	444	1977		
	Zorra . . . . .	448	418	499	436	1801		
	Blenheim . . . . .	256	206	244	210	916		
	Blandford . . . . .	48	42	79	45	214		
	Oxford East . . . . .	142	142	155	129	568		
	Oxford West . . . . .	287	260	315	279	1141		
	Burford . . . . .	353	315	343	291	1302		
Dereham . . . . .	95	71	100	70	336			
Norfolk.	Charlotteville . . . . .	364	361	409	326	1460	6827	
	Windham . . . . .	251	240	233	206	930		
	Middleton . . . . .	97	86	95	83	361		
	Houghton . . . . .	46	34	33	28	141		
	Walsingham . . . . .	209	214	196	171	790		
	Townsend . . . . .	497	468	471	411	1847		
Woodhouse . . . . .	319	293	391	295	1298			
In the Canada Compy's Tract	McKillup . . . . .						No Return whatever from these townships has been received altho' a letter has been addressed to the Magistrates of that division on the subject-	
	Fullerton . . . . .							
	Ell . . . . .							
	Downie . . . . .							
	Logan . . . . .							
	Usborne . . . . .							
	Hullet . . . . .							
	Stanley . . . . .							
	Hay . . . . .							
	McGillivray . . . . .							
	Tucker Smith . . . . .							
Colborne . . . . .								
N. East Hope . . . . .								
S. East Hope . . . . .								
Stephen . . . . .								
Bosanquet . . . . .								
	Total . . . . .	9715	9090	10161	8196	37162	37162	

JOHN B. ASKIN,  
Clerk of the Peace, London District.

Population Returns.

GENERAL RETURN OF THE POPULATION OF THE HOME DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
York.	York.....	903	807	1040	794	3544	38551	
	Whitby.....	756	770	949	738	3213		
	Pickering.....	487	469	480	371	1807		
	Scarborough.....	518	447	535	397	1897		
	Markham.....	1118	1126	1133	1059	4436		
	Vaughan.....	712	691	824	634	2861		
	Whitchurch.....	682	657	768	625	2732		
	King.....	432	383	425	432	1672		
	North Gwillimbury...	122	133	115	97	467		
	East Gwillimbury....	367	357	342	323	1389		
	Georgina.....	95	87	97	76	355		
	Etobicoke.....	352	271	388	279	1290		
	Albion.....	50	225	313	262	1050		
	Caledon.....	355	312	329	277	1278		
	Chinguacousey.....	758	723	665	582	2728		
	Reach.....	468	526	487	507	1988		
	Brock.....	269	250	286	227	1032		
	Toronto.....	1009	967	1234	880	4090		
Gore of Toronto.....	12	96	152	108	483			
Uxbridge.....	106	91	24	23	244			
Simcoe.	West Gwillimbury...	373	297	316	307	1293	7737	
	Tecumseth.....	347	309	456	277	1389		
	Adjala.....	281	252	142	112	787		
	Mono.....	320	352	286	250	1208		
	Innisfil.....	128	55	131	92	406		
	Tiny & Tay.....	90	96	106	109	401		
	Oro.....	208	189	296	188	881		
	Flos.....	23	22	25	20	70		
	Vespra.....	58	43	80	55	236		
	Medonte.....	113	88	141	106	448		
	Thorah.....	121	91	125	94	431		
Essa.....	34	31	61	41	167			
		11982	11213	12751	10342	46288	46288	

Office of the Clerk of the Peace,  
City of Toronto, 2nd June, 1834.

SIMON WASHBURN,  
Clerk of the Peace, Home District.

GENERAL RETURN OF THE POPULATION OF THE NIAGARA DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Lincoln.	Bertie.....	567	537	550	559	2213	25042	
	Caistor.....	123	112	94	86	415		
	Canboro'.....	126	80	105	74	385		
	Clinton.....	839	488	231	477	2035		
	Crowland.....	362	207	210	201	980		
	Gainsborough.....	395	325	326	287	1333		
	Grantham.....	632	728	943	844	3147		
	Grimsby.....	408	335	297	388	1428		
	Humberstone.....	269	289	294	263	1115		
	Louth.....	333	310	302	288	1233		
	Niagara (Town).....	351	349	573	509	1782		
	Niagara (Township)...	483	442	507	427	1859		
	Pelham.....	372	339	331	322	1364		
	Stamford.....	459	459	657	569	2144		
	Thorold.....	467	442	536	428	1873		
	Wainfleet.....	262	200	245	214	921		
Willoughby.....	229	236	126	224	815			
		6677	5878	6327	6160	25042		
Haldimand.	Haldimand.....	301	310	392	254	1257	2305	
	Rainham.....	134	124	115	111	484		
	Walpole.....	158	139	144	123	564		
		593	573	651	488	2305	27347	

Office of the Clerk of the Peace,  
Niagara, May 7th, 1834.

CHARLES RICHARDSON,  
Clerk of the Peace, District of Niagara.

Population Returns.

GENERAL RETURN OF THE POPULATION OF THE GORE DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Halton.	Trafalgar .....	915	800	941	693	3349	} 24537	Joseph Bergie and Daniel Bechtel both of Waterloo, insane.
	Esquesing .....	491	475	497	405	1868		
	Nelson .....	509	489	590	438	2026		
	Erin .....	360	217	205	166	948		
	Nassagawega .....	217	171	214	158	760		
	Eramosa .....	134	135	170	130	569		
	Guelph .....	434	405	545	435	1819		
	Nichol .....	65	101	96	61	323		
	Garrafraxa .....	42	35	29	26	132		
	Woolwich .....	73	61	125	114	373		
	Waterloo .....	676	637	753	596	2662		
	Wilmot .....	247	253	278	231	1009		
	Dumfries .....	1120	1031	1169	857	4177		
	Beverley .....	388	315	406	356	1465		
Flamboro' West .....	379	316	378	395	1468			
Flamboro' East .....	229	192	238	166	825			
Puslinch .....	249	190	147	178	764			
		6528	5823	6781	5405	24537		
Wentworth.	Grand River Tract....	469	475	536	577	2057		
	Ancaster .....	620	568	688	569	2445		
	Barton exclusive of the Town of Hamilton,..	323	267	309	276	1175		
	Town of Hamilton....	253	238	516	360	1367		
	Glanford .....	216	207	191	168	782		
	Saltfleet .....	451	470	469	411	1801		
	Binbrook .....	121	116	122	95	454		
			2453	2341	2831	2456	10081	
Total .....		8981	8164	9612	7861	34618	34618	

Clerk Peace Office, Hamilton, }  
Gore District, Aug. 26th 1834. }

ROBERT BERRIE, Clerk of the Peace,  
by ALEX. P. MILNE, D'y Clk. Peace.

GENERAL RETURN OF THE POPULATION OF THE WESTERN DISTRICT FOR THE YEAR 1834.

COUNTIES.	TOWNSHIPS.	NUMBER IN EACH TOWNSHIP.				Total in each Township	Total in each County.	REMARKS.
		Males under 16 years.	Females under 16 years.	Males above 16 years.	Females above 16 years.			
Essex.	Sandwich .....	626	592	653	600	2471	} 6484	
	Malden .....	352	366	374	342	1434		
	Colchester .....	193	186	204	166	749		
	Gosfield .....	233	228	308	188	957		
	Mersea .....	122	114	107	83	426		
	Maidstone and Rochester .....	124	107	120	96	447		
Kent.	Tilbury .....	63	44	72	78	257	} 6268	No return for the townships of Sarnea, Brooke, Enniskillen, or Warwick, the settlement of which has been recently commenced.
	Romney .....	42	36	39	25	142		
	Raleigh .....	231	239	232	179	881		
	Harwich .....	137	119	136	102	494		
	Howard .....	323	307	306	231	1167		
	Orford .....	92	82	118	80	372		
	Camden .....	59	41	48	35	183		
	Dawn .....	94	94	99	66	353		
	Zone .....	160	112	155	110	537		
	Chatham .....	83	91	85	71	330		
	Dover .....	195	190	176	153	714		
	Plimpton .....	40	39	90	34	203		
	Sombra, Moore, and Walpole Island ... }	152	155	184	144	635		
Total .....		3321	3142	3506	2783	12752	12752	

Clerk Peace's Office, Sandwich 9th, Sept. 1834.

CHARLES ASKIN, Clk Peace W. District.

## R E P O R T

APPENDIX.

*Of the Select Committee on several Petitions for paying the balance of expenses of W. L. Mackenzie, Esquire, during his Mission to London as the Agent for 24,500 Petitioners to His Majesty for a redress of Grievances.*

COMMITTEE—MESSIEURS,

GIBSON,  
ALWAY,MORRISON,  
THORBURN, & LOUNT.*To the Honorable the House of Assembly.*

The Sel. Committee to whom was referred the Petition of John Hugill, Joseph Cawthra, Edward Wright John Edwd. Tims, Joseph Shepard, John Leys, Daniel Brook, Wm. Cawthra, Robert McKay, James Hunter, John Montgomery, & others, Freeholders of the Home District; the petition of Jeremiah Smith and others, Freeholders of the said District; and the Petition of William Reid, Senior, Israel Lundy, Murdoch McLeod, Samuel Hughes, William Johnston and others, Freeholders of East Gwillimbury and Georgina, in said District, have, in obedience to the orders of the House, enquired into the facts stated in the petitions, and beg leave unanimously to report:

1st.—That the people of the County of York held 18 Township Meetings in their several townships during the summer and autumn of 1831, at each of which a petition to the House of Assembly for the removal of substantial grievances was almost unanimously agreed to.

2nd.—That these Petitions were all, or nearly all entrusted to W. L. Mackenzie, Esquire, one of the representatives of the District, who presented them and supported their prayers.

3rd.—That Mr. Mackenzie was soon after the commencement of the 2nd Session of that House expelled, because a newspaper he conducted had expressed opinions unfavorable to the political course pursued by the majority of its members.

4th.—That, on the first week-day of January, 1832, the Freeholders of the county of York met, re-elected Mr. Mackenzie, and expressed their approbation of his political conduct, and disapprobation of the House of Assembly; this they did by an almost unanimous vote, one elector only being in the negative.

5th.—That the said Freeholders waited on Sir John Colborne, and prayed His Excellency to dissolve the House and allow an appeal to be made to the general body of the electors, but he would not.

6th.—That Mr. Mackenzie being re-elected, took his seat, and was soon after re-expelled, for the publication of his political opinions, which opinions were those of the large constituency he represented.

7th.—That he was elected the 3rd time to that House by a majority believed to be the greatest ever given to one individual over another, in this Province.

8th.—That the Freeholders of the Home District met in great numbers on the 19th January, 1832, in this city, to consider of the best means left them to preserve their civil rights as British subjects, and it was agreed upon, that the only constitutional course left them to pursue, was humbly to address His Majesty, and to crave the aid of the prerogative vested in the Crown for the protection of the people.

9th.—That the Agent they appointed was also chosen by many of the other towns, counties and places of the Province, to carry home addresses expressive of the attachment of the people to His Majesty's Government, and of their confidence, that such constitutional means as were in the power of the Crown, would be used for the redress of the grievances of which they complained. These memorials were signed by twenty-four thousand five hundred of the male adult inhabitants of the colony.

10th.—That the agent of these petitioners took his departure for London with a part of his family; was absent from his home about 18 months, upon a difficult and expensive mission, in no way connected with his private affairs, which were left in the care of one of the Freeholders, a Farmer from the country, who was unfortunately sick a great part of the time.

11th.—That during this period and after the return of their agent from England, the electors of the County of York were kept almost continually employed electing a representative from whose services in the House they were enabled to derive no benefit, because he was expelled as often as re-elected.

12th.—That laws were passed during this period for raising taxes and applying revenue, to which they were opposed; that the wages of their expelled representative were exacted from them, but not paid to him; and that when they refused in some townships to elect officers to collect such taxes, the Justices of the Peace appointed Tax-gatherers and expended the revenue thus raised.

13th.—That the said Electors were not only deprived of their due share of the representation, but also put to great trouble and expense; an excitement was created exceedingly unfavorable to active and regular industry, and injurious to the prosperity of the country.

14th.—That the yeomanry of the Home District appointed a standing committee to attend to their political affairs, which collected by subscription only £150, beyond the amount of their own expenses, and disbursements, but depending, as we think they justly might, on the country whose best rights the Electors were defending, and of whose petitions Mr. Mackenzie was the bearer, they borrowed on the individual responsibility of some of the members, £400 and upwards from Joseph Cawthra, Esquire, Toronto, and Mr. Alex. Montgomery, Senior, of York Township, Farmer, which sums, with the interest, now amount to nearly £500, and are unpaid. Of these sums a part was paid to Mr. Mackenzie when he left for Europe; £180 were transmitted him in the charge of the Rev. Egerton Ryerson, afterwards, and the remainder on his return, to enable him to liquidate debts he had unavoidably incurred in London, and on his way back.

15th.—That petitions signed by many thousands of the inhabitants of Upper Canada, from Halton, Wentworth, Leeds, the District of Niagara, Middlesex, Oxford, Lennox and Addington, Stormont, Glengarry, Grenville, Frontenac, Hastings, the Ottawa, Durham, Prince Edward, Northumberland, Dundas, &c. were entrusted to the Committee, and sent by or to its agent; while the amount of money to defray expenses, received from all these places, was under £65. A very small additional sum has been since received.

## 2 Report on paying Mr. Mackenzie's expenses in London.

## APPENDIX.

16th.—That as two of the petitions pray for a remuneration to be made to Mr. Mackenzie for his services, this Committee enquired whether he was desirous to receive such remuneration. His reply was as follows :

“ My journey to England, and detention there were caused by the unjust conduct of the Legislature towards a large constituency, whose rights I was bound to exert myself to the utmost to maintain—my exertions here and in England were intended for the common advantage of the people—my expenses have been paid by the Committee here, and I think that any further attempts for my remuneration, especially by the Legislature, would be injudicious, and calculated to impress the public with the opinion, that private advantage, more than the public good had been my object.—I submit however, that as the House, by an overwhelming majority, has decided that my expulsions in 1832, 1833, and 1834, were acts subversive of the rights of the whole of the Electors of Upper Canada, that it is the House of Assembly, and not the few electors of the County of York, whose names are held for my expenses, who ought to pay Mr. Montgomery and Mr. Cawthra,—but on this question the House and its Committee are the best judges.”

Your Committee do not consider that Mr. Mackenzie's good or bad success as the agent of the petitioners, who were at the time perhaps a majority of the whole male adults in this Province, ought to guide the House in its decision on the petitions for remuneration ; although if that had been the criterion, the measure of his success far exceeded the public expectation.

He was recognized as the representative of the yeomanry of Upper Canada by His Majesty's Ministers, who frankly admitted that the people were right and the executive and its officers wrong, on the great constitutional question raised by his expulsions.

He was admitted to many audiences of the Ministers of the Crown, and successive Secretaries of State for the Colonies received and listened to his opinions on important matters of policy and government, and avowedly acted upon many of his views and suggestions.

He has been enabled through the House of Commons and the consent of His Majesty's Government, to place on the records of the Imperial Parliament, and to expose to the view of the colonists and the nation, the secret revenues of the Post Office Department of the Canadas, and their misapplication ; the correspondence of Military Governors, traducing the people and their representatives ; the operation of the Legislative Council in its continual rejection of measures of great and general utility prayed for by the people.

He was enabled to prove to the satisfaction of the British Government, that the moment it would attempt to uphold and maintain Canadians in the rights of Englishmen, the Legislative Council of this Province would not even allow the King's Despatches, sent them by his Minister through their Lieutenant Governor, to appear on their Journals, or to lie on the table of their Legislative Chamber.

And it is probable his representations to the Colonial Office, directed against the public conduct of the Crown Lawyers who had acted in direct opposition to the avowed policy of His Majesty's Government, was a means of their summary dismissal by His Majesty.

He was admitted by the Secretary of State to the honor of examining the official records of the Colonial Office, the secret annual returns of the Government of Upper Canada, of the finances of the colony, the journal of the Executive Council, and other documents of importance to the country.

He was enabled to bring the condition of the Post Office department so efficiently before His Majesty's Government as to induce it to send for the Postmaster General of these colonies to London and parliament to pass a bill declaring that the colonists of right ought to control that revenue.

He was enabled to give much information on the subject of Upper Canada to members of the Imperial Legislature, and through the press to the British public ; and also to send some useful information on public affairs to Upper Canada.

He was also authorised to act on behalf of the two Committees, who had transmitted by George Ryerson, Esquire, the petition of the several religious denominations in 1828, signed by 8008 persons, and in 1830 by 14,000, against the Rev. Dr. Strachan's chart, and a Church and State union, and procured from His Majesty's Ministers a recommendation to Dr. Strachan and Bishop McDonell, to quit party politics and the Council Chamber, and attend to their duties in their congregations.

Mr. Mackenzie appears to us to have done what he could on behalf of the rights of the people, and it is to be regretted that he was so strenuously opposed by the Executive Government and both branches of the Legislature.

Your Committee recommend to the House, to guaranty to Mr. Cawthra and Mr. Montgomery, the balances for which they respectively hold the notes of a number of the members of the Committee of the Freeholders, and to pay as a contingency of the House, the wages of their representative, from the time at which it is declared on the Journals that his expulsions were acts subversive of the rights of the whole of the electors of Upper Canada.

Committee Room, House of Assembly, }  
16th April, 1835. }

DAVID GIBSON,  
Chairman.

THE

APPENDIX.

**ROYAL CHARTER**

FOR

INCORPORATING

**THE HUDSON'S BAY COMPANY,**

GRANTED BY

**His Majesty King Charles the Second,**

IN THE TWENTY-SECOND YEAR OF HIS REIGN.

A. D. 1670.

THE

**ROYAL CHARTER**

FOR

INCORPORATING

**THE HUDSON'S BAY COMPANY.**

*Charles the Second by the Grace of GOD, King of England, Scotland, France, and Ireland, Defender of the Faith, &c.*

To all TO WHOM THESE PRESENTS SHALL COME,

GREETING :

Preamble.

**W**hereas, our dear and entirely beloved Cousin, Prince Rupert, Count Palatine of the Rhine, Duke of Bavaria and Cumberland, &c.; Christopher, Duke of Albemarle; William, Earl of Craven; Henry, Lord Arlington; Anthony, Lord Ashley; Sir John Robinson; and Sir Robert Vyner, Knights and Baronets; Sir Peter Colleton, Baronet; Sir Edward Hungerford, Knight of the Bath; Sir Paul Neele, Knight; Sir John Griffith and Sir Philip Carteret, Knights; James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, Esquires; and John Portman, Citizen and Goldsmith of London; have, at their own great cost and charges, undertaken an Expedition for Hudson's Bay in the North-West part of America, for the Discovery of a new Passage into the South Sea, and for the finding some Trade for Furs, Minerals, and other considerable Commodities, and by such their Undertaking, have already made such Discoveries as do encourage them to proceed further in Pursuance of their said Design, by means whereof there may probably arise very great Advantage to Us, and Our Kingdom.

## Hudson's Bay Company charter.

## APPENDIX.

**And whereas,** the said Undertakers, for their further Encouragement in the said Design, have humbly besought Us to incorporate them, and grant unto them, and their successors, the sole Trade and Commerce of all those Seas, Streights, Bays, Rivers, Lakes, Creeks and Sounds, in whatsoever Latitude they shall be, that lie within the Entrance of the Streights commonly called Hudson's Streights, together with all the Lands, Countries and Territories, upon the Coasts and Confines of the Seas, Streights, Bays, Rivers, Lakes, Creeks and Sounds, aforesaid, which are not now actually possessed by any of Our Subjects, or by the Subjects of any other Christian Prince or State.

Grant of Incorporation.

Names of original Grantees.

Body corporate to be styled the Governor and Comp'y of Adventurers of England trading into Hudson's Bay.

Rights and privileges of the Governor and Company.

Grant of a common seal.

A Governor and Committee to be chosen.

**Now know ye,** That we being desirous to promote all Endeavours tending to the publick Good of our People, and to encourage the said Undertaking **have,** of Our especial Grace, certain Knowledge and mere Motion, given, granted, ratified and confirmed, and by these Presents for Us, Our Heirs and Successors, **do** give, grant, ratify and confirm, unto Our said Cousin, Prince Rupert; Christopher, Duke of Albermarle; William, Earl of Craven; Henry, Lord Arlington; Anthony, Lord Ashley; Sir John Robinson; Sir Robert Vyner; Sir Peter Colleton; Sir Edward Hungerford; Sir Paul Neele; Sir John Griffith; and Sir Philip Carteret; James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, and John Portman; that they, and such others as shall be admitted into the said Society as is hereafter expressed, shall be one Body Corporate and Politique, in Deed and in Name, by the Name of The Governor and Company of Adventurers of England, Trading into Hudson's Bay, and them by the Name of The Governor and Company of Adventurers of England, Trading into Hudson's Bay, one Body Corporate and Politique, in Deed and in Name, really and fully for ever, for Us, Our Heirs and successors, **We do** make, ordain, constitute, establish, confirm and declare, by these Presents, and that by the same Name of Governor and Company of Adventurers of England, Trading into Hudson's Bay, they shall have perpetual Succession, and that they and their successors, by the Name of the Governor and Company of Adventurers of England Trading into Hudson's Bay, be and at all times hereafter shall be, personable and capable in Law to have, purchase, receive, possess, enjoy, and retain Lands, Rents, Privileges, Liberties, Jurisdictions, Franchises, and Hereditaments, of what Kind, Nature or Quality soever they be, to them and their successors; and also to give, grant, demise, alien, assign, and dispose Lands, Tenements, and Hereditaments, and to do and execute all and singular other Things by the same Name that to them shall or may appertain to do. And that they, and their Successors, by the Name of the Governor and Company of Adventurers of England, Trading into Hudson's Bay, may plead, and be impleaded, answer, and be answered, defend, and be defended, in whatsoever Courts and Places, before whatsoever Judges and Justices, and other Persons and Officers, in all and singular Actions, Pleas, Suits, Quarrels, Causes, and Demands, whatsoever, of whatsoever Kind, Nature, or Sort, in such manner and Form as any other Our Leige People of this Our Realm of England, being Persons able and capable in Law, may, or can have, purchase, receive, possess, enjoy, retain, give, grant, demise, alien, assign, dispose, plead, defend, and be defended, do, permit, and execute. And that the said Governor and Company of Adventurers of England, Trading into Hudson's Bay, and their successors, may have a Common Seal to serve for all the Causes and Businesses of them and their successors, and that it shall and may be lawful to the said Governor, and their successors, the same Seal, from time to time, at their Will and Pleasure, to break, change, and to make anew, or alter, as to them shall seem expedient. **And further We will,** and by these Presents for Us, Our Heirs and Successors, **We do** ordain, that there shall be, from henceforth one of the same Company to be elected and appointed in such Form as hereafter in these Presents is expressed, which shall be called The Governor of the said Company. And that the said Governor and Company shall or may elect seven of their Number in such form as hereafter in these Presents is expressed, which shall be called The Committee of the said Company, which Committee of Seven, or any Three of them, together with the Governor or Deputy Governor of the said Company for the time being, shall have the Direction of the Voyages of and for the said Company, and the Provision of the Shipping and Merchandizes thereunto belonging, and also the Sale of all Merchandizes, Goods, and other Things returned, in all or any the Voyages or Ships of or for the said Company, and the managing and handling of all other Business, Affairs and Things, belonging to the said Company. **And We will,** or-

## APPENDIX.

dain, and grant, by these presents for Us, Our Heirs and Successors, unto the said Governor and Company, and their Successors, that they the said Governor and Company and their Successors, shall, from henceforth for ever be ruled, ordered and governed, according to such Manner and Form as is hereafter in these Presents expressed, and not otherwise: And that they shall have, hold, retain and enjoy, the Grants, Liberties, Privileges, Jurisdictions and Immunities, only hereafter in these Presents granted and expressed, and no other. And for the better Execution of Our Will and Grant in this Behalf, **We have assigned**, nominated, constituted, and made, by these Presents, for Us, Our Heirs, and Successors, **We do assign**, nominate, constitute, and make, Our said Cousin **Prince Rupert**, to be the first and present Governor of the said Company, and to continue in the said Office from the Date of these Presents until the 10th November then next following, if he the said Prince Rupert, shall so long live, and so until a new Governor be chosen by the said Company in form hereafter expressed. **And also We have** assigned, nominated and appointed, and by these Presents, for Us, Our Heirs and Successors, **We do** assign, nominate and constitute, the said Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, James Hayes, John Kirke, Francis Millington, and John Portman, to be the seven first and present Committees of the said Company, from the Date of these Presents until the said 10th Day of November then also next following, and so until new Committees shall be chosen in form hereafter expressed. **And further We will** and grant by these Presents, for Us, Our Heirs and Successors, unto the said Governor and Company, and their Successors, that it shall and may be lawful to and for the said Governor and Company for the Time being, or the greater part of them present at any publick Assembly, commonly called, The Court General to be holden for the said Company, the Governor of the said Company being always one, from time to time, to elect, nominate and appoint one of the said Company to be Deputy to the said Governor, which Deputy shall take a corporal oath before the Governor, and three or more of the Committee of the said Company, for the time being, well, truly, and faithfully to execute his said Office of Deputy to the Governor of the said Company, and after his Oath so taken, shall and may from time to time, in the absence of the said Governor, exercise and execute the Office of Governor of the said Company, in such sort as the said Governor ought to do. **And further We will** and grant by these Presents, for Us, Our Heirs and Successors, unto the said Governor and Company of Adventurers of England, Trading into Hudson's Bay, and their Successors, that they, or the greater Part of them, whereof the Governor for the Time being, or his Deputy, to be one, from time to time, and at all times hereafter, shall and may have Authority and Power, yearly and every year, between the first and last Day of November, to assemble and meet together in some convenient Place, to be appointed from time to time by the Governor, or in his absence by the Deputy of the said Governor, for the Time being, and that they being so assembled, it shall and may be lawful to and for the said Governor, or Deputy of the said Governor, and the said Company for the Time being, or the greater Part of them which then shall happen to be present, whereof the Governor of the said Company, or his Deputy for the Time being, to be one, to elect and nominate one of the said Company, which shall be Governor of the said Company for one whole year, then next following, which Person being so elected and nominated to be Governor of the said Company, as is aforesaid, before he be admitted to the execution of the said office, shall take a corporal oath before the last Governor, being his Predecessor or his Deputy, and any three or more of the Committee of the said Company for the time being, that he shall from time to time, well and truly execute the office of Governor of the said Company, in all Things concerning the same; and that immediately after the same oath so taken, he shall, and may execute and use the said office of Governor of the said Company, for one whole year from thence next following. And in like sort, **We will** and grant, That as well every one of the above named to be of the said Company or Fellowship, as all others hereafter to be admitted, or free of the said Company, shall take a corporal Oath before the Governor of the said Company, or his Deputy for the time being, to such effect as by the said Governor and Company, or the greater Part of them, in any Publick Court to be held for the said Company, shall be in reasonable and legal manner set down and devised, before they shall be allowed or admitted to trade or as a Freeman of the said Company. **And further, We will** and grant traffick by these Presents, for Us, Our Heirs and Successors, unto the said Governor,

Prince Rupert to be the first Governor

Names of the first committee.

Power to elect a Deputy Governor.

Oath to be administered to him.

Future Governors how elected.

Oath to be administered to them.

And to each member of the Company.

## Hudson's Bay Company charter.

## APPENDIX.

Annual election of  
a new committee.

Oath to be admin-  
istered to the com-  
mittee.

Vacancies in the  
office of Governor &  
Deputy Governor  
how filled up.

And others elected.

Members of the  
Committee may be  
removed

And others elected

or Deputy Governor, and the rest of the said Company, and their successors for the Time being, or the greater Part of them; whereof the Governor or Deputy Governor, from time to time, to be one, shall and may from time to time, and at all times hereafter, have Power and Authority yearly, and every Year, between the first and last Day of November, to assemble and meet together in some convenient Place, from time to time to be appointed by the said Governor of the said Company, or in his Absence by his Deputy; and that they being so assembled, it shall and may be lawful to and for the said Governor, or his Deputy and the Company for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company, or his Deputy for the time being to be one, to elect and nominate seven of the said Company, which shall be a Committee of the said Company, for one whole Year from then next ensuing, which persons being so elected and nominated to be a Committee of the said Company as aforesaid, before they be admitted to the Execution of their office, shall take a corporal oath before the Governor or his Deputy, and any three or more of the said Committee of the said Company, being their last Predecessors, that they, and every of them, shall well and faithfully perform their said Office of Committees in all things concerning the same, and that immediately after the said Oath so taken they shall and may execute and use their said office of Committees of the said Company, for one whole Year from thence next following.

**And Moreover,** Our Will and Pleasure is, and by these Presents for Us, Our Heirs and Successors, **We do grant** unto the said Governor and Company, and their Successors, that when, and as often as it shall happen, the Governor or Deputy Governor of the said Company for the time being, at any Time within one Year after that he shall be nominated, elected, and sworn to the office of the Governor of the said Company, as is aforesaid, to die or to be removed from the said Office, which Governor or Deputy Governor not demeaning himself well in his said office, **We will** to be removable at the pleasure of the rest of the said Company, or the greater Part of them which shall be present at their Publick Assemblies, commonly called, Their General Courts, holden for the said Company, that then and so often it shall and may be lawful to and for the Residue of the said Company, for the Time being, or the greater Part of them, within a convenient Time, after the Death or Removing of any such Governor or Deputy Governor to assemble themselves in such convenient Place as they shall think fit, for the Election of the Governor or Deputy Governor of the said Company; and that the said Company or the greater Part of them, being then and there present, shall and may, then and there, before their Departure from the said Place, elect and nominate one other of the said Company; to be Governor or Deputy Governor for the said Company, in the Place and Stead of him that so died or was removed; which Person being so elected and nominated to the Office of Governor or Deputy Governor of the said Company, shall have and exercise the said Office, for and during the Residue of the said Year, taking first a corporal Oath, as is aforesaid, for the due Execution thereof; and this to be done from time to time, so often as the case shall so require. **And also,** Our Will and Pleasure is, and by these Presents, for Us, Our Heirs, and Successors, **We do grant** unto the said Governor and Company, that when, and as often as it shall happen, any Person or Persons of the Committee of the said Company for the Time being, at any Time within one year next after that they or any of them shall be nominated, elected and sworn to the Office of Committee of the said Company as is aforesaid, to die or to be removed from the said office, which Committees not demeaning themselves well in their said office, **We will** to be removable at the pleasure of the said Governor and Company or the greater part of them, whereof the Governor of the said Company, for the Time being, or his Deputy, to be one; that then and so often it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being, or the greater Part of them, whereof the Governor for the Time being or his Deputy to be one, within convenient Time after the Death or removing of any of the said Committee, to assemble themselves in such convenient Place, as is, or shall be, usual and accustomed for the Election of the Governor of the said Company, or where else the Governor of the said Company for the time being, or his Deputy, shall appoint. And that the said Governor and Company, or the greater Part of them, whereof the Governor for the time being or his Deputy, to be one, being then and there present, shall, and may, then and there, before their Departure from the said Place, elect and nominate one or more of the said Company to be of the Committee

of the said Company in the Place and Stead of him or them that so died, or were or was so removed, which Person or Persons so nominated and elected to the Office of Committee of the said Company, shall have and exercise the said Office, for and during the Residue of the said Year, taking first a corporal Oath as is aforesaid, for the due Execution thereof, and this to be done from time to time, so often as the Case shall require. And to the End the said Governor and Company of Adventurers of England trading into Hudson's Bay may be encouraged to undertake, and effectually to prosecute the said design, of Our more especial Grace, certain Knowledge, and mere Motion, **We have** given, granted and confirmed, and by these Presents, for Us, Our Heirs and Successors, **do** give, grant, and confirm, unto the said Governor and Company, and their Successors, the sole Trade and Commerce of all those Seas, Streights, Bays, Rivers, Lakes, Creeks, and Sounds, in whatsoever Latitude they shall be, that lie within the Entrance of the Streights, commonly called Hudson's Streights, together with all the Lands and Territories upon the Countries, Coasts and Confines of the Seas, Bays, Lakes, Rivers, Creeks and Sounds, aforesaid, that are not already actually possessed by, or granted to any of Our Subjects, or possessed by the Subjects of any other Christian Prince or State, with the Fishing of all sorts of Fish, Whales, Sturgeons, and all other Royal Fishes, in the Seas, Bays, Inlets, and Rivers, within the Premises, and the Fish therein taken; together with the Royalty of the Sea upon the Coasts within the Limits aforesaid, and all Mines Royal, as well discovered as not discovered, of Gold, Silver, Gems, and Precious Stones, to be found or discovered within the Territories, Limits, and Places, aforesaid, and that the said Land be from henceforth reckoned and reputed as one of Our Plantations or Colonies in America, called *Rupert's Land*. **And further, We do**, by these Presents, for Us, Our Heirs and Successors, make, create and constitute, the said Governor and Company for the Time being, and their Successors, the true and absolute Lords and Proprietors of the same Territory, Limits and Places aforesaid, and of all other the Premises, **saving always**, the Faith, Allegiance, and Sovereign Dominion due to Us, Our Heirs and Successors, for the same, **to have, hold**, possess and enjoy the said Territory, Limits and Places, and all and singular, other the Premises, hereby granted as aforesaid, with their, and every of their Rights, Members, Jurisdictions, Prerogatives, Royalties and Appurtenances whatsoever, to them the said Governor and Company, and their Successors, for ever, **to be holden** of Us, Our Heirs and Successors, as of Our Manor of East Greenwich, in Our County of Kent, in free and common Soccage, and not in Capite or by Knight's Service; **yielding and paying** yearly to Us, Our Heirs and Successors for the same, two Elks and two Black Beavers, whensoever, and as often as We, Our Heirs and Successors, shall happen to enter into the said Countries, Territories and Regions hereby granted. **And further**, Our Will and Pleasure is, and by these Presents, for Us, Our Heirs and Successors, **We do** grant unto the said Governor and Company, and to their Successors, that it shall and may be lawful, to and for the said Governor and Company, and their Successors, from time to time, to assemble themselves, for or about any of the Matters, Causes, Affairs or Businesses of the said Trade, in any Place or Places for the same, convenient, within Our Dominions or elsewhere, and there to hold Court for the said Company, and the Affairs thereof; and that also, it shall and may be lawful to and for them, and the greater Part of them, being so assembled, and that shall then and there be present, in any such Place or Places whereof the Governor or his Deputy for the Time being to be one, to make, ordain and constitute, such, and so many reasonable Laws, Constitutions, Orders and Ordinances, as to them, or the greater Part of them, being then and there present, shall seem necessary and convenient for the good Government of the said Company, and of all Governors of Colonies, Forts and Plantations, Factors, Masters, Mariners, and other Officers, employed or to be employed, in any of the Territories and Lands aforesaid, and in any of their Voyages; and for the better Advancement and Continuance of the said Trade, or Traffic and Plantations, and the same Laws, Constitutions, Orders and Ordinances so made to be put in Use and execute accordingly, and at their Pleasure to revoke and alter the same, or any of them, as the occasion shall require: And that the said Governor and Company, so often as they shall make, ordain, or establish any such Laws, Constitutions, Orders and Ordinances, in such Form as aforesaid, shall and may lawfully impose, ordain, limit and provide, such Pains, Penalties and Punishments upon all Offenders, contrary to such Laws, Constitutions, Orders and Ordinances, or any of them, as to the

## APPENDIX.

Grant of the sole trade, lands, mines, minerals, fisheries, &c.

The Territory to be reckoned one of His Majesty's Plantations or Colonies in America, and called Rupert's land; and the Governor & Company to be the Lords, Proprietors of the same for ever.

Governor & company may assemble and make Laws ordinances &c. for the good government of their Territory and the advancement of their Trade.

## Hudson's Bay Company charter.

## APPENDIX.

And may impose Penalties and Punishments, provided the same are reasonable, and not repugnant to the Laws of England.

Further grants of Trade.

And no subjects of His Majesty to trade within the company's Territories, without leave from the company in writing under their common Seal.

Under penalty of forfeiting all Goods &c. brought from thence to England.

One half to go to the King, the other to the company.

said Governor and Company for the Time being, or the greater Part of them, then and there being present, the said Governor or his Deputy being always one, shall seem necessary, requisite, or convenient for the observation of the same Laws, Constitutions, Orders and Ordinances; and the same Fines and Amerciaments shall and may by their Officers and Servants, from time to time to be appointed for that Purpose, levy, take and have, to the Use of the said Governor and Company, and their Successors, without the Impediment of Us, Our Heirs and Successors, or of any the Officers or Ministers of Us, Our Heirs or Successors, and without any Account thereof, to Us, our Heirs or Successors, to be made. All and singular which Laws, Constitutions, Orders and Ordinances, so as aforesaid, to be made, **we will**, to be duly observed and kept, under the Pains and Penalties therein to be contained; so always as the said Laws; Constitutions, Orders and Ordinances, Fines and Amerciaments; be reasonable, and not contrary or repugnant, but as near as may be agreeable to the Laws, Statutes or Customs of this Our Realm. **And furthermore**, of Our ample and abundant Grace, certain Knowledge, and mere Motion, **we have** granted, and by these Presents, for Us, Our Heirs and Successors, **do** grant unto the said Governor and Company, and their Successors, that they, and their Successors, and their Factors, Servants and Agents, for them, and on their behalf, and not otherwise, shall for ever hereafter have use and enjoy, not only the whole, entire, and only Trade and Traffick, and the whole, entire, and only Liberty, use and Privilege, of Trading and Trafficking to and from the Territory, Limits and Places aforesaid; but also the whole and entire Trade and Traffick to and from all Havens, Bays, Creeks, Rivers, Lakes, and Seas, into which they shall find Entrance or Passage by Water or Land out of the Territories, Limits or Places, aforesaid; and to and with all the Natives and People, inhabiting, or which shall inhabit within the territories, limits, and places aforesaid; and to and with all other Nations inhabiting any the Coasts adjacent to the said Territories, Limits, and Places which are not already possessed as aforesaid, or whereof the sole Liberty or Privilege or Trade and Traffick is not granted to any other of Our Subjects. **And We**, of Our further Royal Favour, and of Our more especial Grace, certain Knowledge, and mere Motion, **have** granted, and by these Presents for Us, Our Heirs and Successors, **do** grant to the said Governor and Company, and to their Successors, that neither the said Territories, Limits, and Places, hereby granted as aforesaid, nor any Part thereof, nor the Islands, Havens, Ports, Cities, Towns, or Places, thereof, or therein contained, shall be visited, frequented or haunted, by any of the subjects of Us, Our Heirs or successors, contrary to the true Meaning of these Presents; and by virtue of Our Prerogative Royal, which We will not have in that Behalf argued or brought into Question; **we straightly** charge, command and prohibit, for Us, Our Heirs and successors, all the subjects of Us, Our Heirs and successors, of what Degree or Quality soever they be, that none of them directly or indirectly do visit, haunt, frequent or trade, traffic or adventure, by way of Merchandize, into, or from any the said Territories, Limits or Places, hereby granted, or any, or either of them, other than the said Governor and Company, and such particular Persons as now be, or hereafter shall be, of that Company their Agents, Factors and Assigns, unless it be by the License and Agreement of the said Governor and Company in Writing first had and obtained, under their Common seal, to be granted, upon Pain that every such Person or Persons that shall trade or traffic into or from any of the Countries, Territories or Limits aforesaid, other than the said Governor and Company, and their Successors, shall incur our Indignation, and the Forfeiture, and the Loss of the Goods, Merchandizes, and other things whatsoever, which so shall be brought into this Realm of England, or any the Dominions of the same, contrary to our said Prohibition, or the Purport or true Meaning of these Presents, for which the said Governor and Company shall find, take and seize, in other Places out of our Dominions, where the said Company, their Agents, Factors or Ministers, shall trade, traffic or inhabit by virtue of these Our Letters Patent, as also the ship and ships, with the Furniture thereof, wherein such Goods, Merchandizes and other Things, shall be brought and found the one Half of all the said Forfeitures to be to Us, Our Heirs and successors, and the other Half thereof **we do** by these Presents clearly and wholly for Us, Our Heirs and successors, give and grant unto the said Governor and Company, and their successors. **And further**, all and every the said Offenders, for their said Contempt, to suffer such other Punishment as to Us, Our Heirs and successors, for so high a Contempt, shall seem meet and convenient, and not to be in any wise delivered until they,

and every of them. shall become bound unto the said Governor for the time being in the sum of one thousand Pounds at the least, at no time then after to trade or traffic into any of the said Places, Seas, Streights, Bays, Ports, Havens or Territories, aforesaid, contrary to our express Commandment, in that Behalf set down end published. **And Further** of Our more especial Grace, **We have** condescended and granted, and by these Presents, for Us, Our Heirs and Successors, **do** grant unto the said Governor and Company, and their Successors, that We, Our Heirs and Successors, will not grant Liberty, License or Power to any Person or Persons whatsoever, contrary to the tenor of these our Letters Patent, to trade, traffick, or inhabit unto or upon any of the Territories, Limits, or Places, afore specified, contrary to the true meaning of these Presents, without the consent of the said Governor and Company or the more part of them. **And of** Our more abundant Grace and Favour to the said Governor and Company, **We do** hereby declare Our Will and Pleasure to be, That if it shall so happen, that any of the Persons free or to be free of the said Company of Adventurers of England trading into Hudson's Bay, who shall, before the going forth of any ship or ships appointed for a **Voyage** or otherwise, promise or agree by Writing under his or their Hands, to adventure any sum of money towards the furnishing any Provision, or maintenance of any voyage or voyages, set forth, or to be set forth, or intended or meant to be set forth, by the said Governor and Company, or the more Part of them present at any publick Assembly, commonly called their General Court, shall not within the space of twenty Days next after Warning given to him or them, by the said Governor or Company or their known Officer or Minister, bring in and deliver to the Treasurer or Treasurers appointed for the Company, such sums of money as shall have been expressed and set down in Writing, by the said Person or Persons, subscribed with the Name of the said Adventurer or Adventurers that then and at all times after it shall and may be lawful to and for the said Governor and Company, or the more Part of them present, whereof the said Governor or his Deputy to be one, at any of their General Courts or General Assemblies, to remove and disfranchise him or them, and every such Person and Persons at their Wills and Pleasures, and he or they so removed and disfranchised, not to be permitted to trade into the Countries, Territories, and Limits aforesaid or any part thereof, nor to have any Adventure or Stock going or remaining with or amongst the said Company, without the Special License of the said Governor and Company, or the more part of them present at any General Court first had and obtained in that Behalf, any Thing in these Presents to the contrary thereof, in any wise, notwithstanding. **And Our will and Pleasure is,** and hereby we do also ordain, That it shall and may be lawful to and for the said Governor and Company, or the greater Part of them, whereof the Governor for the Time being, or his Deputy to be one, to admit into, and to be of the said Company all such Servants or Factors of or for the said Company, and all such others, as to them, or the most Part of them present, at any Court held for the said Company, the Governor or his Deputy being one, shall be thought fit and agreeable with the orders and ordinances made and to be made for the Government of the said Company. **And further,** Our Will and Pleasure is, and by these Presents, for Us, Our Heirs and Successors, **we do** grant unto the said Governor and Company, and to their Successors, that it shall and may be lawful in all Elections, and Bye-Laws to be made by the General Court of the Adventurers of the said Company, that every Person shall have a number of votes according to his stock, that is to say, for every hundred Pounds by him subscribed or brought into the present stock, one vote, and that any of those that have subscribed less than one hundred Pounds, may join their respective sums to make up one hundred Pounds, and have one vote jointly for the same and not otherwise. **And further,** of Our especial Grace, certain Knowledge and mere Motion, **we do** for Us, Our Heirs and Successors, grant to and with the said Governor and Company of Adventurers of England trading into Hudson's Bay, that all Lands, Islands, Territories, Plantations, Forts, Fortifications, Factories, or Colonies, where the said Company's Factories and Trade are or shall be, within any the Ports or Places afore limited, shall be immediately and from henceforth, under the Power and Command of the said Governor and Company their successors and Assigns; **saving** the Faith and

## APPENDIX.

Nor will liberty of such trade be given by His Majesty to any Person without Consent of the company.

Persons free of the Company failing to pay the sums respectively engaged to be furnished by them in the Adventure of the Company, may be removed and disfranchised.

What Persons may be admitted into the Company.

Votes to be regulated by Quantity of Stock.

All lands, &c. aforesaid to be under the government of the said Company, who may appoint Governors and other officers to preside within their territories, and judge in all causes civil and criminal according to the laws of England.

## Hudson's Bay Company charter.

Allegiance due to be performed to Us, Our Heirs and successors as aforesaid; and that the said Governor and Company shall have Liberty, full Power and Authority, to appoint and establish Governors and all other Officers to govern them, and that the Governor and his Council of the several and respective Places where the said Company shall have Plantations, Forts, Factories, Colonies or Places of Trade within any the Countries, Lands or Territories hereby granted, may have Power to judge all Persons belonging to the said Governor and Company, or that shall live under them, in all Causes, whether Civil or Criminal, according to the Laws of this Kingdom, and to execute Justice accordingly. And in Case any Crime or Misdemeanor shall be committed in any of the said Company's Plantations, Forts, Factories, or Places of Trade within the Limits aforesaid, where Judicature cannot be executed for want of a Governor and Council there, then in such Case it shall and may be lawful for the chief Factor of that Place and his Council, to transmit the Party, together with the Offence, to such other Plantations, Factory, or Fort where there shall be a Governor and Council, where Justice may be executed, or into this Kingdom of England, as shall be thought most convenient, there to receive such Punishment as the Nature of his Offence shall deserve. **And moreover,** Our Will and Pleasure is, and by these Presents, for Us, Our Heirs and successors, **we do give** and grant unto the said Governor and Company, and their successors, free Liberty and Licence, in Case they conceive it necessary, to send either ships of War, Men or Ammunition, unto any their Plantations, Forts, Factories, or Places of Trade aforesaid, for the security and Defence of the same, and to choose Commanders and Officers over them, and to give them Power and Authority, by Commission under their Common Seal, or otherwise, to continue or make Peace or War with any Prince or People whatsoever, that are not Christians, in any Places where the said Company shall have any Plantations, Forts or Factories, or adjacent thereunto, as shall be most for the Advantage and Benefit of the said Governor and Company, and of their Trade; and also to right and recompense themselves upon the Goods, Estates or People of those Parts, by whom the said Governor and Company shall sustain any Injury, Loss or Damage, or upon any other People whatsoever that shall any Way, contrary to the Intent of these Presents, interrupt, wrong or injure them in their said Trade, within the said Places, Territories, and Limits, granted by this Charter. And that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, and at all Times from henceforth, to erect and build such Castles, Fortifications, Forts, Garrisons, Colonies or Plantations, Towns or Villages, in any Parts or Places within the Limits and Bounds granted before in these Presents, unto the said Governor and Company, as they in their Discretion shall think fit and requisite, and for the Supply of such as shall be needful and convenient, to keep and be in the same, to send out of this Kingdom, to the said Castles, Forts, Fortifications, Garrisons, Colonies, Plantations, Towns or Villages all Kinds of Clothing, Provision of Victuals, Ammunition and Implements, necessary for such Purpose, paying the Duties and Customs for the same, as also to transport and carry over such Number of Men, being willing thereunto, or not prohibited, as they shall think fit, and also to govern them in such legal and reasonable Manner as the said Governor and Company shall think best, and to inflict Punishment for Misdemeanors, or impose such Fines upon them for Breach of their Orders, as in these Presents are formerly expressed. **And further,** Our Will and Pleasure is, and by these Presents, for Us, Our Heirs and successors, **we do** grant unto the said Governor and Company, and to their successors, full Power and lawful Authority to seize upon the Persons of all such English, or any other Our subjects, which shall sail into Hudson's Bay, or inhabit in any of the Countries, Islands or Territories hereby granted to the said Governor and Company, without their Leave and License in that Behalf first had and obtained, or that shall contemn or disobey their orders, and send them to England; and that all and every Person or Persons, being Our subjects, any ways employed by the said Governor and Company, within any the Parts, Places and Limits aforesaid, shall be liable unto and suffer such Punishment for any Offences by them committed in the Parts aforesaid, as the President and Council for the said Governor and Company there shall think fit, and the Merit of the Offence shall require, as aforesaid; and in case any Person or Persons being convicted and sentenced by the President and Council of the said Governor and Company, in the Countries, Lands or Limits aforesaid, there Factors or Agents there, for any Offence by them

Or criminals may be sent to England for trial.

The Governor and Company may employ, for the protection of their trade & territory, armed force, appoint Commanders, erect forts, &c.

Authority given to the Governor and Company to seize any of His Majesty's subjects who (without the Company's leave) trade in their territories, and may send them to England.

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done, shall appeal from the same; that then and in such Case, it shall and may be lawful to and for the said President and Council, Factors or Agents, to seize upon him or them, and to carry him or them, home Prisoners into England, to the said Governor and Company there to receive such condign Punishment as his Cause shall require, and the Law of this Nation allow of; and for the better Discovery of Abuses and Injuries to be done unto the Governor and Company, or their successors, by any servant by them to be employed in the said Voyages and Plantations, it shall and may be lawful to and for the said Governor and Company, and their respective President, Chief Agent or Governor in the Parts aforesaid, to examine upon Oath all Factors, Masters, Pursers, Supercargoes, Commanders of Castles, Forts, Fortifications, Plantations or Colonies, or other Persons, touching or concerning any Matter or Thing, in which by Law or Usage an Oath may be administered, so as the said Oath, and the Matter therein contained, be not repugnant, but agreeable to the Laws of this Realm. **And We do** hereby streightly charge and command all and singular, Our Admirals, Vice-Admirals, Justices, Mayors, Sherriffs, Constables, Bailiffs, and all and singular other Our Officers, Ministers, Liege Men & Subjects whatsoever, to be aiding, favouring, helping, and assisting to the said Governor and Company, and to their successors, and to their Deputies, Officers, Factors, Servants, Assigns and Ministers, and every of them, in executing and enjoying the Premises, as well on Land as on Sea, from time to time, when any of you shall thereunto be required; **any Statute, Act, Ordinance, Proviso, Proclamation, or Restraint** heretofore had, made, set forth, ordained, or provided, or any other Matter, Cause or Thing whatsoever to the contrary in any wise notwithstanding. **In witness whereof**, We have caused these Our Letters to be made Patent; **witness Ourself** at Westminster, the second Day of May, in the Two and Twentieth Year of Our Reign.

APPENDIX.

The Governor and Company may authorise their presidents, agents, and others to admister oaths, in certain cases.

All Admirals and others His Majesty's officers and subjects to be aiding and assisting in the execution of the powers, &c. granted by this charter.

By Writ of Privy Seal,

PIGOTT.

NO. 44.

P E T I T I O N

OF

JAMES CULL, CIVIL ENGINEER TO HIS EXCELLENCY, THE  
LIEUTENANT GOVERNOR,

Transmitted by Message, 4th April, 1835.

*To His Excellency Sir John Colborne, Knight Commander of the Bath, Lieutenant Goernor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein.*

The Petition of James Cull, of the City of Toronto, Civil Engineer,

HUMBLY SHEWETH:

That your Petitioner has read with great surprise a Report addressed to your Excellency by the Trustees for Macadamizing the Yonge Street road.

However small the claims of your Petitioner may be as a private individual; yet as a British emigrant who has in the performance of his professional duty and his best efforts to bring into practice the system of road making adopted in England (and so far as the road in question is concerned it is admitted successfully) is at least entitled to justice.

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Your Petitioner humbly assures your Excellency that although he was desirous of aiding by his knowledge in the formation of this road and repeatedly offered his services gratuitously, he refused to become a contractor until he was strongly urged so to do by Mr. Small, one of the Trustees—and not then until he was assured by him and another of the Trustees that he should have all the assistance the Trustees could give him.

Your Petitioner further begs leave to state to your Excellency that he was led to believe that the Trustees were gentlemen of probity and honor, and as your Petitioner had only lately arrived in the colony and finding that some of them were filling places of trust and emolument—and forming his judgment from the known character of men filling similar offices in England, he placed great reliance on their honor—but had your Petitioner at that time known the character of Mr. Boulton, the chairman, no consideration of professional reputation, profit, or public utility should have induced your Petitioner to have had any thing to do with any public work in which he was concerned.

Your Petitioner further assures your Excellency that he was led to believe that all persons having stone on their property adjoining the road would have sold it at the market price, and no intimation to the contrary was given till after the contract was made—whilst their refusal to do so has added full £500 to the cost of the road made by your Petitioner. That notwithstanding this great disadvantage which the Trustees have had the benefit of, a very slight examination of the Report of the Trustees will confirm the justice of the decision of Captain Bonycastle, of the three Arbitrators, and the two Committees, of the House of Assembly, by shewing that the part of the road made by your Petitioner has cost less in proportion than that made by the Trustees.

The whole expenditure in making 2½ miles of road has been, ..£5866 13 10

Being at the rate of £2346 12 8 per mile.

The Trustees paid to your Petitioner,.....	£1675	0	0
From which must be deducted sundry articles, stones, plank, tools, &c. used by them,.....		146	16 0
		<u>£1528</u>	<u>4 0</u>

It was proved by the witnesses for the Trustees that for this sum full two-thirds of the mile was made. The road was 20 feet wide—the two new bridges, had been erected—1400 yards of deep tunnel drain laid—two swamps have been filled up and the hills lowered as may be seen by examining the banks.

The Report of the Trustees states that 2½ miles of road are made which has cost,.....	£5866	13	10
Deduct from this amount the sum paid to Petitioner,.....	1528	4	0

Leaves the cost of road by Trustees,..... £4338 9 10

The road made by the Trustees is only 16 feet wide, few or no underground drains are made which is the cause that the road is in a worse state with a few months wear than that of the other part though it has had the wear of two years.

Your Petitioner further begs respectfully to state to your Excellency that the assertion of the Trustees that the reports made by the Committee *were not allowed* to be placed on the Journals of the House is in accordance with the mean and unworthy system of deception which has been practised from first to last. The facts are as follows:—When the first report was brought up, Mr. Ketchum moved that it be recommitted, and that Mr. Berczy and Mr. Robinson (Mr. D. Boulton's brother-in-law) be added to the Committee. The Committee brought up a second report the last day of the Session still more favorable to your Petitioner than the former one, and as the Chairman was reading it he was requested as matter of favor to stop for a minute whilst other business was transacted; and, on his consenting, Mr. Boulton rose and occupied the time of the House until the firing the guns announced the arrival of your Excellency to prorogue the Parliament and by that means succeeded in preventing the reports from finding a place on the Journals of the House.

And your Petitioner further most humbly state to Your Excellency that having submitted his case to Captain Bonycastle, then to three respectable Arbitrators

who were unanimous in their decision,—then to two Committees of the House of Assembly, whose reports were highly honorable to your Petitioner—afterwards to a Court of Law, which gave a verdict for £504, and finally to the Court of King's Bench, to which the case was taken on Demurrer, and which confirmed that verdict—and having besides the vexatious annoyance to which during two years your petitioner has been subject, sustained a pecuniary loss to the extent of four hundred pounds, together with loss of professional business as well as of reputation, has now only to look to Your Excellency, who has always been the friend to British Emigrants to take such measures as the justice of the case demands; and to prevent the report which has so little foundation in truth, and which has been got up to gratify a vindictive spirit—and which is so unjust and injurious to all parties concerned, from standing alone, and uncontradicted, upon the Journals of the House of Assembly.

And lastly, your Petitioner accompanies this Petition by a copy of the two reports made by the late Committees to whom the question was referred as furnished by the Clerk of the House.

And your Petitioner as in duty bound will ever pray.

(Signed)

JAMES CULL.

## R E P O R T

OF THE

SELECT COMMITTEE TO WHICH WAS REFERRED THE PETITION OF JAMES CULL, ESQUIRE, CIVIL ENGINEER.

*To the Honorable the Commons House of Assembly.*

The Committee to which was referred the Petition of James Cull, Esquire, beg leave to Report as follows:

Your Committee, considering the vast importance which attaches to the improvement of our public roads, and Mr. Cull's application having arisen out of circumstances connected with what was intended to be a fair experiment of the expense, utility, and durability of a mile of macadamized road, has given the subject of his petition their most attentive consideration.

With a view of reducing to order their inquiries they have divided them into two distinct heads.

The first is the truth of the allegations contained in Mr. Cull's Petition.

The second, to collect all the information which could be gained by the experiment, so as to enable your Committee and the country to judge what the probable expense of making macadamized roads generally throughout the Province, would be, how far they were practicable; together with any other facts as to their utility and durability.

It appears that Mr. Cull was requested by the Trustees to make a survey and estimate of the probable expense of making a mile of macadamized road on Yonge Street, which he *did*. In estimating the cost of stone, he acted under an impression that the proprietors of land adjoining the road having stone on their properties would give it gratuitously to the public, or at least sell it at the market price, which was, in place, about \$2 per toise, of 216 cubic feet, and in this opinion he seems confirmed by the testimony of one of the Trustees; and supposing it might cost \$2 more to remove it on the road, he estimated the cost of stone at \$4 per toise, and he ultimately entered into an agreement with the Trustees to make a mile of road for £1500, and to be paid for extras a sum, according to his own estimate, of £250, or thereabouts. To make a mile of road 20 feet wide and 10 inches deep requires in figures 407 toises of stone, but in consequence of loss in breaking and laying on, amounting to about 7½ per cent, it was proved that it really requires, to make a mile of road of the above width and depth, about 440 toises. Mr. Cull, it appears by the investigation, was disappointed in his expectations of obtaining stone in the immediate vicinity, as none of the proprietors would supply him, and he was obliged to go so considerable a

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distance for it that the hauling alone cost on the average \$5 per toise; and it also appears, that for the most part, the stone he could procure was in large boulders, the proprietors having prohibited the removal of the smaller stones, so that he was obliged to blast them before they could be removed.

Although he obtained these stones without paying anything for them, yet the blasting cost him \$4½ per toise, so that all the stones so obtained cost, instead of \$4 per toise (the estimated price) from \$9 to \$10—he, however, obtained some stone at \$6, delivered on the road, and it would appear that on the whole the average cost of stone, obtained by Mr. Cull, was between \$8 and \$9. It appears by Mr. Cull's report, that he had estimated the cost of breaking stone at 2s currency per ton; now if there are twelve tons in a toise this would be twenty-four shillings, currency, per toise; the price of breaking in the States is 15s, and in England 1s 6d sterling per ton,—but it was found from the hardness of the stone, that the lowest price at which they could be broke here is from 34s to 36s per toise, currency.

It soon became apparent to all parties, that the mile of road could not be completed for £1,500, and after considerable difficulty and delay, it was mutually agreed, that the Trustees should take the road into their own hands, and leave, to be settled by Arbitration, all matters in dispute. This agreement was committed to writing, and subsequently arbitration; bonds were signed by all parties, in a penalty of £3,000, to abide the decision of Benjamin Thorne, Duncan Kennedy and William Chisholm, Esquires, as stated in Mr. Cull's Petition.

This having been *legally* done, and the evidence taken by those gentlemen having been given upon *oath*, your Committee did not feel they were called on again to go over the ground which the Arbitrators had gone, but contented themselves with calling before them the Referees, who are highly respectable individuals, and making of them such inquiries as would be best adapted to inform your Committee on every point at issue; at the same time giving notice to the Trustees to attend, in order that any misapprehension or error into which any of the parties had fallen, should be rectified, on which side soever it might have occurred.—The Arbitration bond entered into between Mr. Cull and the Trustees, and the award of the Arbitrators were read.

BENJAMIN THORNE, ESQ., *was first called on and he gave the following testimony:*

Q.—Were you one of the Referees in the Arbitration between Mr. Cull and the Trustees of the road?

A.—Yes.

Q.—Were the bonds and award those now produced?

A.—Yes, to the best of my recollection.

Q.—Did you, at the referencè with the other Referees, carefully examine the expenditure of Mr. Cull?

A.—Yes.

Q.—Did he produce such vouchers and receipts as left no doubt whatever on your mind of their correctness?

A.—Yes.

Q.—Are the papers now produced those which contained a statement of that expenditure, and are you satisfied that the whole amount therein specified was expended?

A.—Yes, except some trifling errors, both in favor of and against Mr. Cull.

Q.—Did Mr. Cull, on that occasion, readily, and without any hesitation, afford a full and fair exposition of his proceedings as well as of his accounts?

A.—Yes, I consider so.

Q.—From all the evidence produced on that occasion, were you satisfied that Mr. Cull, as an Engineer, had discharged his duty to the public, and that the road, so far as he had completed it, was well and skilfully made?

A.—Yes, I think the work was well done, the stone might possibly have been obtained cheaper, by burning instead of blasting, but they would have been of an inferior quality; there might possibly, at the commencement of the work, have been more laborers than were necessary.

Q.—Do you recollect Mr. Boulton's giving any pledge, as Chairman of the Trustees, that he would support the whole claim of Mr. Cull before a Committee of this House?

A.—Yes, that although the Trustees did not feel willing to pay Mr. Cull, he would support the claim if Parliament recommended it. Mr. Boulton advised Mr. Cull not to Arbitrate, but to throw himself upon the Parliament, and he had no doubt but what Mr. Cull would get every shilling, and that he, as a Trustee, would recommend it to Parliament.

Q.—Do you recollect what the evidence of Mr. Watson, Mr. Bell and Mr. Thompson was, as to the proportion of the road which Mr. Cull had done?

(Mr. Thorne here referred to his notes of evidence taken before the Referees, on oath, as follows:)

“ John Bell called by the Trustees—worked for Mr. Cull, thinks the work “ was well done—was employed by the Trustees to see that the work was “ well done; could not tell what the stone from Bishop's field cost Mr. Cull— “ is doubtful whether a sufficiency of stone could be obtained at 30s. per toise. “ He received £4 10 0 per rod for the road, 16 feet wide and 10 inches metal bed “ for the piece of road formerly made at the Blue Hill, there would be some addi- “ tional expense in laying stone on a curved instead of a flat metal bed,—thinks “ it would cost £1,700 per mile, besides draining, &c.—thinks there were 733 “ yards of road laid—thinks two-thirds of the mile were made, taking into consi- “ deration the culverts, Bridges, and the quantity of earth that had been removed, “ offered to make the remainder of the mile for £900, being about half a mile, in “ which Mr. Thompson, one of the Trustees, would have joined; the men were “ not under so good control after the rumpus.

“ Leonard Watson called.—All circular work was considered extra expense; “ a circular shape is an improvement to the road; the lower part of the mile, “ done by Mr. Cull, was the most expensive part—says that the men under his “ control did work diligently—was Foreman to Mr. Cull.

“ Joseph Craig, Foreman to the Blasters, under Mr. Cull, proved that the “ accounts were kept by himself; it was copied by Mr. Cull, shewing the labor— “ proves that the price of blasting is 22s 6d per toise, and that the workmen em- “ ployed were good hands, and did the work well—were paid after the rate of one “ penny per inch for boring, and were not paid 5s unless they bored sixty inches “ per day, and in that proportion.

“ Henry Sheppard, Foreman to the Stone collectors under Mr. Cull, produc- “ ed and proved the accounts of the labor and the men under his charge.”

End of Mr. Thorne's Notes of Evidence.

Q.—Supposing that Mr. Cull was occupied four months, and his whole time and attention had been given to the road, what should you think he ought to receive as a compensation, including that the keep of a horse was indispensable?

A.—I think 22s 6d per day would not be too much.

Q.—You have seen the road often, are you still of opinion that the part made by Mr. Cull is well and substantially made?

A.—Yes, I think it the best piece of road in North America.

Q.—By Mr. Ketchum, one of the Trustees—to Mr. Thorne. For all you know, or for all the Trustees know, may not Mr. Cull have paid double price for the stone?

A.—No, and repeated the evidence given by Mr. Craig. Mr. Thorne added, that at the time of the arbitration he examined the Foreman of the works, Leonard Watson, who proved Mr. Cull's daily accounts—all the men worked well, though some would require looking to.

*By the Committee.*

Q.—Did the sum of £475, awarded to Mr. Cull, include anything for his time and trouble?

A.—No, Nothing.

Q.—How was it that although there was proved to be due to Mr. Cull £538, you only awarded 475?

A.—We did it because we thought it well to be *unanimous*, and I felt that as Mr. Cull had under estimated the expense, he ought to bear part of the loss.

Mr. KENNEDY *was next called in, and stated as follows:*

Q.—Were you appointed by the Trustees as Referee?

A.—Yes.

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Q.—Did you, with Mr. Thorne and Mr. Chisholm, carefully investigate Mr. Cull's accounts of the expenditure on that occasion?

A.—Yes.

Q.—Were you fully satisfied that the statement he produced was just and true?

A.—I saw nothing to the contrary.

Q.—What sum did you award?

A.—I do not recollect.

Q.—Do you recollect what proportion of the work of the road was done by Mr. Cull, and by whose evidence it was substantiated?

A.—Two-thirds.

Q.—In the award of £475, did you allow anything to Mr. Cull for his time, trouble, and personal expense?

A.—That was spoken of by Mr. Thorne, but nothing was allowed in the award.

Q.—Do you recollect Mr. Boulton's giving any pledge as to what he would do when the question came before the House?

A.—Not a pledge exactly. In substance, respecting the House of Assembly, he said he would use his own influence that Mr. Cull should recover what he claimed.

Q.—What did Mr. Boulton state to be his own estimate of the cost of the road?

A.—Mr. Boulton said that he had several estimates, and that all were wrong, but he had made an estimate of his own, which was correct, which was £2300, and that he had made it upon the calculation of Mr. Macaulay, in whose judgment he had great confidence.

*By C. SMALL, Esq., one of the Trustees, to Mr. KENNEDY.*

Q.—Was there any item for stone bridges, &c. &c., and what was the sum allowed for that item in the award?

A.—About £200 for that and other excavations, &c. Mr. Kennedy added, he thinks Mr. Thompson, one of the Trustees said he thought that two-thirds of the work of making the road was done by Mr. Cull.

*COL. CHISHOLM, M. P. P. was then called, and stated.*

Q.—Were you chosen as umpire by Mr. Thorne and Kennedy on an arbitration between Mr. Cull and the Trustees for improving the Yonge Street road, and did you attend with the Arbitrators the several meetings?

A.—Yes, I did.

Q.—Were the accounts then produced carefully examined by the referee so as to leave no doubt on your mind that the items were correct and the sums fairly expended?

A.—Yes.

Q.—What sum did you award?

A.—£1,700, including £25 0 0, the expenses of the Arbitration; the balance awarded to Mr. Cull was £475 0 0.

Q.—Will you state to the Committee whether any, and what pledge to support Mr. Cull's petition to the House of Assembly was given?

A.—Mr. Boulton would not pledge himself for what the other Trustees would do, but he would use his influence that Mr. Cull should have all the money he had expended, if the petition was referred to the House of Assembly. This was repeated several times.

Q.—Do you recollect who stated that two-thirds of the mile were done?

A.—It was estimated by the best evidence before the Arbitrators, that two-thirds of the expense of completing the mile of road was incurred. Mr. Chisholm added that the Arbitrators examined every man's name and found the accounts very correct; the Arbitrators were quite satisfied that the amount of money had been expended; Mr. Cull swore to the accounts at Mr. Boulton's suggestion, and he (Mr. B.) drew up the affidavit. In fact the award was made upon Mr. Boulton's own estimate. I awarded to Mr. Cull less than he expended, because I thought it advisable for all parties that the award should be unanimous, and Mr. Kennedy refused to go beyond £475 0 0, though the actual expenditure was £530 0 0.

*Questions put to Mr. Chisholm by Mr. Boulton.*

Q.—Did the Arbitrators take the original agreement into their consideration?

A.—Yes, I repeat. I believe the agreement was invalid from informality, but if it was ever so binding it was clearly broken by the Chairman of the Trustees refusing to pay Mr. Cull money when it was due to him, and that it was due to him was stated by a majority of the Trustees present. Mr. Chisholm and Mr. Kennedy then both agreed that Mr. Boulton, as one of the Trustees, pledged himself, not for the rest of the Trustees, but as an individual Trustee, to support Mr. Cull's petition.

LEONARD WATSON, *Mr. Cull's Foreman, and since then acting as Foreman for the Trustees, stated.*

Q.—Were you employed as Foreman by Mr. Cull on the Yonge Street road?

A.—Yes.

Q.—How much have you paid for expenses incurred since?

A.—The book will tell by referring to it. By Mr. Boulton £1131 14 7.

Q.—What will it cost to complete the road?

A.—By Mr. Boulton £143 15 4.

Q.—How much road 20 feet wide and 10 inches deep do you find in practice can be made from one toise of stone.

A.—Four yards.

Q.—What price have you paid for stone?

A.—Six and seven dollars.

Q.—What have you paid for breaking stone?

A.—Four shillings per cubit yard.

It was conclusive from the united testimony of all these witnesses, that a most strict investigation had taken place, and that Mr. Cull's expenditure had been faithfully and honorably stated, and that the road had been constructed with great ability and judgment; and your Committee feel compelled to say, in justice to that gentleman, that they agree with the Arbitrators, that nothing could be more fair and honorable than the whole of his conduct appears to have been throughout these protracted inquiries.

Mr. Cull had stated that he was induced to apply to the House at the recommendation of D'Arcy Boulton, junior, Esq. who, he stated had promised to support his petition, and if the House recommended it he would consent to pay the money. Mr. Boulton denies this, but independently of the testimony of the Referees, Mr. Cull called Clark Gamble, Esq. whose testimony is as follows:

Q.—Were you employed by Mr. Cull professionally as to his claim on the Trustees of the road?

A.—Yes.

Q.—Did you advise him to present a petition to the House of Assembly?

A.—Yes.

Q.—Were you induced to do so in consequence of Mr. Boulton's recommending it, and did he not tell you he would not oppose Mr. Cull's claim, but on the contrary, use all his influence to obtain a favorable report, in which case the Trustees would pay the claim awarded by the Referees?

A.—They all referred me to the Chairman, and said they would be bound by what he said. Mr. Boulton said he could not consent without consulting their legal adviser, Mr. Draper. I then mentioned to him, that it was Mr. Cull's intention to petition the House of Assembly, and I understood from Mr. Boulton, that he would further the petition as far as he could, and for this cause, that though the Trustees thought the award unjust, and that as public officers they would not feel themselves justified in paying it; yet if a report in his favor should be made, it would relieve them from their responsibility and the claim would be paid.

Q.—Have you in your possession, or if not, have you not seen a paper signed by Mr. Boulton, as Chairman, and Mr. Cull, mutually pledging each other to abide the decision of the Referees, and did you not draw the Arbitration Bonds in conformity with that agreement?

A.—I believe I have that paper in my possession at present—(Mr. Boulton here produced a paper which he said was the one in question, in his (Mr. Boulton's) handwriting, and shewed it to Mr. Gamble, who said he did not think that was the paper, but he could not be certain.) The paper was as follows:

“Mr. Cull proposes to put the road, tools, stone in the fields or elsewhere,

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“ broken and unbroken, into the hands of the Trustees, in order that no delay  
 “ may be suffered in a work of interest to the country, provided the Trustees will  
 “ refer all matters in dispute between the parties, to the consideration and award  
 “ two indifferent parties, whose award shall be kept by the respective parties.”  
 “ Approved.”

D. BOULTON,  
 J. CULL.

“ York, 16th September, 1833.

Mr. Gamble had some doubts as to its being the paper, but would not say positively.

It is not very easy to reconcile these discrepancies, nor is it perhaps very material as to the merits of the case at all events.

CHARLES SMALL, ESQUIRE, *one of the Trustees, called in and examined.*

Q.—Have you not more than once expressed your conviction that a regular award having been made, Mr. Cull ought to be paid, and that you would give your vote accordingly?

A.—I am always in favor when there is a dispute between parties to leave it to Arbitrators. I proposed submitting this case of Mr. Cull's to arbitration as one of the Trustees; at the time of the submission, Mr. Cull had received £1,200, and from evidence before us, it appeared that not more than one-half of the road had been completed; Mr. Cull at that time made a claim against the Trustees, of £1,500, or thereabouts, for money he had paid and was liable for on the road.—The Trustees thought that they could not, in justice to the public, pay Mr. Cull his demand, and accordingly left the case to arbitration, but was informed by the Trustees, that the Arbitrators had awarded about £175 more than the claim, which at that time we all objected to pay, subsequently in consequence of knowing that many of the workmen were kept out of their just dues who were frequently applying to myself and other Trustees, I have more than once expressed my desire that Mr. Cull should be paid the amount of his demand, at the time the case was left to Arbitration, being about £300; and I have since stated that as the matter had been left to arbitration, and the Arbitrators had made their award though I think they have awarded a much larger sum than I think Mr. Cull ought to receive, I would advocate the payment of the award to enable the payment of such just dues as the laborers have against Mr. Cull.

*By the Chairman.*

Could the road have been made for the sum for which it had originally been contracted?—Undoubtedly not.

Was the work well done?—That is admitted by all the Trustees.

MR. GEORGE TAYLOR DENISON, *one of the Trustees, called in and examined.*

*Question by Mr. Cull.*

Did you not expect before I contracted to make the road, and at the time, that persons whose land adjoins the road would have given the large stones for nothing?—Yes, I must acknowledge I certainly did think they would have done so, and was surprised when I found they would not sell them.

EVIDENCE FOR THE DEFENCE.

January 17th, 1834.

Committee met.

PRESENT—MESSRS. John Willson, *Chairman,*  
 Werden, and  
 Duncombe.

Mr. Boulton read a paper, which he promised to give to the Committee.

Mr. Cull's original report was produced and admitted, as made by order of the Trustees.

*Questions put by MR. BOULTON to MR. CULL.*

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What amount did you claim from the Trustees?—£1758.

What quantity of metal was laid by you?—737 yards; besides a large quantity of broken stone ready to be laid, and also of unbroken stone, besides having levelled and drained nearly or quite three quarters of the mile.

LEONARD WATSON *called in and examined by MR. BOULTON.*

How many yards of metal were laid by Mr. Cull?—737 yards; there might have been two or three yards difference in the measure.

How many yards of metal did Mr. Cull provide?—76 yards of Kingston stone, 5 or 6 toise of hard stone on the ground not used; 5 or 6 toise of hard stone on the ground not used; 8 or 9 toise bored and not blasted.

*Examined by MR. CULL.*

How many toise of stone did you get from Bishop's field?—3 toise gathered and 2 in the field; one toise will do 4 yards, 20 feet wide and 10 inches thick, taking wet and dry weather together.

How many bridges did Mr. Cull make?—Two.

What did they cost? I do not know; the large one was built by contract, the smallest by day work. The Masons contracted to build the large one for £30, but that did not include the labour of digging up the old bridge, or backing up, or plank for foundation, or side walls, &c.

Did the Trustees build any bridge?—No.

How many yards of drains did Mr. Cull make?—Something about 1,100 yards, exclusive of the laps.

How many yards of drains were made by the the Commissioners?—453 yards.

Did you include in the 1,100 yards of draining, that above the upper bridge being part of the last quarter of a mile?—No.

Who paid the men for breaking the twenty-one toise of Kingston stone?—Mr. Cull employed them.

How many yards of stone have the Trustees laid on the road?—I cannot tell, but the book will shew.

Mr. Cull having called every witness necessary to the support of the allegations of the Petition: Your Committee feel bound, in duty to that Gentleman to say that it was their unanimous opinion, that he had succeeded in proving them, and they then called on the Trustees to state their reason for their not complying with the award, and also to induce any testimony at variance with the statements which had been made.

All the Trustees attended more or less, but Mr. D. Boulton, the chairman, constantly officiated as their representative.

It appears that the Trustees had acted under an impression that the Arbitrators had no right to decide that the original agreement between themselves and Mr. Cull was vitiated; and they were also impressed with a conviction that such an agreement having been made, by which the road was to have been completed for £1,500, and an additional sum for bridges and extras, that they would not be justified in complying with the award without the approbation of your Honorable House.

Your Committee are, however, clearly of opinion, that the Arbitrators gave the subject a thorough investigation, and exercised a sound discretion in the course they adopted, and could not have done otherwise. The arbitration bonds refer all matters in difference to the award of the Arbitrators or Umpire; the agreement was one of those matters in difference, and we agree with them that the refusal of one of their number who was chairman for the time being, to pay the money when it was voted by a majority of the Trustees, at a public meeting of the Trustees, to be right, was a breach of the original agreement. At any rate, the circumstance of the Trustees taking the road into their own hands was a clear abandonment of the agreement. The referees had therefore to ascertain what was the real expenditure, and if that expenditure had been judiciously

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made, they decided that the sum of £1738 had been expended, and that the road had been well and skilfully made in every respect; but they awarded Mr. Cull only £1675, as appears by the evidence; because Mr. Kennedy, the referee chosen by the Trustees, refused to allow the larger sum, but was willing to allow the smaller sum, and, because the original estimate had been so much below the actual expenditure, Mr. Cull ought to submit to some loss, and thinking it was desirable for all parties that an unanimous award should be made, the other Arbitrators acquiesced in the award.

At that time the road was not more than two-thirds done, as it appears in evidence before the Arbitrators, and it was impossible to state accurately what it would cost. It is now more nearly completed, and the Committee have been enabled to arrive at the result, which is as follows:—

	£	s.	d.
Mr. Cull's expenditure.....	1738	10	5
Mr. Cull has supplied the Trustees with the following items, which cost—			
Tools, Boards, Pick-axes.....	25	0	0
25 toise of Stone at \$3 per toise.....	50	0	0
Breaking do.....	44	0	0
Shanty and furniture.....	10	0	0
Lumber for bridge.....	7	0	0
Plank for drains.....	5	0	0
Stone from Bishop's field.....	5	0	0
Breaking 21 toise of Kingston stone.....	37	16	0
	183	16	0
	£1554	14	5
The Trustees have expended, as appears by the Bank Book up to the 1st January, 1834.....	1045	9	3
Required to complete the road according to the statement of Mr. Boulton.....	257	5	0
	£1302	14	3
Add value of materials received by Mr. Cull.....	183	16	0
	£1485	10	3
Mr. Cull's expenditure.....	1554	14	5
Trustees expenditure.....	1485	10	3
	£ 68	4	2

The Trustees have labored under great disadvantages in the increased expense of completing the road, &c., so late in the season. On the other hand, Mr. Cull had the commencement of the work to do, which is always most difficult, and was particularly so in this case. It was distinctly proved before the Arbitrators that Mr. Cull had done two-thirds of the work of the mile; this is now denied by the Trustees, but if he had done only half, he has for this £68 4s 2d excess of money paid over that expended by the Trustees, done 556 yards more of box drains, &c. more than the Trustees—built 2 stone bridges, one forty feet wide, with a six feet arch, with stone water course parapet, &c.; the other about 45 feet wide, with 3 feet arch, &c.—Filled and drained to swales across the road, and that near the upper bridge, he has used nearly all blasted stone instead of burnt, besides the distance he had to go for them.

On the whole Your Committee fully agree with the Arbitrators that no charge attaches to Mr. Cull for extravagance, or waste or want of skill; on the contrary, it appears to your Committee that he done quite as much, and even more, for the money expended by him than the Trustees have done for the sum they have expended; and they cannot but regret that the statements he speaks of in his petition, which were injurious to his professional reputation as well as to his character for integrity and honor, have been made, all of which, if such were made, your Committee feel bound, in justice to that gentlemen, to say, are unjust and wholly unfounded.

Under these circumstances, your Committee feel themselves bound to recommend to the Trustees, to pay the sum awarded by the Arbitrators to Mr. Cull, of

£475, together with the costs and expenses of the reference, and also allowing him a reasonable compensation for the time he has consumed and his personal expenses, more especially when it is recollected that the country will have derived the benefit of his experience.

And your Committee are of opinion that the Arbitrators would have been fully justified by including in their award a fair and reasonable allowance to the contractor for his personal services.

It only remains that your Committee proceed to report such practical information as they have been able to obtain from the investigation.

The road in question is 20 feet wide and the metal 10 inches thick. The metal bed is an exact curve of a convex shape, rising four inches in the centre and excavated to the depth of ten inches. The metal forms the same curve as the bed on which it is laid.

This is a very excellent arrangement, because, by it there is no part of the bed level, so that should the water pass through the metal before it becomes united into a solid mass, it will run to the side of the bed, where it is carried off by drains made for that purpose; and the natural soil forms a strong abutment to the road.

There are 1570 yards of deed box drains, 12 inches square, laid down the sides of the road, sufficiently deep to be out of the reach of the frost, and which carry off all the springs which run great part of the year, and which used to break up in the middle or run across the road.

The foot-paths are five feet in width on each side the road, and next to them are floor ditches to take off the surface water into the natural water-courses. Great attention seems to have been paid to the draining the road; on which it is evident everything must depend. On the sides of the road were formerly deep gullies formed by the washing of the winter streams; these have been filled up, and the earth to do so, obtained by taking off the tops of the hills, so that the entire mile is now nearly a regular declivity.

The ditches occupy about 5 feet each, and as the whole road is 66 feet wide, about 13 feet of road is left on each side of the macadamized road, which is composed of the natural soil.

By computation, a mile of this road requires 407 toises of stone; but in consequence of a loss in breaking and laying, of about  $7\frac{1}{2}$  per cent., it will take 440 toises—that is one toise of 216 cubic feet will make four yards of road.

It appears that the granite boldres, of which this road is principally made, are extremely hard, so as to resist the blows of the best steel sledges, and they become harder by exposure to the air; as those masses which have been recently blasted are more easily broken than the round heads as they are called, many of which could not be broken at all.

The two modes resorted to for breaking the large boldres are blasting and burning. In blasting, holes are bored, about one third of the depth of the stone, into which gunpowder is rammed, and the explosion breaks it into large masses. In burning, firewood is heaped upon the stone, and when in a heated state water is thrown upon it, it splits into pieces; or if still greater heat be applied the attraction of cohesion is destroyed and the stone is easily broken. It is obvious therefore, that burnt stone must be less durable than that which is blasted, though it requires more labor to break the blasted stone into small pieces.

The expense of blasting, as paid by Mr. Cull, has been 22s 6d. per toise; but a higher price is usually paid for it, and expert workmen must be employed to do it at the price.

The expense of burning is stated to be something less, but the person who made the statement had fuel close at hand, which cost him nothing; and it is very doubtful how far there would be much economy in burning stone if the fuel is to be purchased or brought from any distance.

The boring seems to have been conducted on a plan of great economy, the men employed were paid one penny per inch, and every man was expected to bore 60 inches per day. The blasters were paid 6s. per day in consequence of the danger and skill required.

Should the estimate of the Trustees prove correct for the expense of completing the road, the whole expense of the mile, will be £3,014, including bridges, drains, lowering hills, and all other expenses, except superintendence, which, including plans, surveys and estimates, ought not to be less than 10 per cent.

Your Committee however are of opinion that this experiment will not prove

## Report on Cull's Petition.

## APPENDIX.

a fair criterion by which to judge of the probable expense of macadamized roads through the Province, and for the following reasons:

The road in question is wider than will be found generally necessary, though not wider than it ought to be in the approach to the capital of the Province.—Much more has been done in levelling than will be required in a general way.—Wooden culverts may be substituted for stone bridges, and if they are constructed in the way Mr. Cull recommends in his report to the Trustees, will be very durable and efficient. He proposes that they should be made of cedar logs hewed from a pattern, each log to form a portion of the arch, so that when they are put together they form a segment of a circle and in order to prevent their moving, he proposes that a strong dowel or pin be driven at intervals so as to connect the whole together.

There is also no doubt that the disputes between the parties have added to the expense of the road, both in the expenditure of Mr. Cull arising out of the difficulties he has had to encounter, as well as that of the Trustees, from the loss of the season; and, it appears probable that the part of the road lately done will be less durable, and at any rate require a larger expense in repairing.

The forming roads in general will probably cost much less, especially if the metal bed is much narrower, and it is quite notorious that the mile of road in question was probably the very worst in the Province.

There are however two items which form a very important object in road making; these are, the cost of the stones, and the breaking them. The cost will generally depend on the hauling; when they are not to be obtained within a distance of two miles of the site, the hauling cannot be less than 20s to 25s per toise; a team of strong horses will carry a toise in ten loads, and in tolerable roads; if the distance is greater the expense will greatly increase—10s is the lowest price which can be considered a remuneration for collecting, &c., and 30s per toise for the stone on the road under the most favorable circumstances. The breaking will cost at least 30s per toise, and the spreading and laying will amount to 3s 6d per lineal yard at least.

Your Committee are of opinion, that in all future acts of Parliament for macadamizing roads, a clause should be inserted rendering it compulsory on all persons having stone on their land to sell it to the Commissioners at a fair market price, and being compensated for any damage which may be done in its removal. Commissioners should also be authorised to take stone from adjoining lands, and the beds of rivers, &c.

The whole of which is most respectfully submitted.

JOHN WILLSON.

Chairman.

Committee Room, Commons House of Assembly, }  
23rd January, 1835. }

*The claimants on the Road having presented a petition to the House. Mr. Ketchum proposed that it should be referred to the former Committee, with an addition to their number of Mr. Robinson and Mr. Berczy; Mr. Robinson declined acting, and Mr. Morris was named, who also declined acting.*

*The following is the second report of the Committee:*

That your Committee were appointed in the following manner—the Select Committee to whom was referred the Petition of James Cull, Esq., Civil Engineer, were appointed upon the reading of the petition in the ordinary way. They were Messrs. John Willson, (Chairman,) Duncombe, and Werden, all of whom, after a thorough, faithful, and impartial investigation, entirely concurred, and unanimously agreed to the report upon that petition; which was submitted to your Honorable House on the 30th day of January, 1834, and by them unanimously received. Some time afterwards, upon a motion being made to refer the petition of Joseph Price and others, to a Select Committee, Mr. Ketchum moved that the report of the Select Committee upon the petition of James Cull be not entered upon the Journals, but that it be referred back to the Select Committee from whom it emanated, together with the petition of Joseph Price and others, and that Messrs. Robinson and

Berczy be added to the Committee, which was adopted; Mr. Robinson declined acting on the Committee, and some days afterwards moved to have his name struck off from the Committee, and that of Mr. Morris added to the Committee, which was adopted; Mr. Morris refused to serve on the Committee.

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Your Committee being required to report by order of your Honorable House, have prepared the following, to which they beg leave to call the attention of your Honorable Body, notwithstanding their remonstrance before your Honorable House, against the report being referred to themselves again. They therefore respectfully express their firm conviction of the truth, correctness, and justice, of their former report, which is herewith presented for a more careful investigation and more mature deliberation of your Honorable House; fully confident that when your Honorable House shall have carefully investigated the subject they will come to the same conclusion that your Committee have done, and the more especially when they find that two of the Trustees, Mr. Small and Mr. Dennison, are willing to abide by the award of the Arbitrators upon this question.

Your Committee feel that they ought to urge upon your Honorable House the importance of your receiving and adopting this report, that His Majesty's subjects in this Province may remain satisfied that there is firmness and independence enough in this House to do justice to all; and that they will not shrink from their duty for fear of the vengeance that may be poured upon the heads of those, who, regardless of consequences, fearlessly oppose oppression, though supported by the united influence of wealth, respectable connections, party prejudice, political and official power, while in defence of truth and justice about to be violated in the person of a respectable English emigrant; wealth concentrated, and exercising a powerful monopolizing influence, highly dangerous to the liberties of a free people, in a Bank that controls and regulates more than two-thirds of the circulating medium in this Province; connections who are highly respected by your Committee, and who may not sanction the conduct of the Trustees in this matter, yet the excellence of whose characters powerfully shields the Trustees from the decided expression of public opinion, while it unavoidably exposes your Committee to the consequences of being supposed to be the enemies, especially if aided by party feeling, supported by political and official power.

All of which is most respectfully submitted to the consideration of your Honorable House.

JOHN WILLSON,  
Chairman Committee.

Committee Room, House of Assembly, }  
4th March, 1835. }

To the Honorable the House of Assembly of the Province of Upper Canada, in the Provincial Parliament Assembled.

THE PETITION OF JAMES CULL OF YORK, CIVIL ENGINEER.

Humbly Sheweth:

That in the month of May last your petitioner was requested by the Trustees appointed, to improve the roads in the vicinity of York, to make a survey, and report upon the best mode of forming a mile of macadamized road, together with an estimate of the probable expense thereof.

That although Your Petitioner repeatedly declined entering into any contract to make such a mile of road, when asked to do so, it being incompatible with his practice as an Engineer, he was at length induced. (at the earnest request of one of the Trustees,) to undertake to make the mile of road for £1500, and to be paid an extra sum for stone bridges, &c. which Your Petitioner estimated at about £250 in addition; and the money expended was to be paid to Your Petitioner every Saturday.

That Your Petitioner had, in his report, estimated the cost of the stone for the road at 4 dollars per toise, upon the expectation, that the quantity required would be obtained in the immediate vicinity, where it is to be found in considerable quantities, and the price at which stone was then selling in this place was 2 dollars to 2½ dollars, and calculating that it might cost 2 dollars more to get it into the road—in this, however, Your Petitioner was deceived, as no stone could be purchased from lands adjoining the road, except in one instance, and in that case an exorbitant price was asked. The stone was therefore obliged to be obtained from a distance where the hauling alone cost full 5 dollars per toise, which

## Petition of Jas. Cull, Esq. Civil Engineer.

## APPENDIX.

made the price of stone more than double the estimated price; and as it required 447 toise of stone to make a mile of road, that item alone added between 400 and £500 to the cost of the road above the estimate.

Your Petitioner had estimated the cost of breaking the stone at about 27s. per toise, which is nearly double the price paid in England—whereas from its excessive hardness it has cost 37s. per toise, which added above £200 more to the cost of the road above the price estimated.

When Your Petitioner had done about two-thirds of the entire work, and had expended £1750, he had received from the Trustees £1,000, besides £200 advanced by two of the Trustees, Messrs. Small and Denison, together 1200—leaving due to Your Petitioner £550, the Trustees refusing to advance any more money, your Petitioner was compelled to stop the work on the Road. It had been agreed by the contract, that if any dispute arose it should be referred to Captain Bonnycastle, Commanding Engineer, whose decision should be final.

On your petitioner requesting that this should be done, it was refused by the Trustees, until, at the desire of His Excellency and with the consent of Mr. Small Captain Bonnycastle was requested to examine and report. Your Petitioner's accounts were all laid before him, and on examining them and inspecting the road, he reported that the sums stated by Your Petitioner had been properly expended—"that the road was well made," and he recommended that Your Petitioner's demand should be paid.

This, however, the Trustees refused to do, but they proposed that if Your Petitioner would give up the materials on the road, and the necessary tools, with immediate possession, and leave his claim to the decision of two indifferent persons or their Umpire, they pledged their honor as gentlemen to abide their decision. To this Your Petitioner acceded, having first reduced to writing the proposal, which was signed, and soon after Bonds of Arbitration were also executed, by which all parties were bound in a penalty of £3000 to abide the decision of Benjamin Thorne, Esq. and Duncan Kennedy, stone mason, who had selected as their Umpire William Chisholm, Esq. member of your honorable house.

After many days of strict investigation of the accounts and examination of witnesses, on oath, the referees unanimously agreed that the road had been well and skilfully made in every respect; and there was due to Your Petitioner £475, and further, that the expense of the reference was £25 which sums they awarded should be paid by the Trustees, on or before the 18th of October last, which award was legally made and executed, and a copy thereof sent to the chairman of the Trustees, D'Arcy Boulton, Junr. Esq., but no part of the sum has ever been paid, and your petitioner has been put to great inconvenience and has suffered irreparable injury in his credit and professional reputation in consequence thereof, nor can Your Petitioner obtain from the Trustees an alleged cause for so dishonourable a breach of trust and honour.

Your Petitioner is informed that if he succeed in a Court of Law in recovering his demand on the Trustees, many months will elapse before he can do so, and he will therefore be obliged to sell his private property at whatever sacrifice to pay the debts incurred in making the road, for all of which he is liable, and more so especially as a considerable amount is due to poor distressed labouring men with large families.

Your Petitioner is further induced to apply to your Honorable House for relief, because the Trustees, who refused to pay his demand, have repeatedly urged him to do so, on the ground that they do not feel justified in taking such a step without the consent of your Honorable House, and promising at the same time that they would not make any attempt to dispute your Petitioner's claim when it should be brought before you.

Your Petitioner refers with confidence to William Chisholm, Esq. a Member of your Honorable House, who was the Umpire in the Reference as before mentioned, and who strictly investigated the case, for his testimony, as to the correctness and accuracy of your Petitioner's accounts as well as to the evidence given by the different witnesses as to the attention bestowed on the work by your Petitioner, and the skill with which the road was constructed.

Your Petitioner further begs leave to state, that although the Referees awarded, as due to him £475, he has expended £550 more than he has received, and your Petitioner believes that the majority of the Referees were well satisfied

that this was the case, but that they were induced to give the smaller sum to obtain an unanimous award.

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Your Petitioner further respectfully states, that in this sum there is no charge or allowance for the time, labor and skill of your Petitioner, while employed during nearly four months with the expense of his horse, from 5 o'clock in morning, until 9 at night, in superintending the work and keeping the accounts, which was rendered extremely difficult by the circumstances attending it.

Your Petitioner cannot but deeply regret that circumstances have arisen which will prevent the mile of road in question from being the fair experiment it was intended to be, either as to expense (or as to part of it) as to its cost or stability. Considerable extra expense has been incurred by the difficulties thrown in the way of your Petitioner, as well as that due preparation ought to have been made in the supply of stone and a clause inserted in the Act rendering it obligatory on those who have stone on the road to sell it at a fair price to the public; and your Petitioner fears that part of the road in question, having been made when the metal bed was in a soft or frozen state will prove less firm than the part made under his own inspection, in a proper season of the year.

That since the time when your Petitioner gave up the possession and finishing of the road into the hands of the Trustees, he has been informed that it has cost them to complete the work, as far as is now done, the sum of £730, or thereabouts, and this, exclusive of a large quantity of material left by your Petitioner on the said road, as well as of a large quantity of tools, amounting together in value, your petitioner believes to be, near £70, or thereabouts; and there still remain from 1 to 2 hundred yards of road to make complete the whole; and as it was adduced in evidence before the above named Arbitrators, that your Petitioner had completed two-thirds of the work, which cost the sum of £1750, your Petitioner humbly trusts, that this circumstance alone, will convince your Honorable House that your Petitioner has neither acted extravagantly or carelessly in expending the amount which he has done in forming that part of the road which he completed, which was by far the most difficult part of the work.

Your Petitioner, therefore, under a full conviction that he has fulfilled his duty skilfully, faithfully and honorably, trusts to the justice of your Honorable House to take such measures as will ensure to your Petitioner the payment of the money which he has expended, & such reasonable sum in addition as shall be thought proper for his time and personal trouble and expense—and that if Your Honourable House should not feel authorised to compel the payment of the aforesaid money, that you will recommend the Trustees to pay the same to Your Petitioner, and thereby to save him from the most serious possible injury.

And as in duty bound your Petitioner will ever pray.

JAMES CULL.

York, 17th December, 1833.

APPENDIX.

# REPORT

OF THE

## BOARD OF EDUCATION—OTTAWA DISTRICT.

*To His Excellency, Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

We the undersigned, a majority of the Board of Education of the District of Ottawa,

**HUMBLY REPORT :**

That a public meeting of the said Board was this day held at the village of L. Original in the said District.

That the Common Schools within the District continue to be conducted in a satisfactory manner; the number of Schools and of pupils continuing about the same as last reported.

That there is a great demand for school books, which the board is unable to supply, the last remittance of books having been long since distributed.

The Board recommends that the sum of three hundred and forty-nine pounds, nineteen shillings and nine pence be appropriated to the support of the said Common Schools for the current year, ending on the first day of June next. This amount includes six month's allowance in favour of the school on lot number 12 in the 8th concession of West Hawkesbury, which was erroneously reported by the trustees, and allowed in the last year's appropriation list, but not paid, on account of a mistake in the description of the school. Also, six months allowance in favour of the Common School in Clarence, which was also comprised in the appropriation list for the year ending June 1st, 1833, but which was not paid by the Treasurer on account of some informality in the requisition. Also three month's and four month's allowance to two Schools respectively in the Village of Longueil, which, having been established between the 6th day of January last and the 1st day of June last, would not therefore be included in the last year's appropriation list.

All which is humbly submitted.

GEORGE HAMILTON, *Chairman.*  
ALEX. GRANT,  
CHARLES P. TREADWELL.

*Longueil, January 6th, 1835.*

## REPORT OF THE BOARD OF EDUCATION—EASTERN DISTRICT.

*To His Excellency, Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.*

The Board of Education for the Eastern District,

**RESPECTFULLY REPORT :**

That during the half year ending 31st December, 1833, there were eighty-five Common Schools in this District, and two thousand three hundred and seventy-five pupils; and during the half year ending 30th June 1834, there were eighty-one Schools, and two thousand three hundred and sixty-three pupils receiving their education in said schools. The branches of education taught are geography, arithmetic, reading, writing, spelling, English grammar, and, in a few schools, latin. The amount of public money received by each Teacher for the year 1833 was nine pounds fifteen shillings. The Board of Education has received a box of books lately, they are now in the course of distribution to the schools in the most remote parts of the District, the number sent being too few to give to all the schools.

The Board of Education is well convinced that much benefit is derived from the encouragement given to Common Schools. The Trustees of the several schools report generally that the teachers employed conduct themselves with propriety, and the Board hopes that encouragement may still be extended for the purpose of improving and increasing Common Schools throughout the Province.

ARCHIBALD McLEAN, } Members of the  
D. McDONALD, } Board of Edu-  
JOS' H. ANDERSON, } cation.

*Cornwall, 9th January, 1835.*

# REPORT

OF THE

## BOARD OF EDUCATION OF THE JOHNSTOWN DISTRICT.

The Board of Education for the Johnstown District pursuant to law beg leave to Report :

That for the year commencing 7th March, 1833 and ending 6th March 1834, public monies have been expended towards the support of fifty-seven Teachers of Common Schools who have taught during

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the year on an average 1466 pupils, and among them the sum of £712 16 8 has been apportioned, being £15 13 4 for one years allowance.

British books have been almost exclusively used, and the common branches of an English education taught.

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*Brockville, 22nd Dec., 1834.*

JONAS JONES, *Chairman.*

**ORDER OF THE BOARD OF EDUCATION OF THE 9th JULY, 1834.**

*Gore District,* } At a meeting of the Board of Education for the said District, held at Hamilton on the  
to wit: } 9th day of July, 1834, it was ordered that the sums below specified should be paid by the Treasurer of the said District to the persons whose names are placed opposite their respective sums upon their producing the requisite certificates from their respective Trustees, the following being to close such transactions as came before the Board up to the school quaters ending the 31st May, 1834.

1 Edward Stephens.....	8 4 11½	30 James Deary.....	8 4 11½
2 Hosea Hoag.....	8 4 11½	31 Thomas Fitzgerald.....	8 4 11½
3 John Cumming.....	8 4 11½	32 Hugh Jamison.....	8 4 11½
4 Joseph Edmonson.....	8 4 11½	33 Joseph Clutton.....	16 9 11
5 John Blakely.....	8 4 11½	34 Cyrus McCartney.....	8 4 11½
6 James Park.....	8 4 11½	35 Stephen Balmer.....	8 4 11½
7 Jacob Sovereign.....	8 4 11½	36 Jeremiah Omearia.....	8 4 11½
8 Eliab Walker.....	8 4 11½	27 John Burt.....	8 4 11½
9 Edward McEllestreim.....	8 4 11½	38 Thomas Whitfield.....	8 4 11½
0 William Toolchard.....	8 4 11½	39 William John Langtry.....	8 4 11½
11 Archibald McMillen.....	8 4 11½	40 Charles Daly.....	8 4 11½
12 John Watson.....	8 4 11½	41 James Jackson.....	8 4 11½
13 Benjamin A. Moore.....	8 4 11½	42 Elijah Millan.....	8 4 11½
14 Caesar Perdie.....	8 4 11½	43 John E. Congdon.....	8 4 11½
15 William Turnbull.....	8 4 11½	44 Otas Ingalls.....	8 4 11½
16 William Kennedy.....	8 4 11½	45 William Fell.....	8 4 11½
17 David Matthews.....	8 4 11½	46 Patrick Cassady.....	8 15 0
18 William Willson and Mr. Cahill taught the first six months....	16 9 11	47 Freight on Books.....	5 0
19 Benjamin H. Woodworth.....	8 4 11½	48 Expenses of room at Cary's for transacting business for Board of Education, January and July meetings.....	2 5 0
20 David Dunning.....	8 4 11½	49 Henry Bersley, Clerk to Board of Education.....	5 0 0
21 William McPherson.....	8 4 11½	50 Paid Christian Guardian & Wes- tern Mercury for Advertising the examination of Teachers..	1 7 0
22 Nelson Newcomb.....	8 4 11½		£405 5 0½
23 Aaron B. Rice.....	8 4 11½		
24 Eson Boss.....	8 4 11½		
25 Oliver C. Forward.....	8 4 11½		
26 Daniel Van Orman.....	8 4 11½		
27 John Smith.....	8 4 11½		
28 Joseph Thirkell.....	8 4 11½		
29 Robert Hume.....	8 4 11½		

Amounting to four hundred and five pounds five shillings and no pence half penny.

THOMAS TAYLOR,  
JAMES RACEY,  
WM. M. JARVIS,  
ELIJAH SECORD.

*Statement of School Books furnished by order of the Board of Education, for distribution in the several Districts of Upper Canada, viz:—*

Year.	New Testament, dozs.	Mavor's spelling book dozs.	Reading made easy dzs	English reader, dozs.
1832	150	166½	125	"
1833	150	166½	125	"
1834	60	60	72	24
<b>Total,</b>	<b>360</b>	<b>393½</b>	<b>322</b>	<b>24</b>

For the years 1832 and 1833, the distribution was made among the then eleven Districts in equal proportion, with the exception of the Bathurst and Western Districts which were counted as one, the proportion divided between them. For the year 1834, the distribution was made among the Twelve Districts (Prince Edward having been erected) in equal proportion.

Toronto, 10th March, 1835.

ROBERT STANTON.

360 doz Testaments,	10s.	£180 0 0
393½ " Mavor's spelling	9s.	177 0 0
322 " Reading made easy,	4s.	64 8 0
24 " English Reader	15s. 6d.	18 12 0
Packing cases and freight paid for 3 years,		14 11 6

454 11 6

*Average per annum, £151 16 6.*

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NAMES of the Teachers of Common Schools approved of by the Board of Education for the District of Johnstown for the year commencing 7th March, 1833, and ending 6th March, 1834, both days inclusive

Number.	NAMES.	TOWNSHIPS.	Number of Scholars.	Number of Months.	PLACE of NATIVITY.	AMOUNT to each Teacher.	REMARKS.
1	Thomas Armstrong . . . .	Oxford	22	12	England.	15 13 4	
2	John Brennan . . . . .	Kitley	28	12	Ireland	15 13 4	
3	George B. Butcher. . . . .	Augusta	20	9	England	11 15 0	
4	Uri Bissell . . . . .	Montague	22	12	Upper Canada	15 13 4	
5	Joseph Baird . . . . .	Yonge	23	12	Ireland	15 13 4	
6	William Blackburn. . . . .	Brockville	44	12	Scotland	15 13 4	
7	David Bews . . . . .	Gananoque	30	6	England	7 16 8	
8	Joseph Clows. . . . .	Merrickville	25	6	England	7 16 8	
9	David Connell. . . . .	Yonge	20	6	Upper Canada	7 16 8	
10	Jehiel H. Collins. . . . .	Augusta	20	12	Upper Canada	15 13 4	
11	James Clapperton. . . . .	Augusta	22	12	Scotland	15 13 4	
12	William Dowling. . . . .	Wolford	25	6	Ireland	7 16 8	
13	James E. Derrick . . . . .	Yonge	28	6	Ireland	7 16 8	
14	Neil Dunbar . . . . .	Smith's Falls	30	12	Scotland	15 13 4	
15	James Ferguson. . . . .	Yonge	20	6	Scotland	7 16 8	
16	William M. Frier. . . . .	Beverly	20	6	Ireland	7 16 8	
17	Samuel D. Fowler. . . . .	Elmsley	28	12	Ireland	15 13 4	
18	Edward Fennessy. . . . .	Yonge	25	6	Ireland	7 16 8	
19	Jesse Gillett. . . . .	Kitley	25	6	Ireland	7 16 8	
20	James Gardner. . . . .	Bastard & Kitley	29	12	Ireland	15 13 4	
21	James S. Gove. . . . .	South Gower	20	9	Ireland	11 15 0	
22	Thomas Groff . . . . .	Oxford	21	12	Ireland	15 13 4	
23	John Gamble. . . . .	Oxford	22	9	Ireland	11 15 0	
24	John Healey. . . . .	Yonge	25	12	Ireland	15 13 4	
25	Andrew Holmes. . . . .	Oxford	25	12	England	15 13 4	
26	Josiah Hunter . . . . .	Burgess	25	12	England	15 13 4	
27	Vincent B. Howard. . . . .	Lansdown	20	6	Upper Canada	7 16 8	
28	William P. Huston. . . . .	South Gower	25	9	Ireland	11 15 0	
29	William M. Hynes. . . . .	Brockville	40	12	Ireland	15 13 4	
30	John B. Jones. . . . .	Elizabethtown	20	12	Ireland	15 13 4	
31	Peter Jones. . . . .	Wolford	40	12	A British subject.	15 13 4	
32	William Kingston. . . . .	Augusta	21	6	"	7 16 8	
33	Turner Lillie. . . . .	Yonge	23	6	"	7 16 8	
34	Richard Lillie . . . . .	Lansdown	20	12	"	15 13 4	
35	John Evans . . . . .	Oxford	25	9	"	11 15 0	
36	William Martin . . . . .	Kemptville	30	9	Ireland	11 15 0	
37	Robert McMickle. . . . .	Johnstown	20	12	Ireland	15 13 4	
38	W. T. Miller . . . . .	Wolford	20	6	"	7 16 8	
39	Benjamin McVagle. . . . .	Bastard	30	12	Upper Canada	15 13 4	
40	Alexander Miller. . . . .	Elmsley	24	12	Scotland	15 13 4	
41	Patrick McGill. . . . .	Marlborough	35	12	Ireland	15 13 4	
42	Samuel Peterson. . . . .	Yonge	27	6	Upper Canada	7 16 8	
43	John Parcel. . . . .	South Crosby	28	6	A British subject	7 16 8	
44	Oliver O. Stowell. . . . .	Elizabethtown	20	12	A British subject	15 13 4	
45	John Smyth. . . . .	Bastard	27	12	"	15 13 4	
46	Joseph D. Thompson. . . . .	Yonge	22	12	"	15 13 4	
47	Reuben E. Tupper. . . . .	Kitley	20	12	"	15 13 4	
48	Thomas Whitmarsh. . . . .	Elizabethtown	37	6	England	7 16 8	
49	Daniel Wing . . . . .	Yonge	28	12	A British subject	15 13 4	
50	John Wilson . . . . .	Oxford	22	12	"	15 13 4	
51	Walter Whelan . . . . .	Augusta	34	12	"	15 13 4	
52	Benjamin Warren. . . . .	Elizabethtown	25	6	Ireland	7 16 8	
53	Joseph Wood. . . . .	Prescott	28	12	England	15 13 4	
54	William G. White . . . . .	Elizabethtown	44	12	Ireland	15 13 4	
55	Henry Weeks. . . . .	Elizabethtown	20	6	Upper Canada	7 16 8	
56	Gersham Wilson. . . . .	Oxford	20	6	Ireland	7 16 8	
57	Zedekiah Wing, Jun. . . . .	Bastard	24	6	Ireland	7 16 8	
						712 16 8	
58						10 0 0	
						22 10 0	
						4 13 4	
						750 0 0	

ADIEL SHERWOOD,

Treasurer,

District of Johnstown.

Examined and found correct,  
R. BABY.

Education Reports.

A RETURN of the Common Schools in the District of Newcastle from the thirteenth of January, 1834, to the thirteenth of January, 1835.

APPENDIX.

NAMES OF TEACHERS.	PLACE OF RESIDENCE.	No. of Schol- ars.	TEACHERS FROM WHAT COUNTRY.
Murdoch McDonald,.....	Port Hope,	37	Scotland,
Robert Moywell,.....	Port Hope,	27	Ireland,
Charles Burnham,.....	Hamilton,	25	Canada,
William T. McGrain,.....	Cavan,	34	Ireland,
John Davey,.....	Peterborough,	28	Ireland,
Edward Redmond,.....	Cavan,	28	Ireland,
Gideon Gibson,.....	Peterborough,	34	Ireland,
John Emerson,.....	Monaghan,	37	Ireland,
William Curray,.....	Cavan,	24	Ireland,
Leonard Belding,.....	Haldimand,	34	United States,
John Manning,.....	Cavan,	26	Ireland,
Aley Grant,.....	Monaghan,	23	Scotland,
William Hall,.....	Emily,	23	Ireland,
Richard Campbell,.....	Haldimand,	32	Ireland,
Robert Wades,.....	Emily,	39	Ireland,
Thomas Grant,.....	Hamilton,	23	Ireland,
Theobald Couttee,.....	Cavan,	24	Ireland,
Jeremiah O'Leary,.....	Clark,	23	Ireland,
John T. Irwin,.....	Hope,	30	Ireland,
Thomas Donihue,.....	Emily,	21	Ireland,
Daniel Dove,.....	Smith,	28	Scotland,
James D. Hare,.....	Darlington,	35	Canada,
Daniel Cumming,.....	Haldimand,	26	Canada,
Richard Yeoman,.....	Murray,	22	Canada,
George Hamilton,.....	Emily,	34	Ireland,
Henry Squires,.....	Cramahe,	30	Canada,
Edward Rothwell,.....	Hamilton,	33	Ireland,
Edward Hull,.....	Hamilton,	40	Ireland,
James Mackin,.....	Douro,	21	Ireland,
John Stevre,.....	Cavan,	46	Ireland,
John Dwyer,.....	Emily,	26	Ireland,
James McClackey,.....	Smith,	24	Ireland,
Thomas Fidler,.....	Hamilton,	25	England,
Robert Brown,.....	Emily,	27	Ireland,
John Irwin,.....	Asphodel,	22	Ireland,
Andrew Porter,.....	Hope,	23	Canada,
Jonathan French,.....	Cramahe,	30	United States.
Thomas Denehey,.....	Otanibee,	24	Ireland,
Thomas Betty,.....	Cavan,	23	Ireland,
Thomas Whitefield,.....	Cavan,	24	Ireland,
William Donaghy,.....	Otanibee,	23	Ireland,
Simon Smith,.....	Cramahe,	24	United States,
Michael Buck,.....	Emily,	26	Ireland,
Solomon Smith,.....	Cramahe,	20	Ireland,
James Cobnell,.....	Murray,	22	Ireland,
Richard Sullivan,.....	Emily,	28	Ireland,
Patrick Barigg,.....	Emily,	27	Ireland,
John Purcill,.....	Haldimand,	23	Ireland,
Robert Patterson,.....	Hamilton,	26	Ireland,
Peter FitzPatrick,.....	Cavan,	29	Ireland,
Thomas Meiglen,.....	Ops,	30	Ireland,
John P. Winters,.....	Mariposa,	29	England,
James Brennan,.....	Smith,	23	Ireland,
Orran Movey,.....	Smith,	22	Canada,
Thomas Morrison,.....	Haldimand,	40	Ireland,
Edward Shed,.....	Ops,	31	Ireland,
Thomas T. Orton,.....	Port Hope,	22	England,

Education Reports.

APPENDIX.

LIST of Common Schools in the Home District, as taken 29th December, 1834

No.	TOWNSHIPS.	LOT	CON	TEACHERS.	No. of Scholars.
1	Adjala,	4	1	William Spence,	26
2	"	14	7	John McCauley,	23
3	Albion,	36	1	T. Brett,	28
4	"	9	7	M. O'Connor,	20
5	Caledon,	3	5	George Walker,	28
6	"	17		J. McIntosh,	30
7	Chinguacousy,	1	4	J. A. Kerr,	33
8	"	33	3	Wm. Goold,	23
9	"	9	3	Clement Clarke,	30
10	"	2	5	S. A. H. Lucas,	25
11	"	1	1	Andrew Neelands,	27
12	"	20	3	James Booner,	20
13	Etobicoke,	2	2	Abraham Bagshaw,	20
14	"			R. Senior,	0
15	"	8	1	James Connoly,	25
16	West Gwillimsbury,	9	7	J. Stephens,	26
17	"	1	10	John Johnston	28
18	"	4	6	Edward Rorke,	32
19	"	8	8	J. McCauley,	36
20	"	16	10	Thomas McMaster,	32
21	"	100	1	W. W. Van Buren,	20
22	East "	106	1	A. McCagie,	25
23	"			W. G. Ray,	
24	"	21	2	Thomas Hudson,	26
25	North "	15	3	A. G. Clarke,	27
26	Innisfil,	19	3	W. Booth,	29
27	King,	16	10	J. A. Hubertus,	30
28	"	31	8	T. Winn,	25
29	Markham,	91	1	A. Burns,	24
30	"	41	1	John Peacock,	
31	"	26	4	Henry Hill,	24
32	"	10	2	G. P. McKay,	
33	"	12	5	M. Swanson,	32
34	"	6	5	T. McKinna,	26
35	"	11	8	C. McKellar,	23
36	Mono,	11	4	John Cook,	29
37	Pickering,	19	3	W. Monkhouse,	24
38	"	4	6	Daniel O'Brien,	26
39	"	24	5	William Smith,	27
40	"	18	6	James Willson,	28
41	"	1	2	John Fletcher,	34
42	Scarboro',	31	3	George Weston,	32
43	"	29		J. McFiggan,	33
44	"	26	1	Thomas Forsyth,	26
45	Tecumseth,	20	8	Edward Mahon,	27
46	"	24	7	George Baycroft,	24
47	"	19	5	J. Hodges,	29
48	"	16	3	Edward Phelan,	26
49	"	19	1	F. Foster,	26
50	Toronto, Gore of,	5	7	John Fleury,	27
51	Toronto,	4	4	D. O'Brien,	
52	"	9	11	John Orr,	28
53	"	10	2	John Munns,	30
54	"	11	3	George Dean,	28
55	"	10	4	D. C. Will,	20
56	"	1	7	M. Gillespie,	28
57	"	5	5	John L. Smith,	30
58	"	11	1	John Dundass,	24
59	"	5	1	J. Elliott,	21
60	"	1	5	William Hull,	27
61	"	15	7	David Ross,	43
62	Thorah,	14	6	A. Ray,	30
63	"	1	3	John Purcell,	24
64	Reach,	26	4	H. Kelly,	23
65	Vaughan,	31	6	Wallis Hough,	26
66	"	34	6	T. Sloane,	33
67	"	16	3	William Price,	53
68	"	46	1	S. Montgomery,	26
69	"	21	1	G. O'Brien,	30
70	Whitby,	22	3	W. C. Cornell,	39
71	"	20	3	J. O'Meara,	30
72	"	11	1	William McGill,	27
73	"	23	2	George Sunley,	24
74	Whitchurch,	34	2	J. W. Corson,	24
75	"	84	1	J. Hawkins,	21
76	"	76	1	T. Whitesmith,	22
77	York,	11	4	F. Jones,	23
78	"	20	3	R. Kelly,	
79	"	3	1	James Gibson,	
80	"	19	1	James Hughes,	26
81	"	5	1	William Bradley,	23
82	"	30	2	S. Richardson,	26
83	"	15	2	William McGuire,	27
84	"	8	5	John Perritt,	24

JOHN FENTON, Clerk.

**NO. 45.**  
**Education Reports.**

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*REPORT of Common Schools, established in the District of Niagara, including the appropriation of the Annual Grant of £500 for the support of Common Schools, for the year one thousand, eight hundred and thirty-four.*

APPENDIX.

TOWNSHIPS.	TEACHER'S NAMES.	PERIOD OF TIME.	MONTHS	No. of pupils.	DISTRIBUTION.		
					£	s.	d.
Niagara, - - -	John Oakley, - - -	June 1st to December 1st,	6	36	11	5	0
do - - -	Robert Beattie, - - -	do to do	6	34	11	5	0
do - - -	Dennis B. Hanlon, - - -	do to do	6	41	11	5	0
do - - -	L. C. Kearny, - - -	Jan'y 1st to do	11	32	16	0	0
do - - -	Peter H. Swartz, - - -	June 1st to do	6	24	11	5	0
Grantham, - - -	Alexander Wilson, - - -	do to do	6	28	11	5	0
do - - -	Henry Charles, - - -	do to do	6	26	11	5	0
do - - -	do do - - -	do 1833 to do	6	23	15	0	0
do - - -	John Campbell, - - -	do to do	6	22	11	5	0
Stamford, - - -	M. W. Seeber, - - -	do 1833 to do 1833	6	23	15	0	0
Pelham, - - -	do do - - -	do to do	6	26	11	5	0
Stamford, - - -	Henry Webster, - - -	July 1st to do	5	38	9	10	0
do - - -	James Ramsay, - - -	June 1st to do	6	31	11	5	0
do - - -	James Spenser, - - -	Dec'r '33 to do	12	35	16	10	0
Pelham, - - -	David Black, - - -	June 1st to do	6	30	11	5	0
do - - -	Philo Powers, - - -	do to do	6	25	11	5	0
Grimsby, - - -	Robert Heron, - - -	do to do	6	26	11	5	0
do - - -	Amasa Kellog, - - -	do to do	6	20	11	5	0
Thorold, - - -	James Brennan, - - -	do to do	6	34	11	5	0
do - - -	John Kirk, - - -	do to do	6	22	11	5	0
do - - -	David P. Brown, - - -	do to do	6	39	11	5	0
Louth, - - -	Robert D. Smeaton, - - -	do to do	6	36	11	5	0
Clinton, - - -	Columbus Gilded, - - -	do to do	6	29	11	5	0
do - - -	Egbert P. Dunning, - - -	do to do	6	27	11	5	0
do - - -	John Rawls, - - -	do to do	6	32	11	5	0
do - - -	Benjamin Wait, - - -	do to do	6	24	11	5	0
Wainfleet, - - -	Joseph A. Wilford, - - -	do to do	6	20	11	5	0
do - - -	Robert B. Campbell, - - -	do to do	6	29	11	5	0
Bertie, - - -	Walter E. Murray, - - -	do to do	6	30	11	5	0
Gainsborough, - - -	F. C. Ellis, - - -	do to do	6	24	11	5	0
Canborough, - - -	Allen W. Williams, - - -	June 1st to Dec. 1st 1833	6	23	15	0	0
do - - -	do do - - -	do to do	6	29	11	5	0
Moulton, - - -	John Armour, - - -	do 1833 to do	6	23	9	15	bal'e
do - - -	do do - - -	do to do	6	28	11	5	0
Pelham, - - -	Freeman Eldridge, - - -	Aug. 1st to do	4	26	7	10	0
Crowland, - - -	Samuel Glover, - - -	Feb. 1st to 31st August	6	32	7	10	0
Louth, - - -	Amos Adams, - - -	June 1st to 1st September.	3	23	4	10	0
Clinton, - - -	Nathan Gilmore, - - -	do to 1st December	6	27	7	10	0
do - - -	Cormick M. Benson, - - -	do to do	6	26	7	10	0
Grimsby, - - -	Isaac B. Howard, - - -	do to do	6	32	7	10	0
do - - -	Amos S. Kinsley, - - -	do to do	6	43	7	10	0
Pelham, - - -	Charles Given, - - -	do to do	6	24	7	10	0
Grantham, - - -	John Everett, - - -	do to do	6	25	7	10	0
Niagara - - -	Henry Long, - - -	do to do	6	21	7	10	0
Stamford, - - -	Freeman Wiston, - - -	do to do	6	48	7	10	0
					480	0	0
To Treasurer's Commission 3 per cent,.....					15	0	0
To Secretary's,.....					5	0	0
					500	0	0

REMARKS.—In the above distribution, a difference is made in the amount assigned to those Teachers who had taught in the District the six months preceding, and received the smaller proportion of the public money provided by Law, (being only £5 5 0)—and those Teachers, who have taught a School during the six months embraced in the above return.

The claims of some deserving Teachers having been overlooked in the distribution of the annual grant for 1833, it is deemed just and expedient to award to them the same amount then paid to other School Masters out of the grant for the succeeding year.

The Reports of Schools in this District, for the past year, indicate an increase in the No. of Pupils and Schools, and a more satisfactory progress in the leading branches of an English and Commercial Education is ascertained. It may, however, be necessary, to require the Teachers to undergo a more strict public examination by the Board of Education before another dividend of public money be made, in order to enforce greater attention on the part of the Trustees of Common Schools, generally, to the character and qualification of Teachers employed by them, with the expectation of receiving the allowance hereafter.

THOMAS CREEN,  
*Secretary*

ROBERT DICKSON,  
ROBERT MCGILL.

The Hon'ble G. H. MARKLAND,  
*Inspector General.*

Education Reports.

APPENDIX. SECOND REPORT of Common Schools established in the District of Niagara, for the year ending 31st May, 1834.

TOWNSHIPS.	TEACHERS NAMES.	PERIOD OF TIME.	MONTHS	Scho-lars.	Distribution £ s. d.	REMARKS.
Niagara,	John Oakley,	From 1 Dec. 1833—To May 31, 1834.	6	51	5 5 0	Certificates of good behaviour, &c., have been produced signed by the Trustees of the respective Schools.
do	Nicholas N. Reid,	do do	6	27	5 5 0	
do	John Orr,	do do	6	25	5 5 0	
do	Henry Webster,	do do	6	23	5 5 0	
Grantham,	Alex. Wilson,	do do	6	32	5 5 0	
do	Richard Senior,	do do	6	22	5 5 0	
do	George Smith,	1st September—March 1st.	6	34	5 5 0	
do	Alex'r Stewart,	1 Dec. 1833—May 31, 1834.	6	24	5 5 0	
Humberstone,	T. Foley,	do do	6	26	5 5 0	
Clinton,	E. B. Dunning,	do do	6	24	5 5 0	
Louth,	Amos Adams,	do do	6	45	5 5 0	
Pelham,	David Black,	do do	6	35	5 5 0	
do	Joseph A. Wilford,	do do	6	21	5 5 0	
do	M. W. Seeber,	do do	6	33	5 5 0	
Thorold,	David P. Brown,	do do	6	47	5 5 0	
Clinton,	Wm. Buchanan,	do do	6	32	5 5 0	
Willoughby,	John Smith,	do do	6	23	5 5 0	
Gainsborough,	F. C. Ellis,	do do	6	44	5 5 0	
Bertie,	Walter E. Murray,	do do	6	27	5 5 0	
Moulton,	John Armour,	June 1st, 1833, do	12	29	10 10 0	
Pelham,	Philo Powers,	Dec. 1st, do	6	49	5 5 0	
Walpole,	John Williams,	do do	6	26	5 5 0	
Clinton,	Benjamin Wait,	do do	6	51	5 5 0	
Stamford,	James Ramsay,	do do	6	25	5 5 0	
Gainsborough,	John Brown,	do do	6	22	5 5 0	
Louth,	Thomas McGuire,	do do	6	26	5 5 0	
Grantham,	Columbus Gilded,	do do	6	29	5 5 0	
Niagara,	Peter H. Swartz,	do do	6	20	5 5 0	
Rainham,	Jas. W. Perkins,	do do	6	45	5 5 0	
Niagara,	Robert Beattie,	do do	6	84	5 5 0	
Grantham,	David Lynds,	do do	6	37	5 5 0	
Canboro',	A. W. Williams,	do do	6	43	5 5 0	
Stamford,	Alexander Ross,	do do	6	27	5 5 0	
Thorold,	James Brenan,	do do	6	34	5 5 0	
Niagara,	Henry Charles,	do do	6	26	5 5 0	
Grimsby,	Robert Heron,	do do	6	28	5 5 0	
do	Thomas Johnson,	do do	6	27	5 5 0	
do	John Rowls,	do do	6	40	5 5 0	
Louth,	Rob't D. Smeaton,	do do	6	50	5 5 0	
Niagara,	Dennis B. Hanlon,	do do	6	24	5 5 0	
Grimsby,	Amasa Kellogg,	do do	6	22	5 5 0	
Thorold,	John Kirk,	do do	6	32	5 5 0	
Pelham,	Freman Eldridge,	do do	6	28	5 5 0	
Clinton,	Alex'r Stevens,	do do	6	32	5 5 0	
Caistor,	Rob't B. Campbell,	do do	6	29	5 5 0	
					£250 0 0	
To Treasurer's 3 per cent,.....					236 5 0	
Secretary's, .....					7 10 0	
					5 0 0	
					248 15 0	

ROBERT DICKSON,  
THOMAS CREEN,  
Secretary.

**REPORT**  
**OF THE COMMON SCHOOLS**  
**In the Western District, for the year 1834.**

APPENDIX.

TEACHERS.	RESIDENCE.	Number of Scholars.	REMARKS.
Nicholas Parent,	Malden,	33	Died of cholera in Aug. 1834
George Rankin,	Raleigh,	37	
James Pullman,	More,	22	Discontin'd the summer of 1834
Lenox Thompson,	Colchester,	30	
5 Edward P. Hall,	Raleigh,	85	
Thomas McQuarie,	Dawn,	26	
William Smith,	Sandwich,	20	
William Johnson,	Sandwich,	29	
Uri Bassett,	Howard,	52	
10 Robert McMurray,	Gosfield,	25	
John Fenby,	Gosfield,	23	
James Henderson,	Sombra,	31	
John Bap Mercure,	Amherstburg,	52	Discontin'd the summer of 1834.
Laban B. Fleak,	Chatham,	37	
15 William Armstrong,	Orford,	42	
Lewis Eckhart,	Rochester,	26	
Rev. George Cheyne,	Amherstburg,	24	
Charles Melvin,	Sandwich,	22	
John Ladd,	Chatham,	26	
20 Robert Thompson,	Colchester,	23	
John Wilson,	Sandwich,	27	
James McMullen,	Chatham,	33	
Louis J. Fluett,	Gosfield,	43	Discontin'd the summer of 1834.
Hugh Morgan,	Mersea,	40	
25 James Huolihan,	Sandwich,	26	
William Timm,	Gosfield,	52	
Jean Bap Elle,	Tilbury,	25	
28 Elias Bisson,	Howard,	25	

The branches of education commonly taught in the above Schools are spelling, reading, writing, arithmetic, grammar and geography.

FELIX HANDS, C. B. E.

The Board of Education for the Western District beg to report, that, during the last two years, persons, who have undertaken the tuition of Common Schools in this District, have proved not only of a more respectable class in appearance, but also in talent. This must indubitably be attributed to the increased sum of money given for the promotion of these institutions in 1833 and 1834. The emoluments accruing from a Common School are indeed so inadequate to support a man even with the augmented stipend, that it is difficult to procure Teachers, who have the requisite acquirements; they, who possess those abilities, humble as they are, can earn a better livelihood from other avocations and with infinitely less irksomeness. Education, though still in its infancy in our District, is perceptibly on the advance; but we conceive it would endure a severe check, if the statute conferring that additional grant were to become inoperative.

The Board cannot close their Report without expressing their opinion, that if some encouragement were also held out for the establishment of female schools, especially in towns, it would prove of important benefit to the community.

JAMES GORDON, } Members of the Board of Educa-  
CHARLES ELIOT. } tion, for the Western District

APPENDIX.

## REPORT OF TRUSTEES

OF THE

## DISTRICT SCHOOL: OTTAWA.

*To His Excellency, Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

The undersigned a majority of the Trustees of the District School of the District of Ottawa,

HUMBLY REPORT:—

That the Annual examination of the said School was this day held at the District School house, at Longueil in the said District, pursuant to public notice duly given to that effect.

That the number of pupils at present taught at the said School, is Twenty-two, exclusive of three other occasional students.

Two of the pupils are engaged in the study of the Latin Language, and the rest are more or less advanced in the ordinary branches of English education.

The undersigned are happy to state in conclusion, that the exertions of Mr. Gregor, the Teacher, are satisfactorily proved by the progress of his pupils.

All which is humbly submitted.

GEORGE HAMILTON,  
CHAS. P. TREADWELL,  
RICHARD PHILLIPS HOTHAM.

Longueil, July 8th, 1834.

## REPORT OF THE

## JOHNSTOWN DISTRICT SCHOOL

FOR 1834.

BROCKVILLE, 3rd January, 1835.

LT. COL. ROWAN,

SIR,

Inclosed herewith, I have the honor to transmit for the information of His Excellency, a statement from the Teacher respecting our District School. It will afford more information than a formal return which cannot well be furnished the School having been so lately organized under Mr. Smith.

The want of a small fund for the purposes mentioned is seriously felt and is a great draw back upon the prosperity of the school.

I have the honor to be,

Sir, Your Obedient Servt.,

JONAS JONES, Chairman.

## REPORT OF DISTRICT SCHOOL, &amp;c.

The Johnstown District School in Brockville was opened anew under John Smith, A. M. on the first day of May. There were at the commencement only twelve scholars, some of whom came with their Teacher from Kingston. The number since that has constantly augmented, so that at this present recess, the number was thirty-six, and there is still the prospect of considerable increase. If the accommodation for the School had been either large or convenient enough to admit females also, the number would have been much larger. The want of such suitable accommodation has been, and still is a great injury to the school.

The branches which have during this period, been taught in the school, are, besides those of an ordinary English Education, the dead languages, viz. Latin

and Greek,—Geography, both in a popular and a more scientific form,—History Composition, and Elocution,—short hand, with the various branches of Mathematics, practical and elementary (according to the annexed table of terms and arrangement). No Scholar has, during this period, finished his education, yet several of those in the School have made extensive and rapid progress, especially in Mathematics.

The accommodation for the School, as has been already intimated, is exceedingly deficient. The place in which it is now held does not properly belong to the district but was built by private subscription. It is well situated being both in a retired and healthy place. It consists of a single room, of frame work, which is extremely cold and uncomfortable, especially, for the Junior scholars during the severity of winter. It of course affords no apartment for the superintendent—whose constant presence would be of great advantage, but this is of comparatively small moment. The impossibility of dividing the scholars according to their sex, age, and studies, or of sending the different Classes into separate apartments, for the study and recitation of their various lessons, must always prove a great detriment to their progress and entail much trouble on the Superintendent, and those who assist him. This evil is yet more sensibly felt from the small size of the room itself—which will scarcely admit with comfort or utility of any increase of attendance. If another room only, of equal dimensions were added it would confer a large amount of benefit on the School and Teachers.

There is no manner of apparatus belonging to the School, two or three old benches and tables of no use, were all the furniture left. During the first quarter these were obliged to suffice, because the School which was then small was kept in an incommodious confined room of a private dwelling. The House which is now occupied and is nominally the District School house, was at that time used as a Barrack, since it was again procured, the teacher has been obliged to fit it up at his own cost, trusting that the District and Trustees will refund him, and not allow so heavy an expense to fall on him alone. Of other Apparatus there is absolutely none. A small Terrestrial Globe and some other things, did at one time belong to the school; but these are lost, either worn out or abstracted. If the school be ever destined to be useful, and to answer the undoubtedly benevolent intention of the Government, which, with paternal care, has founded and endowed these Institutions for the general encouragement of learning, as well as the advancement of youth in true knowledge, some adequate Apparatus is highly expedient, not to say necessary. Besides a set of large and accurate Globes and Maps, a good Telescope, or Theodolite and Telescope combined, with some of the more simple and immediately useful inventions for illustrating subjects in Natural Philosophy and Chemistry, would be requisite. A small sum of money entrusted to the Trustees and to be laid out by their authority annually, in the gradual accumulation of such Apparatus; and a Juvenile Library would very much advance the design of such an Institution, and confer an incalculable advantage on the cause of education throughout the whole District.

The system of Education adopted in the school is, as nearly as circumstances will permit, the same with that employed in the Minor College. The difficulty of suddenly and violently changing old systems, of substituting new forms and getting youth cordially and energetically to adopt them—besides the want of full sets of books and the unwillingness of Parents to be at the expense of procuring them, while the old ones remain in their hands—these have partially obstructed the full operation of the system. But they are all passing away, and in the space of another session will probably have terminated.

If, besides the adoption of the improvements suggested, a few appropriate rewards and prizes should be given to the most deserving in each department, the good effects would be speedily apparent. The Teacher has given a few such rewards from himself, and from the benefit that he witnessed by it intends to continue the practice. He earnestly recommends the distribution of a few of more intrinsic value and of a more public nature, such as would at once excite and reward attention, diligence, and talent.

## Education Reports.

APPENDIX.

## TRUSTEES' REPORT

OF THE

## MIDLAND DISTRICT SCHOOL, 1834.

To His Excellency Sir John Colborne, K. C. B.,  
&c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We the undersigned Trustees of the Midland District School most respectfully report for the information of Your Excellency that the annual examination of the Scholars of the aforesaid School was held in the school House in this town on Monday the fourth day of August last, although under circumstances peculiarly ill adapted to do justice to the attention of the master, or to mark the progress of the pupils. The state of the public health caused by the sudden and violent irruption of the cholera, (which was on that day singularly fatal in Kingston) requiring the almost incessant attendance of the Clergymen on the sick, and fully occupying the minds of all who generally take an interest in the school, it was impossible to devote the same time or examine the several classes in rotation with the usual care and patient attention, though there was satisfactory evidence that Mr. Baxter had not relaxed in his exertions to bring forward his scholars according to their several ages and abilities.

The number of pupils at present under Mr. Baxter's tuition are thirty-six, being four less than the number in attendance at the period of the last report, and six more than the number in 1832. During the past year, one or two have removed to Upper Canada College where we understand that Mr. Baxter's pupils almost invariably take a good standing on entrance. Some have left Kingston with their parents for other parts of the Province, while a few have entered on the business of their future occupations. The School as at present constituted is divided into four classes, the senior of which is composed of six boys between the ages of twelve and fourteen years, who were examined in the Greek Grammar, in Ovid and Cæsar and gave proof of respectable proficiency. A schedule of the several classes taught in the school at present is appended to this Report.

In the discharge of their duty the Trustees of the Midland District School have already repeatedly pressed upon the consideration of Your Excellency the the delapidated state of the present School House, and the just claims of this District for an augmented allowance by way of endowment, together with an adequate sum for the erection of a suitable building: and they again most anxiously solicit Your Excellency's attention to this subject, and appeal to Your Excellency's sense of justice in behalf of a District which has been so much neglected, at the very time when an immense expense both in building and endowing Upper Canada College has been incurred, the benefit of which institution, though particularly experienced by a limited number of the more opulent inhabitants of the Province is chiefly felt by the Home District. They cannot but express their disappointment that the modest claims of this District to participate in those funds so largely appropriated by Your Excellency's generosity to that favoured establishment have been unavailingly urged. In a very short time the present School House will be altogether uninhabitable, and unless funds are placed at the disposal of the Trustees there will be absolutely no place in which the Master can teach, unless he himself hire one at his own expense.

It would, therefore, be unreasonable to expect, under these circumstances, that the Trustees of the Midland District School should put on the appearance of satisfaction or express themselves contented—they feel that in the present condition, both of the building and endowment, any such expression or appearance on their part would betray an entire ignorance of their duty, the very purpose of their appointment being to watch over and promote the interests of the School.

All which is humbly submitted.

GEORGE O'KILL STUART,  
THOMAS MARKLAND,  
JNO. MACAULAY,  
JAS. SAMPSON.

Kingston, December 30th, 1834.

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**R E P O R T**

APPENDIX.

OF THE

**Midland District School,****FOR 1834.**

CLASSIFICATION of the Pupils of the Midland District School at the Public Examination, on the 4th day of August, 1834.

## 1ST CLASS.

Robert Tolbert, 14 years of age.  
 Peter Baxter, 12 do.  
 Danil McLeod, 12 do.  
 James Atkinson, 14 do.  
 Moses Binley, 13 do.  
 Henry Steele, 12 do.

## STUDIES.

*Greek Grammar,—Ovid Cæsar.—English Grammar, Geography, Arithmetic.*

## 2ND CLASS.

Charles Tolkien, 9 years of age.  
 Henry Wood, 11 do.  
 Neil Macleod, 10 do.  
 Joseph Binley, 11 do.

*Lectiones Selectiæ—Latin and English Grammar, Geography, Arithmetic.*

## 3RD CLASS.

Henry Tolbert, 10 years of age,  
 Thomas Masson, 10 do.  
 Thomas Anderson, 9 do.  
 Philip Tolbert, 12 do.  
 John Goodearle, 11 do.  
 William Garratt, 12 do.  
 Erastus Ives, 11 do.  
 George M. Wilkinson, 10 do.

*English Grammar, Arithmetic, Reading, Writing, &c.*

## 4TH CLASS.

Dwight Benedict, 10 years of age,  
 Robert Garratt, 10 do.  
 Edward Pendleton, 9 do.  
 Henry Bamford, 12 do.  
 Henry Sellars, 8 do.  
 Thomas Bamford, 11 do.  
 William Michael, 12 do.  
 Joseph Belonge, 9 do.  
 William Wilson, 9 do.  
 James Macleod, 8 do.  
 William P. Cook, 9 do.  
 John Molson, 7 do.  
 Thomas Moran, 12 do.  
 Roland Cadwell, 8 do.  
 Alexander Bamford, 8 do.  
 James Kennedy, 11 do.  
 Hiram Ives, 8 do.  
 James Farrel.

*English Grammar, Arithmetic, Reading, Writing, &c.*

Total Number of Scholars 36.

GEORGE BAXTER, *Teacher.*

N. B. Two young students have been received for gratuitous instruction within the present year.

Education Reports.

APPENDIX.

REPORT OF THE WESTERN DISTRICT SCHOOL FOR 1834.

NAMES.		Spelling.	Reading.	Writing.	Arithmetic.	E. Gram'r &c.	Geog'phy &c.	History.	Elocution.	Latin.	Greek.	Mathematics.	Withdrawn.	REMARKS.			
MALES.	FEMLES.																
R. Woods,	V. Woods,	1	1	1	1	1	1	1	1	1	1	1	14th July, 1st Dec.	(1) A considerable number of pupils besides those entered in the Report, attend the School for a short period, during the year, some for three, some for four and others six months.			
M. Millar,		1	1	1	1	1	1	1	1	1	1	1					
W. Baby,		1	1	1	1	1	1	1	1	1	1	1					
J. Baby,		1	1	1	1	1	1	1	1	1	1	1					
D. Pagot,		1	1	1	1	1	1	1	1	1	1	1					
R. Watson,		1	1	1	1	1	1	1	1	1	1	1					
J. Watson,		1	1	1	1	1	1	1	1	1	1	1					
J. D. Askin,		1	1	1	1	1	1	1	1	1	1	1					
C. Askin,		A. Askin,	1	1	1	1	1	1	1	1	1	1			1	1st Dec.	(2) A female school having been lately established in the village, the females attending the Dist't School have chiefly been withdrawn.
A. Askin,			1	1	1	1	1	1	1	1	1	1			1		
A. Wilkinson,	1		1	1	1	1	1	1	1	1	1	1					
W. Wilkinson,	1		1	1	1	1	1	1	1	1	1	1					
S. Hall,	1		1	1	1	1	1	1	1	1	1	1					
W. Hall,	1		1	1	1	1	1	1	1	1	1	1					
J. E. Johnson,	1		1	1	1	1	1	1	1	1	1	1					
M. Anor,	1		1	1	1	1	1	1	1	1	1	1					
J. Hawkins,	A. Hawkins,		1	1	1	1	1	1	1	1	1	1	1	18th Nov.	(3) Of the pupils whose names are entered in the present Report, twenty-seven are Protestants and eleven Roman Catholics.		
J. McMullin,			1	1	1	1	1	1	1	1	1	1	1				
W. McMullin,		1	1	1	1	1	1	1	1	1	1	1					
D. McMullin,		1	1	1	1	1	1	1	1	1	1	1					
T. Mears,		1	1	1	1	1	1	1	1	1	1	1					
G. Murray,		A. Mears,	1	1	1	1	1	1	1	1	1	1	1			18th Nov.	(4) The Roman Catholics have evinced of late a stronger desire than formerly to have their children instructed in the minor branches of education.
G. Jacob,			1	1	1	1	1	1	1	1	1	1	1				
H. Johnson,			1	1	1	1	1	1	1	1	1	1	1				
J. Johnson,			1	1	1	1	1	1	1	1	1	1	1				
W. Johnson,			1	1	1	1	1	1	1	1	1	1	1				
C. Johnson,	1		1	1	1	1	1	1	1	1	1	1					
A. Lewis,	1		1	1	1	1	1	1	1	1	1	1					
J. Leaside,	1		1	1	1	1	1	1	1	1	1	1					
T. Lascalene,	1		1	1	1	1	1	1	1	1	1	1					
J. Lascalene,	1		1	1	1	1	1	1	1	1	1	1					
F. Hands,	H. Jasperson,	1	1	1	1	1	1	1	1	1	1	1	20th Aug.				
H. Jasperson,		1	1	1	1	1	1	1	1	1	1	1					
C. Westaway,		1	1	1	1	1	1	1	1	1	1	1					

Boys 32.

Girls 6.

WILLIAM DUFF,  
JAMES GORDON,  
CHARLES ELIOT,

Trustees Western District School.

W. JOHNSON, Master of the W. D. S.

Sandwich, 26th Dec. 1834.

DR. GOVERNMENT IN ACCOUNT WITH THE TREASURER OF THE GORE DISTRICT.

1834		1833		1834		1833	
Jan'y 16.	To paid as per order of the Board of Education of this day, and certificates of the respective Teachers.....	384	5 11	Nov. 30.	By balance to pay Hugh Mullholland & Thomas Delughry Teachers.....	12	10 3 $\frac{1}{2}$
July 11th.	" Ditto, as per ditto for ditto of the 9th July 1834, and certificates of the respective Teachers.....	405	5 0 $\frac{1}{2}$	July 13th	" Ditto from the Receiver General.....	600	0 0
Oct. 1st.	Treasurer's 3 per cent on £850 Balance .....	25	10 0	Jan'y 16.	" Ditto, ditto, ditto.	250	0 0
		47	12 11 $\frac{1}{2}$				
		862	13 11 $\frac{1}{2}$			862	13 11 $\frac{1}{2}$
				Oct. 1st.	By balance as per contra, to pay Hugh Mullholland and Thomas Delughry, Teachers	12	10 3 $\frac{1}{2}$
					" Ditto as also to pay Hugh Black		
					" Hugh C. W. Canadie, William Martin and George C. Porters, Teachers, .....	35	0 0
					" Cash unappropriated, .....	0	2 3 $\frac{1}{2}$
						47	13 11 $\frac{1}{2}$

Treasurer's Office, Hamilton, }  
1st October, 1834. }

ELIJAH SECORD, Treasurer, G. D.

EMIGRATION ACCOUNTS.

Upper-Canada.

STATEMENT shewing the EXPENSES incurred, and PAYMENTS made, on account of Emigration, in the Year 1831, as per Abstracts from No. 1 to No. 6.

Dr.			Cr.		
No. of ABSTRACT.	PAYMENTS.	Provincial Currency.	DATE.	RECEIPTS.	Provincial Currency.
		£ s d.	1831.	STERLING.	£ s d.
1.	To amount of disbursements paid by Mr. F. T. Billings, at York, as per abstract No. 1, herewith,...	2327 16 6	June 8,....	By am't of War't No.90 450 0 0	
2.	To do. paid by Mr. J. G. Bethune, at Cobourg, as per abstract No. 2 herewith, .....	527 8 8	July 9,....	By do. do. No.102 540 0 0	
3.	To do. paid by Mr. McDonnell at Peterboro', as per abstract No. 3 herewith, .....	732 6 6	October 14, By do. do. No.110 2700 0 0		
4.	To do. paid by Mr. Rubidge at Peterboro, as per abstract No. 4 herewith, .....	1009 5 0	Novem. 21, By do. do. No.112 720 0 0		
5.	To do. paid by do. at do. as per abstract No. 5 herewith, .....	1073 14 3½	1832.		
6.	To do. paid by do. at do. as per abstract No. 6 herewith, .....	50 5 6	May 22,....	By do. do. No.138 738 14 9½	
		£ 5720 16 5½		£ 5148 14 9½	
				Equal to	5720 16 5½
				Total £	5720 16 5½

Amounting to the sum of Five Thousand Seven Hundred and Twenty Pounds, Sixteen Shillings, and Five Pence half-penny, Provincial Currency,—Dollars at 5s. each.

(Errors Excepted.)

A. B. HAWKE.

EMIGRANT OFFICE, 7th March, 1835.

Upper-Canada.

ABSTRACT No. 1,—Shewing the Disbursements made by Mr. F. T. BILLINGS, at York, on account of Emigration in the Year 1831.

DATE.	TO WHOM PAID.	FOR WHAT SERVICE.	AMOUNT.
			£ s. d.
1831			
June, 1	Harvey Sheppard,.....	Axes furnished for Emigrants, .....	88 8 0
15	A. Anderson,.....	Transport of destitute ditto,.....	1 5 0
	John Ritchey, .....	Erecting a building for ditto,.....	29 10 0
	E. Ballard,.....	Transport of destitute Emigrants, .....	3 0 0
	J. Peregrine, .....	do do do .....	1 2 6
22	Joseph Stippers, .....	do do do .....	1 10 0
	Samuel Lundy, .....	do do do .....	1 0 0
	Job Wells, .....	do do do .....	1 5 0
	J. Randal, .....	2 barrels of pork for do. ....	6 10 0
	J. Randal, .....	Transport of destitute Emigrants,.....	1 10 0
30	T. Huntley,.....	do do do .....	1 5 0
	James Blackwell, .....	do do do .....	4 10 0
	Francis Bell, .....	do do do .....	1 10 0
	Gambell and Birchall,.....	Stations furnished, .....	3 14 3
	A. Smalley,.....	Seed potatoes for Emigrants,.....	1 16 8
	J. Peregrine,.....	Transport of Pork,.....	0 18 9
	J. Richardson,.....	Inspecting locations in Oro,.....	4 0 0
	J. F Smith, .....	4 barrels of salt Pork,.....	16 0 0
	George Gowland,.....	Transport of destitute Emigrants,.....	6 0 0
July 11	F. Hutton, .....	Money advanced to purchase tools,.....	5 0 0
12	W. Laughton, .....	Transport of destitute Emigrants,.....	1 5 0
14	George Cooper,.....	do do do .....	10 0 0
15	J. Marshall, .....	Erecting a building for do. ....	20 3 9
16	George Gowland, .....	Transport of destitute Emigrants,.....	4 0 0
22	John McMillan,.....	do do do .....	2 0 0
	J. Blackwell,.....	do do do .....	2 0 0
	John Coomer,.....	do do do .....	6 5 0
	John Coomer,.....	do do do .....	0 5 0
August 8	Elizabeth Ormsby, .....	Carriage of sick Emigrants from Oro to York,	0 10 0
13	George Lount,.....	Services as Deputy Surveyor,.....	4 2 6
17	James Blackwell,.....	Transport of destitute Emigrants,.....	4 0 0

Carried over, £ 234 6 5

EMIGRATION ACCOUNTS.

ABSTRACT No. 1.—CONTINUED.

DATE.	TO WHOM PAID.	FOR WHAT SERVICE.	AMOUNT.
1831		Brought forward, £	234 6 5
September 1	Robert Stanton, .....	Printing done, .....	6 15 0
..... 7	James Wickens, .....	Pay as Agent, .....	19 10 0
.....	James Wickens, .....	Agent's travelling expenses, .....	2 5 0
..... 10	F. Collins, .....	Printing done, .....	2 17 6
..... 20	James F. Smith, .....	55 barrels of pork for Emigrants, .....	195 5 0
October 5	George Cooper, .....	Transport of destitute do. ....	20 0 0
.....	Harvey Sheppard, .....	Axes furnished for do. ....	24 1 0
.....	Thomas Baines, .....	Travelling expenses as Agent, .....	5 2 0
.....	Edward O'Brien, .....	Pay as an Agent, .....	47 0 0
.....	Thomas McGrath, .....	ditto ditto .....	58 10 0
.....	Thomas McGrath, .....	Contingent account, .....	79 4 7
..... 17	George Lount, .....	Sundry articles furnished, .....	9 12 0
.....	George Lount, .....	Flour furnished Emigrants, .....	79 0 0
.....	J. Nevills, .....	Exp'g bet'n Carrodoc & river aux Perches	23 0 0
.....	T. W. McGrath, .....	Agent contingent account, .....	16 13 7½
..... 22	Richard Strange, .....	Taking care of Emigrant buildings, .....	11 10 0
.....	T. D. Harris, .....	Sundries furnished, .....	6 4 11
.....	William Moore, .....	Medicines ditto, .....	0 16 9
..... 16	Cheeseman Moe, .....	Agent contingent account, .....	103 16 3
..... 22	Edward O'Brien, .....	Agent, travelling expenses, .....	14 2 0
November 1	J. Farquharson, .....	Surveying road in Seymour, .....	14 8 5
..... 14	John Coomer, .....	154 barrels of Flour for Emigrants, .....	184 19 3
.....	John Coomer, .....	Transport of do. to Heytesbury, .....	19 2 6
..... 25	John Coomer, .....	Pay as Agent, 114 days, .....	57 0 0
.....	William Laughton, .....	Sundry articles furnished, .....	27 8 6
..... 22	George Lount, .....	100 barrels Flour for Emigrants, .....	137 10 0
.....	William Laughton, .....	Transport across Lake Simcoc, .....	102 14 8
..... 23	John Moore, .....	Transport of Pork, &c. ....	12 15 0
..... 30	L. F. Brooke, .....	Articles furnished an Emigrant, .....	2 10 5½
.....	John Coomer, .....	Fresh Beef furnished to Emigrants, .....	76 1 5
December 20	J. Herchimer, .....	Passages of Emigrants, .....	4 10 0
..... 23	John Mosier, .....	Transport of ditto, .....	24 18 9
..... 21	William Laughton, .....	Transport of Flour at Haytesbury, .....	6 2 1½
..... 24	T. W. McGrath, .....	Agent, 85 days pay .....	43 10 0
..... 28	George Lount, .....	Flour furnished at Heytesbury, .....	92 17 6
.....	William McIntosh, .....	Passages of Emigrants, .....	18 0 0
.....	J. Herchimer, .....	.. ditto .....	174 13 9
.....	John Coomer, .....	64 days pay as an agent .....	32 0 0
.....	Edward O'Brien, .....	Agent contingent account .....	54 13 3½
..... 31	F. T. Billings, .....	Pay as an Agent, .....	138 15 0
.....	Richard Strange, .....	Taking care of Emigrant buildings .....	10 0 0
..... 30	Murray & Co., .....	Storage of axes for Emigrants .....	1 1 3
.....	Samuel Wilmot, .....	Flour and Pork furnished ditto .....	133 12 6
		£	2327 16 6

Amounting to the sum of Two Thousand Three Hundred and Twenty-seven Pounds, Sixteen Shillings and Six-pence Currency,—Dollars at 5s. each.

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

ABSTRACT No. 2,—*Shewing the Disbursements made by J. G. BETHUNE, at Cobourg, on account of Emigration in the year 1831.*

DATE.	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY.
1831			£ s. d.
June 22	Lewis Moffat, .....	For Pork and Flour, .....	11 1 8
..... 30	Aaron Ellsworth, .....	For Transport of Families, .....	15 0 0
.....	John Williams, .....	... ditto ... ditto .....	15 0 0
.....	John Heard, .....	... ditto ... ditto .....	23 9 0
July 30	John Heard, .....	... ditto ... ditto .....	151 5 0
.....	John Heard, .....	For Provisions furnished, .....	23 14 8
.....	Chaplain & Burnett, .....	For Axes, .....	43 15 0
September 30	John Heard, .....	For transport of 112 families, .....	140 0 0
.....	John Heard, .....	For Provisions, .....	29 3 4
.....	A. B. Carpenter, .....	For Axes, .....	75 0 0
			527 8 8

Amounting to the sum of Five Hundred and Twenty-seven Pounds, Eight Shillings and Eight Pence, Currency,—Dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

A. B. HAWKE.

EMIGRATION ACCOUNTS.

Upper Canada.

ABSTRACT No. 3,—*Shewing the Disbursements made by Mr. McDONELL, Peterborough, on account of Emigration in the year 1831.*

DATE.	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY
1831			£ s. d.
June 23	D. Campbell,.....	25 barrels of Pork,.....	87 1 8
....	James G. Bethune,.....	Sundry articles furnished.....	223 0 8
....	John Crawford,.....	25 barrels of Pork,.....	93 2 6
July 23	John Brown,.....	100 barrels of Flour,.....	149 11 8
....	James G. Bethune,.....	38 barrels of Flour and 26 do. Pork,.....	143 5 0
....	John Gilchrist,.....	Boards, &c. furnished,.....	18 18 8
.... 30	Benjamin Young,.....	Building a Boat,.....	7 5 0
....	Lewis Moffatt,.....	Materials, &c. furnished,.....	10 1 4
Total £			732 6 6

Amounting to the sum of Seven Hundred and Thirty-two Pounds, Six Shillings and Six-pence, Currency,—Dollars 5s. each.  
 EMIGRANT OFFICE, 7th MARCH, 1835. A. B. HAWKE.

ABSTRACT No. 4,—*Shewing the Disbursements made by Mr. RUBIDAR, at Peterboro', on account of Emigration in the year 1831.*

DATE	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY
1831			£ s. d.
September 1	Charles Clarke.....	For 130 barrels salt Pork, prime quality, at 74s. 6d. per barrel,.....	481 5 0
.....	D. Campbell,.....	For 350 bbl. Flour, at 30s. per barrel,.....	525 0 0
Total £			1000 5 0

Amounting to the sum of One Thousand and Nine Pounds, and Five Shillings, Currency,—Dollars at 5s. each.  
 EMIGRANT OFFICE, 7th MARCH, 1835. A. B. HAWKE.

ABSTRACT No. 5,—*Shewing the Disbursements made by Mr. RUBIDAR, at Peterboro', on account of Emigration in the year 1831.*

DATE	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY
1831			£ s. d.
June 21	James Pope,.....	Transport,.....	3 18 0
July 29	Richard Waters,.....	Road making.....	4 15 0
August 16	Eugene McCarthy,.....	Transport.....	6 0 0
.... 17	Timothy Sloan,.....	Temporary Shanties.....	4 4 0
....	Ralph Bickerton,.....	Transport,.....	7 10 0
.... 18	Thomas Milburn,.....	Transport and Guides,.....	18 10 0
.... 19	Timothy Sloan,.....	Road making,.....	1 14 6
.... 24	Thomas Wilson,.....	Fresh provisions,.....	4 9 1/2
.... 26	Wilfred Gridale,.....	Transport,.....	17 5 0
....	Hall & Lee,.....	Sundries,.....	41 0 2
.... 27	Timothy Leahy,.....	Transport,.....	12 5 0
....	William Dixon,.....	Lumber,.....	5 7 0
....	William Kidd,.....	Road making and Guides,.....	7 10 0
.... 29	Morris Fitzgerald,.....	Guide,.....	1 0 0
....	John Sullivan,.....	Transport,.....	1 5 0
....	Thomas Donoghue,.....	.. do.....	2 10 0
.... 30	John Donnelly,.....	Road making,.....	0 7 6
....	Arannah Trip,.....	Temporary Shanties,.....	9 10 0
September 2	Michael Keane,.....	Road making.....	15 0 0
....	Thomas Fenton,.....	.. do.....	1 5 0
.... 3	Patrick Murphy,.....	Transport.....	1 5 0
.... 6	Hugh Morrison,.....	.. do.....	2 0 0

Carried over, £ 171 10 5

## EMIGRATION ACCOUNTS.

ABSTRACT No. 5,—CONTINUED.

DATE	TO WHOM PAID.	FOR WHAT PURPOSE.	CURRENCY
		Brought forward, £	171 10 5
1831			
September 6	John Rowsby, .....	Road making, .....	10 0 0
7	Patrick Ryan, .....	Fresh provisions, .....	7 0 0
9	Robert Welsh, .....	Transport, .....	17 10 0
12	Thomas Fenton, .....	Shanties, .....	75 7 6
	Charles Rubidge, jr, .....	Issuing provisions, .....	8 0 0
	Thomas Torpy, .....	Transport, .....	4 15 0
13	Henry Tamlin, .....	Ditto, .....	16 0 0
	James Hurley, .....	Coffins, .....	5 15 0
14	Timothy Conners, .....	Labour, .....	2 0 0
	John Leary, .....	Transport, .....	3 0 0
	Gideon Grisdale, .....	Ditto, .....	15 0 0
	Morris Mullins, .....	Shanties and Provisions, .....	5 7 6
15	Dennis Sheehan, .....	Shanties and guide, .....	8 12 6
	Francis McCabe, .....	Transport, .....	3 0 0
	Robert Milburne, .....	Ditto, .....	4 10 0
	Thomas Milburne, .....	Ditto, .....	3 0 0
	Dennis McCarthy, .....	Ditto, .....	8 15 0
16	Margaret Conners, .....	Nurse, &c. &c., .....	4 0 0
20	John Walton, .....	Transport, .....	8 15 0
	James F. Smith & Co., .....	Sundries, .....	4 2 3
	Silas Pearson, .....	Building a Scow, .....	6 12 6
	Henry F. Williams, .....	Transport, .....	10 11 3
21	Eugene McCarthy, .....	Ditto, .....	18 11 9
	Jonathan Stephenson, .....	Work in Harvey, .....	24 12 6
	Daniel McCoy, .....	Guide service, .....	0 12 6
	Thomas Carr, .....	Assistant in Harvey, .....	9 17 6
	Thomas Lockhart, .....	Transport, .....	1 12 6
22	John Allen, .....	Ditto, .....	11 5 0
	John Yates, .....	Lumber, .....	4 14 6
	John Yates, .....	Transport, .....	18 6 3
	William Kidd, .....	Guide service, .....	3 10 3
	John Yates, .....	Provisions, .....	7 17 6
	John Drummond, .....	Transport and shanties, .....	14 19 0
23	James Drummond, .....	Ditto ditto, .....	10 0 0
	William Left, .....	Guide service, .....	12 5 0
	Timothy Leahy, .....	Transport, .....	1 0 0
26	William Dixon, .....	Ditto, .....	3 0 0
27	Isaac Johnson, .....	Ditto, .....	5 0 0
	Samuel Thompson, .....	Ditto, .....	35 0 0
29	Joseph Talbot, .....	Office service, .....	40 0 0
	David Scanlon, .....	Medicines and attendance, .....	0 17 2½
	Thomas V. Tupper, .....	Postages, .....	7 3 5½
	James B. Ferguson, .....	Sundries, .....	117 15 0
October 28	John Hutchison, .....	Medicines and attendance, .....	4 12 1
November 7	R. D. Chatterton, .....	Printing, .....	3 1 3
	Lewis Moffat, .....	Sundries, .....	87 10 0
9	Charles Rubidge, .....	Agent Service, .....	28 14 0
	Charles Rubidge, .....	Contingent expenses, .....	3 15 0
	Robert Murdoc, .....	Medicines, .....	0 15 0
	Alexander Rafferty, .....	Shanties, .....	4 0 0
June 10	Charles Rubidge, jun., .....	Issuing rations, .....	8 7 6
11	Alexander Drummond, .....	Locating German Emigrants in Dummer, .....	4 15 0
21	F. Stewart, .....	Fitting up House for Emigrants, .....	1 8 0
July 5	John Brown, .....	For nails, .....	3 0 0
6	E. McCarthy, .....	Transport, .....	20 18 1½
	Wall & Lee, .....	Lumber, .....	2 12 6
14	William Kidd, .....	Guide Service, .....	4 5 0
15	Dennis Sheehan, .....	Shanties, .....	7 15 0
16	John Milburn, .....	ditto, .....	5 0 0
	Robert Iveson, .....	ditto, .....	8 15 0
18	Wilfred Grisdale, .....	Transport, .....	3 15 0
	Robert Welsh, .....	ditto, .....	10 11 3
19	John Yates, .....	ditto, .....	5 5 0
20	Hugh Morrison, .....	ditto, .....	0 10 0
	John Dixon, .....	ditto, .....	3 18 9
25	Eugene McCarthy, .....	ditto, .....	1 2 6
26	Samuel Wallace, .....	For building Sheds, .....	0 7 6
	G. Fitzgerald, .....	Transport, .....	0 10 0
28	James Hurley, .....	Coffins, .....	1 15 0
29	William Dixon, .....	Lumber, .....	5 0 0
	James Drummond, .....	Transport, .....	9 10 0
	Wilfred Grisdale, .....	ditto, .....	

Carried over, £ 995 4 8½

EMIGRATION ACCOUNTS.

ABSTRACT No. 5,—CONTINUED.

DATE	TO WHOM PAID.	FOR WHAT PURPOSE.	CURRENCY
1831		Brought forward, £	995 4 8½
September 30	Mary Condon,.....	Shanty.....	0 7 6
	Hugh Morrison,.....	Transport,.....	4 5 0
	Edward Sanderson,.....	ditto .....	3 10 0
	J. B. Ferguson,.....	Sundries,.....	1 18 5
August 2	William Kidd,.....	Guide service,.....	5 0 0
	A. McGregor,.....	Shanties,.....	5 5 0
3	Hall & Lee,.....	Sundries,.....	21 10 0
	James F. Smith & Co.....	Ditto.....	0 7 6
4	Arannah Trip,.....	Building Shanty.....	2 10 0
	John Parker,.....	Ditto.....	1 10 0
	William Left,.....	Guide service,.....	2 2 6
5	James Collins,.....	Shanties,.....	0 7 6
9	John Wilson,.....	Fresh provisions,.....	1 19 0
10	T. V. Tupper,.....	Postages,.....	0 17 5
	Charles Rubidge, jun. ....	Issuing provisions,.....	21 15 0
	John Rowsby,.....	Fresh provisions,.....	1 4 9
	Timothy Connors,.....	Labour,.....	4 0 0
Total £			1073 14 3½

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

ABSTRACT No. 6,—*Shewing the Disbursements made by MR. RUBIDGE, at Peterboro', on account of Emigration in the year 1831.*

DATE	TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY
1831			£ s. d.
July 18	Robin Welsh,.....	Road making.....	14 8 0
19	Michael Leahy,.....	ditto .....	8 0 0
20	Henry Couch,.....	ditto .....	0 12 6
	Michael Keane,.....	ditto .....	3 12 0
22	Edward Allen,.....	ditto .....	2 16 0
26	Michael Casey,.....	ditto .....	1 4 0
	Patrick Leahy,.....	ditto .....	16 4 0
	Michael Keane,.....	ditto .....	1 19 0
	Peter Dwyer,.....	ditto .....	6 10 0
Total £			50 5 6

Amounting to the sum of Fifty Pounds, Five Shillings, and Six-pence, Currency,—Dollars at 5s. each.

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

Upper-Canada.

STATEMENT shewing the EXPENSES incurred, and PAYMENTS made, on account of Emigration, in the Years 1831 and 1832.

Dr.	PAYMENTS.	CURRENCY.	DATE.	RECEIPTS.	CURRENCY.
		£ s. d.	1832	STERLING.	£ s. d.
To cash paid Wellesley Richey, as per ac't. cur. No. 1 herewith, £	188 11 0		May 22	By amount of Warrant No. 139, £1000	0 0
..... do .....	1174 8 9		July 19	.....do.....162	1800 0 0
..... do .....	390 7 10½	1743 7 7½	Aug. 13	.....do.....166	1800 0 0
To Wm. Chisholm, as per account current No. 2 herewith	763 15 0		Nov. 22	.....do.....174	3124 5 10½
..... do .....	233 6 8		1833		
..... do .....	344 17 2½	1341 18 10½	Jan. 22	.....do.....192	1350 0 0
Carried forward, £	3085 6 6½		Feb. 2	.....do.....193	540 0 0
			21	.....do.....195	342 7 1½
			26	.....do.....106	549 5 5½
			Carried over,	£10,505 18 5½	

EMIGRATION ACCOUNTS.

PAYMENTS AND RECEIPTS OF 1831-2.—CONTINUED.

PAYMENTS.		CURRENCY.	DATE.	RECEIPTS.	CURRENCY.
Brought forward, £		3085 6 6½	1833	Brought forward, £10505 18 5½	
To cash paid R. Mount as per acc't cur. No. 3, herewith, £	2395 3 8		March 8	By amount of War-rant No. 198	104 19 1½
..... do .....	600 0 0		April 3	.....do....	208 310 7 6½
..... do .....	149 0 0		..... do....	.....do....	205 1800 0 0
..... do .....	2000 0 0		May 24	.....do....	214 534 4 6½
..... do .....	2034 1 5		July 1	.....do....	228 709 7 0
		7178 5 1	..... do....	.....do....	231 1830 13 3½
To Alex. McDonell as per account cur. No. 4, herewith,	150 0 0				
..... do .....	100 0 0				
..... do .....	118 13 9½				
..... do .....	146 6 1				
..... do .....	447 5 7½				
		962 5 6			
To Cheeseman Moe, .....		139 19 11			
To John Patten as per account current No. 5, herewith, .....	650 0 0				
..... do .....	250 0 0				
..... do .....	1398 9 4½				
		2298 9 4½			
To A. B. Hawke, .....		183 4 6			
To L. Hearn as per account current No. 6, herewith, .....	424 13 1				
..... do .....	116 12 4				
		541 5 5			
To James FitzGibbon, as per acc't. cur. No. 7, herewith, .....	432 5 0				
..... do .....	10 11 2				
		442 16 2			
To J. McNaughton, as pr. ac. cur. No. 8, herewith, .....		175 0 0½			
To J. Gamble, as per account cur. No. 9, herewith, .....	900 5 0¾				
..... do .....	179 10 7½				
..... do .....	250 0 0				
..... do .....	2 2 2				
		1331 17 10¼			
To cash paid Hamilton & Hunt, .....		0 15 8			
..... Bernard Madden, .....		1 5 0			
..... George Cooper .....		2 10 0			
..... McKeller & Sons, .....		31 6 10			
..... Robert Stanton, .....		0 10 0			
..... William Bergin .....		48 15 0			
..... Titus Wilson, .....		15 0 0			
..... George Lount .....		20 3 9			
..... William Bergen, .....		4 0 0			
..... Eli Beeman, .....		5 2 6			
..... Francis Hewson, .....		29 0 0			
..... Francis Hewson, .....		10 4 0			
..... John Keeffer, .....		1 17 6			
..... George Froome, .....		3 18 9			
..... John Ben, .....		1 6 0			
..... Walter Todd, .....		1 4 0			
..... James Mahony, .....		1 4 0			
..... Maurice Hearne .....		2 5 0			
..... Robert Jefferson, .....		3 13 1½			
..... James Hearney, .....		1 6 0			
..... Samuel Lount, .....		32 2 0			
..... James F. Smith, .....		286 0 0			
..... James Durand, .....		125 0 0			
..... Harvey Shepherd, .....		10 0 0			
..... Richard Lloyd, .....		8 7 6			
..... George Keeffer, .....		61 7 6			
..... John Ewart, .....		24 10 0			
..... Eli Beeman, .....		12 2 6			
..... Daniel Bray, .....		1 7 6			
..... Robert Marchant & Co. ....		53 10 0			
..... Bedford Robins, .....		0 10 0			
..... Mrs. Swan, .....		119 13 8			
..... Edward O'Brien, .....		21 13 10			
..... Doctor King, .....		72 8 6¾			
..... Sampson Lukey, .....		1 10 0			
..... Francis Conin, .....		2 5 0			
Carried forward £		17356 5 7		Carried forward £	17560 3 5½

## EMIGRATION ACCOUNTS.

PAYMENTS AND RECEIPTS OF 1831-2,—CONTINUED.

PAYMENTS.		CURRENCY.	RECEIPTS.		CURRENCY.
To cash paid	Brought forward, £	17356 5 7	By amount brought forward, .....	£	17560 3 5½
	John Singer, .....	4 0 0	By balance due this Accountant, .....		1266 15 1
	Hugh Burns, .....	7 15 0			
	Jeremiah Gready, .....	1 5 0			
	John Murphy, .....	3 15 0			
	John Parker, .....	11 13 4			
	E. Griswold, .....	4 2 6			
	William Cottingham, .....	10 12 6			
	Samuel J. Carver, .....	11 12 6			
	Mould & Morisson, .....	1 10 0			
	Thomas Dalton, .....	9 16 6			
	Francis McCabe, .....	1 10 0			
	Francis Parker, .....	0 15 0			
	Peter Ferguson, .....	4 0 0			
	Francis Parker, .....	5 0 0			
	David Scanlan, .....	3 15 0			
	Timothy Sloan, .....	2 5 0			
	Hugh Burns, .....	1 10 0			
	Charles Rubidge, .....	89 0 0			
	Charles Rubidge, .....	23 18 9			
	Charles Rubidge, .....	16 0 0			
	Charles Rubidge, .....	59 0 0			
	William H. Merritt, .....	66 10 0			
	Daniel Bray, .....	45 10 0			
	Daniel Bray, .....	4 2 6			
	Henry Wood, .....	60 10 0			
	William Carnahan, .....	44 0 0			
	John Webb, .....	47 0 0			
	Alexander McGregor, .....	40 0 0			
	James Sparkes, .....	7 0 0			
	Daniel Bray, .....	30 0 0			
	Alexander Campbell, .....	86 0 0			
	Daniel Bray, .....	25 0 0			
	John McLutosh, .....	51 0 0			
	Edward Zealand, .....	79 0 0			
	Robert Macartney, .....	74 0 0			
	John Belyea, .....	28 0 0			
	Alexander McGregor, .....	25 0 0			
	Robert Kirkpatrick, .....	16 10 0			
	Thomas Racey, .....	35 3 5½			
	Thomas Racey, .....	50 0 0			
	J. G. Bethune, .....	237 4 2			
	James King, .....	6 1 4			
	Francis Collins, .....	4 8 4			
	Gamble & Birchall, .....	2 11 0			
	Thomas Dalton, .....	5 0 6			
	Anthony McLean, .....	5 2 8			
	R. D. Chatterton, .....	4 2 0			
	E. Ryerson, .....	2 5 10			
	Robert Stanton, .....	33 6 4			
	Robert Stanton, .....	8 17 4			
	George Gurnett, .....	0 18 8			
	George Gurnett, .....	5 10 0			
	George Gurnett, .....	4 13 0			
	George Gurnett, .....	8 16 7			
	George Gurnett, .....	0 12 6			
	William Buell, .....	3 0 0			
	W. L. McKenzie, .....	3 16 11			
	H. J. Boulton, .....	0 10 0			
	F. H. Cumming, .....	1 17 6			
	H. C. Thomson, .....	2 14 5			
	John Carey, .....	1 11 6			
	John Carey, .....	10 8 0			
	John Carey, .....	10 18 4			
	Archibald Ferguson, .....	6 6 6			
	A. H. Armour & Co. ....	7 2 6			
	William Tully, .....	2 5 0			
	Stephen Miles, .....	3 10 0			
	James Myers, .....				
		£18826 18 6½			£18826 18 6½

Amounting to the sum of Eighteen thousand eight hundred and twenty-six pounds, eighteen shillings, and sixpence half-penny,—Dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

E. E.

A. B. HAWKE.

## EMIGRATION ACCOUNTS.

## Upper Canada.

GOVERNMENT in account current with WELLESLEY RICHEY, Emigrant Agent, for expens: incurred in subsisting, locating, and employing Emigrants in the Townships of Oro, Medonte, an Orillia, pursuant to the Lieutenant Governor's instructions. From the 19th of May, 1832, to tl 22nd January, 1833, inclusive.

Dr.

C.

TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY.			RECEIPTS.	CURRENCY.		
		£	s.	d.		£	s.	d.
John Smith, .....	Vegetables for the sick .....	0	10	6	By amount received from the Emi- grants on payment for provisions and implements furnished them as per account A, .....	324	12	2
William McGee, .....	Pay as an axe man .....	3	10	0				
John Smyth, .....	..... do .....	1	2	6	By amount received from the Com- missioner for Crown Lands on account of my salary and trav- elling expenses, .....	188	11	0
Austin Jefferson, .....	..... do .....	3	10	0				
Daniel Miller, .....	..... do .....	8	3	4	By cash advanced to me by the Commissioner for Crown Lands, from the 19th May, 1832, to the 22d January, 1833, inclusive, to enable me to make the disburse- ments required, .....	1174	8	9
Henry Jennings, .....	..... do .....	8	3	4				
John Williams, .....	..... do .....	4	0	0	By cash received from Mr. Car- thew, for 1 barrel of Pork, 20th November, 1832.....	4	0	
James Carpenter, .....	..... do .....	4	15	0				
Robert Jefferson, .....	..... do .....	11	4	0				
Francis Hewson, .....	Fresh Beef .....	9	2	4				
Francis Hewson, .....	Ditto .....	9	15	0				
Harkless Lines, .....	Pay as an axe man, .....	2	15	0				
Peter Gruett, .....	Potatoes and Indian Corn .....	0	18	9				
James Milne, .....	Fresh Beef .....	1	19	7				
John Williams, .....	Pay as a teamster .....	1	0	0				
F. McGrath, .....	Fresh Beef, &c .....	1	10	6				
P. Gruett, .....	Ditto .....	3	14	9				
Samuel Jermy, .....	Pay as an axe man .....	0	10	0				
James Bush, .....	Building a Shanty .....	1	15	0				
H. Johnson, .....	As an axe man & for Indian corn	1	12	6				
Daniel Cokely .....	Pay as an axe man .....	2	10	0				
Richard Mathews, .....	..... do .....	5	15	0				
Henry Johnston, .....	..... do .....	6	16	8				
Samuel Jermy, .....	..... do .....	7	5	9				
Henry Jennings, .....	..... do .....	7	2	0				
Jeremiah Muaro, .....	..... do .....	1	15	0				
Daniel Millon .....	..... do .....	8	13	0				
Peter Gruett, .....	Fresh Beef .....	3	15	0				
George Lount .....	Provisions .....	10	12	6				
George Lount .....	Provisions and transport, .....	10	5	0				
James White, .....	Teaming .....	5	10	0				
Thomas Baley, .....	Fresh Beef .....	3	1	6½				
Silas Emes, .....	Flour .....	30	0	0				
Anthony Anderson, .....	Ditto .....	11	0	0				
Samuel Lount, .....	Pork and Flour, .....	24	7	6				
William Soles .....	Fresh Beef .....	6	8	6				
William Soles .....	Pork and Flour, .....	4	15	0				
James James, .....	Cooking articles .....	4	5	0				
John Smyth, .....	Teaming .....	2	10	0				
Moses Knight, .....	Provisions .....	8	2	6				
Peter Baffery, .....	Flour .....	5	12	6				
John Smyth, .....	Pay as an axe man .....	3	0	0				
William Perkin .....	Do. as a carpenter .....	4	5	0				
Edward Waring, .....	Do. as an axe man .....	18	0	0				
Wellesley Richey .....	Disbursements as per account,	34	9	3½				
William Soles .....	Provisions .....	66	6	5				
C. S. Monk, .....	Ditto .....	7	8	3				
William B. Denson, .....	As clerk .....	3	0	0				
Wellesley Richey, .....	Travelling expenses .....	15	11	0				
Edward Waring, .....	Flour, .....	3	13	9				
Brent & Co .....	Medicines, .....	9	3	10				
Lesslie & Soas .....	Stationery .....	3	6	11½				
James F. Smith, .....	Pork, .....	16	5	0				
John Shaw, .....	As a teamster .....	2	10	0				
William Sloane, .....	Cooking Utensils, .....	2	18	3				
Enos Bell, .....	Flour .....	2	15	0				
Wellesley Richey .....	Pay as an Agent .....	173	0	0				
H. W. Keating .....	Transport, .....	1	10	0				
Eli Beeman .....	Ditto .....	4	5	0				
John Smith .....	Pay as an axe man .....	3	10	0				
John Watkins .....	Cooking utensils, .....	5	2	5				
John Hugil .....	Pay as a teamster, .....	5	15	0				
Robert Jefferson .....	Erecting buildings, .....	12	10	0				
George McCarthy, .....	Provisions .....	5	15	0				
William Washington, .....	Pay as an Agent .....	7	0	0				
Samuel Cotton, .....	Ditto .....	7	0	0				
	Carried forward, £	667	14	8½				
					Carried forward, £	1691	12	0½

## EMIGRATION ACCOUNTS

GOVERNMENT in account with W. RICHEY,—CONTINUED.

TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	Amount brought forward, £	667 14 8½	By amount brought forward, ... £	1691 12 0½
James Prisney,.....	Pay as an axe man.....	7 0 0		
William Gardiner,.....	..... do .....	7 0 0		
John Hugill,.....	Pay as a teamster .....	2 0 0		
Turres Baker,.....	Pay as an axe man, .....	7 14 0		
Robert Little,.....	..... do .....	4 10 7½		
John Goslin,.....	..... do .....	7 0 0		
Robert Bruce,.....	..... do .....	7 0 0		
Dugald Livinstone,.....	..... do .....	7 0 0		
William Fenlen,.....	..... do .....	7 16 4		
Malcolm Cameron,.....	..... do .....	7 16 4		
Matthew Johnston,.....	..... do .....	7 7 0		
William Johnston,.....	..... do .....	7 7 0		
Daniel Cameron,.....	..... do .....	7 0 0		
John McLeod,.....	..... do .....	7 0 0		
John Young and others,...	Cutting a Road,.....	4 10 0		
William Douglas,.....	Pay as an axe man.....	7 16 4		
Daniel Méllon,.....	..... do .....	8 1 0		
Alexander Locke,.....	Erecting buildings.....	7 2 4		
John Segar,.....	Pay as an axe man .....	7 18 8		
Edward Waring,.....	Erecting buildings,.....	12 13 4		
David Bone,.....	..... do .....	7 4 8		
Joseph Walker,.....	..... do .....	7 0 0		
Henry Jennings,.....	..... do .....	8 1 0		
Henry Litster,.....	..... do .....	7 0 0		
Richard Williams,.....	..... do .....	7 12 3		
William Mitchell,.....	Pay as an axe man .....	7 2 4		
Joseph Clarke,.....	..... do .....	7 18 8		
Thomas Williams,.....	Erecting buildings,.....	7 12 3		
William Lock,.....	..... do .....	7 2 4		
George Brown,.....	..... do .....	7 0 0		
John McGill,.....	..... do .....	8 1 0		
John M. Young,.....	..... do .....	7 7 0		
George McCarthy,.....	Pay as a teamster, .....	7 10 0		
William Ross,.....	Building a Shanty.....	1 10 0		
John Smyth,.....	Provisions .....	3 2 6		
Robert Bruce,.....	Building shanties,.....	3 10 0		
John Smyth,.....	Pay as an axe man .....	3 10 0		
Henry Jennings,.....	..... do .....	3 12 4		
John Gosling,.....	..... do .....	3 12 4		
George Lount,.....	Provisions .....	60 10 0		
William Kyle,.....	Building a shanty,.....	1 10 0		
William Archy,.....	..... do .....	1 10 0		
Malcolm Cameron,.....	Pay as an axe man.....	5 16 8		
John McLeod,.....	..... do .....	5 14 4		
Titus Wilson,.....	As Overseer,.....	17 0 0		
William Johnston,.....	Building a shanty,.....	1 10 0		
William Brown,.....	Cutting roads,.....	9 9 0		
G. Robertson,.....	..... do .....	7 9 4		
James Leonard and others,.	Building shanties,.....	10 10 0		
Daniel Cameron,.....	Work on roads,.....	12 16 8		
Matthew Johnston,.....	Building shanties,.....	7 9 4		
Cook and Beard,.....	..... do .....	3 0 0		
Robert Nicholl,.....	..... do .....	1 10 0		
David Bone,.....	Cutting roads,.....	10 19 4		
Marlow and Morehead,....	Building shanties,.....	3 0 0		
John Young,.....	..... do .....	12 12 0		
Patrick Hughes and others,.	..... do .....	6 0 0		
Henry Litster,.....	Cutting Roads,.....	15 12 8		
Joseph Walker,.....	..... do .....	15 12 8		
Thomas Williams,.....	Building shanties,.....	18 8 0		
John O. Donnell,.....	Cutting Roads,.....	13 8 4		
Joseph Williams,.....	..... do .....	11 15 8		
Daniel Millon,.....	..... do .....	17 0 8		
John McGill,.....	..... do .....	15 10 4		
Peter Thornton,.....	..... do .....	7 0 0		
William Switzer,.....	..... do .....	13 8 4		
Edward Turner,.....	..... do .....	9 16 0		
Patrick McGabay,.....	..... do .....	6 6 0		
Charles FitzGerald,.....	..... do .....	11 1 8		
Daniel McCue,.....	..... do .....	13 3 8		
John Jameson,.....	Cutting roads,.....	15 17 4		
Thomas Kelly,.....	..... do .....	10 17 0		
	Carried forward, £	1298 1 4	Carried forward, £	1691 12 0½

## EMIGRATION ACCOUNTS.

## GOVERNMENT in account with W. RICHEY,—CONTINUED.

TO WHOM PAID.	FOR WHAT SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	Brought forward, £	1298 1 4	By amount brought forward,...	£1691 12 04
Thomas Cavanagh,.....	Building Shanties .....	13 8 4	By balance due the accountant..	380 7 104
Stephen Clarke,.....	do .....	11 4 0		
Charles Shire,.....	do .....	13 8 4		
William Locke.....	do .....	17 0 8		
Joseph Locke.....	do .....	17 0 8		
Robert Little.....	do .....	17 0 8		
John Segar,.....	do .....	16 4 4		
Alexander Locke.....	do .....	17 0 8		
Dugald Livingstone.....	do .....	17 0 8		
William Fialen.....	do .....	16 9 0		
William Douglas.....	do .....	20 8 0		
Edward Waring,.....	As Overseer.....	20 8 0		
Joseph Clarke.....	For cutting roads.....	17 17 0		
Wellesley Richey.....	Pay as an Agent.....	160 10 0		
Wellesley Richey.....	Travelling expenses.....	29 7 0		
George Lount,.....	Utensils.....	10 19 6		
Newbigging and Murray.....	Stationery .....	4 15 6		
James Esau and others.....	Searching for a man lost.....	11 5 0		
J. W. Brent.....	Medicines.....	4 5 6		
Eli Beeman.....	Transport.....	4 15 0		
Richard Williams.....	Fresh beef.....	6 1 8		
Richard Hodges.....	do .....	7 17 0		
Nicholas Langman.....	do .....	8 4 6		
Andrew Mitchell.....	Six barrels of Pork.....	27 0 0		
John Jacobs.....	Flour.....	27 12 6		
James F. Smith.....	Sundries.....	13 8 3½		
Jacob Gill,.....	Transport of provisions.....	12 3 4		
Gerard Alley.....	Teaming .....	15 6 0		
Joseph Elsmore.....	Building shanties.....	9 0 0		
John Moran.....	Fresh beef.....	6 16 2½		
John Ceaton,.....	Teaming.....	6 0 0		
James F. Smith.....	Sundries.....	13 7 6		
George Lount.....	Provisions.....	180 13 9		
		2071 19 11		
			Total,...	£2071 19 11

Amounting to the sum of two thousand and seventy-one pounds, nineteen shillings and eleven pence, currency.

EMIGRANT OFFICE, 7th March, 1835.

E. E.

A. B. HAWKE.

GOVERNMENT in account current with WILLIAM CHISHOLM, Esq. for sundry disbursements made pursuant to the Lieutenant Governor's instructions for the employment of Emigrants on the front road leading from the River Credit to Burlington Beach, and for constructing a Bridge across the River Credit, from the 15th May, 1832, to the 23rd of January, 1833, Dr. inclusive.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
To cash paid Barnett Griggs,.....	£ 24 2 6	By cash received from the Hon. Peter Robinson, on account of men employed on the road	£ 763 15 0
..... Charles Sovereign.....	39 1 6	By do. do. on account of the bridge across the Credit,.....	233 6 8
..... Charles Sovereign.....	7 10 0	By cash received from the Gore District,...	100 0 0
..... James Cameron.....	84 13 9	By do. Home District.....	50 0 0
..... George Griggs,.....	23 6 6	By do. River Credit Indians .....	50 0 0
..... John Triller.....	58 1 10½	Balance due this accountant,	344 17 2½
..... Amos Merigold.....	202 18 5½		
..... William O'Reilly.....	12 0 0		
..... Charles Glover.....	14 18 9		
..... James Hutchison.....	18 3 1½		
..... Thomas Hinton.....	14 10 6		
..... James Hutchison.....	7 16 6		
..... James Stuart.....	350 0 0		
..... Merrick Thomas,.....	9 3 9		
..... Francis Glover,.....	8 19 4½		
..... Amos Merigold,.....	42 8 11		
..... James Cameron.....	11 8 1½		
Paid wages to Emigrants as labourers employed on the road, as per abstract & vouchers,	40 4 4½		
..... do .....	232 19 11¾		
..... do .....	78 18 9		
..... do .....	16 15 0		
..... do .....	26 0 0		
..... do .....	32 10 0		
..... do .....	89 6 4		
..... do .....	46 11 4		
Paid for Implements furnished Emigrants,...	49 9 6		
	£ 1541 18 10¾		
		Total £	1541 18 10¾

Amounting to the sum of one thousand five hundred and forty-one pounds, eighteen shillings, and ten pence three farthings, Provincial currency,—Dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

E. E.

A. B. HAWKE.

EMIGRATION ACCOUNTS.

Upper Canada.

GOVERNMENT in account current with ROSWELL MOUNT, Agent, for expenses incurred in subsisting, locating, and employing Emigrants in the Townships of Caradoc, Adelaide, and Warwick, pursuant to the Lieutenant Governor's instructions. From the 18th of June, 1832, to the 23rd February, 1833, inclusive.

Dr.		Cr.	
FOR WHAT SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	£ s. d.		£ s. d.
To amount paid for labour on roads at Adelaide	92 19 3	By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, being the different sums paid to me in advance, from the 28th July, 1832, to the 28th Jan'y. 1833, inclusive, pursuant to the Lt. Gov's instructions, to enable me to defray the expenses incurred in subsisting, locating, and employing Emigrants in the townships of Adelaide and Warwick, .....	2395 3 8
Do. for transport of Emigrant's luggage as per abstract and vouchers, .....	135 0 3	Feb. 2,—By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, pursuant to the Lieutenant Governor's instructions for the above service,...	600 0 0
..... do .....	152 11 9	March 8,—By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, pursuant to the Lt. Governor's instructions for the above service, .....	149 0 0
..... do .....	140 17 10	By cash received at sundry times for provisions sold to Emigrants in the townships of Caradoc, Adelaide & Warwick, from 18th June, 1832, to 23d February 1833, inclusive, ..	333 16 7½
..... do .....	89 0 4½	By cash rec. from Wm. Radcliffe, T. Phillips, and Bela Brigham, for log houses built by Emigrants, .....	12 0 0
Do. for labour on the roads at Caradoc, Adelaide & Warwick, as per abstract & vouchers .....	1437 15 6	By cash received from Robert Pegley and Edward Burke for labour performed by Emigrants in clearing land, .....	26 15 5
..... do .....	605 3 11	Balance due this accountant, .....	4041 11 3
..... do .....	336 4 9½	Total amount currency, £	7558 6 11½
..... do .....	392 14 0½		
Do. for supplies, consisting of provisions, oxen, yokes and chains, scales, beams, grindstones, cooking utensils, and stationery, as per abstract and vouchers, .....	2630 4 5½		
Do. for the erection of houses at Adelaide & Warwick, as per abstract and vouchers, .....	947 12 6		
Do. for Hospital expenses as per do, .....	218 8 3½		
Do. for Agent's expenses as per do, .....	329 14 0		
	£ 7558 6 11½		

Amounting to the sum of Seven thousand Five hundred and fifty-eight pounds, six shillings, and eleven pence half-penny —Dollars at 5s. each. E. E. A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

GOVERNMENT in account current with ALEX. McDONELL, Esq. Agent for Emigrants, for expenses incurred in subsisting, locating, and employing Emigrants in the township of Seymour, pursuant to the Lieutenant Governor's instructions, from the 1st May to the 30th September, 1831, both days inclusive.

Dr.		Cr.		
TO WHOM PAID	FOR WHAT PURPOSE.	CURRENCY.	RECEIPTS.	CURRENCY.
		£ s. d.		£ s. d.
1831			1831	
June 5 Isaac Johnson, .....	Work and labour .....	7 0 0	June.—By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, &c....	100 0 0
12 D Campbell & Co., .....	Transport, provisions .....	3 15 0	By balance, .....	146 6 1
July 1 Joseph Soper, .....	Work and labour, boating .....	3 10 0		
10 Z. Sisson, .....	Window lights and doors, .....	4 2 6		
20 Mat Gilchrist, .....	Medical & professional attend'ce	6 5 0		
Aug. 1 Peter Lancks, .....	Work and labour, .....	5 0 0		
5 William Robertson, .....	Transport, storage, &c....	7 6 3		
10 William Robertson, .....	Teaming and sundries, .....	2 10 6		
S. H. Payne, .....	Work and labour .....	1 8 9		
20 A. H. Myers, .....	Lumber for building, .....	10 11 7		
Sept'r. Joseph A. Keeler, .....	Postage of Letters, .....	0 15 0		
10 B. Cummings, .....	2900 bricks .....	5 16 0		
S. Dunk, .....	Carpentry, .....	3 15 0		
Peter Schwerdfiger, .....	Work and labour, .....	6 18 9		
13 I. W. Leonard, .....	Amount of boat purchased .....	2 0 0		
A. D. Chisholm, .....	Storage, lumber, teaming .....	2 0 3		
20 A. Dunbar, .....	Work and labour, &c....	15 5 0		
Sheldon Comstock, .....	Building shanties, .....	12 19 0		
Wm. Smyth, .....	Transport of stores .....	2 12 6		
Patrick Howard, .....	Work and labour, .....	9 0 0		
Oct. 1 A. McDonell, .....	Salary as Emigrant Agent .....	76 10 0		
A. McDonell, .....	Travelling expenses, .....	7 0 0		
14 Richard Waters, .....	Settling services, as Assistant, ..	30 5 0		
Nov. 4 Louis R. Bush, .....	Building store house, .....	20 0 0		
		£ 246 6 1		246 6 1

Amounting to the sum of two hundred and forty-six pounds, six shillings, and one penny, prov. c'y.—Dollars at 5s. each. E. E. A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

## EMIGRATION ACCOUNTS.

## Upper-Canada.

GOVERNMENT in account current with ALEXANDER McDONELL, Esq. Agent for Emigrants, for expenses incurred in subsisting, locating, and employing Emigrants in the townships of Dummer, Douro, Smith, Olanabee, Belmont, Emily, Verulam, Fenelon, Harvey and Ops, pursuant to the Lieutenant Governor's instructions, from 1st October 1831, to 30th April 1833, both days inclusive.

DR.

CR.

TO WHOM PAID.	FOR WHAT PURPOSE.	CURRENCY	RECEIPTS.	CURRENCY.
		£ s. d.	1830	£ s. d.
Patrick Ryan,.....	Provisions,.....	1 18 8	March 29 By cash received from	
George Rent,.....	Do.....	2 12 6	1833 the Hon. P. Robinson,	150 0 0
Michael McManis,.....	Services to sick.....	2 0 0	Feb. 1 By cash do. do.....	118 13 9½
William Ferguson,.....	Repairing a house.....	4 10 0	April 30 By balance.....	447 5 7½
John Yates,.....	Teaming, &c.....	9 3 6		
John McCue,.....	Wheat and potatoes.....	1 0 0		
A. Shine,.....	Transport.....	2 10 0		
D. Campbell & Co.....	Flour.....	60 0 0		
Dennis Sheehan,.....	Provisions.....	10 15 6		
Robert Welsh,.....	Teaming, &c.....	12 0 0		
John Reardon,.....	Pork and flour.....	7 8 2		
William Tully,.....	Transport.....	4 10 0		
James Drummond,.....	Flour.....	4 5 0		
Thomas Rae.....	Flour.....	1 13 4		
Robert Murdoch.....	Medicine, &c.....	2 12 4½		
D. Campbell & Co.....	Transport.....	3 6 0		
Thomas Fitzgerald.....	Corn.....	1 5 7		
T. V. Tupper,.....	Postage.....	5 6 6½		
John FitzGibbon.....	Labour.....	3 15 0		
Alexander Roseberaugh,.....	Potatoes.....	1 16 0		
Thomas Fitzgerald.....	Potatoes.....	13 4 0		
Aaron Ellsworth.....	Boat hire and labour.....	1 15 0		
Jacob Iron.....	Labour.....	1 2 6		
John Singer.....	Distributing provisions.....	2 0 0		
Denis Leahy.....	Transport.....	4 0 0		
John Hall.....	Transport.....	1 10 0		
Asa Dunbar.....	Labour.....	3 10 0		
William Montgomery.....	Transport.....	1 5 0		
Asa Dunbar.....	Transport.....	6 10 0		
James F. Smith & Co.....	Stationery and sundries.....	3 18 10½		
E. S. Comstock.....	Teaming.....	1 5 0		
Robert Green.....	Transport.....	1 5 0		
Wilfred Grisdale.....	Teaming.....	2 0 0		
William Martin.....	Attendance on sick.....	8 7 6		
Robert Walsh.....	Transport.....	8 15 0		
John Yates.....	Provision.....	5 12 3		
John Yates.....	Teaming and labour.....	3 19 6		
John Yates.....	Teaming.....	4 4 0		
John Yates.....	Teaming and labour.....	2 12 6		
Robert Green.....	Firewood.....	1 10 0		
Patrick McArthur.....	Transport.....	1 10 0		
James B. Ferguson.....	Sundries.....	2 14 7½		
T. V. Tupper.....	Postage.....	4 10 6		
Alexander McDonell.....	Salary as an Agent.....	289 0 0		
Alexander McDonell.....	Travelling expenses.....	15 0 0		
Joseph Talbot.....	Salary as Clerk.....	182 10 0		
		£ 715 19 5		£ 715 19 5

Amounting to the sum of seven hundred and fifteen pounds, nineteen shillings, and five pence, Currency,—Dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

A. B. HAWKE.

E. E.

EMIGRATION ACCOUNTS.

Upper Canada.

GOVERNMENT in account current with JOHN PATTON, Esq. Agent for Emigrants at Prescott, for sundry disbursements made pursuant to the Lieutenant Governor's instructions, for subsisting, and employing indigent Emigrants on the road from Prescott towards the Rideau, and also for forwarding Emigrants to different ports on Lake Ontario, from the 26th April 1832, to the 29th January, 1833, inclusive.

TO WHOM PAID.	FOR WHAT PURPOSE.	CURRENCY.	RECEIPTS.	CURRENCY.
		£ s. d.	1833	£ s. d.
A Geralds	3 barrels Mess Pork	12 0 0	By amount received from the Commissioner of Crown Lands to enable me to defray the expense incurred in employing emigrants on the road from Prescott towards the Rideau, date of receipt January 29th, 1833.	650 0 0
Wm. Frazer	3½ doz. loaves of bread	2 11 0		
Averill & Hooker	6 barrels of pork	20 5 0	By amount received from the Commissioner of Crown Lands to enable me to defray the expenses incurred on account of emigrants at Prescott, date of receipt January 29th, 1833.	250 0 0
Thomas Torr	12 doz. loaves bread	3 12 0		
Edward O'Brien	3 doz. loaves of bread	0 18 0	Balance due the accountant, . . . .	1398 9 4½
Robert McArthur	3 do	0 18 0		
Macpherson & Crane	Sundries, viz. bread & biscuit	23 19 2		
Ellen Purcell	5 loaves of bread	0 2 6		
A. McArthur	4 doz. loaves of bread	1 4 0		
Gustavis Rich	1 do	0 6 0		
A. McArthur	1 do	1 10 0		
Thomas Frazer	20 lbs. cheese	0 10 0		
McPherson & Crane	Bread, &c	10 17 9		
Thomas Frazer	Sundries, bread and pork	8 10 0		
John Patton	Sums given to destitute emigrants	2 9 6		
Thomas Torr	Sundries, bread, cheese, &c.	6 0 9		
Obadiah Dixon	Cartage of provisions to Em. Of.	0 7 10½		
George Carter	2 benches	0 7 6		
William Frazer	1300 feet of boards	2 12 0		
Robert Campbell	Building a shed, &c.	77 0 8½		
H. Norton & Co.	A lock and nails	0 1 11		
Stephen Miles	Printing	4 5 0		
A. Jones	Postage of letters	0 18 1		
McPherson & Crane	Rent of an office	12 10 0		
John Patton	Sums paid when absent fm. home	6 14 0		
A. Jones	Postage of letters	0 8 2		
John Patton	Services as agent for Emigrants	141 15 0		
Stephen Miles	Printing	1 17 6		
George Carter	Coffin for a child	0 5 0		
Baptiste Page	Cart. of wood & sick Emigrants	0 3 1½		
John O'Brien	Sundries for Emigrant Hospital	3 19 6		
John Wilson	do	3 8 6½		
Isaac Plumb, jr.	do	7 0 0		
Thomas Torr	do	10 0 8		
Joseph Cowan	do	3 17 3		
Charles Willard	do	1 0 5		
Charles St. Andre	Sundry services	4 11 3		
Charles St. Andre	Services	42 15 0		
John Patton	Cleaning Hospital	0 2 6		
Joseph Pelan	2 cords of firewood	0 15 0		
Timothy Buckley	Sundries	2 5 1½		
John Chambers	Stove pipe, &c	0 14 10		
John Welch	Sundries	1 0 0		
S. W. Brady	611 feet of boards	1 7 6		
Joseph Bell	Sundries	5 2 10		
Thomas Frazer	9 dozen loaves of bread	2 14 0		
Mary Fox	331½ quarts of milk	4 2 10½		
Duncan McQueen	Sundries	18 4 8½		
Prescott Emigrant Society	Employment of Emigrants	650 0 0		
W. J. Scott	Medical attendance	50 0 0		
Hon. J. Hamilton	Passages pr. steam bt. Gt. Britain	413 17 3½		
Hon. J. Hamilton	do . . . Queenston, . . .	196 8 9		
A. Jones	do . . . William 4th, . . .	330 17 11		
H. Gilderslieve	do . . . Sir Jas. Kempt	29 5 1½		
J. G. Parker	do . . . Toronto	5 17 6		
John Mosier	do . . . Niagara	164 1 3		
		£2298 9 4½		£2298 9 4½

Amounting to the sum of two thousand two hundred and ninety-eight pounds, nine shillings and four pence half penny.  
 Currency.—Dollars at 5s. each.  
 E. E. A. B. HAWKE.  
 EMIGRANT OFFICE, 7th MARCH, 1835.

## EMIGRATION ACCOUNTS.

## Upper Canada.

GOVERNMENT in account current with the YORK COMMITTEE, for expenses incurred, affording relief and forwarding Emigrants, pursuant to the Lieutenant Governor's instructions, from the 30th April, 1832, to the 5th February, 1833, inclusive.

DR.		CR.	
FOR WHAT SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	£ s. d.		£ s. d.
1833			
Feb. 5—To sums paid by the Emigrant Committee during the above period, as per abstract herewith and vouchers from No. 1 to 141.....	545 7 3	By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, on account of the York Emigrant Committee, for the relief of distressed Emigrants, from the 3d May to the 27th Nov. 1832, inclusive,	424 13 1
		By cash received from the Emigrant shed sold,	4 1 10
		Balance due to the York Emigrant Committee	116 12 4
Total £	545 7 3	Total £	545 7 3

Amounting to the sum of Five hundred and forty-five pounds, seven shillings, and three pence each. Currency—Dollars at 5s.

E. E.

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

GOVERNMENT in account current with JAS. FITZGIBBON, Esq. Agent for Emigrants, for expenses incurred in relieving, distressed Emigrants at York, and forwarding them to different Townships in the Home, Newcastle, and London Districts, pursuant to the Lieutenant Governor's instructions, from the 18th June to the 18th September, 1832, inclusive.

DR.		CR.	
FOR WHAT SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	£ s. d.		£ s. d.
To paid John Clark, Esq. of St. Catharines, at sundry times for provisions paid for by him, and supplied for indigent Emigrants while detained in the Welland Canal .....	30 7 6	1832	
Do. Wm. P. Patrick, to pay sundry expenses incurred in the town of York, for the hire of waggons employed in transporting Emigrants to Lake Simcoe, for cart hire in town, and for sundry small expenses.....	174 16 11	June 22 By cash from Hon. Peter Robinson,	25 0 0
Do. R. Bright, for hire of his schooner 1 day	1 5 0	27 ..... do .....	50 0 0
Do. Henry Mosley for a cholera waggon....	13 0 0	July 3 ..... do .....	50 0 0
Do. Richard Feehan for bread.....	6 4 7½	13 ..... do .....	50 0 0
Do. Alexander Rennie for bread and flour ..	8 8 5	27 ..... do .....	50 0 0
Do. David Lackie for bread and flour .....	17 16 7	30 ..... do .....	57 5 0
Do. Alex. McLeod, for tea and sugar for sickly women and children embarked for L. Erie,	6 17 6	Ang 14 ..... do .....	100 0 0
Do. Eli Beeman, for conveying Emigrants and their baggage over Lake Simcoe .....	57 5 0	1833	
Do. Matt. Walton, for covering cholera waggon	5 12 6	March 6 ..... do .....	50 0 0
Do. H. G. Barnard, for horse hire.....	3 7 6	Balance due to this accountant,.....	10 11 2
Do. Wm. Laughton, for conveying emigrants and their baggage over Lake Simcoe.....	8 15 7½		
Do. R. C. Ferrier, for bread and flour.....	37 1 8		
Do. Capt. Richardson, for conveying Emigrants in the steam packet Canada to Niagara, being only half price .....	3 1 3		
Do. John Ross, for three barrels of Pork....	10 10 0		
Do. by this accountant in sundry small sums in cases of emergency in circumstances where vouchers could not be obtained ....	7 1 7		
This accountants pay from 18th June to 18th Sept. 1832, inclusive, being 93 days at 10s per day, .....	46 10 0		
Forage for a horse for him from 27th June to 18th Sept. 1832, inclusive, being 84 days, at 1s. 1½d. per day.....	4 14 6		
Total £	442 16 2	Total £	442 16 2

Amounting to the sum of four hundred and forty-two pounds, sixteen shillings, and two pence, prov. c'y.—Dollars at 5s. each.

Errors Excepted.

EMIGRANT OFFICE, 7th MARCH, 1835.

A. B. HAWKE.

EMIGRATION ACCOUNTS.

Upper Canada.

GOVERNMENT in account current with JOHN McNAUGHTON, Emigrant Agent, for expenses incurred in locating, subsisting, and employing Emigrants in the Townships of Ross, Westmeath and Pembroke, in the Bathurst District, From the 7th of June, 1832, to the 14th March, 1833, both days inclusive, pursuant to the Lieutenant Governor's instructions.

FOR WHAT SERVICE.		CURRENCY.	RECEIPTS.	CURRENCY.
		£ s. d.		£ s. d.
To account as per voucher, for labour and rations .....		43 10 3½	1832	
..... do .....		44 1 6½	July 1 By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, for the above services .....	12 14 2
Bark canoe .....		6 5 0	Sept 1 .....	54 14 8½
Printing .....		1 10 0	Oct 1 .....	13 2 6
Office Rent .....		2 7 4	Nov 1 .....	14 3 6
..... do .....		2 0 0	1833	
Pay as an Agent .....		23 0 0	July 1 .....	13 9 5
..... do .....		15 10 0	12 Balance due this Accountant.....	66 15 9
..... do .....		26 10 0		
In lieu of rations .....		9 15 0		
Postages .....		0 10 10½		
		£ 175 0 0½		£ 175 0 0½

Amounting to the sum of one hundred and seventy-five pounds, and one half-penny—Currency, dollars at 5s. each.

E. E.

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

Upper Canada.

GOVERNMENT in account current with JOHN WILLIAM GAMBLE, Esq. for sundry disbursements made to Emigrants for work done on the front road leading from York to the Credit, from the 9th May, 1832, to the 11th May, 1833, inclusive, pursuant to the Lt. Governor's instructions.

FOR WHAT SERVICE.		CURRENCY.	RECEIPTS.	CURRENCY.
		£ s. d.		£ s. d.
No. 1—To amount of disbursements for work done on the front road leading from the Humber to the Credit, from the 9th May, 1832, to the 12th October, 1832, as per abstract and vouchers, from No. 1 to 56, inclusive.....		900 5 6¾	1832	
No. 2—To amount of disbursements for work done on the front road leading from York to the Humber, from 19th July to 15th September, 1832, as per abstract and vouchers from No. 1 to 22, inclusive.....		179 10 7½	Oct 12 By cash received from the Hon. Peter Robinson, Commissioner of Crown Lands, for the above service .....	900 5 0¾
No. 3—To amount of disbursements for work done on the front road leading from the Humber to the Credit, from the 27th September, 1832, to the 11th May, 1833, as per abstract and vouchers from No. 1 to 22, inclusive .....		292 1 0	Sep 15 By do. from do. for do.....	179 10 7½
		£ 1371 16 8¼	1833	
			Jan 28 By do from do for do .....	250 0 0
			By cash rec'd for implements sold by auction	26 18 10
			Balance due John W. Gamble.....	2 2 2
			By cash received for 2600 feet of lumber ...	13 0 0
		£ 1371 16 8¼		£ 1371 16 8¼

Amounting to the sum of one thousand three hundred and seventy-one pounds, sixteen shillings and eight pence farthing, Provincial currency, dollars at 5s each.

E. E.

A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

EMIGRATION ACCOUNTS.

STATEMENT showing the Expenses incurred and Payments made on account of Emigration, in the years 1832 and 1833.

PAYMENTS.	CURRENCY.	RECEIPTS.	CURRENCY.
	£ s. d.		£ s. d.
To paid John Patton Esq. salary as Emigrant agent and disbursements at Presscott,.....	66 4 0	By cash received from the Com. of Crown Lands, being the am't of Warrant No.247 dated 12 Aug. 1833, on ac't of the Emigration of that year,.....	£726 5 9½
Do. John Patton Esq.,..... do .....	64 9 7½	By am't of War. No. 259, dat. 26 Oct.1833, on ac't of the above serv.	719 3 7½
Do. Robert G. Collis, building shanties in Sunnidale,.....	6 0 0	By do. do. War. No.263, dated 4 Dec. 1833, on ac't of ditto ...	900 0 0
Do. Hugh Cain,..... do .....	10 10 0	Sterling, £2345 9 5	
Do. Robert Stanton, Stationary,.....	2 13 0	Equal to	2606 1 6
Do. George Smith, building shanties in Sunnidale,.....	12 0 0		
Do. Moses Fish, Emigrant shed at York,.....	37 7 6		
Do. James Meyers, Office furniture,.....	5 17 6		
Do. Robert Stanton, Printing,.....	1 13 0		
Do. Roswell Mount, Seed potatoes for Indigent Emigrants,.....	39 1 3		
Do. George Gurnett, Printing,.....	2 10 0		
Do. John Craig, Lettering door of Emigrant office,.....	0 3 9		
Do. Thomas Dalton, Printing,.....	5 16 1		
Do. John Kemp, Transport of indigent Emigrants,.....	90 0 0		
Do. William Grantham,..... do .....	7 10 0		
Do. Edward Kennedy, Building log houses at Barrie & repair'g do.	40 0 0		
Do. Lawrence Hearn, Services to York Emigrant committee,...	30 0 0		
Do. William Grantham, Transport of indigent Emigrants,.....	11 5 0		
Do. William Grantham,..... do .....	5 12 6		
Do. Roswell Mount, Salary as an agent,.....	104 15 6		
Do. William Grantham, Transport of indigent Emigrants.....	3 15 0		
Do. William Grantham,..... do .....	20 12 6		
Do. William Grantham,..... do .....	15 0 0		
Do. Henry Watson,..... do .....	9 12 3		
Do. William Grantham,..... do .....	28 0 0		
Do. Henry J. Jones, Transport of storage, &c.....	4 0 0		
Do. John Hayes, Salary as an agent at Lachine,.....	84 10 0		
Do. William Grantham, Transport of indigent Emigrants,.....	18 15 0		
Do. Richard Drury & others, Building a shed in Sunnidale,.....	4 0 0		
Do. James Flavel, Salary as shed keeper at York,.....	17 8 0		
Do. Capt. W. MacIntosh, transport of indigent Emigrants, per Steam-boat Colborne.....	99 2 0		
Do. James Flavel, Provisions to indigent Emigrants,.....	4 14 0½		
Do. James R. Armstrong, Blankets to do.....	32 17 6		
Do. David Edgar, purchase of wharf at Barrie,.....	25 0 0		
Do. James Nation, treasurer of York Hospital,.....	56 7 0		
Do. Hugh Jones, transport of indigent Emigrants,.....	4 0 0		
Do. Ezra Bray,..... do .....	6 6 0		
Do. Alex. Gillespie & others, building shanties in Sunnidale,...	15 0 0		
Do. John Radcliffe, transport of indigent Emigrants,.....	3 10 0		
Do. Hugh McLennan, bread to Emigrants.....	6 0 9		
Do. John Elliott, transport of do .....	0 15 0		
Do. Robert Beard, ditto .....	0 12 6		
Do. Robert Stanton, stationery .....	3 10 0		
Do. C. Payrin, transport of indigent Emigrants .....	2 0 0		
Do. Edward Kennedy, coffins .....	3 10 0		
Do. James F. Smith, stationery for W. Richey .....	5 12 6		
Do. Wellesley Richey, salary as an Agent.....	182 10 0		
Do. Wellesley Richey, travelling expenses.....	37 1 0		
Do. J. W. Brent & Co. medicines .....	5 11 4		
Do. Hugh Richardson, transport of indigent Emigrants.....	1 5 0		
Do. John McCloskey, cleaning office .....	0 10 0		
Do. George Playter, transport of provisions for indigent emigrants	27 0 0		
Do. John Brennan, transport of indigent Emigrants.....	1 13 6		
Do. Everard Clinkumbroomer, ditto.....	2 0 0		
Do. James Meyers, office furniture.....	0 10 0		
Do. J. Shenelly, transport of indigent Emigrants .....	2 16 3		
Do. John Campbell & others, building shanties in Sunnidale....	15 0 0		
Do. James F. Smith, medical comforts.....	7 10 0		
Do. George Lount, provisions for indigent Emigrants.....	76 10 0		
Do. Hugh McLennan, bread, &c for ditto .....	3 18 0		
Do. Capt Wm McIntosh, transport indigent emigrants & baggage	8 10 0		
Do. Edward Waring, assistant to Mr Richey .....	22 16 0		
Do. James F. Smith, provisions to indigent emigrants.....	118 17 6		
Do. Charles Paynter, transport on board steamer William 4th....	85 12 6		
Balance due the Government	988 11 8		
	£ 2606 1 6		£ 2606 1 6

Amounting to the sum of two thousand six hundred and six pounds, one shilling, and six pence, Provincial currency, Dollars at 5s. each. E. E. A. B. HAWKE.

EMIGRANT OFFICE, 7th MARCH, 1835.

EMIGRATION ACCOUNTS.

Upper Canada.

STATEMENT shewing the Expenses incurred and Payments made on account of Emigration, in the years 1833 and 1834.

PAYMENTS.	SERVICE.	CURRENCY.			RECEIPTS.	CURRENCY.		
		£	s.	d.		1833	£	s.
To paid James Macfarlane..	Advertising .....	3	6	7	Balance due the Government as			
" A. Ferguson .....	do .....	3	13	8	per account current 31st De-			
" William McIntosh .....	Transport .....	8	5	0	cember, 1833.....	988	7	7½
" Wm. Larkin.....	do .....	16	5	0	1834			
" Alex. Walker.....	do .....	11	5	0	July 17 By amount of Warrant			
" Alex. Gillespie.....	Build. Emig. sheds in Sunnidale	6	0	0	No. 340, in favour of the Com-			
" Richard Drury.....	Transport .....	6	5	0	missioner of Crown Lands, for			
" Wm. Stone .....	Postage .....	0	19	6	£1309 8s 4d stg. Equal to	1454	18	1
" Egerton Ryerson .....	Advertising .....	3	18	0	Dec. 8 By amount of Warrant			
" J. S. Howard .....	Postage .....	3	8	7½	No. 365, in favour of the Com-			
" A. B. Hawke .....	Sal. & Trav. expenses for 1833	308	0	0	missioner of Crown Lands, for			
" Wellesley Richey .....	Employing indigent Emigrants	101	11	3	£1137 2s 7d stg. Equal to	1274	11	9
" Wellesley Richey.....	do .....	118	8	9	June 2 By cash received from			
" Hugh McLellan .....	Provisions .....	6	13	3	John B. Askin, Esq. being the			
" Wm. Fenelon.....	Chopping land.....	4	0	0	amount transmitted by him to			
" James F. Smith.....	Seed potatoes and corn .....	54	7	6	Commissioner of Crown Lands			
" Thomas O. Williams.....	Provisions .....	7	0	0	as the total proceeds arising			
" William Grantham.....	Conveyance indigent emigrants	4	0	0	from the sale of government			
" James McQueen & others	Chopping.....	20	0	0	property left by the late Ros-			
" A. McNeil & P. Hayman	Ditto.....	20	0	0	well Mount, Esq. at Adelaide			
" James Cull.....	Ascertaining site for wharf, &c.	18	19	2	and Caradoc .....	45	18	0
" James Cull .....	Plan and estimate for bridge...	6	4	0	Oct. 5 By cash received from			
" H. McLennan .....	Provisions .....	4	1	6	Thos. Baines, Esq. being the			
" J. S. Howard.....	Postage .....	1	11	11	proceeds from sale of Emi-			
" Wm. Laughton.....	Freight and storage .....	1	7	9	grant shed at Toronto.....	2	0	0
" Alexander Walker.....	Transport.....	4	10	0	Dec. 31 By cash received from			
" Edward Sheppard.....	Seed potatoes.....	5	11	0	John Hatch, Esq. being the pro-			
" Henry Seller .....	Chopping.....	7	10	0	ceeds arising from the sale of			
" John Moore .....	do .....	2	0	0	provisions purchased by the go-			
" John Gilchrist .....	Building shanties.....	4	10	0	vernment for the Petworth E-			
" Alex. Gilchrist.....	do .....	4	10	0	migrants.....	18	10	0
" Wm. Sewell.....	Chopping.....	2	0	0				
" Sidney M. Sandford .....	Implements, &c.....	7	6	1				
" Patrick O'Connor .....	Chopping.....	10	0	0				
" Hugh McLennan.....	Provisions .....	5	16	6				
" James Sullivan.....	Chopping.....	6	0	0				
" Wm. Fenelon.....	Sowing grain.....	2	12	6				
" Andrew Lawler.....	Provisions .....	6	10	7				
" Wellesley Richey .....	Salary as agent.....	60	0	0				
" Wellesley Richey.....	Travelling expenses.....	13	2	0				
" John Nevan .....	Grass seed.....	5	10	0				
" Andrew Lawler .....	Chopping.....	4	0	0				
" William Carrell.....	do .....	8	0	0				
" John Canin .....	do .....	12	0	0				
" John Connell & others	Building shanties.....	6	0	0				
" William Grantham .....	Transport.....	6	0	0				
" A. H. Armour & Co.....	Advertising .....	9	18	10				
" William Grantham.....	Conveying indigent Emigrants.	1	10	0				
" John Armstrong.....	Hoes.....	6	0	0				
" H. McLennan .....	Bread.....	10	5	0				
" Robert Ford .....	Building shed, cook house, &c.	37	7	6				
" Justus Rutherford.....	Provisions.....	7	1	3				
" William Grantham.....	Conveying indigent settlers...	9	0	0				
" John Craig.....	Seed potatoes and wheat.....	3	17	6				
" John Patton .....	Agent.....	24	0	0				
" Thomas Dalton.....	Printing .....	10	5	7½				
" James Henderson.....	Travelling expenses .....	6	0	0				
" Thomas Thornton.....	Provisions .....	21	18	6				
" Robert Stanton.....	Printing and stationery .....	9	18	0				
" Wm. Richardson.....	Provisions .....	23	7	6				
" Edward Kennedy.....	Building shanties.....	2	0	0				
" J. S. Howard.....	Postage .....	3	1	4				
" Hugh McLennan .....	For services.....	0	15	0				
" James Long .....	Conveyance.....	0	15	0				
" Robert Bedford .....	Conveyance Petworth emigrants	5	5	6				
" Edmund Cope .....	do .....	4	13	6				
" Stephen Pemberton .....	do .....	3	15	11½				
" Richard Terry .....	do .....	4	19	0½				
" Patrick Read .....	do .....	6	13	7				
" Henry Roons.....	do .....	4	7	2				
" Charles Hobson.....	do .....	3	7	10				
	Carried over, £	1143	3	9	Carried over, £	3764	5	5½

## EMIGRATION ACCOUNTS.

STATEMENT of Receipts and Payments for the years 1833-4,—CONTINUED.

PAYMENTS.	SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	Amount brought forward, £	1143 3 9	Amount brought forward £	3784 5 5½
To paid George Hobs.....	Conveyance of Petworth settl'rs	3 15 11¼		
" Peter Hess.....	do .....	5 1 3		
" Daniel Lutz.....	do .....	4 17 9¼		
" Joseph McFarlane.....	do .....	2 10 0		
" Henry Gray.....	do .....	4 8 11¼		
" Peter Stipes.....	do .....	5 15 3¼		
" Edward Kennedy.....	Repairing sheds &c.....	7 10 0		
" John Hatch.....	Building log houses.....	45 10 0		
" James Scriminger.....	Conveyance Petworth settlers..	5 3 0		
" Dr. Brydone.....	Expenses, provisions, &c.....	16 11 9		
" John Patton.....	Agent.....	15 10 0		
" Alexander Fraser.....	Provisions.....	3 9 0		
" Isaac Plumb.....	do .....	1 17 9		
" Angelique Nideau.....	do .....	0 11 0		
" Baptiste Paye.....	Taking care of sick & burying the dead indigent Emigrants.	24 7 6		
" W. J. Scott.....	Attendance on sick emigrants..	27 0 0		
" Joseph Church & Co..	Medicine fur'd emigrant hospital	2 15 6		
" C. H. Peck.....	do .....	0 8 0		
" John Patton.....	Travelling expenses.....	1 1 3		
" Duncan McQueen.....	Sundries fur'd emigrant hospital	8 3 4½		
" James Campbell.....	Conveyance.....	17 0 0		
" E. Field.....	do .....	2 0 0		
" Anthony Manahan.....	Agent.....	31 0 0		
" Edward Kennedy.....	Making two coffins.....	2 0 0		
" Robert Ford.....	Building shed, &c.....	18 15 0		
" Archibald McDonell.....	Transport.....	1 0 0		
" William Grantham.....	do .....	0 12 6		
" William Cattermole.....	Building shed.....	15 0 0		
" William Cattermole, ...	Forwarding emigrants.....	25 0 0		
" William Richey.....	Agent.....	61 10 0		
" John Patton.....	Travelling expenses.....	1 8 0		
" W. J. Scott.....	Attendance on destitute emigrants	15 10 0		
" Baptiste Paye.....	Service ren'd. emigrant hospital	10 8 9		
" Isaac Plumb jun'r.....	Provisions.....	2 4 2½		
" Joseph Nideau.....	do .....	0 9 0		
" Luther Houghton.....	Repairing store.....	0 11 3		
" Elnathan Hubble.....	Sundries.....	6 6 0		
" John Bland & Co.....	Blankets.....	4 4 0		
" Michael Tymau.....	Provisions.....	3 4 7½		
" John Patton.....	Agent.....	15 10 0		
" Robert Edmondson.....	Medical attendance, emigrants.	11 10 0		
" Thomas F. McQueen.....	do .....	10 7 0		
" Joseph Sheane.....	Building a Shanty.....	1 10 0		
" A Campbell & D Morrison	Building shanties.....	3 0 0		
" Robert Stanton.....	Stationary.....	8 4 3		
" J. McQueen & others.....	Clearing land.....	16 5 0		
" S. O. Tazewell.....	Plans of Townships.....	9 0 0		
" J. W. McFarlane.....	Transport.....	2 10 0		
" Wm. Menelly.....	Steam bt. Gt. Britain, transport	12 18 9		
" Wm. Menelly.....	do Queenston do .....	58 12 6		
" Robert Ford.....	Cleaning emigrant building....	11 9 4		
" James Shanklin.....	Transport.....	2 0 0		
" William Grantham.....	do .....	19 18 9		
" James Campbell.....	do .....	6 0 0		
" James Shanklin.....	do .....	4 0 0		
" Baptiste Paye.....	Attendance on sick.....	10 0 0		
" Adolphus Paye.....	Firewood.....	2 18 9		
" Thomas F. McQueen.....	Medical attendance.....	19 15 6		
" Joseph Walker.....	Transport.....	2 15 0		
" Samuel M. Buck.....	Straw.....	0 5 0		
" Ross & Caldwell.....	1 pair steelyards.....	0 9 0		
" Angelique Nideau.....	Provisions.....	1 0 3		
" C. Rankin.....	Inspecting.....	9 0 0		
" Baptiste Paye.....	Attendance on sick.....	5 6 3		
" William Henderson.....	Transport.....	4 0 0		
" John Meredith.....	do .....	0 10 6		
" J. S. Howard.....	Postage.....	3 5 4		
" William Grantham.....	Transport.....	21 0 0		
" William Stennett.....	Steel pens.....	0 5 0		
" John Patton.....	Agent.....	30 10 0		
" Averill & Hooker.....	Office rent.....	7 10 0		
" Samuel Warner.....	Ground rent.....	3 10 0		
	Carried over, £	1862 10 6½	Amount carried over £	3784 5 5½

EMIGRATION ACCOUNTS.

RECEIPTS and PAYMENTS for the years 1833-4,—Continued.

PAYMENTS.	SERVICE.	CURRENCY.	RECEIPTS.	CURRENCY.
	Brought forward	£ 1862 10 6½	Brought forward, £	3784 5 5¼
To paid Thos. F McQueen,	Medical attendance.....	19 1 0		
" Duncan McQueen.....	Provisions.....	0 13 8		
" Alexr. McDonald.....	Ditto.....	1 14 10		
" Wm. J. Scott.....	Medical Attendance.....	30 10 0		
" Exekiel Phillips.....	Provisions.....	9 17 7½		
" Wm. Wilcock.....	Coffin &c.....	0 10 0		
" Timothy Buckley.....	Provisions.....	1 1 7		
" Alexander Fraser.....	Ditto.....	1 19 0		
" Duncan McQueen.....	Ditto.....	13 10 3½		
" Jessup Church & Co...	Medicines.....	1 14 0		
" Joseph Coons.....	Services.....	0 5 0		
" G. P. Bull.....	Printing.....	1 15 0		
" Alexander Rennie.....	Provision.....	10 2 6		
" Alexander Rennie.....	Ditto.....	2 15 0		
" William Coleleugh.....	Transport Steamer Coburg....	17 11 3		
" Thomas Dalton.....	Printing.....	3 7 6		
" James Cameron.....	Transport Steamer Oakville..	55 12 6		
" A. Manahan.....	Salary.....	42 10 0		
" Richd. Feehan.....	Transport.....	1 2 6		
" John Patton.....	Travelling Expenses.....	2 19 8		
" Joseph Pattison.....	Superintending Labourers....	8 5 0		
" John McCalman.....	Logging and Sowing Land....	20 12 6		
" Thomas J. Thompson..	Harrowing &c. &c.....	17 3 9		
" Wellesley Richey.....	Freight.....	0 5 0		
" S. M. Sandford.....	Stores.....	2 18 3		
" Robert Ross.....	Surveying.....	11 6 6		
" James F. Smith.....	Provisions.....	356 5 0		
" Peter Hayman.....	Logging &c. &c.....	16 5 0		
" A. Jones.....	Transport Steamer William 4th	153 8 9		
" A. Seibar.....	Provisions.....	0 13 6		
" R. C. Ferrier.....	ditto.....	7 3 0		
" Bryce Buchanan & Co.	Blankets.....	20 1 9		
" James R. Armstrong ...	Ditto.....	15 15 0		
" Charles Thompson .....	Transport.....	101 6 3		
" Samuel Richardson .....	Inspecting.....	4 15 0		
" John Hayes .....	Services at Lachine.....	30 0 0		
" John Hayes .....	Ditto.....	17 14 6		
" John Fletcher.....	Inspecting road.....	4 15 0		
" Henry Rowsell.....	Stationary.....	2 4 3		
" Hugh Richardson .....	Transport Steamer Canada....	22 2 6		
" Wm. Cattermole.....	Pay for forwarding Emigrants.	45 0 0		
" Archibald Palf.....	Medical Attendance.....	4 6 3		
" William Stone.....	Postage.....	1 14 4½		
" Wellesley Richey .....	Travelling expenses.....	16 10 0		
" Wellesley Richey .....	Salary as Agent.....	61 0 0		
" Frederick Muman .....	Provisions.....	2 15 5		
" H. C. Young.....	Salary as superintendant....	61 0 0		
" J. S. Howard.....	Postage.....	3 8 7½		
" J. H. Hamilton.....	Salary as clerk.....	79 17 6		
" Robert Stanton.....	Stationary.....	0 11 6		
" J. S. Howard.....	Postage.....	5 6 10		
" Wm. Meneilly .....	Transport Steamer Oakville..	9 5 0		
" Wm. Meneilly .....	Ditto Queenston.....	21 12 6		
" Wm. Meneilly .....	Ditto Gt. Britain.....	27 5 0		
" J. W. Brent.....	Medicines.....	2 3 7		
" Wm. Bagshaw.....	Provisions.....	2 10 0		
" James F. Smith.....	Stationary.....	3 9 6		
" Wm. Craig.....	Transport Steamer John By..	1 11 0		
" A. B. Hawke .....	Sal. & trav. expense for 1834.	324 2 6		
" James Watt .....	Transport Steamer St. George.	54 19 4½		
" Johnson Hamilton.....	Salary.....	8 5 0		
" Daniel Sullivan.....	Transport.....	1 0 0		
" William Grantham.....	Ditto.....	3 5 0		
" Robert Hamilton .....	do.....	13 16 3		
" J. G. Parker.....	do.....	8 16 6		
" John Hatch .....	do.....	11 13 9		
" John Hatch .....	Medicines and provisions....	21 10 0		
" George Burke.....	Building shanties & services ..	1 0 0		
" James Macfarlane & Co	Medical attendance.....	8 6 2		
" James Macfarlane & Co	Advertising .....	2 15 3		
" James Macfarlane & Co	Stationery for A. Managhan ...	2 15 3		
	Balance £	81 4 7¼		
		3784 5 5¼		£ 3784 5 5¼

Amounting to the sum of three thousand seven hundred and eighty-four pounds, five shillings and five pence farthing,—  
 Currency,—Dollars at 5s. each.  
 E. E. A. B. HAWKE.  
 EMIGRANT OFFICE, 7th MARCH, 1835

## EMIGRATION ACCOUNTS.

## Upper-Canada.

*STATEMENT of the Expenses incurred and Payments made in opening the Road leading from Kempenfeldt Bay to Nottawasaga River, and building a bridge across said river in the year 1833*

PAYMENTS.		CURRENCY.	RECEIPTS.		CURRENCY.
		£ s. d.	1834		£ s. d.
To cash paid Titus Wilson and others.....		100 0 0	April 20—By received from the Hon. Peter		
..... A. P. Toulmin.....		7 10 0	Robinson, being the amount of Warrant,		
..... H. J. Boulton, Esq.....		1 1 0	Number 308, dated 20th April, 1834, for		
..... A. W. Freear.....		27 10 0	£833 7s. 9½ sterling.....Equal to		925 19 9
..... Richard Drury and others....		100 8 3			
..... Richard Drury and orhers....		596 1 3			
..... Wellesley Richey.....		63 0 0			
..... Alexander Walker.....		20 9 3			
		£ 925 19 9			£ 925 19 9

Amounting to the sum of nine hundred and twenty-five pounds, nineteen shillings, and nine pence, Currency,—dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

E. E.

A. B. HAWKE.

## Upper Canada.

*STATEMENT shewing the Expenses incurred and Payments made in opening a Road from the Nottawasaga River to the 9th concession of the Township of Sunnidale, and for Causewaying and Bridging the same, between the 1st of January and 30th September, 1834, inclusive.*

PAYMENTS.		CURRENCY.	RECEIPTS		CURRENCY.
		£ s. d.	1834		£ s. d.
To cash paid John McKenzie & T. Williams		31 3 9	Nov. 29—By cash received from the Hon.		
..... Alex. Gillespie.....		112 10 0	Peter Robinson, being the amount of war-		
..... Alexander Gillchrist.....		19 13 9	rant No. 362, dated 25th Nov. 1834, for		
..... Alex. Campbell & John Bell..		30 2 6	£841 5s 6d sterling,—equal to.....		934 15 0
..... Thomas J. Thompson & others		103 15 0			
..... Thomas J. Thompson & others		331 5 0			
..... Thomas Crowe & others....		106 17 6			
..... Alexander Gillespie & others		199 7 6			
		£ 934 15 0			£ 934 15 0

Amounting to the sum of one thousand nine hundred and thirty-four pounds, and fifteen shillings, Provincial currency.—Dollars at 5s. each.

EMIGRANT OFFICE, 7th MARCH, 1835.

E. E.

A. B. HAWKE.

## REPORT

OF THE

SELECT COMMITTEE ON THE ACCOUNTS, &amp;c.

RELATING TO THE

WELLAND CANAL COMPANY.

—○○○○—

*To the Honorable the Commons House of Assembly.*

The Committee appointed by Your Honorable House to report on the Accounts and various other matters relating to the Welland Canal Company.

Beg leave respectfully to Report:—

That with respect to the Accounts submitted for their consideration, it appears from the balance sheet submitted by the Secretary of the Welland Canal Company, marked A, that the receipts and expenditures during the past season, amount to the sum of £43,601 11 4 for detailed expenditure of which see Nos. 1 to 4 and 5 to 10.

By the information received from Doctor Charles Duncombe, one of the Directors appointed by this House, it appears the Estimates are returns of all the work executed on the line of the Canal by different individuals.

The plan adopted by the Company being in all cases, where practicable, to place the work under contract, after giving timely notice, to the lowest responsible bidder.

The Engineer or Superintendant makes out a Return of the work done monthly, according to Contract, or by the day or month, if not under Contract which is examined and signed by the Secretary as well as the Engineer or Superintendant; this statement is submitted to the Board of Directors, who approve of it, and the President signs the Documents so approved, on which voucher the Secretary is ordered to pay the different individuals, and those minutes are again read over at the ensuing meeting in the manner proceeded in by this House from day to day, to correct any error which may have arisen.

The old Accounts and Notes are balances due on work, &c. from last year and forms a part of the £25,000, due by the Company, as per their statement made at that time.

The Committee not having each description of work particularly specified and not having an opportunity of examining the same, cannot judge of the economy of the expenditure. This House has the power to appoint three Directors from year to year, to approve of those expenditures, the manner in which they are made and entered in the books of the Company; and as the names of each individual to whom the money was paid is given in detail, reference can hereafter be made by the Directors, or by any future Commission appointed by this House, whether the same has been economically or correctly expended.

They regret, from the information received, that the expenditure for a Steam Dredge proves almost entirely useless, the Engine not answering the intended object.

2nd.—That with respect to the Report of the Directors appointed by this House, submitted to the Committee on the subject of the Hydraulic Works, a copy of which is appended hereto, marked B.

Your committee after having carefully examined the minutes of the Board relating thereto think it inexpedient to close the purchase from the hydraulic company.

3rd. That with respect to the petition of the Welland Canal Company complaining of the refusal of the payment of tolls on the Chippawa cut, alleging that the jurisdiction of the company does not extend to the same.

The committee have examined the statute relating thereto, and from the best consideration they can give the subject are unanimously of opinion that it was intended by the statute to authorise the company to collect toll, and they herewith report a Bill amending the Act so as to extend the jurisdiction of the Welland Canal company over that cut.

4th. That with respect to the petition of the said Welland Canal company for leave to erect a toll bridge over the mouth of the river Welland, and also the petition of sundry inhabitants against it; your committee feel sensible a durable bridge is required at that point, but as the committee are assured the present bridge will continue for some time without repair they have not recommended the prayer of the petition.

Report on Welland Canal

APPENDIX.

It appears the amount loaned by the Province in aid of the Welland Canal is.....	£	s.	No. 12.
The amount of Stock.....	100,000	0	No. 13.
The total cost of the work.....	107,500	0	No. 14.
The amount of interest for which the Company are liable.....	403,055	0	No. 15.
	7222	4	

It appears that contracts are already entered into, and the work now in operation for extending the Lock at Port Colborne to 125 feet in length, widening the canal from thence to the Rock six feet—cutting a basin for vessels to pass or turn on the north side of the lock, deepening the rock excavation at the curve, or new route, twelve inches, widening the canal from the junction to Port Robinson, making a guard gate at Port Colborne, and one at the junction, a new culvert at Hall Davis's level, deepening the canal from one foot to eighteen inches, from Cambell's lock to Davis's basin, also, from Marlett's level to lock No. 35, in Thorold, to rebuild one side of lock No. 30 and of 24, 22, 20, 15, 17, and the two lower ends of No. 12, and extending the west pier at Port Dalhousie—also for deepening and widening the feeder from the junction to the curve, cutting basins every half mile, for the passing of steam boats, making a new culvert at Broad Creek, and for extending the berm bank from thence to Cranberry Creek, which is reported to cost about £12,500, which will leave the company in debt about £2381 4—see No. 16, besides the annual interest of £7222 4, to repay which they will have the amount of tolls they may receive next year; it therefore appears obvious that a further grant will be required the ensuing year to enable the company to keep up this navigation, they therefore submit whether it would not be expedient under the circumstances to appoint a commission, consisting of three persons, with power to examine the canal books of the company—to employ an Engineer, Secretary, Clerk, or such persons as they may deem necessary, with a view of reporting to this House at their next session, whether it would in their opinion be advisable to purchase the Hydraulic Works, the canal, make further loans, or what method is most advisable to adopt with a work in which this Province hold so large an interest.

All of which is humbly submitted.

CHARLES DUNCOMBE,  
*Chairman.*

*Committee Room, House of Assembly.*

*Report to the Committee by the Welland Canal Directors.*

To the Honorable the Committee appointed by the Honorable the Commons House of Assembly, in Provincial Parliament assembled, to take into consideration the accounts, matters, and affairs of the Welland Canal Company.

The Directors appointed by the Legislature during the the last session, beg leave most respectfully to report:

That their first attention was directed to carry into effect the recommendation of the last commissioners appointed by the Legislature, Messrs. Robinson Macaulay and Shade—By removing any obstacle to making this Canal a public work, the necessity of which appears to them manifest.

On the 7th June a report was made by the directors, acting on behalf of the House of Assembly, to the Board of Directors of the Welland Canal Company.

In conformity to which the transfers have been duly executed, but not registered

The Directors have since given this subject the most mature and deliberate consideration, and have no reason to alter their opinion; on the contrary, the experience of the past season affords abundant evidence of the wisdom of the measure; the rents on sale of water power alone, since it was in the possession of the Company, amount to £442 10, which induce them to believe in a few years the interest on hydraulic power alone will overbalance the interest on purchase; leaving land and property entire to the Company. (See Statement, No. 11.)

The rent before June amounted to.....	£540	0	0
Since then.....	442	10	0
Amounting to.....	£982	10	0

Report on Welland Canal.

APPENDIX.

Besides the actual increase in the sale of water power, the rent of lands, lots, and interest on the sale of the same, and the enhanced value of property must be taken into consideration. The water power is enhanced in value and quantity from the recent increase of the feeder now in complete operation.

The terms on which water is granted to the Niagara Canal Company was to pay in proportion to the cost of work, until it reached that point where it diverged to the town of Niagara, which of itself would far exceed the amount contemplated by this purchase.

All which is respectfully submitted,

WM. CHISHOLM,  
CHA'S DUNCOMBE.

DR. Welland Canal Company's balance sheet for the year ending Dec'r 1834, Cr.

		£	s.	d.			£	s.	d.
	To payments of estimate per statement No. 1,.....	13274	1	7		By Government of Upper Canada for Debentures received,.....	43572	0	0
	To payments of old accounts per statement No. 2,.....	12898	13	6½		By Bank of Upper Canada for old balance received,.....	89	11	4
	To payments of Notes per statement No. 3,.....	6624	2	7					
	To payments of Contingencies per statement No. 4,.....	1087	11	6½					
Folio 5	To Interest Account,.....	4453	8	3½					
4	To Salaries,.....	675	0	0					
2	To do Engineers,.....	258	15	3					
95	To Steam Dredging Machine,....	780	5	10					
119	To Awards for Land damage,....	796	0	10½					
126	To Welland Canal Commissioners of 1833,.....	253	11	5					
80	To Bank of Upper Canada for amount at Cr. of the Company,.	2308	6	3					
124	To cash account for am't in hand,.	196	19	1¾					
		£43601	11	4			£43601	11	4

E. E. WELLAND CANAL OFFICE,  
St. Catharines, 15th December, 1834.

JOHN CLARK, Sec'y W. C. Co.

Approved.

WILLIAM HAMILTON MERRITT,  
President Welland Canal Company.

NO. 1.

PAYMENT OF ESTIMATES, 1834.

FOLIO.		£	s.	d.	FOLIO.		£	s.	d.
9	William Chase.....	19	14	3	25	George Keefer, junior.....	2	2	0
10	Nehemiah Robb.....	205	5	9½	26	George Rykert & Co.....	98	19	7½
	Abraham Messmore.....		8	9	29	Orson Phelps.....	17	4	10½
11	John Hurst.....	1	7	6		W. R. Emery.....	36	6	0
13	Trevor Murray.....		17	0		J. Hellems.....	19	10	1½
14	A. S. St. John.....	343	3	2½	30	S. Griffin & Co.....	2	0	10
15	L. Boardman.....	1	10	9	46	George Gordon.....	1	3	9
17	Andrew Wilson.....	3	14	4		Gilbert M. Micking.....	4	6	3½
20	H. B. Ostram.....	11	5	0	52	Richard Laffin.....	12	13	1½
21	Bowery & Butler.....	3	18	0	53	T. Merritt, junior.....	4137	10	9½
22	John Donaldson.....	43	18	7	54	Cyrus Rose.....	471	18	0½
23	J. C. Chase.....	24	5	10	55	Wm. Orderly.....	53	11	2½
24	Wm. Stewart.....	2	5	0		R. Hannah.....	107	7	7
4	Wm. Murray.....	70	3	10½	56	Felix Griffin.....	1	9	0

## Report on Welland Canal.

## APPENDIX.

56	Robert Brown	4	6	0½	"	John Mosier	239	0	4
"	Dilly Coleman	32	11	5½	95	Francis La Mure	81	5	0
57	William Bell	30	17	5½	96	R. Kirkpatrick	7	2	1
"	William Daly	11	6	11	"	W. H. Sanderson	36	5	4½
"	Guy J. Atkins	14	10		97	George Smith	5	10	0
58	Aaron Helmer	10	0	2	"	William McClandish	20	0	10
"	Dun. M'Farland	39	3	7½	98	John Moore	244	18	5½
59	John Wentworth	1	0	0	"	John Beatty	228	5	9
"	Thomas M'Mahon	5	0	0	99	Horace Reid	11	5	0
60	Joseph Toyne	203	19	4	"	John Tinline	35	16	0
"	Henry Sloan	142	9	0	100	Samuel Sleet	3	0	0
61	Joseph Burger	167	17	0	"	John Harper	17	16	6
"	Peter Conly	15	10	3	101	William McCracken	10	0	
62	Jamer Hurst	16	9	8	"	John Bessy	12	5	0
"	John Flenner	47	9	5	102	Henry Kimball	1	10	0
63	Thomas M'Arthur & Co.	10	3	9	"	Jacob Wismer	1	16	0
"	Michael M'Combs	18	15	0	103	Silas Vandecar	1	0	5½
64	David Fleming	69	17	3½	"	John Macdonell	1	8	9
"	Elon M'Arthur	22	19	6	104	A. Jones	14	18	3
65	John M'Combs	71	16	3	105	W. C. Hay	23	8	1
"	A. Easterbrooks	90	5	0	104	Richard Wood	4	0	0
66	John Vanderburgh	374	10	4½	105	Rufus Wright	75	11	3
67	Peter Weaver	15	0	0	106	Nathan Pawling	451	19	4
"	Richard Fluallan	209	10	10	"	William Adams	2	0	0
68	John Boyle	188	11	0	107	M. E. Jones	3	0	10½
"	Robert Fletcher	173	9	2½	"	W. C. Helles	123	12	5
69	John Shore	318	6	3½	108	John Johnson	20	0	2½
"	John Densmore	22	17	4	"	John McDade	2	0	0
70	Francis M'Donough	15	8	9	109	Francis Boyle	1	10	6
"	S. R. Squires	604	17	5	"	Francis McConnell	3	3	9½
71	John Messmore	1	1	3	110	George Jamieson	4	4	2
"	D. S. Grenville	16	6		"	Robert White	3	6	10
72	Hiram Slate	25	0	5	111	John Donovan	14	13	1
"	James Daly	1	6	3	"	John Adams	4	12	0
73	Stephen Emmett	7	18	9	112	William Turrill	9	1	11
"	Burns & Bassett	12	15	1	"	Thomas Hands	16	0	
74	Jacob Keefer	5	9	2	113	Henry Bond	8	8	0
"	John Bradt	2	17	11	"	John Collier	7	19	2½
75	Jacob Flanders	4	5	0	114	Edward Cochrane	13	5	2
"	Jonathan Woodhull	64	4	3	"	E. Parks	3	3	0
76	William Boothe	5	0	0	115	J. Van Ryper	26	11	7
"	Sylvanus Cleveland	6	17	7	"	Chambers Rooter	25	5	7
77	Johnson Orr	157	16	0½	116	H. McVade	8	13	1
"	William Gilmore	7	8	3	"	William McMurray	6	17	3
78	Richard Collier	1376	5	3	117	Hugh Bracken	8	1	10½
81	John Aikens	57	17	11½	"	Samuel Dell	7	6	
"	Caleb Ingols	43	8	5	118	William Grogun	2	10	0
82	Daniel Cain	1	10	0	"	James Hanly	8	7	7
"	William Cloughy	44	16	0	120	John Drewry	4	15	0
83	John Partridge	12	10	11½	121	Peter M. D. Gear	5	0	0
"	Alvin De Witt	97	18	0½	"	H. H. Smith	6	9	0
84	Daniel Chambers	89	9	8	122	George Schram	3	3	9
"	R. Campbell	52	14	1½	127	J. G. Storkeley	14	5	4
85	John Callaghan	52	7	4½	"	Michael Killeen	13	4	0
"	Thomas McChesney	219	13	2½	128	J. Huntley	6	6	0
86	Bartly Boyle	3	4	2	"	Moses Knight	35	17	3
"	Patrick Hickey	18	9		129	John Martindale	10	0	
87	Samuel Quaintance	1	5	0	"	Thomas Read	1	10	0
"	George Keefer, sen'r.	3	7	4	130	John Christie	4	0	6
88	Erwin Coleman	5	6	10½	"	Moses Cook	3	0	0
"	Robert Boyle	1	0	0	131	William McGee	2	19	11
89	Charles Marshall	13	1		"	James White	2	2	11
"	John Gould	10	0		132	R. O'Brian	118	14	10
90	J. Gootrich	14	10	0	"	James Robinson	3	12	7
"	Head Shaver	1	11	3	133	R. A. Barney	7	10	0
91	Francis Daton	13	9	1	"	Jacob Turner	2	5	0
"	Lineus Clark	6	3		134	Joseph Webb	1	5	10½
92	William and Alexander McCaw	5	7	8½	"	John Spratt	1	13	3
"	Thomas Read	29	16	11	135	A. Macdonell	56	10	1
93	William Higgins	18	18	10½	"	Owners of Schooner Canada	55	0	0
"	William Lampman	1	17	1½					
94	Robert Foster	2	9	5½					
									£ 13,274 1 7

No. 2.

## Payments of Old Accounts in 1834.

FOLIO.			FOLIO.		
6	W. H. Merritt	126 16 4½	10	G. H. Messmore	5 0
7	Love Newlove	250 7 10	11	John Tuck	1 13 9
"	Hall Davis	37 0 0	13	David Price	105 19 5
8	E. W. Stephenson	1 16 3	"	H. N. Camp	3 13 1½
9	J. B. Yates	1087 10 0	"	Murray & White	2 11 11
10	Nehemiah Robb	25 0 0	14	A. S. St. John	262 16 9½

Report on Welland Canal.

15	L. Boardman.....	9	15	0
16	N. G. Goodell.....	20	3	5½
17	Elijah Shotwell.....	75	15	2
18	Alonzo Ewers.....	10	3	8
"	Jonathan Silverthorn.....	52	4	1
19	Lenee Griffith.....	4	11	5
"	Craig & Boyle.....	25	0	0
20	Alem Marr.....	34	16	11
"	H. B. Ostram.....	12	7	10
"	Jamas Watson.....	0	13	0
21	Bonerly & Butler.....	2	12	2
"	Jack Toyne & Co.....	32	13	6
"	Perry & Main.....	4	5	0
22	John Donaldson.....	1693	8	9
24	Wm. Murray.....	99	8	2
25	Geo. Keefer, Jun'r.....	77	15	0
27	H. Mettleberger.....	5	6	4½
28	Thomas Dalton.....	3	9	9
29	Leslie & Son.....	9	1	2
"	Orson Phelps.....	52	19	11
"	W. R. Emery.....	1	6	6
"	J. Hellems.....	0	15	0
31	Cornelius Healey.....	2	10	0
32	James O'Neil.....	3	10	1
"	Samuel Ireton.....	10	7	3
33	Thomas McEwen.....	1	9	4
"	Wm. Boyle.....	4	2	3
34	Charles Miller.....	0	11	11
"	James Hall.....	2	17	1
36	Bank of Upper Canada.....	1370	2	3
37	— Carey.....	0	15	0
"	— Schooley.....	0	15	8
38	Olden B. West.....	97	8	5
"	— McLarney.....	2	10	0

"	Wm. Hobbs.....	6	5	0
40	John Piles.....	2	12	3
"	Kerr Flinn.....	1	4	4
42	David Thomson, to acc't.....	2503	12	11½
44	Daniel Doarme.....	14	5	0
"	Hill Carney.....	20	1	4
46	George Jordan.....	1	14	0
"	Gilbert McMicking.....	0	7	10
"	Smith Shotwell.....	90	2	1
48	— Lattemore.....	1	9	9
"	John Kidd.....	4	16	6
49	George Cooper.....	5	8	9
"	Robert E. Burns.....	5	7	4
50	Marshall Lewis.....	44	16	6
"	John L. Burns.....	5	7	7
"	Monson & Camp.....	1	15	6½
51	Lewis, Garrison & Little... ..	114	5	10
"	Hon. J. H. Dunn.....	2750	0	0
52	John Clark.....	36	15	0
53	Thomas Merritt, Jun'r.....	1602	7	0

APPENDIX.

The following admitted since presentation of List of Debts to the Legislature in 1833.

22	John Donaldson..	£28	13	6	
30	J. Helems.....	3	15	0	
123	Wm. McCrory... ..	3	0	0	
"	James Dittrick... ..	12	4	8	
"	M. Murphy.....	4	13	11	
"	— Crowley... ..	2	10	4	
			54	17	5
			£12898	12	6½

No. 3.

Payments of Notes granted in 1833.

Nos.				
98	John Coleman.....	3	15	0
215	H. Leavenworth.....	6	5	0
178	Hiram Hyne.....	7	5	6
176	Miles McOwen.....	3	2	8
177	J. Byrne.....	7	5	6
217	Luke Doyle.....	2	4	4
179	John Morgan.....	7	5	6
180	Francis McCabe.....	7	5	6
43	Frank McCabe.....	9	0	0
188	G. H. Messmore.....	1	0	0
336	Thos. Butler.....	15	0	0
118	Andrew Boyle.....	3	4	4½
169	Henry Bond.....	0	18	9
273	Michael Lee.....	3	2	11
9	Walter Dittrick.....	10	0	0
7	D. Thompson.....	85	0	0
249	Archld. MacDonald.....	2	5	0
136	H. N. Camp.....	4	13	0
302	A. C. Waterhouse.....	4	16	9
325	T. E. & J. Stinson.....	6	15	7
251	John Harper.....	6	10	0
131	Wm. McCommins.....	7	13	4
230	H. N. Camp.....	27	2	6
214	John Donaldson.....	2	15	0
195	Wm. Murray.....	5	5	0
172	Luke Carroll.....	8	5	0
197	Widow Anderson.....	6	5	0
22	Michael Lee.....	4	19	6
82	John Boyle.....	18	2	9
205	David Fleming.....	14	4	7
196	Richard McGuire.....	15	17	6
100	M. Dooly.....	2	3	4
221	Darius Davenport.....	3	17	3
245	H. Leavenworth.....	4	0	0

335	James Black.....	8	5	7
194	Wm. Orderly.....	12	12	6
3	J. Hartness.....	3	5	0
64	Barny McDermott.....	17	7	7
332	Murray & White.....	5	3	6
264	John Ireton.....	5	18	10½
165	Edward Lee.....	7	8	6
161	Ezekiel Archer.....	4	8	10
191	William Orderly.....	10	5	5
175	James Darragh.....	8	9	3
123	Mrs. Bennett.....	5	0	0
154	James Berger.....	7	14	2
166	Edward Lee.....	5	0	0
133	do.....	5	15	0
162	Wm. Gates.....	4	15	7½
167	Thomas Brown.....	0	17	11
163	David Gates.....	2	16	3
174	James Durraugh.....	8	9	2
289	John Decow.....	69	10	8
177	Jas. Byrne.....	7	5	6
42	do.....	4	5	6
52	James Fitzgerald.....	2	7	11
263	Richard McGuire.....	5	19	0
104	James McBride.....	4	10	7
103	John Dalton.....	4	0	0
334	James Bennett.....	1	1	6
333	J. F. Shriner.....	1	5	9
31	Thomas Brown.....	13	10	5
193	Wm. Orderly.....	53	6	9
24	John Mackenzie.....	51	3	4
25	A. M. Rayner.....	59	0	0
26	R. McDonald.....	30	0	0
27	C. A. Foster.....	10	0	0
29	P. Wheeler.....	12	10	0
79	Wm. Daly & Co.....	7	6	0

## Report on Welland Canal.

## APPENDIX.

78	Lewis Little & Co.....	48	8	8	318	Robert Byers.....	1	15	0
80	Mrs. McKeever.....	10	17	4	7	Thos. McChesney.....	54	5	0
112	W. H. Merritt.....	50	0	0	65	J. Cleveland.....	24	1	3
269	Baldwin and Sullivan.....	46	0	7	130	Solomon Miner.....	16	2	4
268	John Kidd.....	4	16	3	258	Wm. Quider.....	6	9	4
265	R. Macdonald.....	23	3	4	233	Jos. Jummell.....	5	12	7
266	do .....	27	14	3	97	Thomas Igoe.....	24	13	0
267	C. A. Foster.....	31	8	6	91	Timothy Bone.....	5	9	4
307	W. H. Merritt.....	25	0	0	40	Jacob Turner.....	116	19	1
271	do .....	4	5	0	107	S. R. Squires.....	145	6	9
270	do .....	16	5	0	243	Robert Glenny.....	18	0	0
287	James Little.....	7	9	8	160	James Avrill.....	24	1	0
144	L. Dyer.....	11	15	6	69	S. Boyle.....	46	7	6
327	John Fitch.....	16	16	3	120	John Boyle.....	7	0	0
30	Alexander Bradley.....	8	4	5	335	Casper Bradley.....	0	18	5
5	Wm. Murphey.....	2	17	6	182	ditto .....	3	0	0
313	Patrick McGibbon.....	11	16	6	173	James Broderick.....	8	2	6
147	Richd. Laffin.....	3	6	7	156	George & William Daly,..	50	13	9
153	Geo. & Wm. Daly.....	25	0	0	369	D. Thompson.....	10	3	8
128	Alex. Moffatt.....	1	1	10	141	William Bell.....	44	7	0
125	Henry Marshall.....	16	11	7	92	Edward Henderson.....	0	15	7
311	James Stinson.....	72	0	5	134	Joseph Webb.....	5	0	0
232	H. N. Camp.....	37	10	0	122	David Price.....	71	9	5
57	T. Finney.....	2	4	4½	153	George & William Daly,..	25	0	0
244	do .....	1	6	9	2	Thomas Murphy.....	4	3	6
139	T. Martindale.....	37	7	2	3	James Barber.....	8	2	6
62	C. Donahue.....	0	18	6	340	William Martin.....	21	0	0
60	Pat. Carline.....	2	4	3½	71	Andrew Thompson.....	25	0	0
61	James Quinn.....	2	17	2	132	ditto .....	8	10	0
228	James Mitchell.....	3	3	9	55	ditto .....	28	10	4
227	John Reid.....	4	3	11	293	Pat Sullivan.....	13	1	10½
63	W. Dogherty.....	5	7	11	39	Peter Greenham.....	25	4	9
88	D. Trotter.....	13	0	9	274	C. W. Hellams.....	4	17	9
202	J. Hamilton.....	3	15	0	278	Thomas Gilliland.....	2	5	0
259	Thos. Connor.....	5	6	10	292	John Kerr.....	1	5	0
135	James McEwen.....	2	10	0	5	James Sloan.....	9	7	6
140	W. H. Sanderson.....	3	13	0	59	Robert White.....	5	14	6
53	do .....	35	4	8	58	Murray & White.....	6	16	6
279	J. Kilcullen.....	9	15	0	117	Alexander Bradley.....	4	17	7
51	Michael Griffin.....	4	13	6	218	William Hannan.....	1	11	10
204	John Brown.....	5	0	0	54	Archibald Craig.....	21	11	3
49	Hiram Slate.....	66	18	7	155	William Pugh.....	5	18	8
114	W. H. Merritt.....	50	0	0	48	William Coughlan.....	11	16	7
131	do .....	50	0	0	12	Morris FitzGerald.....	3	7	5
87	do .....	36	7	3	219	William Hannan.....	6	0	7
308	John Donaldson.....	112	0	0	47	William Coughlan.....	14	10	5
225	J. Niff.....	23	10	0	116	James Bradley.....	10	1	9
157	D. Chambers.....	1	12	2	158	George Keefer.....	18	1	3
115	S. Hill.....	10	12	6	152	George & William Daly,..	18	0	0
16	J. Lovett.....	4	15	5	145	George Keefer.....	57	2	9
15	J. Lovett.....	4	19	6	143	William Bell.....	37	4	11
14	J. McCain.....	9	3	0	137	Duncan McFarlane.....	24	10	0
13	do .....	11	12	6	121	David Price.....	20	0	0
304	James McRory.....	2	12	9	86	Francis Pratt.....	3	6	7
305	Mary Paterson.....	5	5	0	46	Duncan McFarlane.....	26	6	7
316	Richd. Hannah.....	12	8	1	241	Cyrus Rose.....	6	5	0
260	Thomas McMahon.....	10	2	6	124	Eleanor Keevor.....	43	2	0
151	Geo. and Wm. Daly.....	40	0	0	290	Aaron Helmer.....	7	13	9
127	Hugh Vanestine.....	2	11	8	4	ditto .....	14	0	0
239	James Hamilton.....	7	10	0	37	Henry Hughes.....	7	18	3
201	Danl. Turner.....	10	0	0	229	Pamela Bennett.....	12	91	8
198	Joseph Hamilton.....	4	15	1	2	Sheldon Chapin.....	3	0	0
149	Robert Coots.....	14	16	2	275	George McKnight.....	33	12	7
329	C. Beadle.....	1	2	6	326	John Fisk.....	15	7	4
154	John Niff.....	4	0	0	261	Richard M'Guire.....	2	3	1
206	Joseph Irwine.....	3	12	9	301	John Hellems.....	6	5	0
320	George Stuart.....	3	11	6	363	William Hobbs.....	8	2	2½
35	John Piles.....	1	14	7	6	A. & A. Rayner.....	11	1	0
159	Henry Harper.....	2	2	0	10	R. Macdonald.....	25	19	0
317	Thos. Graham.....	1	10	0	1	George Mackenzie.....	18	10	0
255	John Spratt.....	2	5	4	14	James Woods.....	16	2	0
276	John Armstrong.....	1	17	5	116	Edmund Archison.....	6	1	10
199	Felix Griffin.....	9	1	2	181	Mary Paterson.....	142	0	4½
319	Geo. Jamieson.....	2	3	5	68	James Darraugh.....	27	9	5
148	Robert Murdie.....	2	16	0	203	Henry McKeever.....	46	4	5

Report on Welland Canal.

298 James Sloan . . . . .	82 2 6	142 Richard Fluallan . . . . .	9 18 5
41 Mark Foley . . . . .	21 4 6	200 Alexander Christie . . . . .	2 13 9
17 Widow McAndress . . . . .	14 1 3	250 Daniel Donovan . . . . .	21 11 6½
189 Robert Brown . . . . .	25 7 9	282 John Donaldson . . . . .	25 0 0
75 Geo. Marlatt . . . . .	1 2 6	283 do . . . . .	25 0 0
183 C. Harrington . . . . .	4 1 3	280 do . . . . .	25 0 0
314 William McMillan . . . . .	12 10 0	281 do . . . . .	25 0 0
184 John Murphy . . . . .	4 10 0	66 Murray & White . . . . .	107 16 11
306 P. G. Beaton . . . . .	51 17 6	256 McDonough . . . . .	8 13 1
247 John Steel . . . . .	110 0 0	220 Michael Cassidy . . . . .	13 7 2
315 B. Tench . . . . .	56 6 3	170 Casson & Co. . . . .	42 2 5
85 David Price . . . . .	13 16 4	291 George Keefer, junior . . . . .	311 6 7½
138 Pat O'Connell . . . . .	1 6 6	235 do . . . . .	1 10 10
211 Thomas Merritt, jun'r . . . . .	25 0 0	16 Daniel Burns . . . . .	8 14 4
295 William Hobbs . . . . .	12 3 3	212 Thomas Merritt, junior . . . . .	25 0 0
328 Christopher May . . . . .	51 0 0	21 Alfred Barrett . . . . .	29 2 9½
262 James Darraugh . . . . .	12 3 9	299 P. W. Tenbroeck . . . . .	36 17 6
341 George Zewits . . . . .	5 0 0	321 John Toyne & Co . . . . .	30 10 0
8 Jarad Stocking . . . . .	30 0 0	20 Alfred Barrett . . . . .	25 0 0
296 William Hobbs . . . . .	50 0 0	343 James McLarin . . . . .	7 9 3
213 Thomas Merritt, junior . . . . .	25 0 0	366 Cross & Fisher . . . . .	35 0 0
300 do do . . . . .	25 0 0	368 James Glegg . . . . .	1 17 1½
105 John Shore . . . . .	10 15 0	367 Dr. Cross . . . . .	3 5 0
168 Peter Conklin . . . . .	32 14 1	353 J. L. Burns . . . . .	11 3 3
254 Richard Campbell . . . . .	26 10 7	28 John Kidd . . . . .	10 0 0
150 George and William Daly . . . . .	171 17 8	208 James Little . . . . .	16 0 6
284 John Donaldson . . . . .	25 0 0	354 John Shaughnesey . . . . .	19 1
285 do do . . . . .	25 0 0	355 Cornelius Donahue . . . . .	1 17 0
17 John Vanderburgh . . . . .	123 9 11	364 Thomas Finney . . . . .	1 6 9
18 F. Martindale . . . . .	4 5 3	346 Anthony Martin . . . . .	1 1 4
19 John Peart . . . . .	5 13 10	359 M. Brian . . . . .	2 5 9
309 W. H. Merritt . . . . .	63 2 1	362 George Zairts . . . . .	2 6 0
23 Jacob Flanders . . . . .	3 1 6	356 John Brown . . . . .	1 17 9
210 Thomas Read . . . . .	15 10 0	358 John Brian . . . . .	2 1 10
323 William Bredden . . . . .	4 11 9	363 William Hobbs . . . . .	6 9 9
234 Thomas Martindale . . . . .	5 0 0	342 Pat Connell . . . . .	2 2 7½
312 D. Thompson . . . . .	6 5 0	349 James Hand . . . . .	17 5
81 Stephen Boyle . . . . .	17 6	357 Peter Grunby . . . . .	2 6 3
83 do . . . . .	3 17 6	360 John Carroll . . . . .	2 2 1
38 David Wiley . . . . .	3 7 1	361 do . . . . .	3 14 9
324 John Smith . . . . .	8 18 5	347 Thomas Harding . . . . .	14 8
252 James Little . . . . .	3 17 10½	348 Dennis Ruggan . . . . .	2 10 5
226 William Kelly . . . . .	1 7 2	350 Martin Dogherty . . . . .	3 17 6
215 Jacob Finney . . . . .	1 5 0	351 Martin Healy . . . . .	4 10 3½
190 Francis Ramsay . . . . .	5 1 6	352 William Lampman . . . . .	4 0 0
246 Thomas McPatrick . . . . .	4 6 6	344 Tim. Fitzgerald . . . . .	1 2 6
222 Thomas Harding . . . . .	3 17 3	345 Michael Martin . . . . .	2 6 6
56 Pat. Motherwell . . . . .	8 16 3	171 John Clark . . . . .	126 12 3½
248 John Shaughnesey . . . . .	2 1 9	297 John Hellems . . . . .	56 0 3
277 George Rykert . . . . .	1 3 0½	186 McPherson & Crane . . . . .	16 12 0
303 Calvin Cook . . . . .	25 0 0	365 George Ackert . . . . .	40 3 9
209 Widow McKeefar . . . . .	97 15 6	50 James Little . . . . .	31 8 10
238 Henry Marshall . . . . .	26 0 0	185 Cornelius Donahue . . . . .	4 1 11
363 William Hobbs . . . . .	4 17 2	223 do . . . . .	1 17 0
337 Pat McGibbon . . . . .	6 18 0	322 Hooker & Henderson . . . . .	12 3 7
70 Smith Shotwell . . . . .	1 19 11	99 M. Dooly . . . . .	3 17 2
192 William Orderly . . . . .	27 10 0	67 John L. Burns . . . . .	10 9 0
126 John McAvoy . . . . .	3 7 7	13 E. Campbell . . . . .	3 0 0
240 do . . . . .	7 15 0	186 W. H. Boulton . . . . .	19 15 6
253 Thomas McChesney . . . . .	185 0 0	286 J. G. Storkley . . . . .	1 8 5
236 Cyrus Rose . . . . .	44 0 0	339 Russell Armington . . . . .	41 4 1
242 do . . . . .	130 19 11	330 Jon'n Woodhull . . . . .	6 15 0
231 H. N. Camp . . . . .	25 0 0		
838 Cyrus Rose . . . . .	25 0 0		
129 James Middleton . . . . .	3 8 0		
310 Richard Fluallan . . . . .	3 8 7		
146 George Keefer . . . . .	4 10 0		
74 do . . . . .	40 17 7½		

APPENDIX.

£6,717 2 3

Deduct sundry endorsements received as Toll by Collectors . . . . . 92 19 8

£6,624 2 7

No. 4.

Account of Contingent Expenses paid by the Welland Canal Company, for the year 1834.

		£	s.	d.
May.	To Directors' Expenses, viz. Colonel Elliott . . . . .	£10	6	0
	“ Col. Chisholm . . . . .	13	15	0
	“ Thomas Butler . . . . .	3	10	0
	“ Dr. Duncombe . . . . .	6	10	0
	“ Dyer's Bill . . . . .	14	2	10
	Carried over . . . . .	£	48	3 10

Report on Welland Canal.

APPENDIX.

		£	s.	d.
	Brought forward.....	48	3	10
May	To Courier, for advertising, £3 15 3—Patriot, for do., £3 15 3 .....	7	10	6
	“ P. G. Beaton, for writing in office.....	27	10	0
	“ Burns and Bassett, for stationary, 3s. 10d.—Rykert & Co., for oil, 30s .....	1	13	10
	“ Secretary’s incidental expenses .....	1	0	7½
	“ W. H. Smith, for Wagon hire.....	17	6	
	“ Rykert & Co., for stationary, 13s. 1½d.—H. Mittleberger, for do. 49s. 4½d. ....	3	2	6
	“ Whitewashing Office.....	15	0	
	“ W. C. Chace, for oil, 37s. 6d.—Lee, for agency, 15s.....	2	12	6
	“ Postage account .....	2	8	11½
June	“ W. H. Merritt’s travelling and incidental expenses .....	18	16	0
	“ W. Ware’s bill for wine, £12 4 6—Chace, for oil, £2 5 0 .....	14	9	6
	“ Peter Keefer, for supplies to vessels carrying stone .....	7	6	
	“ H. Mittleberger, for stationary .....	1	13	6
	“ Printing Pamphlets and Bills .....	29	1	3
	“ Directors’ expenses examining line of canal and harbor.....	7	13	9
	“ Expenses bringing in steam dredge .....	5	5	4
	“ Col. Chisholm’s expenses, £10—Dr. Duncombe’s do., £7 10 0 .....	17	10	0
	“ Two years’ Rent of Office, to 1st January, 1834.....	25	0	0
	“ One yoke of oxen, £20—Fixing window blinds, 16s.....	20	16	0
August	“ Hiram Leavenworth, for printing and advertising .....	29	12	6
	“ Postages for July, £2 16 1½—McFarlane, for advertising, 4s. 7d... ..	3	0	8½
	“ Collector at Port Colborne, contingent expenses.....	10	7	11½
	“ H. Mittleberger, for sealing wax .....	9	0	
Sept.	“ Dyer’s bill, £8 6 2—W. C. Chace, for oil, £6 7 8 .....	14	13	10
	“ H. Mittleberger, for stationary, 37s. 9d.—Secretary’s incidental expenses, 30s.....	3	7	9
	“ President’s expenses to Toronto, in June .....	5	0	0
	“ T. Butler, Director, 50s.—Cord Wood, 6s. 3d. ....	2	16	3
	“ Abraham Messmore, for use of a boat .....	3	15	0
	“ David Fleming .....	1	5	0
October	“ Dr. Duncombe, in May, £6—Col. Elliott, for June, £15.....	21	0	0
	“ Dyer’s bill, £10 4 9—Col. Elliott, for August, £5 .....	15	4	9
	“ For attending Directors when examining canal .....	4	5	0
	“ Office Porter to 1st September .....	1	17	6
	“ H. Mittleberger, for stationary, £2 18 11—Cutting cord wood, 5s. 7½d. ....	3	4	6½
	“ Baldwin & Sullivan, for costs on Newlove’s suit .....	14	11	9
	“ James Boulton, for costs on sundry suits on notes .....	2	0	0
Nov.	“ Stephenson, for horse and coach hire, in 1832, 33, and 34.....	18	18	9
	“ Thomas Butler’s expenses in September .....	1	0	0
	“ H. Mittleberger, for stationary, £2 12 11—Postages to 1st October, £5 11 1½ .....	8	4	0½
	“ Bringing Dredging Machine from Dundas to Port Dalhousie.....	7	13	9
	“ W. C. Chace, for oil, 7s. 6d.—Woodhull, for wick, 3s. 9d .....	11	3	
	“ Sherwood, for lightening a schooner .....	15	0	
	“ James Dittrick, for horse and wagon hire.....	1	5	0
	“ Collector Port Dalhousie, incidental expenses .....	9	0	½
Dec.	“ Dundas Post, for advertising .....	10	0	
	“ Stationary, 9s. 4½d.—Sawing cord wood, 6s. 3d.....	15	7½	
	“ Chace for oil, 41s. 6d.—Leavenworth, for Printing, £3 7 6 .....	5	9	0
	“ Thomas Butler, £3—Dr. Duncombe, £9 5 0 } Directors expenses	12	5	0
	“ Col. Chisholm, £7 10 0—Dyer’s bill 5 19 1½ }	13	9	1½
	“ Assistant to surveyor .....	3	16	6
	“ Difference of premium of exchange on £41,600 sterling, the Receiver General having charged 8 1-16 per cent, and the bills having only sold in New York for 7 per cent.....	442	0	0
	“ £41,600, at 8 1-16 premium, is £44,954, to which add one-ninth to make Halifax currency..... £4994 17 9½			
	“ £41,600 st’g at 7 per cent p’m is £44,512, add 1-9th .. 4945 15 6½			
		49	2	3
	“ Brokerage for effecting sales of the bills of Exchange in New York ....	115	11	1
	“ George Gurnett, for advertising .....	3	1	0½
	“ W. L. Mackenzie, for do. ....	10	11½	
	“ Baker, for do. 26s. 9d.—Bellville Intelligencer, for do. 20s. ....	2	6	9
	“ Dyer’s bill, for Directors .....	1	5	10½
	“ William Chisholm’s expenses (Director).....	1	15	0
	“ W. H. Merritt’s travelling and incidental expenses.....	25	0	0
	“ Ogden Creighton’s do. ....	15	0	0
	“ George Rykert & Co., for oil.....	18	1½	
	Carried over.....	£	1104	12 9½

Report on Welland Canal.

	£	s.	d.
Amount brought forward.....	1104	12	9½
CR.			
By amount received from Richard Collier, for Lumber,.....	£3	11	3
“ “ received for rent of a field at Vanderburgh's.....	7	10	0
“ “ rec'd for ironing a wagon by Company's blacksmith,.....	6	0	0
	17	1	3
	1087	11	6½

APPENDIX

Welland Canal Office, St. Catharines, }  
15th December, 1834.

JOHN CLARK, Sec'y W. C. C'y.  
W. HAMILTON MERRITT, Pres't W. C. C'y.

No. 5.

Interest Account.

1834		£	s.	d.
May 7	To amount of interest on Notes paid to date.....	18	18	6½
	“ discount on note to Commercial Bank.....£30 11 6			
	“ Agency,..... 10 0 0			
		40	11	6
	“ Half years interest on £50,000 to United States Bank, due on 16th March last at 6 per cent.....	1500	0	0
	“ Discount paid Bank of Upper Canada on Receiver General's exceptance £3,000.....	14	16	0
June 1	“ Amount of interest paid on notes to date.....	221	19	2½
	“ “ paid Bank of Upper Canada for advances made in 1831 & 1832 to pay Grand River claims.....	177	16	0
	“ Premium paid for a draft on New York per £1500, being interest on half year ending 16th March last to U. S. Bank.....	61	5	0
	“ Interest on old Balance due W. H. Merritt.....	8	4	10
	“ do.....do..... Olden B. West.....	6	11	4
	“ do.....do..... Love Newlove.....	22	10	7
Aug. 7	“ do.....do..... John Donaldson.....	148	16	1
	“ do.....do..... John Tuck.....	1	3	
	“ do.....do..... Wm. Murray.....	6	19	1
	“ do.....do..... George Keefer, Junr.....	5	17	6
	“ Dicount on draft in payment of Dredging Machine.....	2	15	0
	“ Inerest on old balance due estate of Thaddeus Davis.....	11	10	0
	“ do.....do..... A. Farr.....	2	12	6
	“ do.....do..... R. E. Burnes.....	1	0	0
	“ do.....do..... Thomas Merritt, Junr.....	144	4	2½
	“ do.....do..... J. L. Burns.....	7	7	
	“ do.....do..... Hall Davis.....	26	0	0
	“ do.....do..... J. Donaldson.....	1	6	5½
	“ do on land claim due,..... A. Marr.....	11	2	1
	“ do.....do..... J. & M. Silverthorn.....	30	1	9
	“ do.....do..... Smith Shotwell.....	76	11	7
	“ do.....do..... David Price.....	21	10	7
	“ Amount of interest on notes paid to date.....	166	7	9½
	“ Amount of interest on notes paid to date.....	22	4	2½
	“ do.....do... on sundry small claims paid J. Little.....	2	0	1
	“ Half year's interest due U. S. Bank to 16th September.....	1500	0	0
	“ Interest on old account due McLarney.....	3	6	
	“ do.....do..... John Piles.....	3	7	
	“ do.....do..... John Clark.....	2	11	5
	“ do.....do..... Love Newlove.....	7	6	
	“ Amount of interest on notes paid to date.....	10	10	4
	“ do.....do.....do.....	2	9	9
	“ Interest on old account due Garrison and Little.....	4	1	0
	“ do.....do..... Marshall Lewis.....	3	2	9
	“ do.....do..... John Kidd.....	6	9	
	“ do.....do..... James Dettrick.....	15	4	
	“ do paid Bank on £250 advanced 9th Feb'y, 1832.....	31	5	0
	“ do an old account due.... W. Emery.....	1	6	5½
	“ do.....do...(balance on Trotter's note).....	7	9	6
	“ do on land claim—Elijah Shotwell.....	2	0	
	“ do on note, No. 286.....	15	14	5
	“ do on old account due A. S. St. John.....	3	8	2
	“ do “ Orson Phelps.....	7	7	
	“ do “ H. N. Camp, and Monson & Camp.....	2	7	6
	“ do “ Craig & Boyle.....	1	8	0
	“ do “ Hill Carney.....	2	5	8
Nov.	“ do “ Jack Toyne & Co.....	1	8	0
	“ do “ Kerr Flynn.....	3	5	8
	“ do on Notes 339 and 330.....			
	Carried over.....	4347	16	1½

## Report on Welland Canal.

## APPENDIX.

Dec.

		£	s.	d.
Brought forward.....		4347	16	1½
To two years' interest on £562 10 0 sterling, remitted H. Bliss, Esq. London, per order of Board, 21st Nov., 1828.....		81	15	0
" Interest paid U. S. Bank, on £50,000, from 16th Sept. to 8th Nov. ....		441	13	5
		4871	4	6½
CR.				
By amount of Interest on Debentures received from Receiver General to 14th July .....	£196 2 10			
" balance of interest received from Bank of Upper Canada to 6th August.....	221 18 5			
		418	1	3
		4453	3	3½

Welland Canal Office, St. Catharines, }  
15th December, 1834. }

JOHN CLARK,  
Sec'y W. C. C'y.

## No. 6.

## Salaries.

To W. H. Merritt, one quarter in 1833.....	£100 0 0
" John Clark, two months in 1833.....	25 0 0
" W. H. Merritt, for year 1834.....	400 0 0
" John Clark, for do .....	150 0 0
£675 0 0	

Welland Canal Office, St. Catharine's, 15th Dec. 1834.

JOHN CLARK, Sec'y W. C. Co.

## No. 7.

## Engineer's Salary.

To George Keefet, junior, for services from 15th Nov. 1833 to 1st May 1834.....	£145 10 0
" do do for services from 1st May to 1st November 1834.....	113 5 3
£258 15 3	

Welland Canal Office, St. Catharines, 15th Dec. 1834.

JOHN CLARK, Sec'y to W. C. Co.

## NO. 8.

## Steam Dredging Machine.

Amount of cost of machinery and scow for the same.....	£718 10 0
" of expenses of bringing in the same.....	59 13 4
" of Thomas Reed's bill for boarding hands.....	2 2 6
£780 5 10	

Welland Canal Office, St. Catharines, 15th Dec. 1834.

JOHN CLARK, Sec'y W. C. Co.

## No. 9.

## Awards for Land Damage.

To amount paid D. S. Grenville.....	£6 5 0
" do Frederick Benk.....	100 0 0
" do John Shriner.....	17 3 9
" do George Shriner.....	17 3 9
" do Conrad Wills.....	7 10 0
" do Jesse Willson ..	37 1 1
" do Barton Farr.....	37 10 0
" do Widow Shaver.....	20 0 0
" do Arthur Shore.....	25 0 0
" do Estate of Hall Davis.....	17 5 0
" do J. L. Lymburner .....	62 10 0
" do William Hobbs.....	22 0 0
" do Horner & Hanley .....	12 10 0
" do Estate of Thaddeus Davis.....	51 8 10½
" do Alexander D. Hamilton.....	22 16 8
" do Alem Marr .....	76 8 1
" do Jonathan Silverthorn.....	51 10 11
" do Smith Shotwell.....	155 16 4
" do Rev. Mr. Harris .....	25 0 0
" do Elijah Shotwell .....	31 1 5

£796 0 10½

Welland Canal Office, St. Catharines, 12th Dec. 1834.

JOHN CLARK, Sec'y W. C. Co.

No. 10.

APPENDIX.

Welland Canal Commissioners.

1834			
March; 12	To paid	A. Shade.....	£ 18 7 8½
Apr / 30	"	J. Flanders.....	6 3
May 1	"	Welsh.....	13 9
"	"	John Bradt.....	1 3 9
"	"	John Toyne.....	7 16 3
May 21	"	John Brown.....	£ 1 5 0
22	"	John Macdonnell.....	1 3 9
"	"	William McCundlish.....	6 18 0
July 18	"	Jacob Ball.....	12 6
"	"	John Shaver.....	11 3
"	"	Boyle for towing scow.....	5 0
"	"	J. R. Squier.....	39 6 4
August 2	"	John Vanderburgh.....	20 0 0
8	"	Cyrus Rose.....	31 0 0½
"	"	H. H. Smith.....	1 1 6
Septem. 16	"	One night's work on Breakwater.....	5 0
October	"	Bourey & Butler for lumber.....	11 5 0
"	"	Interest paid Bank of Upper Canada on £300 advanced by them....	178 1 7
December	"	George Adams for timber.....	7 10 0
"	"	James Boles for teaming.....	1 17 6
			<hr/>
			£329 10 2
		Cr.	
		By amount received from John Donaldson, Superintendent for Commissioners	75 18 9
			<hr/>
			£253 11 5

Welland Canal Office, St. Catharines, 15th Dec. 1834.  
JOHN CLARK, Sec'y W. C. Co.

NO. 11.

Water privileges rented per statement rendered by Agent for Hydraulic Company in June last..... £540 0 0

There has been rented since as follows:—

Lock No. 2,	William May,	1 saw mill.....	£25 0 0
St. Catharines.	Water Power Company.....		125 0 0
Do	J. H. Clendinning,	1 saw mill.....	25 0 0
Do	Hughs & Son,	soapery.....	1 10 0
Locks 16 & 17,	Oliver Phelps.....		12 10 0
Thorold,	Squier & Cristy,	2 run of stone.....	50 0 0
Do	Jacob Keefer,	1 saw.....	25 0 0
Dunville,	H. Davis,	1 saw and one run stones.....	37 10 0
Do	Turning lathe, &c.....		12 10 0
Do	1 saw and 2 run stone.....		75 0 0
Port Robinson,	Trip hammer and furnace.....		12 10 0
Gravelly Bay,	Grist mill.....		25 0 0
Thorold,	Carding and fulling mill.....		15 0 0
			<hr/>
			442 10 0

Lands, &c. rented since June:

At Vandeburgh's,	1 field.	S. McCombes.....	10 0 0
At Hirsts,	1 do	J. Hirst.....	7 10 0
At Marshville,	1 do	Simson.....	7 10 0
At Dunville,	1 stone house.....		25 0 0
			<hr/>
			50 0 0
			<hr/>
			£1032 10 0

Balances due for Land Sales per statement rendered by Agent for Hydraulic Company in June last..... £422 9 2

Sold since:—Port Pobinson,	Lot No. 5,	William Bell.....	£25 0 0
	6,	H. Vanalstine.....	37 10 0
	19 & 20	Dilly Coleman.....	62 10 0
	1,	John Daily.....	25 0 0
	9,	Richard Laffan.....	12 10 0
	17,	Dr. Creighton.....	18 15 0
			<hr/>
			181 5 0

Wainfleet,	Perry & Galbraith.....	350 Acres.	
	Felix Griffin.....	150	
	William Bell.....	50	
	Buuts.....	50 b. lot.....	6 5 0
	Pat Dowlan.....	100.—700 acres at 12s 6d....	437 10 0
			<hr/>
			443 15 0

£1047 9 2

JOHN CLARK, Sec'y W. C. Co.

Welland Canal Office, St. Catharines, 7th March, 1835.

Report on Welland Canal.

APPENDIX.

No. 12.

*Statement of Amount of Loan made to the Welland Canal Company by this Province.*

In 1826 .....	£25,000	0	0
" 1830 .....	25,000	0	0
" 1831 .....	50,000	0	0
			100,000 0 0

No. 13.

*Statement of the amount of Stock taken by this Province.*

In 1827 Stock .....	£50,000	0	0
" 1833 " .....	7,500	0	0
" 1834 " .....	50,000	0	0
			107,500 0 0
			£207,500 0 0

*Amount of Interest paid by the Province on account of the Welland Canal Company.*

In 1827 the Company paid the Interest on Loan.			
" 1828 do. as well as on stock.			
" 1829 the Province paid .....	£450	0	0
" 1830 one year's interest on £ 75,000.....	4500	0	0
" 1831 " " 100,000.....	6000	0	0
" 1832 " " 100,000.....	6000	0	0
" 1833 " " 100,000.....	6000	0	0
" 1834 " " 107,500.....	6450	0	0
			£29,400 0 0

The above amount is paid by this Province in toto.  
 Toronto, 25th March, 1835.

NO. 14.

*Statement of the cost of the Welland Canal Stock, held*

By Lower Canada .....	£25000	0	0
" this Province .....	£107,500		
Loan by do. ....	100,000		
			207,500 0 0
Loan from British Government .....	55,555	0	0
Stock held by individuals.....	115,000	0	0
			£408,055 0 0

No. 15.

*The amount of Interest for which the Welland Canal Company are liable yearly.*

£55,555 to the British Government.....	£ 2222	4	0
£100,000 Province of Upper Canada, at 5 per cent.....	5000	0	0
			£7222 4 0

NO. 16.

*Estimate of the probable amount which may be required for the Welland Canal, during the present Season.*

We have now on hand, by the statement of Secretary before the Committee :

Marked A. on loan of £50,000.....	£6398	8	8
Balance of Toll Account .....	3720	7	3½
			10118 16 0

The amount of our contracts made for improving and repairs on Canal last year, amounts to above the sum on hand, or.....

			12500 0 0
--	--	--	-----------

Which will leave the Canal in debt..... £ 2381 4 0  
 The expense of Canal repairs and payment of interest will depend wholly on the income of the proceeding year, from tolls.

Report on Welland Canal.

Statement of Vessels, Boats and Property passed through the Welland Canal in the year 1834.

APPENDIX.

1,297,892 feet Lumber.	94 tons Pig Iron.
307,963 Pipe Staves.	338 " Castings.
84,092 West India Staves.	30 $\frac{1}{4}$ " Grindstones.
94,380 Cubic feet of square Timber.	2 " Mill-stones.
5,939 Saw Logs.	4 $\frac{1}{2}$ " Furniture.
264,919 Bushels of Wheat.	9 " Damaged Rope.
27,702 $\frac{1}{2}$ Barrels of Flour.	2 " Bran.
23,422 $\frac{1}{2}$ " " Pork and Beef.	2 " Hay.
59,641 " " Salt.	4 " Hides.
3,216 Bushels of Potatoes.	5 " Bagging.
223 " Oats.	2 $\frac{1}{2}$ " Horns.
200 " Corn.	8 cwt. Sheep-skins.
332 Barrels of Whiskey.	60,500 Shingles.
530 $\frac{1}{2}$ " Lard.	65 Barrels of Onions.
1,694 Kegs of Do.	16 " Beer.
46 " Butter.	47 " Cider.
96 Barrels of Ashes.	4 " Crackers.
44 Hhds. of Tobacco.	22 " Oysters.
127 Kegs of Do.	3 " Vinegar.
145 Boxes of Glass.	1 " Pitch.
105 Barrels Dry Fruit.	30 Ploughs.
59 " Nuts.	25 Casks Cheese.
201 " Apples.	28 Barrels of Grease.
6 $\frac{1}{2}$ " Fish.	6 Bags of Feathers.
20 Empty Barrels.	1,000 Rails.
93 $\frac{1}{2}$ Barrels Bacon and Hams.	29 Small Packages.
2 $\frac{1}{2}$ Tons do	1,880 $\frac{1}{2}$ Tons Merchandise.
77 " Gypsum.	570 Schooners.
117 Barrels Ground Plaster.	334 Boats and Scows, and
399 $\frac{3}{4}$ Tons of Coals.	66 Rafts—Amount of Tonnage, 37,927.

ABSTRACT shewing the Amount of Tolls collected each Month, and the amount during the Season, at each of the Ports, together with the total amount collected throughout, during the Season.

MONTHS.	PORT DUNNVILLE.			PORT COLBORNE.			PORT ROBINSON.			PORT DALHOUSIE.			TOTAL.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
April .....	28	14	11 $\frac{1}{2}$				13	15	10	63	2	5	105	13	21 $\frac{1}{2}$
May .....	27	4	2	345	2	1 $\frac{3}{4}$	41	19	11 $\frac{1}{2}$	152	12	0 $\frac{1}{2}$	566	18	3 $\frac{3}{4}$
June .....	62	18	2 $\frac{1}{2}$	562	15	2 $\frac{1}{2}$	52	11	3 $\frac{1}{2}$	191	19	10 $\frac{1}{2}$	870	4	6 $\frac{1}{2}$
July .....	102	5	9	429	6	5 $\frac{1}{2}$	28	15	11 $\frac{1}{2}$	154	11	0 $\frac{1}{2}$	714	19	2 $\frac{1}{2}$
August .....	34	5	2	342	0	10	39	4	5	124	11	6 $\frac{3}{4}$	540	1	11 $\frac{1}{2}$
September .....	9	18	5	285	3	2 $\frac{1}{2}$	38	1	9 $\frac{1}{2}$	123	10	7 $\frac{1}{2}$	456	14	0 $\frac{1}{2}$
October .....	13	8	2 $\frac{1}{2}$	268	9	0	20	5	1	215	19	0 $\frac{3}{4}$	518	1	4 $\frac{1}{2}$
November .....	58	17	10 $\frac{1}{2}$	358	12	0 $\frac{1}{2}$	12	1	3	98	4	7 $\frac{3}{4}$	527	15	9 $\frac{1}{2}$
Total .....	337	12	9	2591	8	10 $\frac{3}{4}$	246	15	7	1124	11	3	4300	8	5 $\frac{3}{4}$

Welland Canal Office, }  
St. Catharines, Dec. 1834. }

JOHN CLARK,  
Sec'y W. C. C.

Approved,  
WM. HAMILTON MERRITT,  
Pres't W. C. C.

**NO. 47.**  
**Sundry Reports.**

1

**REPORT**

APPENDIX.

OF COMMISSIONERS FOR HARBOUR AT LONG POINT.



LONDON, 4th March, 1835.

SIR,  
Enclosed you will receive a statement of what monies have been expended at the Pier at the opening at Long Point.

The work is at present in an unfinished state and the Pier has suffered some by the violent gale last fall, but not so much as might have been expected. I think the damage done may amount to about £400. The Crib has upset but not washed away and when repaired again will be the strongest part—there is £700 left and all the necessary materials on the spot to go on again next summer.

We met with more difficulties than were anticipated and those increased by the violent gales; we intend to commence operations as soon as the weather will permit. This report would have been sent before, but it had to go to Colonel Burwell and Colonel Salmon.

I have the honor to remain,  
Your obedient Servant,  
**JOHN HARRIS, President.**

WILLIAM ROWAN, Esq. P. S.

ACCOUNT.

*Dr. The Commissioners for superintending the erection of Piers at Long Point opening in Account with the Government from March to October, 1834.*

	£	s.	d.	Am't.	C'y.		Am't.	C'y.
To paid Alfred and Bishop for						By amount received at sundry times by		
Timber, - - -	205	16	6			myself from the Receiver General,	2000	0 0
" " Titus Williams, do.	40	1	0			By amount received by Colonel Sal-		
" " David Martin, do.	122	7	0			mon from ditto,	1000	0 0
" " Caleb Hazen, do.	141	15	0					
" " Jacob Burger, do.	71	16	7					
" " Joseph Jackson, do.	123	2	9					
				704	18 10			
To paid John F. Truman for								
Stone, - - -	40	11	2					
" " Edward Philpot, do.	13	15	0					
" " Nelson Montross do.	32	0	0					
" " Victor Brown, do.	10	5	0					
" " Noyes Wheeler, do.	20	0	0					
				116	11 2			
To paid Watkins and Harris								
for Spikes - - -		48	15 0					
" " William Countryman								
Oak Plank, - - -	15	0	0					
" " James Ellice, do.	7	10	0					
				22	10 0			
" " David Marr, Piling								
Machine, - - -		38	9 7					
" " George McKnight,								
Manilla Rope, - - -	7	0	3					
" " J. P. Provost - - -	4	0	0					
" " Edward P. Ryerse, for								
Freight and storage,		9	7 9½					
To paid Miscellaneous Accounts, viz :								
William Salmon for drawing Bonds £3								
0 0; Western Mercury for printing, 11s								
3d.; John Polly for Machinery, £3 2								
7; B. A. Journal do. 10s.; James El-								
lice and 7 others—extra work on the								
Piers, £10 3 1½; George S. Ryerse,								
Custom House Duties, £1 14 8½; M.								
Phillips for labour £3 4 6; Moses Mc-								
Swaine for do. £1 10; Postage of Let-								
ters 3s. 0½; Boat hire at different times								
£2 10; Henry VanAllan for towing								
the scow to outlet £1; John McMillan								
saving a crib and other property during								
a gale, 10s.; Perry for laying down								
buoys £1; John Becket for buoying								
the channel, £1 15s.; Isaac Veil for								
taking machine to the work, 15s.; ditto								
or teaming rope to ditto, 15s.				32	4 2½			
To paid VanNorman & Co. at sundry								
times,				1304	12 6			
				2288	9 4			
				711	10 8			
To balance in hand								
				3000	0 0			
Total.....				3000	0 0	Total,.....	3000	0 0

JOHN HARRIS Commissioner.

**R E P O R T**

OF THE SELECT COMMITTEE ON THE PETITION OF

**Duncan McDonell, Esquire.**



*To the Honorable the Commons House of Assembly, in Provincial Parliament assembled.*

The Select Committee to whom was referred the Petition of Duncan McDonell, Esquire, praying for a grant of money for the erection of a Bridge over the River Boudette, on the main Road leading from Cornwall to the Ottawa.

Respectfully report :—

That there is an urgent necessity for the application of a considerable sum of money in the erection of a Bridge at the place referred to in the Petition ; inasmuch as at certain seasons of the year, from the overflowing of the River, the principal communication between the two great Rivers, St. Lawrence and Ottawa, is nearly impracticable, and not unfrequently in a very dangerous state. The ground in the immediate vicinity of the River is for a considerable extent very low and liable to be overflowed, and it will therefore be necessary to construct a Causeway in a substantial manner to make travelling at all times safe. The materials for the erection of a Bridge and Causeway are to be found at no great distance from the River, and the Committee are therefore of opinion, that the sum of two hundred and fifty pounds, though perhaps insufficient for the object, should be granted to aid the inhabitants in making the necessary improvements suggested by the Petitioner. The Committee would not feel it necessary to recommend the granting of this sum if they were not confident that the Statute Labour and other available means in the District are insufficient to effect the improvements which the public convenience and the safety of travellers require.

All which is respectfully submitted.

A. CHISHOLM,  
*Chairman.*

*Committee Room, 11th March, 1835.*

**F I R S T R E P O R T**

OF THE SELECT COMMITTEE ON COMMUNICATIONS.

**Leeds Election.**



The Committee to whom were referred Copies of Letters addressed to Adiel Sherwood, Esquire, Returning Officer for the late Election for the County of Leeds, by S. P. Jarvis, Esquire, Clerk of the Crown-in-Chancery, which were communicated to this House, have met and taken the same into consideration, and agreed to the following as their first report.

Your Committee are of opinion, that Adiel Sherwood, Esquire, Returning Officer for the late Election for the County of Leeds, executing a Writ of Election, ordered by the House of Assembly, and consequently being only responsible to the House of Assembly for his conduct, should be directed by the Speaker to attend forthwith at the Bar of this House, with all documents which have been, or are now in his possession, as also all correspondence or communications from or to the Executive Government, Clerk of the Crown-in-Chancery, or any other person, relative to the said Election, and have also reported an Address to His Excellency the Lieutenant Governor requesting him to lay before this house copies of all correspondence with any person or persons whatever, relating to the late election

for the county of Leeds, as also any instructions or directions given by his Excellency to the Clerk of the Crown in Chancery requiring the said returning officer to give his immediate attendance at Toronto to complete the execution of the said Writ for the county of Leeds, by annexing the Return according to law, and also to inform the house by whose advice or council his Excellency was induced to give such directions to the Clerk of the Crown in Chancery; which they recommend for the adoption of your honorable house.

APPENDIX.

*Committee Room, 12th March, 1835.*

PETER PERRY,  
*Chairman.*

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No. 50.

## R E P O R T

OF THE SELECT COMMITTEE ON THE PETITION OF

**Nathaniel Landon.**

*To the Honorable the Commons House of Assembly.*

The Committee to whom were referred the petition of Nathaniel Landon.  
Beg leave to submit their report:—

They have examined the subject and find by the testimonials of Libeus Gardner and John Gardner that he sustained losses during the late War with the United States of America, by contributing towards carrying on the said war by having his horse and oxen pressed into the service, and not returned, and by himself contributing towards the support of the oxen, while in the employ of the officers of the Government, for which he never received any compensation—that he called upon the Commissary, and afterwards upon General Vincent, and was put off with a promise of payment at some future day, but which was not made; that he afterwards presented his claim to the Commissioners appointed to investigate the claims of sufferers during the said war, and was informed that the claim should have been paid out of the military chest, and that his claims did not come within their authority to enquire—that he was poor and had not the means of obtaining any remuneration for his losses, but by applying to your Honorable House.—Your Committee therefore recommend granting to the said Nathaniel Landon, twenty pounds, in compensation for the losses he thus sustained.

CHARLES DUNCOMBE,  
*Chairman.*

*Committee Room, 12th March, 1835.*

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No. 51.

## R E P O R T

OF THE SELECT COMMITTEE ON THE PETITION OF

**George Hamilton and others.**

*To the Honorable the Commons House of Assembly.*

The Select Committee to whom was referred the petition of George Hamilton, Esquire, and others, of the Ottawa District, praying for a grant of money to build two Bridges, one of which is over the South Petite Nation River, at New Inverness, and the other across Des Atica Creek, both on the Front Road in said District.

Report as follows:

*Resolved,* That Your Committee having carefully investigated the merits of the petition, are of opinion that the completion of the said Front Road, between

APPENDIX.

L'Original and the River Rideau (a distance of about sixty miles) is of the utmost importance to the Province generally—it being the natural route and thoroughfare from Montreal to Bytown, Kingston, and Toronto, by which the mail would be regularly conveyed twice a week in all seasons of the year.

That the want of those two Bridges presents a grand obstacle to the completion of the said road, thereby rendering it impossible to travel the same until they are built—and which your Committee are fully convinced cannot be done without Parliamentary aid.

Your Committee have therefore arrived at the conclusion, that for the erection of a sufficient Bridge across the South Petite Nation River will require a grant of not less than five hundred and fifty pounds, and for the erection of a Bridge across Des Atica Creek, will require a grant of one hundred pounds—and your Committee respectfully recommend the same to the favourable consideration of your Honorable House.

CHARLES WATERS,  
*Chairman.*

*Committee Room, House of Assembly, }  
March 14th, 1835. }*

NO. 52.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

**Dean S. Howard.**

*To the Honorable the Commons House of Assembly in Provincial Parliament Assembled.*

Your Committee to whom was referred the Petition of Dean S. Howard, praying for remuneration for extra work and labour performed in constructing the River Trent Bridge, as also materials furnished, have examined the same, together with a plan of the said Bridge and specification of the contract, the statement of Mr. B. Ketcheson, who had acted throughout as superintendant of the work under the Commission, and after full examination in conjunction with Messrs. Peter F. Swartz and Jacob Ford, and also the certificate and recommendation of the Commissioners and several other very respectable persons in the neighbourhood, recommending Mr. Howard to the favorable consideration of His Excellency Sir John Colborne, in as much as the Bridge had been built in a most substantial and excellent manner, and the exceeding low rate at which the contract was taken, and after full consideration are of opinion that the said Dean S. Howard has done extra work and furnished materials to the amount of £575—the payment of which sum to the Petitioner Your Committee have no hesitation in recommending. It appears also, upon reference to the specification and contract that materials were furnished and labour performed in filling up the approaches to the Bridge to the amount, say of £325, about which however, there may be some difference of opinion as to whether the said Dean S. Howard should be allowed that sum as extra, and above the contract, as the specification is not clear, but rather ambiguous on that point. Your Committee under all the circumstances, considering the very creditable and praiseworthy manner Mr. Howard performed and completed the work, notwithstanding the low rate at which he had taken the contract, which was considerably lower than was tendered for by others, competitors for the said work, consider it no more than an act of justice to Mr. Howard to direct the attention of Your Hon. House to this circumstance.

All which is respectfully submitted,

*Committee Room, Commons House }  
of Assembly, March 18, 1835. }*

JAMES WILSON,  
*Chairman.*

No. 53.

APPENDIX.

## REPORT

OF J. G. CHEWETT AND HUGH RICHARDSON, ESQUIRES.

On Windsor Bay, Lake Ontario.



Big Bay appears to possess facilities, and good natural properties for forming a harbour that can command, in the present low state of the lake, water seven feet in the channel of its Bar.—within the Bar is a large expanse of water, varying in depth from five to twelve feet; of this latter depth however there is very little space, the whole forming an irregular estuary, comprising a surface of about two hundred acres in extent. A point of land projects at the entrance of the Bay from the east, and from the west, in a westerly and easterly direction, and from these points, shoals extend in the same direction, the westernmost, which is by far the largest, stretching over towards the east side, and that from the east towards the west; these form the Bar, and between them on the east side of the Bay is the channel, or best water; carrying, at the present low state of the lake, about seven feet. Presuming the best means of forming this harbour to be, to follow the line marked out by nature for it, and that piers were extended from the projecting points of land along the top of each shoal until they met the channel, they would nearly land lock an area of water of about two hundred acres in extent capable in any part, from the nature of the bottom, of being dredged to a depth to suit the convenience of large vessels, whilst smaller ones may choose their water any where from the shore to five and six feet.—The natural features of Big Bay present the ground work for constructing a better artificial harbour than any that has yet been made on the British side of Lake Ontario; if we except Burlington Bay, vessels here would not have to lie surging alongside of piers, exposed to the agitation of the lake, but could run in, come to an anchor, or land alongside of a wharf, in a basin well sheltered from every wind. It is observed that a current sets in and out of the present estuary of Big Bay according to the prevailing winds; and that the water rises and falls at periods, to the extent of 2½ feet. This current will be much more felt when the channel shall be contracted by piers, and will undoubtedly serve to deepen it, but it must be expected, as the natural consequence of the current, that a small Bar will form within and without the entrance. The expense of making this harbour is considerable, but when made, it will be a more efficient one than any between Toronto and Kingston.

The following two estimates of the expense, exclusive of dredging for constructing a harbour at Big Bay, was the result of a survey made during the present month.

The first is an estimate for constructing 2500 feet of pier, 30 feet wide, filled with stone, similar to the pier near the Garrison of this place, amounting to £9410 13 9.

The second is an estimate for constructing a breakwater and pier, agreeably to the plans herewith; amounting to £7454 5 0.

*First Estimate.*

	£	s.	d.
1672 Toise Stone.....	32s.	6d	2692 0 0
214,200 feet Pine Timber.....	15s.	0d	1606 0 0
Labour on 214,200 feet Timber.....			3424 0 0
Oak for Pins.....		50 0 0	
Iron above water, 9 tons.....		157 10 0	
Plank Covering.....		500 0 0	
Contingencies .....		991 3 9	
<b>Total cost of Piers.....</b>			<b>£9420 13 9</b>

*Second Estimate.*

	£	s.	d.
2640 Piles, equal to 6600 feet Oak, at.....	20s.	660 0 0	
80 M. feet Square Pine Timber.....	15s	600 0 0	
Cost driving 2640 piles.....	7s. 6d.	990 0 0	
Cost framing 80 M. feet Timber.....		1280 0 0	
Iron for Bolts.....		160 0 0	
600 Toise large Stone.....	32s. 6d.	975 0 0	
Contingencies, arduous work.....		799 15 0	
<b>Total cost Breakwater.....</b>			<b>£5464 15 0</b>
<b>Eastern Pier, being a proportion of Estimate No. 1, for 528 feet, contingencies included.....</b>			<b>1989 10 0</b>
<b>Total cost of Breakwater and Pier.....</b>			<b>£7454 5 0</b>

Dredging will cost from 2s. to 2s. 6d. per yard, and a Dredging Machine of ten or twelve horse power will be requisite for the use of the harbour, together with proper Lighters.

All which is most respectfully submitted.

J. G. CHEWETT,  
HUGH RICHARDSON.

## R E P O R T

### OF THE SELECT COMMITTEE ON THE PETITION OF **George Truscott, Esquire.**

*To the Honorable the House of Assembly.*

The Select Committee on Trade to whom was referred the petition of Messrs. Truscott, Green & Co., Bankers of this City, have, in obedience to the order of the House, enquired into the circumstances and standing of the Agricultural Bank, and from the statement sworn to before the Mayor, by the senior Partner and Cashier, the inference is, that there are ample means on the part of the establishment to meet the demands that may be made against it—and that the private fortunes of the Co-partners afford a good ground for believing that if the affairs of the Bank continue to be managed with even ordinary prudence and circumspection, the public will have a fair and reasonable security afforded them against risque of loss.

In the course of Mr. Truscott's examination, your Committee ascertained that it sometimes happened that the Bank has taken as collateral security from persons borrowing, on notes of hand for ninety days, conveyances of their landed estates, giving them back bonds to re-convey the property in the event of punctual payments. This appears to be an objectionable course—not within the strict limits of banking operations.

Your Committee report the evidence, with the statement of the affairs of the Bank already referred to—that statement is drawn out in such a form as the Co-partnership thought the most expedient, and contains such information as they consider it expedient for a private Bank to afford to the Legislature. Whether its details are or are not sufficiently ample and satisfactory, is a question on which, in the case of an Institution requiring no exclusive privileges from the Legislature, your Committee will not undertake to express an opinion. In England many similar establishments carry on business without restriction, except as to the number of partners. In the State of New York they are prohibited. In Nova Scotia and Lower Canada, any number of unincorporated Banks may be established. In Scotland there are thirty Banks not Chartered, in some of which, the partners are few, while in others, they extend to the number of four or five hundred.

JAMES WILSON, *Chairman*,  
W. L. MACKENZIE,  
PETER SHAVER,  
JAMES DURAND.

*Committee Room, House of Assembly, }  
March 18th, 1835. }*

## C O M M I T T E E O N T R A D E .

*Tuesday, March 17th, 1835.*

The Committee met.

PRESENT—Messrs. *Wilson, Durand, Gibson and Mackenzie.*

The Petition of Messrs. Truscott, Green & Co. was read as follows :

*To the Honorable the Commons House of Assembly, &c. &c.*

The Petition of GEORGE TRUSCOTT and JOHN CLEVELAND GREEN, of the Agricultural Bank, City of Toronto, respectfully sheweth :

That Your Petitioners have, in the month of May 1834 entered into a co-partnership, under the firm of Truscott, Green & Co. and have, in the same month, opened a Banking Establishment in this City, entitled "the Agricultural Bank, City of Toronto."

That from the commencement they have been most anxious to place before the public a statement of their affairs, and to inspire confidence by furnishing satisfactory evidence of their solvency.

That hitherto they have had no opportunity of doing so, their Bank being altogether a private one, and subject to no other control than what may be exercised over it by the Legislature.

That they have not as yet been called upon by Your Honorable House to make such statement of their transactions, as they humbly conceive the country has a just right to expect from them.

**NO. 54.**  
**Sundry Reports.**

That in the absence of such inquiry or investigation into the state of their affairs, reports injurious to their credit and stability have been industriously circulated by a rival establishment, and that therefore, as well for the protection of their own character as to afford satisfaction to the public at large, they humbly pray that you will be pleased to institute an immediate inquiry into the capital and operations of the Agricultural Bank from its first commencement, with a view to its being placed before the public for their consideration and satisfaction.

APPENDIX.

And Your Petitioners as in duty bound will ever pray,

TRUSCOTT, GREEN, & Co.

Toronto, 9th March, 1835.

GEORGE TRUSCOTT, Esq. Banker, Toronto, called in and examined.

Have you any statements prepared of the funds and property of your establishment, and of its means to meet its engagements? I place before the Committee several documents.

Here the witness delivered into the Committee a statement of the funds and liabilities of the Agricultural Bank, and of the private estate and property of its partners, sworn to by the senior partner and Cashier before the Mayor of Toronto, and marked A; also a letter from the firm of Truscott, Green, & Co. addressed to the Committee and marked B.

Who compose the partners? Mr. John Cleveland Green, of Stamford Cottage and myself, the third partner who was to have joined the firm was detained in England by the sudden illness of his brother-in-law, since dead. We are now in treaty with a gentleman of large property in this country, who is expected to join the firm.

We understand the statement you have given in to mean that there is a balance in favour of the Bank of £9688 17 8, over and above the liabilities, and independent of the bullion, specie, notes of other establishments, and government debentures, in your hands. Is it so? Yes.

Do you take any landed security on loans? Only as a collateral security on 90 days notes in lieu of endorsers.

Have you in any case taken the conveyance or deed of a man's property in security for a 90 days note, giving him a bond? Yes.

In how many cases? Perhaps in a dozen cases or more.

Do you consider this as a part of the regular business of Banking? It has at all times been considered so in England, but it has injured a good many private Banks in that country. They gave loans on landed security when land and prices of grain were extremely high; and consequently, when these securities fell perhaps a hundred per cent on the return of peace, low prices and cash payments, the Banks became embarrassed.

Do you intend to continue the practice of taking deeds as collateral security for the payment of 90 day notes? We would prefer the other mode, but must be guided according to circumstances.

What is the condition of the bond given to you? To reconvey whenever the debtor pleases to make payment.

If any 90 day notes is not paid when due what steps are taken? The co-partnership can proceed in the same manner as if it were a mortgaged estate.

What is meant by the words "general drawing Accounts," in your statement? The balances due to individuals which they may draw out of the Bank at pleasure.

What is the greatest amount of Notes you have ever had in circulation? We have never signed more than £45,000, consequently the circulation must have been under that amount, part being in the hands of our brokers, and a sum on hand at the Bank.

What is your opinion on the question, whether a Bank could be established on a principle of long credit, to suit the farmers? A Loan Office might do on that plan, but a Bank is unfitted for it. By the renewal system, the borrower in reality, pays 10 to 12 per cent., if the expense and trouble be considered.

**[A.] AGRICULTURAL BANK.**

ASSETS.	£ s. d.	£ s. d.	LIABILITIES.	£ s. d.	£ s. d.
Amount of Bills and Promissory Notes Discounted and Payable on Demand to 16th March, 1835, inclusive.....	29052 17 8	.....	Amount of Notes in circulation at the close of the 16th March, 1835..	37766 10 0	.....
Estimated amount in the hands of our Correspondents,.....	3500 0 0	.....	Amount in course of transit, .....£1100	.....	.....
	.....	32552 17 8	Estimated amount in the hands of our Correspondents,.....	8000	9100 0 0
Estimated amount of Specie, Bullion and Notes of other Banks in the hands of our Correspondents in this Province and at Buffalo,.....	.....	17500 0 0	Amount of Balances on General Drawing Accounts,.....	4236 5 2	28666 10
	.....	.....	Amount on Deposits,.....	7461 4 10	.....
	.....	.....	Balance in favour of the Bank exclusive of Bullion, Specie, Notes of other Establishments and Government Debentures in hand at Toronto, New York and England,.....	.....	11697 10 0
	.....	.....		.....	9688 17 8
	.....	£ 50052 17 8		.....	£ 50052 17 8

The Mutual Estate of the Copartners of the Agricultural Bank amounts to at least £40,000 above our debts and liable for the engagements of the Bank.

GEORGE TRUSCOTT, of the Firm of Truscott, Green & Co.  
W. H. FRYER, Cashier of the Agricultural Bank.

## Sundry Reports.

APPENDIX.

*City of Toronto } Personally appeared before me Robert Baldwin Sullivan, Mayor of the said City,  
to Wit. } George Truscott of the City of Toronto, Banker, and William Henry Fryer, his  
Cashier—who being severally sworn on the Holy Evangelists, make oath and say, that the within account  
is just and true in all the particulars, to the best of their knowledge and belief respectively.*

*Sworn before me this 17th }  
day of March, 1835. }*

GEO. TRUSCOTT,  
W. H. FRYER.

R. B. SULLIVAN, *Mayor.*

**B.**

*Toronto, 16th March, 1835.*

*The Honorable Chairman of the Board of Trade.*

SIR,

In placing before you the accompanying statement of the Assets and Liabilities of the Agricultural Bank, I beg to state, that under present circumstances, when the Bank of Upper Canada, is endeavouring, by means of their large capital, and the advantages which they derive from their connexion with the Government, to effect our ruin, which they seem to be determined on, at any cost to themselves.

We do not think it prudent to declare the amount of our cash and other resources immediately available in Toronto, New York, and England, all we have desired to shew, in our statement is that independently of these resources, which we do not specify, and supposing them not to exist, our Bank is perfectly solvent, and able to meet its engagements from the funds we have above particularized.

We have the honor to be,

Sir,

Your most obedient humble servants,

TRUSCOTT, GREEN, & Co.

No. 55.

## R E P O R T

OF THE COMMISSIONERS OF THE BURLINGTON BAY CANAL.



*To His Excellency, Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

The Commissioners appointed for the Burlington Bay Canal, beg leave most respectfully to Report, upon the state of the work entrusted to their care.

Since the Commissioners had the honor of making their last report to Your Excellency, nothing has been done to the Canal, either in deepening it or otherwise repairing it, for the want of funds—excepting some repairs made to the bridge, which has been done upon the responsibility of the superintendent.

The whole of the work laid down by Mr. Kerr remains permanent and secure. In consequence of the fall of water in Lake Ontario, it will be necessary to deepen the Canal for a considerable extent, some of the steam-boats, and heavier schooners have experienced much difficulty in passing through, during the past season.—And to prevent the sand forming into bars, within the channel of the Canal, it will be necessary to construct an inner work, on the Lake Ontario side, similar to the one laid down in 1832—thereby contracting the channel of the Canal to an uniform width, which will have the effect of forcing out all sand that may be driven in during the easterly winds, and to make the entrance of the harbour more safe and convenient, it is necessary that the North Pier in Lake Ontario should be extended 120 feet, which will check the cross sea, experienced at present in entering the harbour in an easterly gale.

The Piers, or cribs laid down in 1831 by Messrs. Mann and Spaun, late contractors, particularly the South Pier in Lake Ontario, will require filling up with stone, which will add much to the security of the work.—The Superintendent has been directed to furnish estimates for the improvements recommended; which the Commissioners request Your Excellency will be pleased to recommend to the consideration of the Legislature.

All which, is most respectfully submitted.

W. CHISHOLM,  
WM. APPEGARTH.

*Burlington Bay Canal, }  
December 31st, 1834. }*

**ESTIMATE for improving the Burlington Bay Canal, by order of the Commissioners, 31st December, 1834.**

APPENDIX.

For deepening the Canal, say 1½ feet deeper than at present, 500 yards in length, and averaging 30 feet wide, a 4d. per foot.....	£1125	0	0
For inside work, to contract the Channel between the Piers in Lake Ontario, say 470 feet in length, laid down upon a base or foundation of 35 feet, averaging 12 feet in height, will require .....	1109	0	0
To lengthen the North Pier in Lake Ontario 120 feet.....	450	0	0
For filling up the Cribs of the South Pier in Lake Ontario, laid down by Messrs. Mann & Spaun in 1831, 100 cords Stone, a 15s.....	75	0	0
Add 10 per cent. for arduous work and casualties.....	275	18	0
Superintendance.....	300	0	0
		<u>£3334</u>	<u>18 0</u>

Provincial currency.....

WILLIAM J. KERR,  
Superintendent.

Burlington Bay Canal, }  
December 31st, 1834. }

ACCOUNT.

BURLINGTON BAY CANAL,

In Account with William J. Kerr.

2nd November, 1833.—Balance due Wm. J. Kerr, as per statement transmitted to the Receiver General.....	£	9	13	3
18th December, 1833.—To paid Henry Thum for Blacksmithing done for the Canal in 1832, as per account, short credited.....		4	16	3½
To paid John C. Williams for repairing the Bridge, as per account.....		8	8	10
15th September, 1834.—To paid Hart & Corry for Stone to repair the foundation of the Bridge, by order of the Commissioners.....		10	7	6
		<u>£33</u>	<u>5</u>	<u>10½</u>

Provincial currency,.....

Due WILLIAM J. KERR,  
Superintendent.

Burlington Bay Canal, }  
December 31st, 1834. }

REPRESENTATION

FROM MAGISTRATES OF THE NIAGARA DISTRICT.



[COPY.]

To His Excellency, Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

The Magistrates of the Niagara District, in General Quarter Sessions assembled,  
HUMBLY REPRESENT:—

That they have to lament that the number of Prisoners at present confined for claims alleged to have been by them committed, but not cognisable by a Court of Quarter Sessions, has increased since last Court of Assize and Oyer and Terminer, in proportion, exceeding what any past year has brought to the Bar for Trial. Debtors too, and of the poorest description, have also increased, and the Gaol of the Niagara District, situated on the Frontier, seems fated to be the receptacle for Debtors and Criminals from every quarter.

Your Petitioners regret, moreover, that among the Prisoners, are Women and young Children, and many of the Men, in a state of starvation and nakedness.

That the Grand Jury of the present General Quarter Sessions have laid before the said Court, a Presentment, comprehending various subjects, and therein have adverted to the crowded state of the Gaol, for their consideration, and appealed to the humanity of the Magistrates, for the temporary relief of the Prisoners.

Your Petitioners now particularly beg leave to call the serious attention of Your Excellency to the absolute necessity of extending to the District of Niagara a second Court of Assize and Oyer and Terminer. The advantages to be derived will be incalculable—Culprits will be brought to an earlier trial—the innocent will be restored to Society—and the guilty brought to punishment without undergoing a lengthy, dreary and solitary imprisonment before their acquittal or condemnation.

Your Petitioners would further represent, that individuals unhappily confined under the Law of Imprisonment for Debt would sooner acquire the privileges extended to them by the Law of Insolvency, and the Creditor, whom delay often makes the Debtor, would be enabled to recover his claims earlier and avert a similar impending evil.

Your Petitioners, therefore, most humbly request Your Excellency to grant a second Court of Assize and Oyer and Terminer to the Niagara District. And if the prayer of your Petitioners to the fullest

## Sundry Reports.

APPENDIX.

extent cannot prevail, may Your Excellency then be pleased to extend to this District a Special Commission for holding a Court of Oyer and Terminer in the vacation between Hilary and Easter Terms next, and thereby afford relief to the responsibility of the Sheriff, the expense of the District, and the miseries of the unfortunate fellow-creatures confined.

And as in duty bound, your Petitioners will ever pray.

By order of the Magistrates in General Quarter Sessions.

JOHN CLARK, *Chairman.*

30th January, 1835.

[COPY.]

I beg respectfully to report that I have shewn this Memorial to my brother Judges, and that we are all of opinion, that the answer given by us in a former reference by His Excellency, the Lieutenant Governor upon the propriety of establishing a second Circuit, contains all that it is in our power to say on the subject. We observed, that our former report was brought under the consideration of the Legislature, and we are not aware that any measure has been adopted in consequence.

JOHN B. ROBINSON, *C. J.*

2nd March, 1835.

NO. 57.

## PETITION

FROM THE MECHANICS' INSTITUTION, KINGSTON

*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

The Petition of the undersigned, the Committee of Management of the Kingston Mechanics' Institution;

HUMBLY SHEWETH:

That the Institution, which your Petitioners represent, is one which has been established by the Mechanics and some other inhabitants of the town of Kingston, for the cultivation of Science, Literature and the Arts, for the foundation of a Library, and the collection of a Museum of specimens illustrative of Natural History.

Your Petitioners would represent to Your Excellency, that the said Institution has been formed for nearly a year, and that during that time, it has prospered to a degree which those who interested themselves in its establishment could have scarcely expected, considering the difficulties which had necessarily to be encountered. They have the satisfaction of stating, for the information of Your Excellency, that several hundred volumes of a Library have been already given to the Institution; that a Reading Room for the use of the Members have been established; and that a great number of fossils, minerals and other natural curiosities have been collected.

Your Petitioners would beg leave further to represent to Your Excellency, that the prospects of the Institution are most encouraging, and that if the means at its disposal were commensurate with the wide field of exertion open to it, the most useful and gratifying results would ensue.

Your Petitioners therefore, relying upon that attention to the subject of Education which has ever been manifested by Your Excellency, and confidently appealing to Your Excellency's sense of the great importance of improving the mental condition of the working classes, and thereby increasing the spirit of honorable enterprise, and exalting the moral character of the people, humbly beg that Your Excellency would recommend a grant of money to be faithfully applied to the legitimate objects of the Kingston Mechanics' Institution.

And your Petitioners as in duty bound will ever pray.

Kingston, 14th Feb'y, 1835.

John Macaulay, *President,*  
James Nickalls, Junr., *1st V. President,*  
A. J. Ferns, *2nd Vice President,*  
Francis M. Hill, *Cor. Secretary,*  
A. McNabb, *Rec. Secretary,*  
David John Smith, *Treasurer,*  
R. Jennings,  
Thomas Mosson, } *Committee.*  
John Mowatt,  
R. M. Rose, }

Thomas Askew,  
S. Morley,  
Charles Sewell,  
John Cullen,  
James Meagher, } *Committee.*  
Peter Reas,  
David Sealey,  
John Oliphant,  
Walter Eales,  
William Stewart.

NO. 58.

APPENDIX.

MEMORIAL

OF M. BURWELL, ON THE SUBJECT OF EDUCATION.

*To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

The Memorial of Mahlon Burwell, Esquire. most humbly sheweth:—

That although your Memorialist is at present a private individual, he trusts that he may beg permission to draw Your Excellency's attention to the subject of Education, which of all others deserves the serious consideration of the Legislature, and that having devoted much of his time, and a great deal of labour to this important matter, he may be pardoned for urging Your Excellency to crown your prosperous administration of the colony by exerting all your influence with the Parliament now in Session, to perfect such a system of Education for the Province as the improved state of society requires, and which is no less necessary for the happiness of families than the stability of good Government.

This rapidly growing Colony, advancing as it is doing beyond any other country in population and commerce, and becoming the asylum of thousands of intelligent and respectable emigrants from the father land, may be pronounced at this moment totally uneducated—for the little instruction given to the children under the name of education has no influence over their morals—does nothing to open or expand their intellectual faculties, much less to direct them in their conduct through life—English reading imperfectly taught, something of writing, and the first five rules of arithmetic, which the teachers we employ are seldom able to explain, make up the meagre sum total of what the rising generation learn at our Common Schools.—The law passed in 1816, for the establishment of Common Schools throughout the Province doubtless contains many useful provisions, and may be considered in reference to the time of its enactment honorable to the Legislature, more especially as it was sustained by a liberal appropriation, but unfortunately this liberality was of short continuance, and when nearly two-thirds of the original appropriation was withdrawn, the efficiency of the measure was entirely gone. Several attempts have been made to amend this law, and to encrease the assistance given from the Provincial Treasury to more than its original amount, but hitherto without effect. In 1832, a Bill was reported to the Commons House of Assembly for this purpose, by the Select Committee on Education, embracing all the benefits of the Scotch and New York systems, and making such financial provisions as would ensure its efficiency. In preparing this measure, information was anxiously sought from all quarters—those gentlemen most conversant with the subject, living in the Province, were consulted, letters were addressed to others at a distance; the admirable systems adopted in Prussia and Bavaria for the instruction of youth, were explored so far as authentic information could be obtained. From all these sources the Committee selected and arranged, in the form of a Law, what they considered most beneficial, and after much research and deliberation reported the same Bill, with some small amendments, during the last Session, for the adoption of the House of Assembly. It was well calculated, as they believed, to place the instruction of the youth of the Province on a substantial basis, and contained within itself, the power of extension to the most distant settlements, the moment they were formed. The labours of the Committee have proved hitherto unavailing. No progress has yet been made towards passing it into a law. It is, however, ready at hand, to be taken up by any Member, and although it is not presumed to be altogether perfect or incapable of improvement, it may be truly said, that more time and research and consideration have been spent in its preparation, than are commonly bestowed upon any measure that comes before the Legislature; and it is earnestly hoped that this Session will not pass away without taking it up and passing it into a Law, with such alterations and modifications as in the wisdom of the different branches of the Legislature may seem meet.

Your Excellency's Memorialist begs respectfully to state, that the attention of the Select Committee was directed to the situation of the District Schools—these had remained as they were first established in 1807, without any material alteration, although the population of the Province had increased nearly six-fold, and its wealth more than twenty-fold. The measure proposed by the Report of the Select Committee on Education, in reference to District and Grammar Schools, was accompanied by a Bill which had two great objects in view. First, distributing among the District and Grammar Schools in the way of endowment, & on equitable principles, portions of the land which had at a very early period, been set apart for the support of such Seminaries, and which his Majesty had recently with Royal munificence, placed at the disposal of the Colonial Legislature—provision was also made for building proper School Houses, of durable materials, and residences for the Masters, on a regular and uniform plan; and authority granted to assist such Grammar Schools, other than those named District Schools, which might grow up in populous Towns, or neighbourhoods. The second object was to establish a proper vigilance and inspection, that these superior Schools might be efficient and in every respect answer the intention of their institution, and so connect them with the Common Schools as to make them part of one great system of Education, adapted to the whole Province, and containing in itself the power of embracing new Townships and Districts as they become organized and require the higher degrees of instruction which the District and Grammar Schools are intended to furnish. Indeed, the scale on which such Seminaries were by this measure to be ultimately established, that of two Classical Masters—one Mathematical Master, and a Teacher of Reading and Writing and all the Common Branches of English instruction, would, when brought into full operation, have placed within the reach of the inhabitants of the Province, an Education for their children, which left little further to desire.

From this brief review, it appears that the Committee on Education, appointed by the last House of Assembly, had matured a system of Common School, and District and Grammar School Education, in all their branches, for the whole Province, and that its labours had been great in accomplishing this object.—Suffer your Memorialist therefore to entreat Your Excellency to call the attention of the Legislature, dur-

## Sundry Reports.

## APPENDIX.

ing the present Session, to the consideration of these measures, so nearly advanced to a state of maturity, and to the great necessity of passing them without delay, with such alterations and modifications as may to their wisdom appear expedient.

And your Memorialist will ever pray.

M. BURWELL.

Port Talbot, January 20th, 1835.

No. 59.

## R E P O R T

OF THE

SELECT COMMITTEE ON THE MESSAGE OF HIS EXCELLENCY AND DOCUMENTS

RELATIVE TO THE

PROVINCIAL PENITENTIARY.

The Committee to whom was referred the message of His Excellency, the Lieutenant Governor and the Documents accompanying the same relative to the Provincial Penitentiary, and the Petition of George Oliver and others on the same subject ;

RESPECTFULLY REPORT :

That the Legislature of the Province having determined on the expediency of building a Prison or Penitentiary for the reception of convicts, and having granted a large sum of money for the erection of a suitable building at Kingston, which is now so far completed as to be ready to receive such criminals as are at present in confinement, or who may hereafter be condemned to punishment by the Courts of the Province, in order to carry into effect the object of the Legislature, it becomes indispensable to provide means for defraying the expense that must necessarily be incurred in the superintendence and proper management of such Prison or Penitentiary, from the public funds, for at least a limited period.

The employment of convicts in the manufacture of various articles, from the sale of which a fund may, in future years, be raised to defray the expense of the Prison, is a question to be dealt with by the Legislature in the manner they may deem the most wise and expedient, but the Committee venture to express a decided opinion that the labour of convicts should never be permitted under any circumstances, to come into injurious competition with the honest and industrious mechanic, and therefore if at any time it should be thought advisable to permit the manufacture of articles of any description in the prisons of the country it is recommended that they be exported, and sold without the limits of the Province.

The chief, if not the only labour, however, that the Committee would recommend that convicts should be employed in, is the breaking of stone to Macadamize and repair the highways of the Province, and in quarrying stone in the rough for building, and it probably would be of advantage to establish depots for the sale of those articles in places throughout the Province, to which they might be easily transported, and where stone is not abundant or generally found, the proceeds being paid into the Provincial Treasury.

The Committee are further of opinion that as the several Districts of the Province will be relieved from a heavy charge in maintaining the convicts that have heretofore been confined in the different gaols—a sum proportionate to the expense they have heretofore been subject to, should be paid from the funds of each District annually towards the support and in defraying the charge of maintaining the Penitentiary.

As the Committee have no satisfactory evidence of the amount that will be required annually for the efficient management of the Penitentiary, they recommend that a bill be passed authorising the Lieutenant Governor or person administering the Government of the Province to advance the necessary amount from the public funds for the ensuing year, which sum will form a data on which to estimate future specific grants.

The draft of a bill specifying the labour which the convicts in the opinion of the Committee should be engaged in, and the manner of disposing of such labour accompanies this Report.

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All which is respectfully submitted,

*Committee Room, Commons House }  
of Assembly, March 23, 1835. }*

C. A. HAGERMAN,  
Chairman.

NO. 60.

## R E P O R T

OF THE SELECT COMMITTEE ON ASSESSMENT OF THE  
**Eastern District.**

*To the Honorable the House of Assembly.*

The Committee, upon the Assessment of the Eastern District, have to Report to your Honorable House, that they are unable to come to any conclusion upon the matter submitted to them in consequence of the Treasurer of that District having declined complying with the request of the Committee, which is contained in the following Letter :

*To Alexander McLean, Esquire, Treasurer Eastern District.*

SIR,

Pursuant to a Resolution of the House of Assembly, of which the following is a copy :

“ That Donald Æ. McDonell, Colonel Alexander Chisholm, Peter Shaver, and Dr. Bruce, be a Committee to enquire into the expenditure of the Assessment of the Eastern District, and that they have power to send for persons and papers.”

In order that the Committee may be enabled to make a satisfactory Report, pursuant to the above resolution, I am directed by the Committee to request that you furnish them with a statement of the different loans from the Bank or Banks, for the erection of the Gaol and Court House, together with the amount repaid the Bank as principal or interest, with the dates of such payments, as also the amount paid to the Gaol and Court House Commissioners, including the date of such payments.

The Committee also request that you will include in your account the amount of the half yearly rate of Assessment since first levied.

The Committee further request that you will furnish them with a statement of taxes realized upon wild lands advertised for sale, and the appropriation thereof, also the amount of taxes upon unoccupied lands paid to the Treasurer since eighteen hundred and twenty eight, including the lots upon which this money has been raised, and the appropriation thereof, also a statement of the debts of the district, up to last Quarter Sessions. By order of the Committee.

I am

Sir,

Yours respectfully,

D. Æ. McDONELL,

*Chairman of Committee upon  
Assessment, Eastern District.*

*House of Assembly Committee Room, 30th Jan'y, 1835,*

In answer to this Letter your Committee beg leave to Report :

That the Treasurer of that District has refused to comply with the reasonable request of the Committee. The Treasurer endeavouring to screen himself under an authority of the Magistrates of that District.—Your Committee further Report, that as they were unwilling to take any step, that could be construed into a stretch of power, came to the resolution of applying to him a second time by letter, of which the following is a copy :

*House of Assembly, 10th March, 1835.*

SIR,

I have laid the decision of the Magistrates of the Eastern District before the Committee upon the Assessment of that District: I am directed by the Committee to acquaint you, that unless you comply forthwith with the request of the Committee heretofore made, that immediate steps will be taken to compel your personal attendance, with the necessary documents.

Yours, &c.

D. Æ. McDONELL,

*Chairman of Committee on  
Assessment, Eastern District.*

## APPENDIX.

In consequence of no answer being returned to this letter, the Committee have come to the following resolution :

*Resolved*, That this Committee are of opinion, that the Public Accounts of the Eastern District are in such a state as to require a public investigation, and are of opinion that the conduct of the Treasurer of that District has been improper in refusing to comply with the request of the Select Committee of Your Honorable House.

D. Æ. McDONELL,  
*Chairman of Committee on  
Assessment, Eastern District.*

*Committee Room, 24th March, 1835.*

NO. 61.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

**W. J. O'Grady.**

*To the Honourable the House of Assembly in Parliament Assembled.*

The Select Committee to whom was referred the petition of the Reverend Dr. W. J. O'Grady, praying that the proprietors of the Advocate and Correspondent may be paid for publishing the debates and proceedings of the Legislature during certain sessions of the last Parliament in like proportion as was paid to the other editors of newspapers in this city, respectfully report as follows :

Your Committee perceive that while the proprietors of the Courier, Freeman, Guardian, Observer and Patriot, were, either by themselves or their agents, assisted with public money, by vote of the House of Assembly, from year to year, in circulating thro' the press to their readers the debates and proceedings of that House, the conductors of the Advocate and Correspondent newspapers were left to their own resources, except the £50 voted to James King, Esq. the late proprietor of the Correspondent for the year 1833.

Your Committee called on Mr. Mackenzie to explain why he had declined to comply with the wishes of the last House of Assembly, as expressed by their vote in the Session of 1834, calling on him to present his claim. His answer and the petition of the proprietor of the Correspondent are annexed hereto.

After having given the matters contained in the petition the most serious consideration, the committee are of opinion that the Correspondent and Advocate Newspapers were no less deserving of support from the House of Assembly, than the other papers, which by the vote of the House in the Session of 1834, have been so liberally recompensed, and they therefore recommend that there be paid to the Rev. Dr. W. J. O'Grady, proprietor of the Correspondent, out of the contingent funds of the House, for Reporting during the Session of 1834, the sum of £ and William L. Mackenzie, Esq. proprietor of the late Newspaper called the Colonial Advocate, the sum of £ payable out of the same fund, for having published during the years 1832, 3 and 4, the votes, debates and proceeding of the House of Assembly.

All which is respectfully submitted.

DAVID THORBURN,  
*Chairman.*

*Committee Room, House of Assembly, }  
March 25th, 1835. }*

*To the Honourable the House of Assembly, &c. &c. &c.*

The humble petition of the Rev. W. J. O'GRADY, B. D. Proprietor of *The Correspondent* newspaper in this City.

Sheweth :

That in consequence of certain Resolutions adopted by Your Honorable House, in the last Parliament, the Press of this City was encouraged to report its Votes, Resolutions, Debates, &c. under a belief that if grants of the public money were made for such services, they would not be confined to the presses alone which agreed in opinion with the majority of that Assembly and the local government, but would also be extended to

those presses which conscientiously opposed their measures; or in other words, that no favouritism would be shown, on the score of political opinion, having a direct tendency to build up certain presses and put down others.

APPENDIX.

That, on referring to the Journals of your Honorable House, your petitioner finds, that the payments made to the presses, here, under this protecting system, were as follows:

*For Session of 1832.*

To the Courier.....	G. Gurnett.....	£150 0 0
To the Advocate.....	W. L. Mackenzie.....	Nothing.
To the Guardian.....	S. Junkin.....	50 0 0
To the Observer.....	J. Carey.....	100 0 0
To the Freeman.....	F. Collins.....	100 0 0

*For the Session of 1833.*

To the Advocate.....	W. L. Mackenzie.....	Nothing.
To the Courier.....	G. Gurnett.....	£150 0 0
To the Correspondent.....	James King.....	50 0 0
To the Guardian.....	S. Junkin.....	100 0 0

*For the Session of 1834.*

To the Courier & Patriot ...	per M. Walton.....	£100 0 0
To the Courier (additional).	G. Gurnett.....	25 0 0
To the Guardian.....	S. Junkin.....	100 0 0
To the Freeman.....	F. Collins.....	50 0 0
To the Correspondent.....	Dr. O'Grady.....	Nothing.
To the Advocate.....	W. L. Mackenzie.....	Nothing.

It will thus appear that the oldest press in this City, the *Advocate*, a paper of avowedly liberal principles, and well known extensive circulation, was overlooked, and that although, a Committee was appointed to remunerate Reporters in 1834, no enquiry was made, with respect to the *Correspondent*.

Your petitioner, as proprietor of the latter Journal, respectfully submits, that a faithful account of the proceedings of the last Session, was, through its medium, placed before the public; and he therefore requests Your Honorable House will be pleased to give that consideration to his claim, and to that of the *Advocate*, for reporting, as the other presses have been in the habit of receiving for similar services, not more faithfully rendered.

And your Petitioner, as in duty bound, will ever pray.

W. J. O'GRADY.

*Correspondent Office, Toronto, }  
13th March, 1835. }*

York Street, Toronto, 17th of March, 1835.

Sir,

In reply to your question, why I declined to present any account for publishing in the *Advocate* the votes and proceedings of the Legislature, after the late House of Assembly had decided on upholding the press of this city in that way, and had called on me to offer a claim, I beg to state, that having been greatly injured by that house, and put to much trouble and expense by its unjust and unconstitutional proceedings towards me and towards the constituency I represented, and having also been subjected to a long continued series of ungenerous representations, through the presses, it upheld by votes of the public money, I thought it would be the right course to decline the application it made, I believed it probable that the people, at the then next ensuing elections would select representatives who would not forget to do justice to any equitable claim I might have upon the justice of the country.

I am,

Sir,

Your obedient servant,

WM. L. MACKENZIE.

*To the Chairman of the Select Committee on the Petition of }  
the Rev. Dr. W. J. O'Grady. }*

No. 62.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

**A. A. Rapelje and others.**

The Committee to whom was referred the Petition of Abraham A. Rapelje, Esquire, and others, praying for a further grant to complete and secure the Canal across Long Point in Lake Erie, and the Message of His Excellency, the Lieutenant Governor, with the Report of the Commissioners for the construction of Piers at the said Canal,

Beg leave to report as follows:—

The Committee learn from the statement of John Harris, Esquire, the President of the said Commissioners, and also from the evidence of Benjamin Van Norman, one of the Contractors for constructing the said Piers, that about six hundred feet of Pier, on the West side of the Canal or opening, has been constructed in such a manner as to withstand the storms—that some additional Piering has been done, but without equal success as to durability; damage to the

APPENDIX.

amount of nearly four hundred pounds having been done to this portion of the work which it will be necessary to replace in such manner as to render the same permanent; and also to extend the work considerably further than has yet been effected.

The Commissioners report that of the sum of three thousand pounds appropriated by the Legislature for this work, they have expended the sum of two thousand, two hundred and eighty-eight pounds, nine shillings and four-pence, leaving a balance still in their hands of seven hundred and eleven pounds, ten shillings and eight pence, which sum it would appear, from the statements of the said Contractor and of the Petitioners (taking into consideration the damage which the work has sustained) will not be sufficient to complete the same.

Your Committee therefore submit, for the consideration of your Honorable House, the expediency of complying with the prayer of the Petitioners, so far as to appropriate the sum of one thousand pounds, in addition to the sum remaining in the hands of the Commissioners aforesaid, to assist the completion of this work.

All which, is respectfully submitted.

F. L. WALSH,  
*Chairman.*

*Committee Room, House of Assembly, }  
March 26th, 1835.*

At a Meeting of the Committee appointed to examine and report on the Petition of A. A. Rapelje and others, praying for a further grant to complete and secure the Canal across Long Point in Lake Erie Met in the Committee Room, 23rd March, 1835.

PRESENT—MESSRS. Walsh, *Chairman*, Wilkinson, and Merritt.

BENJAMIN VAN NORMAN, *called in and examined.*

Q. Are you a Contractor for building Piers at Long Point?—A. I am, together with my brother.

Q. What is the nature of the contract entered into?—A. We agreed to frame, sink and pile Piers, —varying from 10 to 20 feet in width, at the rate of £1 12 6 per foot, forward—Piles 6s. 3d. each, but not pile them with stone.

Q. What length of Pier is erected?—A. 600 feet on the West side of the Cut, which is permanent, and about 110 feet in length, which is undermined and nearly capsized.

Q. In what manner are those Piers fitted together and sunk?—A. They are fitted by cross-ties, dove-tailed, 5 feet apart, in the usual manner.

Q. Have you any brush under the Piers?—A. No.

Q. What sum will be required to secure this additional 120 feet, and make all permanent as far as the Piers have gone?—A. About £600, which the Commissioners now have on hand.

Q. What additional Piering do you conceive absolutely necessary to prevent the sand coming round from the West?—A. At least 600 feet.

Q. How wide is the channel at the entrance, from the West?—A. About 2200 feet.

Q. Do you think it necessary to contract the channel at its entrance, by a Pier from the opposite or East side?—A. I think it necessary to sink a sufficient Pier to prevent the channel wearing wider than at present, but not for the purpose of contracting it.

Q.—What sum is necessary in your opinion to complete the work, and render it secure?—A. I should say at least £4000, but perhaps one thousand pounds will answer for the present year, on the West side.

BENJAMIN VAN NORMAN,

NO. 63.

## R E P O R T

OF THE SELECT COMMITTEE ON THE PETITION OF

**Nathan Smith Coho.**

*To the Honorable the Commons House of Assembly of the Province of Upper Canada.*

The Committee to whom was referred the Petition of Nathan Smith Coho, a wounded Militiaman, from the First Regiment of the Militia of the County of Lincoln.

Most respectfully Report to Your Honorable House as follows:

That Your Committee having examined into the claim of the petitioner, Nathan Smith Coho, commonly called Nathan Coho; find that he was struck off of the

Pension List in consequence of the report of the Medical Commission, appointed under the Act passed in the 2nd year of the Reign of King George the Fourth, but that latterly the wounds received by him in action with the enemy, which caused him to be placed on the Pension List, as years increase upon him, have become worse, so as in a great measure to render him incapable of earning a livelihood by hard labour.

Your Committee beg leave further to report to Your Honorable House, that in order to satisfy themselves of the actual state of the Petitioner at this time, as regards his ability to gain a living by labour; they caused him to be examined by several Medical Gentlemen.

And from all the circumstances that have come to their knowledge, they consider him as entitled to the favourable consideration of Your Honourable House, and beg leave to recommend that the prayer of the said Petition be granted, and have prepared a bill for that purpose.

All which is respectfully submitted.

F. L. WALSH, *Chairman.*

*Committee Room, 31st March, 1835.*

We the undersigned certify, that we have examined Nathan S. Coho, and find that he is not a sound able-bodied man, but lame in his shoulder, apparently occasioned by a gun shot wound in the shoulder joint.

(Signed)

CHARLES DUNCOMBE,  
*Surgeon, 2nd Middlesex Militia.*

(Signed)

HARMANUS SMITH,  
DAVID DUNCOMBE.

(Signed)

*City of Toronto, 4th April. 1833.*

*Toronto, 30th March, 1835.*

SIR,

I have the honor to acknowledge the receipt of your letter of this date, and in compliance with your request, to inform you that the name of Nathan Coho, of the Lincoln Militia, was discontinued from the Militia Pension List from the 4th September, 1821, in consequence of the report of the Medical Inspectors of Militia Pensioners, appointed under the provisions of the Pension Act, passed in the session of that year, who examined him at Niagara.—I beg leave further to inform you, that the office of Agent for paying Militia Pensions has been discontinued since January, 1826; and that they have, since that period been paid by the Receiver General.

I have the honor to be,

Sir,

Your most obedient,

Humble Servant,

EDWARD McMAHON,

To FRANCIS L. WALSH Esq. M. P. P.

Chairman Select Committee, &c. &c. &c.

House of Assembly.

NO. 64.

## REPORT

OF COMMISSIONERS FOR SETTLING CLAIMS FOR DAMAGES DONE BY THE  
WELLAND CANAL COMPANY.

HOUSE OF ASSEMBLY,  
18th March, 1835. }

SIR :

The Arbitrators appointed by an Act of the Legislature to award the damages done to individuals by the operations of the Welland Canal Company have not able to make any awards as will appear by a certain memorial to His Excellency on that subject from two of the Arbitrators, Samuel Street, Esquire, and the undersigned, I therefore beg in their behalf, that you would be pleased to draw His Excellency's attention to that memorial, so that the case may be brought under the consideration of the Legislature by message from His Excellency.

I have the honor to be,

Sir,

Your very obedient servant,

DAVID THORBURN.

To LIEUT. COLONEL ROWAN,  
Secretary, &c. &c. &c.

## Sundry Reports.

APPENDIX.

[COPY.]

NIAGARA FALLS, CHIPPAWA,  
January 12th, 1835.

SIR :

As Arbitrators appointed under an Act of the Provincial Parliament to ascertain and award damages sustained by individuals by the operations of the Welland Canal Company, we beg leave to enclose a memorial to His Excellency, the Lieutenant Governor together with copy of a memorial preferred during the last Session to the Honorable the House of Assembly and the Honorable the Legislative Council, which we request you will be pleased to present to His Excellency, and

We have the honor to be, &c.

SAMUEL STREET,  
DAVID THORBURN.

LIEUT. COL. ROWAN.

P. S.—We shall be glad that the enclosures might be presented before the opening of the House.

*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

The Memorial of Samuel Street and David Thorburn, of the District of Niagara, Esquires ;

RESPECTFULLY SHEWETH :

That at the last Session of the Provincial Parliament, your Petitioners preferred to the Honorable the House of Assembly and the Honorable the Legislative Council in their Legislative capacity assembled, a memorial (a copy whereof is hereunto annexed) praying that the Legislature would be pleased to pass an Act investing them with certain powers therein mentioned.

That during the said Session of Parliament no Act was passed to amend the one in the said memorial referred to, and that in consequence thereof serious inconvenience has been felt by those who are entitled to receive remuneration at the hands of the Arbitrators, for the loss of property sustained by the operations of the Welland Canal Company.

Your Memorialists, therefore, most respectfully pray, that Your Excellency will be pleased to adopt such measures to bring the matter before the Legislature during the present Session, in order that proceedings may be thereupon had—as to Your Excellency, in your wisdom, may seem fit.

And your Petitioners, as in duty bound, &c. &c. &c.

SAMUEL STREET,  
DAVID THORBURN.

Stamford, January 12th, 1835.

[COPY.]

*To the Honorable the House of Assembly, in Provincial Parliament assembled.*

The Memorial of Samuel Street and David Thorburn of the District of Niagara, Esquires.

Respectfully represent:—

That your Memorialists, along with the late John Warren, Esquire, now deceased, were in the year 1831, by an Act of the Legislature of the Province, passed in the first year of His Majesty's Reign, (chapter 18;) appointed Arbitrators to settle and award damages sustained by individuals whose property has been injured by the operations of the Welland Canal Company.

That in the course of the Summer and Autumn of that year, the above Arbitrators entered upon the duties required of them, by the said Act, and spent several weeks in close application, at different places along the route of the Canal, in hearing and examining the evidence produced in support of these claims.

That the said Act requiring that the award of the Arbitrators on all matters submitted to them should be *according to evidence*, rendered the investigations extremely tedious and procrastinated making decisions, which your Memorialists, from the tenor of the Act, are of opinion could only be made upon the testimony given in, leaving the Arbitrators no discretion in exercising their own judgment.

That by a subsequent Act of the Legislature, passed at its last Session, three Commissioners were appointed to act in conjunction with your Memorialists to arbitrate and determine the amount of said damages—but from the remote residence of all of these Commissioners from the District of Niagara, it has not been found practicable to procure an attendance of a majority of the five, whereby the decisions on the different claims are delayed, and the claimants, with good cause, much dissatisfied.

Your Memorialists therefore respectfully request that your Honorable House will be pleased to pass an Act authorising any two or more of the present Arbitrators to act in investigating and awarding upon the before-mentioned claims for damages, and in doing this, that they may have power to exercise their own judgment on view or other the best information they can obtain making their decision in all claims for damages brought before them.

And your Memorialists, as in duty bound, will every pray.

[Signed]

SAMUEL STREET,  
DAVID THORBURN.

Stamford, November 30th, 1833.

NO. 65.

APPENDIX.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

**Thomas Appleton.**

*To the Honorable the House of Assembly,*

The Select Committee on Grievances, beg leave to report the following resolution on the petition of Thomas Appleton, Teacher, Toronto, founded on the Report made to this House, in 1828 by a select Committee composed of Messrs. Rolph, Matthews, Hornor, and James Wilson, and who appear to have gone very fully into the merits of the petitioner's case.

The Report and Evidence are printed on the Journal of 1828 in the Appendix, to which the House is respectfully referred.

W. L. MACKENZIE, *Chairman,*  
DAVID GIBSON,  
T. D. MORRISON,  
CHAS. WATERS,

*Committee Room, House of }  
Assembly, March 18th, 1835. }*

### RESOLUTION

*Resolved* :—That £85 4s. be paid to Thomas Appleton, Teacher of the Common School of this place, in the years 1822, 1823, 1824, 1825, 1826, and 1827 for Public monies due him and withheld by the Board of Education, and for the Interest thereon accruing.

NO. 66.

## FIRST REPORT

OF THE SELECT COMMITTEE ON ROADS.

The Committee appointed to take into consideration the Petition of Rear Admiral Vansittart and others, and Ensign Rexford and others,

*Beg leave respectfully to Report* :—

That every improvement effected in the means of conveyance has obviously the same effect upon the cost of commodities that have to be conveyed, as an improvement in the method by which they are raised or manufactured, good roads bring the various parts of a country near to the towns and cities and the towns and cities near each other, by which the competition of cities and towns is communicated to the country, the excitement that is constantly kept up, the collision of so many minds brought into frequent contact, and all endeavouring to outstrip each other in their respective departments, develop the resources of the human mind, and while cities and towns are splendid luminaries radiating intelligence, invention and enterprize to the remotest parts of a country, the country in turn supplies the food and fuel to the city by which this beautiful healthy and harmonious action is continued.—Agriculture never arrives at any considerable, much less at its highest degree of perfection, when it is not connected with trade, that is, when the demand for the produce is not increased by the consumption of trading cities or towns or a certain steady foreign Market. Good Roads also mainly conduce to the growth of cities and towns so that the citizen cannot say to the farmer the Roads are exclusively for your benefit, as their advantage is mutual.

## APPENDIX.

It is plain therefore that good roads are both directly and indirectly a prime source of Agricultural improvement—directly by reducing the cost of conveying farm produce to Market, and indirectly by providing for the growth and indefinite extension of cities and towns that is, of the markets of Agricultural produce. Look at Upper Canada as she was twenty years ago, when her roads were so bad, that it took 12 days to go from York to Delaware, and return with but half the load that is now conveyed the same distance in less than half the time, it was then a journey that required great preparation for man and beast and heavy expenses—the Mail was carried by carriers on foot who took the whole week to make one trip from Ancaster to Delaware and return. No stage did or could then travel through any parts of the Province. Now the stages leave this city at several times every day for different parts of the Province and make their longest trips in two or three days. Yet this time may still be lessened one half with a proportionate increase of load by putting the roads in as good a state of repair as the resources of the Province and the positive demand of the Inhabitants will warrant. Suppose that it now takes three days to travel from Toronto to London in the present state of the roads, and that we have the means of making the road so perfect that the journey with the same ease to man and beast could be accomplished in one day and a half by the regular line of stages, and in the same proportion by all other conveyances; and that only twenty, two horse teams, and one four horse stage was on the route each way daily, with an average of only one man to each horse, this would make a clear saving daily, of the wages of 44 men and 44 horses on this one route, and on all the other routes in the Province in the same proportion, suppose the average wages of one man and one horse to be only five shillings a day, and that the expense of the man and horse upon the road was only five shillings a day more, you would have £22 saved to the Province on this one route alone daily, equal to 32, 120 dollars annually, besides interest on outlay, quicker returns in business, less damage to goods, during transportation, and increased pleasure and convenience; and in this country where labour and capital are the materials in highest demand, every additional facility of conveyance, by bringing such products more rapidly to their destination and enabling them to be sooner applied to the purposes for which they are intended, renders large quantities of capital available for industrious purposes that are at present completely locked up or absorbed in the business of traffic in which they are employed. And on this route alone forty four men would be released from the business of transportation to that of growing or manufacturing, whereby the wealth of the Province would be again increased,—Mr. Cullock says that in the reign of Phillip and Mary the first law was passed in England requiring statute labour to be performed by the residents along the roads.

Good roads have very properly been denominated national veins and arteries supplying the body politic with whatever may be necessary to its healthy action, and supporting and relieving it from all its redundancies, and are as indispensable to a country as arteries and veins are to the existence of individuals,—good free roads are to communities what a healthy circulation is to individuals.

The question relative to the importance of good roads being in the opinion of your committee established, their next enquiry was directed to the best mode of making the roads generally throughout the province, and the means to be employed in their construction. Upon this point your committee are of opinion, that the Township Officers' bill, which has passed the assembly, will, if passed into a law, answer almost every purpose for making the common roads in the several townships, inasmuch as the inhabitants of the several townships, at their township meetings will be authorised to determine to what extent any person liable to perform statute labour shall be required to commute for the same, or what duty shall be imposed on any particular description of property for the improvement of roads, not exceeding a penny in the pound, &c., the whole, whether commutation or other monies, or statute labour, to be laid out in the township except otherwise agreed upon at the meeting, under the superintendence of three commissioners, appointed by the inhabitants of the township, at the said meeting, who are also to have the laying out all money for the township arising from the wild land assessment, as also fines under the summary punishment act, and various other fines and forfeitures, and to whom the several overseers and other persons required to perform statute labour will be accountable, by which plan and arrangement the several townships may adopt such a course or system as will best suit the interest or

circumstances according to its peculiar situation—for instance, commutation might be carried to a considerable extent without much inconvenience, and with great advantage in an old settled township, where the roads have become fixed and established, and the time has arrived to make them solid and durable, and where the inhabitants are enabled to procure money to pay in lieu of labour, while in newly settled townships where the roads at first are opened in many instances, at random, and require all the statute labour and means of the people for keeping them in repair, to put them in such a state as to enable the inhabitants to go in and out, and where it is almost impossible for the inhabitants to procure money, in such cases commutation would be not only attended with a vast deal of inconvenience to the settlers but would fail to render the same service to the roads as would the statute labour, if properly applied; and again, it might be deemed expedient to impose a duty for roads in one township, on some particular kind of property, and in other townships on different kinds of property, leaving those matters to be arranged by the people themselves at their several township meetings, agreeably to the situation and circumstances of the various townships, will be most likely to give general satisfaction, and which will have the effect of gradually doing away with the prejudice now prevailing against commutation, if one township should adopt the principle of commutation, &c., and if the thing worked well, it would create a spirit of enterprise and emulation in adjoining townships, who would not like to be behind their neighbours, and also if a township had the means within itself of making the roads good, it would set them to thinking how and by what way and means the thing could be best effected—it would at once become a subject of discussion at the township meeting, and eventually adopted, which would be at the same time a means of extending useful information among the people.

In this way your committee as before stated, believe nearly all the common roads in the several townships might shortly be made at least tolerably good, and a foundation laid on which to build a permanent road, with no more assistance than some few occasional grants for some especial bridge, hill, or other difficult place in some of the new, poor, or thinly settled townships.

Your committee beg leave further to remark, that with regard to the main, or post roads through the province, through such parts of the country where it would be inconvenient and out of the power of the township through which they run to complete them with their own means, that all such parts or places as will properly admit of toll gates, such as bridges over large streams or views, high or difficult hills, as also some particular pieces of road should be made permanent, good and substantial, either by a chartered company, who should be entitled to the tolls, or by public grants, and tolls collected to repay the outlay. By these means the expense of making such particular piece of road or bridge would be borne by those who use, and are benefitted by the same, which, when divided among so many, would scarcely be felt by any, and although some little prejudice might be excited against it at first, your committee have no doubt but the people in general would become reconciled to it when they began to experience the benefits and saving that a good road would bestow—and that such parts as will not properly admit of tolls being exacted to pay the expense, should be completed by annual public grants out of any monies at the disposal of the legislature, or by effecting a loan for that purpose.—Your committee are aware that it will naturally take some time before a proper system can be brought into full operation, and the benefits of the Township Officers' bill fully realized, in the mean time there is an urgent necessity for something to be done immediately, and would therefore recommend that a bill be passed to raise by loan, on the most favourable terms, or by some other method, the sum of £50,000, for the ensuing year, one half to be expended to make, in a substantial manner, some particular pieces of roads, or bridges, as aforesaid, to be laid out by commissioners, who should be required to report to the government by the next session of parliament, what would be a just toll to be levied in order to meet the interest, and eventually to liquidate the principal, expended in the construction of such work, and the other half to be properly divided among the several districts, to be laid out on such roads and bridges as most require it.

Your committee deem it worthy of the consideration of your Honorable House to consider how far it would be expedient to impose a tax on all lands through which the post, or main roads run, for the liquidation of the interest and principal of the several grants for the completion of the main or post roads.—This your committee think might be done by passing a bill fixing the rate per acre

APPENDIX.

of the several lots through which the said post road should pass, or which was adjoining the said road, as also the rate per lot in every city town, or village through which the said roads do pass, and either require the several owners or occupiers to pay the said tax into the hands of some person in the district, who should transmit it to the Receiver General, or authorise the collectors of the several towns and townships to collect the same from the owner or occupier at the same time, and by the same process that he collects the other rates of the town or township, and pay the same over to the treasurer, who should transmit it to the Receiver General; and in case any lot or tract of land through which such post road do pass shall not be occupied nor the said rates paid on it for the space of a certain term of years, to sell the same, or so much thereof as will be required to meet the demand as taxes on the same.

Your committee would also recommend, that in future, when there are three or more commissioners appointed to lay out and expend any particular sum on the roads and bridges, that they should be authorised to appoint one of their number to act more particularly as a superintendent of the work, and allow him the sum of ——— for each day he may be employed as such superintendent, not exceeding however, a certain number of days, out of the money granted, and include the sum in their account.

Your committee also beg leave to suggest to the consideration of your Honorable House the expediency of trying the experiment of authorising the Receiver General to issue government bills or notes of from twenty five pounds to one hundred pounds each, bearing a certain rate of interest, payable at a given time, to the amount of the sum that shall be granted for the public roads this session, which would have the same effect as introducing the same amount of capital into the province, and would pass current in the province.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
*Chairman.*

*Committee Room, Commons House of Assembly, }  
26th day of March, 1835. }*

NO. 67.

**R E P O R T**

OF THE SELECT COMMITTEE ON THE PETITION OF

**Elizabeth Thomson.**



The committee to whom was referred the petition of Elizabeth Thomson,  
Respectfully Report:—

That the services and personal exertions of the late Hugh Christopher Thomson, Esquire, to obtain information, and in preparing plans and estimates by which to guide the commissioners appointed to superintend the erection of the Provincial Penitentiary at Kingston, were of much value, and such as would have entitled him to compensation and reward from the public funds had he lived to make the claim. That it appears to your committee that the family of the late Mr. Thomson were left at his death in straitened circumstances, and they are therefore of opinion, that should the legislature concur in the recommendation of the committee, now made to vote a sum by way of compensation for the services referred to, that it should be given to the petitioner, the widow of Mr. Thomson, for the benefit of his surviving family.

All which is respectfully submitted.

CHRISTOPHER A. HAGERMAN,  
*Chairman.*

*Committee Room, Commons House of Assembly, }  
28th day of March, 1835. }*

## DESPATCH AND CORRESPONDENCE

APPENDIX.

## ON CLERGY IN NORTH AMERICA.

1834.

No. 68.

[Copy.]

Downing Street, 5th August, 1835.

SIR,

I have the honor to transmit to you the enclosed printed copies of a correspondence between this department, the Treasury, and the Society for the propagation of the Gospel, by which you will perceive, that from the 1st of April last the whole charge of the missionaries now doing duty in Upper Canada is to be borne by the local government; you must not however consider yourself authorized to draw the entire amount of £6,506 from the Casual and Territorial, which fund would be quite inadequate to such a charge; but after appropriating the clergy funds as at present, to so much of the missionaries emoluments as they will defray, you will only supply from the Casual and Territorial Revenue whatever additional sum may be requisite to constitute a payment of 85 per cent on the former salaries of the Missionaries.—In this manner the Casual and Territorial Revenue may be expected to meet according to the calculation contained in the concluding part of Mr. Stanley's Despatch, No. 54, of 27th January last, the object now in view.

Having afforded this explanation, I have only to add my desire, that you will take the necessary measures for making the present arrangement known among the parties interested, and that you will report without delay all casualties which may occur among the individuals whose names appear on the list of the Society, as at present employed in Upper Canada.

I have the honor to be &amp;c.

T. SPRING RICE.

M. General Sir JOHN COLBORNE,  
K. C. B. &c. &c. &c.

No. 1.

COPY of a Letter from R. W. Hay, Esquire, to the Hon. J. K. Stewart, dated Downing Street, 23rd April, 1834.

SIR,

In reference to two letters from the under Secretary of State for this Department, dated respectively, the 21st November, 1831, and 18th January, 1832, proposing to relieve the Parliamentary Estimates from very extensive charges for the support of the Church, and the promotion of education in the North American Colonies. I am directed by Mr. Secretary Stanley to acquaint you, for the information of the Lords Commissioners of the Treasury, that he fears it will be unavoidable to apply to Parliament for the continuance of a vote to the amount of £4,000, which at the date of the above mentioned communication, it was hoped might cease without inconvenience after the present year. In conveying to you this opinion I am desired by Mr. Stanley to recapitulate the circumstances on which it is founded; merely observing in the outset, that the object in view is not to increase the clergy estimate from the amount to which, by gradual diminutions, it has already been reduced, but only to render the further reduction of £4,000, which, under the present arrangement, is to take place next year, contingent upon the determination of existing interests.

Until the year 1832, payments had been made to the Clergy out of the army extraordinaries, and out of the grants on various colonial estimates to the amount of £9,500; but in the year 1832 all these payments were collected into one distinct estimate, styled the North American Clergy Estimate; and it was intimated that, on the death of the individuals holding the benefices or offices for which application was then made to parliament, no grant would be asked for their successors. In the reduction effected by this measure, provision was made, it will be observed, for the persons actually in employment in the colonies. At the same time it was proposed, that whereas, previously, a grant of £16,000 had been voted annually to the society for the propagation of the Gospel, the grant in 1832 should be limited to £12,000, and that in every following year it should be reduced by a diminution of £4,000, until it should cease. In the abolition of this latter grant, no provision was made, as in the other case, for the parties actually in employment in the colonies.

In consequence of the withdrawal of the aid heretofore received from Parliament, the Society for the Propagation of the Gospel appears to have found it impossible to maintain its former establishments; and it announced last year, that in Upper Canada, where government had been able to provide an annual payment of £100 to each missionary at present employed, the present average being £200, the allowances of the society to its missionaries would be discontinued after the year 1834, and that in all the other North American Colonies they would be reduced by one half after the year 1835. The communication of the society to the bishops of Quebec and Nova Scotia, embodying these determinations, accompanies this letter.

The intelligence of the measures above described appears to have excited much alarm and disappointment in the colonies, both among the missionaries and among the congregations committed to their care. On behalf of the missionaries, Mr. Stanley has been called upon, by various and earnest appeals to him, to consider the hardship of depriving these ministers of the salaries which were offered to their acceptance, when they were induced to quit their homes for their present distant employment. On behalf of the congregations, (many of them the inhabitants of remote and thinly-peopled settlements) his attention has been directed to their poverty, and to the extreme difficulty which they must experience in finding a suitable maintenance for a minister, after providing, as they are at any rate required to do, for the erection and repairs of a church, and for the building of a Parsonage House. One parish in the province of New Brunswick is at this moment severely pressed by a debt which it has been obliged to contract in execution of the latter purposes. On a review of all the representations which have reached him, Mr. Stanley cannot but regard it as much to be lamented, that the missionaries should not receive the emoluments of which the expectation was held out to them when they proceeded to the colonies. The principle of protecting persons actually in employment from loss was sanctioned by Parliament in the case of the rest of the North American Clergy; and although there are unfortunately not the means of carrying this rule fully into effect in the case of the missionaries, Mr. Stanley feels the justice of acting upon it so far as circumstances will permit.

Such being the conclusion at which he has arrived, it remains to describe the manner in which he would endeavour to carry it into execution. In order more clearly to explain his views, a comparative statement has been prepared, which is hereto annexed, shewing the funds which were appropriated to the payment of the missionaries in 1832 (the latest year for which complete accounts could be rendered) and the funds which it is proposed to apply to the same use hereafter.

## APPENDIX.

The payments made by the society for the propagation of the gospel in 1832, amounted to £22,294; but as £12,000 was granted to the society by parliament in that year, the sum actually drawn from its own resources was £10,294. The society has declared that it is willing to continue to bear an expenditure to that amount. Now, it will be seen from the statement to which I have alluded, that if the society were relieved from all charge on account of the missionaries in Upper Canada and Nova Scotia, and if it were not called upon for a larger payment than £3,800 in New Brunswick, the entire demand upon it for maintaining the present establishments in North America would fall within the prescribed limit of £10,294. The question for consideration is, whether the government can undertake to afford the required relief in the colonies above mentioned.

Mr. Stanley is constrained to acknowledge that, considering the limited means at its disposal, the government can neither with propriety engage to provide the full amount of the salaries of missionaries in Upper Canada and Nova Scotia, nor yet to supply the difference between £3,800 and the full amount of the salaries in New Brunswick. Much as he laments the fact, he perceives it to be undeniable, and he sees for it no remedy. But he would not on that account abstain from making such an effort on behalf of the clergy as is practicable, and commensurate with the means which government can command. The Lords Commissioners of the Treasury are aware that in Upper Canada, where the crown revenues already contribute a sum of £3,630 in aid of the payment of missionaries, such a further sum could, though not without difficulty, be derived from the same source, as would constitute a payment of 85 per cent on the entire amount of their salaries; and in New Brunswick, even if the Territorial Revenue be made over to the Assembly, on the moderate terms on which it has been offered to that Body, the commuted revenue would still afford the small sum which would be requisite (in addition to the amount of £3,800) for a payment of 85 per cent on the present salaries of the missionaries. In Nova Scotia there are no local resources available for the object in view; but, if Parliament should convert into a vote for the clergy of this colony the grant of £4,000, intended to be made to the society for the propagation of the gospel this year, and should continue the vote during the lives of the present missionaries, the amount would suffice to make on this station a larger payment than was contemplated by the society in the communication to the Bishops in North America, to which I have already adverted.

Such are the arrangements under which Mr. Stanley thinks that, from the 1st April, 1834, His Majesty's government might undertake to relieve the Society for the Propagation of the Gospel from all charge on account of the missionaries at present in Upper Canada and Nova Scotia; and from all charge above £3,800, on account of missionaries in New Brunswick, the society being engaged to make the remaining provision requisite for the support of its clergy employed in North America. It has been ascertained by Mr. Stanley that the society would cheerfully acquiesce in such a plan. I am therefore to request that you will acquaint me whether it meets the concurrence of the Lords Commissioners of the Treasury, and whether their lordships would be prepared to sanction the proposed employment of a part of the Crown Revenues of Upper Canada and New Brunswick, as well as the application which, if these recommendations be adopted, must be made to parliament for the appropriation and continuance, in favor of missionaries in Nova Scotia, of the grant to be made this year to the Society for the Propagation of the Gospel.

I am, &amp;c.

[Signed]

R. W. HAY.

COPY.

PAYMENTS IN 1832 TO MISSIONARIES EMPLOYED BY THE  
SOCIETY FOR THE PROPAGATION OF THE GOSPEL.

Payments proposed to be made from the 1st April 1834, to Missionaries employed by the Society for the Propagation of the Gospel.

	PAID BY THE SOCIETY.	BY THE LO. CAL. GOVERN. MENT.	BY VOTE OF PARLIAMENT	TOTAL	PAID BY THE SOCIETY.	BY THE LO. CAL. GOVERN. MENT.	BY VOTE OF PARLIAMENT	TOTAL
	£	£	£	£	£	£	£	£
Upper Canada,.....	4025	3630	.....	7655	NIL.	6506	.....	6506
Lower Canada,.....	3415	.....	550†	3965	3415	.....	550	3965
Nova Scotia,.....	5824	.....	.....	5824	.....	.....	4000	4000
New Brunswick,.....	5120	.....	.....	5120	3800	552	.....	4352
Newfoundland,.....	2170	.....	.....	2170	2170	.....	.....	2170
Bermuda,.....	100	.....	.....	100	100	.....	.....	100
Prince Edward's Island,.....	300	.....	.....	300	300	.....	.....	300
Cape Breton,.....	400	.....	.....	400	400	.....	.....	400
Cape of Good Hope,.....	100	.....	.....	100	100	.....	.....	100
Paid by the Society to Schoolmasters and Pensioners in Upper Canada,.....	245	.....	.....	245	.....	.....	.....	.....
To Catechists and Schoolmasters in Lower Canada,.....	420	.....	.....	420	.....	.....	.....	.....
To four Divinity Students in ditto,.....	175	.....	.....	175	.....	.....	.....	.....
	22294	3630	550	26474	10285	7058	4550	21893
Deduct Parliamentary Grant,.....	12000	.....	.....	.....	.....	.....	.....	.....
Society's Contribution,.....	10294	.....	.....	.....	.....	.....	.....	.....

† These are salaries voted by Parliament to the Rectors of William Henry, Durham, Chatham, Caldwell, Manor, and St. Armand, who are also Missionaries.

## North American Clergy.

NO. 2.

APPENDIX

*Copy of a Letter from the Hon. J. Stewart to R. W. Hay, Esquire, dated Treasury Chambers, 15th May, 1834.*

SIR :

I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you for the information of Mr. Secretary Stanley, that my Lords having had under their consideration the circumstances urged in your letter of the 23rd ultimo, with respect to the missionaries employed in the North American Colonies by the Society for the Propagation of the Gospel, cannot but admit that the interests of the parties who have been induced to engage in the missions by the stipends which the aid of Parliament enabled the society to offer should be protected, so far as may be consistent with the imperative demands for economy in every branch of the public expenditure. My Lords are therefore willing, with the view of alleviating the distress to which the missionaries would be exposed by the very large reduction of their stipends, which is provided for by the society's letter to the Bishops of Quebec and Nova Scotia, of the 1st July last, to accede to Mr. Stanley's recommendation for the adoption of such an arrangement as may ensure to the present missionaries the continuance of salaries somewhat below the rates they have hitherto received, but exceeding the rates to which the society, if deprived of all aid, would be constrained to reduce them.

My Lords will accordingly sanction the appropriation out of the territorial revenue of Upper Canada of a sum not exceeding £6,506 per annum for payment of such stipends to the missionaries now doing duty in that Province as shall be equal to £85 per cent of the stipends they received from the society, and from the government, for the year ending 1st July, 1833, with the understanding that, as the present missionaries drop off, this appropriation is to diminish and eventually to cease.

My Lords will likewise sanction the appropriation out of the territorial revenue of New Brunswick of a sum not exceeding £552 per annum, in aid of the provision of £3,000 per annum, to be made by the society so long as such aid shall be requisite for continuing to the missionaries, already settled in that province, stipends equal to £85 per cent of the stipends they received for the year ended 1st July, 1833; but which aid is to be reduced and wholly discontinued as any diminution takes place in the number of the missionaries already engaged.

In further pursuance of this arrangement, and on adverting to the proceedings that have already taken place for obtaining from Parliament the grant of £4,000, in aid of the funds of the Society for the propagation of the gospel, my Lords conceive that it may be sufficient that the Society should for the present year undertake to apply the whole of this grant to the support of the Missionaries in Nova Scotia, assigning them such proportionate rates of stipend, with reference to what they received for the year ended 1st July last, as that grant may afford the means of paying; and my Lords will be prepared to sanction future applications to Parliament for such proportion of the grant of £4,000 as may be necessary to continue the payment of the rates of stipend, to be assigned for the present year to such of those individuals now employed as missionaries in Nova Scotia as may remain in the discharge of their spiritual duties in that Province. As these arrangements will take effect from the 1st ultimo, and as the Society will have received the grant of £8,000 for the year ending at that day, my Lords presume the Society will be able, and will consent to make good to the missionaries up to that period the rates of stipend to which they will be entitled under this arrangement, instead of enforcing the whole of the reductions provided for by the letter of the Bishops in North America of 1st July, 1833. My Lords also consider their sanction to have been given to this arrangement upon the distinct understanding, that the Society will be prepared to support the present remaining missionaries upon the scale adopted in the statement which accompanied your letter, and especially that the allowances will be continued from its funds to the five Rectors in Lower Canada, and that no further claims on this account will in any event be made on the public revenue of this country or of the Colonies.

As the sole object of this arrangement is to secure some competent provision for those individuals who have heretofore been engaged as Missionaries and as it is not intended to apply to any future missions or to any other system of ecclesiastical establishment in these Colonies, my Lords would further request to be favoured with a statement specifying the names of the Society's Missionaries now employed in Upper and Lower Canada, in New Brunswick and in Nova Scotia, the periods at which they were sent out by the Society, the places at which they are stationed, the amount of the stipends they received prior to the 1st of July, 1833, either from the Society or from the Colonial funds, or other sources, and the amount of the stipends to which they will now be entitled; and my Lords conceive it will be proper that copies of these statements should be transmitted to the Governors of each of the respective Colonies, with directions to report all casualties that may occur amongst the individuals whose names appear in them, in order to the gradual reduction and eventual discontinuance both of the applications to Parliament and of the appropriations of Colonial funds, as the parties may die off, or otherwise remove from or resign their missions.

I am, &c.,  
[Signed] J. STEWART

No. 3.

*Copy of a letter from R. W. Hay, Esquire, to the Hon. J. Stewart, dated Downing Street, 13th May, 1834.*

SIR,

I am directed by Mr. Secretary Stanley to acquaint you for the information of the Lords Commissioners of His Majesty's Treasury, that an application for pensions from two Missionaries lately employed in the diocese of Quebec, having been referred to the Society for the Propagation of the Gospel for investigation, the enclosed letter has been received from the Secretary to the Society, containing a report that the Rev. Mr. Parkins appears to have established his right to a pension.

In the year 1813 a pension of £100 per annum was promised by Earl Bathurst, with the concurrence of the Board of Treasury, to such Missionaries employed in the North American Colonies, as after ten years' service should be disabled by age or infirmity from the performance of their duties. This promise (which was itself only a repetition, with some modifications, of a promise made by the Earl of Liverpool in 1811) has not been retracted and it has been commonly held out by the Society for the Propagation of the Gospel as one of the inducements to Clergymen to undertake a mission to the North American Colonies. There is no doubt that the engagement remains in force, and it is certain that the Society for the Propagation of the Gospel will not after the loss of the aid formerly derived from Parliament, undertake to defray the pensions which the Government, under the circumstances I have stated, seems bound to grant. I am therefore directed by Mr. Secretary Stanley to request that you will bring the subject generally under the consideration of the Lords Commissioners of the Treasury, and more especially that you will submit to their Lordships the claim of Mr. Parkins to be allowed from such fund as they may deem proper, a pension of £100 per annum. As Mr. Parkins resigned his employment more than a twelve-month ago, and has only drawn an allowance of £80 per annum since that time, granted to him temporarily by the Society for the Propagation of the Gospel, he will, for the period that has elapsed have a claim to the difference between the allowance he has received and the amount of the pension to which he is deemed entitled.

I am, &c.  
[Signed.] R. W. HAY.

Copy of a letter from the Honorable J. Stewart to R. W. Hay, Esquire, dated Treasury Chambers, 28th May, 1834.

SIR,

I am commanded by the Lords Commissioners of His Majesty's Treasury to request that you will state to Mr. Secretary Stanley, that before my Lords can come to any decision upon the subject of the retired allowances, proposed to be granted to two Missionaries, lately employed in the diocese of Quebec, to which your letter of the 13th instant refers, it is necessary they should have before them the lists of the Missionaries, required by their communication to you of the 13th instant. My Lords would accordingly request, that those lists may be procured from the Society without any avoidable delay; and in the mean time they would suggest that any final arrangement with the Society, in regard to the stipends of the existing Missionaries, should be deferred until they may have opportunity to consider whether any stipulation should be made respecting the retired pensions or allowances of that portion of the Missionaries for whose stipends it is proposed that provision shall be henceforward made by the Society.

I am, &c.,  
[Signed] J. STEWART.

Copy of a letter from J. Lefevre, Esquire, to the Honorable J. Stewart, dated Downing Street, 11th June, 1834.

SIR,

With reference to your letter of the 28th ultimo, on the subject of the retired allowances and stipends of Missionaries employed by the Society for the Propagation of the Gospel in the Colonies, I am directed by Mr. Secretary Spring Rice, to transmit to you the accompanying list of all Missionaries so employed at present, and to inform you that the decision contained in your letter of the 15th ultimo, has not been conveyed officially to the Society for the Propagation of the Gospel, and that the communication of it will be deferred until the Lords Commissioners of the Treasury shall have had an opportunity of considering whether any stipulation should be made respecting the retired pensions and allowances of that portion of the Missionaries for whose stipends it is proposed that provision should henceforward be made by the Society.

I am, &c.,  
[Signed] JOHN LEFEVRE.

## Upper Canada.

NAMES.	STATIONS.	Date of Appointment.	SALARY.	VISITING MISSIONARIES.
George Archbold,	Cornwall,	1823	200	
John Anderson,	Fort Erie,	1828	200	
Samuel Armour,	Cavan,	1826	100	
Alexander N. Bethune,	Cobourg,	1823	200	
Mark Burnham,	St. Thomas,	1829	100	
Edward James Boswell,		1827	150	
D. E. Blake,	Adelaide,			
Robert Blakey,	Prescott,	1821	200	
Thomas Campbell,	Belleville,	1821	200	
Benjamin Cronyn,	London,	1833		
Thomas Creen,	Niagara,	1826	200	
James Clarke,	St. Catharines,	1829	200	
James Coghlan,	Port Hope,	1830	200	
Edward Denroche,	Rochville,	1833		
Richard H. D'Olier,	Peterborough,	1833		
Job Deacon,	Adolphustown,	1822	200	
Francis Evans,	Woodhouse,	1828	200	
Rossington Elms,	Bastard, &c.	1826	200	
Richard Flood,	Beckwith,			
John Grier,	Carrying Place,	1824	200	
George R. F. Grout,	Grimsby,	1827	200	
William T. Gunning,	Yonge,	1830	200	
Saltern Givins,	Mohawks,	1831	100	
Michael Harris,	Perth,	1819	200	
Richard Harte,	Beckwith,	1829	200	
William Johnson,	Sandwich,	1829	100	
Ralph Leeming,	Hamilton,	1816	200	
J. G. B. Lindsay,	Williamsburgh,	1831	100	
William Leeming,	Chippawa,	1820	200	
John Miller,	Ancaster,	1830	200	
Thomas Morley,	Chatham,	1823	200	
William Macaulay,	Hallowell,	1818	200	
James Magrath,	Toronto,	1827	150	
Vincent P. Mayerhoffer,	Markham,	1829	100	
George Mortimer,	Thornhill,			
Frederick Mack,	Osnabruck,	1830	100	
Abraham Nelles,	Grand River.	1829	200	
Arthur Palmer,	Guelph,	1833		
J. Padfield,	March and Huntley,	1833		
Henry Patton,	Oxford,	1829	150	
Romaine Rolph,	Amherstburg,	1819	200	
George O'Kill Stuart,	Kingston,	1804	100	
John Strachan,	York,	1803	275	
John Stoughton,	Bath,	1819	200	
Robert Short,	Richmond,	1825	200	
Joseph Thompson,	Cavan,	1819	200	
John Gnter Weagant,	Williamsburg,	1811	200	

## Lower Canada.

APPENDIX

NAMES.	STATIONS.	Date of Appointment.	SALARY.	VISITING MISSIONARIES.
William Abbott,	St. Andrews,	1824	200	
James Linn Alexander,	Leeds,	1830	150	
William Arnold,	Gaspé,	1826	200	
Joseph Abbott,	Grenville,	1818	200	
A. F. Atkinson,	Laprairie,	1830	50	
Amos Ainsley,	Berthier,	1824	200	
W. D. Baldwin,	St. Johns,	1811	200	
James Edmond Burton,	Rawdon,	1821	200	
R. R. Burrage,	Aubigny,	1819	150	
A. H. Burwell,	Hull,	1830	150	
Joseph Braithwaite,	Chambly,	1829		
Andrew Balfour,			100	
Charles C. Cotton,	Dunham,	1804	100	
Lucius Doolittle,	Sherbrooke,	1828	200	
Charles B. Fleming,	Shipton,	1829	150	
Christopher Jackson,	Hatley,	1830	200	
John Jackson,	William Henry,	1812	65	
Thomas Johnson,	Abbotsford,	1819	200	
John Leeds,	Coteau du Lac,	1818	200	
Arthur Norman,	Quebec,	1821	50	
James Reid,	St. Armand, East,	1815	100	
George McLeod Ross,	Drummondville,	1827	200	
D. Robertson,	Stanbridge,	1831	100	
B. B. Stevens,	Montreal,	1823	50	
George Salmon,	Shefford,	1826	200	
E. W. Sewell,	Quebec,	1827	100	
Jonathan Short,	Richmond,	1825	200	
Micajah Townsend,	Caldwell,	1815	100	
Jonathan Taylor,	Eaton,	1821	200	
Richard Whitwell,	St. Armand, West,	1821	200	

## Nova Scotia.

NAMES.	STATIONS.	Date of appointment.	SALARY.	VISITING MISSIONARIES.
John Burnyeat,		1818	300	Visiting Missionary.
James C. Cochran,	Lunenburg,	1825	200	
John S. Clarke,	Horton,	1817	200	
John Moore Campbell,	Cornwallis,	1828	200	
Mather Byles Desbrisay,	Dartmouth,	1827	200	
Charles Elliott,	Pictou,	1830	200	
Thomas A. Grantham,	Yarmouth,	1819	200	
Edwin Gilpin,	Annapolis,	1816	230	
Alfred Gilpin,	Weymouth,	1822	200	
Archibald Gray,	Sackville,	1829	200	
William C. King,	Windsor,	1801	200	
William B. King,		1825		Visiting Missionary.
George E. W. Morris,	Rawdon,	1822	200	
John T. T. Moody,	Liverpool,	1827	200	
Henry Lambirth Owen,	Aylesford,	1832	100	
Charles Porter,	Newport,		200	
James Robertson,	Bridgetown,		200	
Thomas B. Rowland,	Shelburne,	1801	200	
James Shreve,	Chester,	1822	230	Visiting Missionary.
John Stevenson,		1832		
Robert Fitzgerald Uniacke,	Halifax,	1824	200	
Roger Viels,	Digby,	1811	200	
Thomas Howland White,	Antigonish,	1829	200	
Charles William Weeks,	Guysborough,	1802	230	Visiting Missionary.
Robert Willis,	Halifax,	1818	200	
Francis Whalley,	Granville,	1828	200	
Joshua Wingate Weeks,	New Dublin,	1828	200	
Richard B. Wiggins,	Amberst,	1827	200	

## North American Clergy.

## APPENDIX.

## New Brunswick.

NAMES.	STATIONS.	Date of appointment.	SALARY.	VISITING MISSIONARIES.
Jerome Alley,	St. Andrews,	1818	200	Visiting Missionary.
Horatio Nelson Arnold,	Sussex Vale,	1823	200	
Oliver Arnold,	Sussex Vale,		200	
Samuel Bacon,	Miramichi,	1821	200	
John Black,	Shediac,	1832	100	
Frederick Coster,	Carleton,	1822	200	
Samuel R. Clark,	Gage Town,	1808	200	
George Coster,	Frederickton,	1824	200	
John Dunn,	Grand Manan,	1832	100	
J. W. D. Gray,	St. John's	1826	100	
Benjamin G. Gray,	St. John's,	1806	200	
Edwin Jacob,	St. Mary's,	1830	100	
George Seymour Jarvis,	Hampstead,	1829	200	
George McCawley,		1831		
Raher Milner,	Mangerville,	1819	200	
Christopher Milner,	Sackville,	1818	200	
Addington D. Parker,	Prince William,	1827	200	
Samuel D. Lee Street,	Woodstock,	1829	200	
Elias Scovil,	Kingston,	1787	200	
James Somerville,	Douglas,	1816	100	
Alexander C. Somerville,	Bathurst,	1826	200	
Skeffington Thompson,	St. Stephens,	1821	200	
Samuel Thompson,	St. George,	1822	200	
Abraham Wood,	Grand Lake,	1819	200	
William W. Walker,	Hampton,	1825	200	
Gilbert L. Wiggins,	Westfield,	1821	200	

## Newfoundland.

NAMES.	STATIONS.	Date of appointment.	SALARY.	VISITING MISSIONARIES.
John Bert,	Harbor Grace,	1820	250	
William Bullock,	Trinity Bay,	1822	250	
Charles Blackman,	Port de Grave,	1822	250	
Fred. Hamilton Carington,	St. John's,	1813	200	
John Chapman,	Twillingate,	1823	250	
Nathaniel Allen Cooter,	Greenspond,	1829	250	
Henry James Fitzgerald,	Bonavista,	1832	250	
William Nisbett,	Trinity Bay,	1831	125	
Charles James Shreve,	Harbor Grace,	1832	125	
Thomas W. Wood,	St. John's,	1832	125	
Edward Wix,	St. John's,	1830	350	

## Prince Edward's Island.

Louis Charles Jenkins,	Charlotte Town,	1820	100
A. V. G. Wiggins,	St. Eleanor's,	1829	200

## Cape Breton.

Charles Ingliss,	Sydney,	1812	200
James A. Shaw,	Arichat,	1828	200

## Bermuda.

Aubrey George Spencer,		1822	100
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## Cape of Good Hope.

E. J. Burrow,	Cape of Good Hope,	1831	100
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Annual Grant.

APPENDIX.

Upper and Lower Canada	- - - -	£7000
Nova Scotia	- - - -	4333
New Brunswick	- - - -	2666
Newfoundland	- - - -	1000
Prince Edward Island	- - - -	333
Cape of Good Hope	- - - -	200
		£15,532

[Signed] A. M. CAMPBELL.

No. 6.

Copy of a Letter from Francis Baring, Esq., to R. W. Hay, Esq., dated Treasury Chambers, 27th June, 1834.

SIR:

The Lords Commissioners of His Majesty's Treasury have had under their consideration a letter from Mr. Lefevre, dated the 11th instant, transmitting a list of the missionaries employed under the Society for the Propagation of the Gospel in the Colonies; and I am to request you will state to Mr. Secretary Rice (with reference to your letter of the 13th ultimo, forwarding to this Board the report of that society on the applications for pensions to the Rev. Mr. Parkin, and the Rev. E. Burton, and to your previous communication of the 23rd of April, and the reply from this department of the 15th ultimo, respecting the arrangements to be made with the society for the support of the missionaries who have heretofore been induced to proceed to, and are at present employed in the Colonies, that although, upon full consideration of all the circumstances connected with these subjects, my Lords would not feel warranted in incurring any further amount of charge on account of these missions than the provision in aid of the society's funds sanctioned by the letter to you of the 15th ultimo, they will be prepared to extend that arrangement so far as may become necessary to provide for the pensions that may be claimed by the missionaries in Upper Canada or in Nova Scotia, or by their widows, under the agreement with the society, notified to them in Mr. Goulburn's letter of the 19th of May, 1813, provided the society will undertake to meet the similar claims that may be preferred by missionaries on the other stations, or their widows, and my Lords would also be further prepared to sanction the continuance of the payment of £552 per annum, out of the territorial revenue of New Brunswick, or the requisite portion of it so long as the expenditure of the society for the existing missions in that colony, either in discharge of the salaries of the missionaries or of the retired allowances and pensions now in question, may exceed the sum of £3,800 per annum, which it is understood the society will be willing to devote to it.

Adverting to the very large proportion of the charge for the present missionaries from which the society will be wholly relieved by these arrangements. My Lords entertain little doubt but that the society will readily accede to them; and in that case they have only to repeat their requisition in the letter to you of the 15th ultimo, for statements of the Missionaries in Upper and Lower Canada, New Brunswick and Nova Scotia. But should the society object to become responsible for such retired allowances and pensions as might be claimed, under the agreement of the year 1813, by missionaries employed elsewhere than in Upper Canada and Nova Scotia, or by their widows, it will be necessary for my Lords to re-consider the terms upon which any future aid should be granted to the society; and my Lords accordingly request that in any communication to the society upon the subject of that aid, it may be expressly stated that it is contingent upon their acceding to the present proposition respecting these allowances and pensions.

I am &c. (Signed) F. BARING.

No. 7.

Copy of a Letter from R. W. Hay, Esq., to the Rev. A. Campbell, dated Downing Street, 5th July, 1834.

SIR:

In my letter of the 30th May last, I acquainted you that the Secretary of State was in communication with the Lords Commissioners of the Treasury, respecting the reduction in the income of missionaries employed in the North American Colonies, which the Society for the Propagation of the Gospel had been compelled to make in consequence of the discontinuance of the Parliamentary aid formerly granted to that society.

I am now directed by Mr. Secretary Spring Rice, to transmit to you the enclosed } Mr. Hay, 23rd April.  
 copies of the correspondence which has passed between this department and the Treas- } Do, 13th May.  
 ury on the subject; and I am to request that you will inform me whether the Society } Mr. Stewart 15th May.  
 for the Propagation of the Gospel are prepared to acquiesce in the arrangement propo- } Do, 28th May.  
 sed in my letter to the Secretary of the Treasury, dated the 23rd of April last, as mo- } Do, 27th June.  
 dified by the communications received from that department, dated 15th May and 27th June last, more especially I am directed to enquire whether the society will consent to make that provision for the pensions of missionaries and their widows which is demanded by the Lords Commissioners of the Treasury; and whether as assumed by their Lordships, the society will be willing to make good to the missionaries, up to the 1st May last the stipends to which they will be entitled under this arrangement, instead of enforcing the reduction provided for by the letter to the Bishops of Quebec and Nova Scotia of the 1st July, 1833.

I am &c. (Signed) R. W. HAY.

No. 8.

Extract from the minutes of the Society for the Propagation of the Gospel in foreign parts, dated Lincoln's Inn Fields, July 18, 1834.

At a general meeting " Read a letter from R. W. Hay, Esq., dated Downing Street, July 5th, 1834, forwarding copies of a correspondence between the Colonial Office and the Treasury, and enquiring whether the

## Report on the Petition of J. Beattie.

## APPENDIX.

Society are willing to acquiesce in the arrangement agreed upon by those two departments, and to pay the pensions mentioned by the Treasury, and to make good to the Missionaries, up to the first of May last, the stipends to which they will be entitled under the new arrangement.

"Resolved, that in consideration of his Majesty's Government having undertaken to pay about 85 per cent on the salaries of the existing Missionaries in Upper Canada, Novascotia, and a part of New Brunswick (provided such missionaries were actually employed at midsummer 1833) and also to make provision for the pensions of those Missionaries and of their widows, according to the terms agreed upon by His Majesty's Government in the year 1813.

"The Society consent to appropriate annually from their funds a sum not exceeding £10,285, for the payment of the salaries of the like existing Missionaries in Lower Canada, the remaining portion of New Brunswick, Newfoundland, Prince Edward Island, and Cape Breton, and of the pensions to which those Missionaries and their widows shall be entitled under the terms agreed upon in the year 1813."

(Signed)

A. M. CAMPBELL,  
Secretary.

## No. 9.

Copy of a Letter from the Rev. A. M. Campbell, dated Great Queen Street, July 28th, 1834.

SIR:

I am directed by the Society for the propagation of the Gospel in Foreign Parts, to transmit to you, for the information of Mr. Secretary Spring Rice, the enclosed extract from the minutes of the Society; and also to acquaint you that during the year ending on the 1st May last, the Missionaries in British North America received sums amounting to 85 per cent. on their former salaries.

I am &amp;c.

[Signed]

A. M. CAMPBELL,  
Secretary.R. W. Hay, Esq.  
&c. &c.

## No. 69.

## REPORT

OF SELECT COMMITTEE OF GRIEVANCES ON PETITION OF

James Beattie.



To the Honourable the House of Assembly.

The Select Committee on Grievances have made inquiry at the Post Master General, Quebec, relative to the complaint of money lost through the Post Office by Mr. James Beattie, Trafalgar, as stated in his petition referred to us.— We report Mr. Stayner's letter of explanation and the correspondence.

The committee also report a letter addressed to Dr. Charles Duncombe by the Treasurer of the London District relative to some part of the evidence given by Dr. Dunlop.

With reference to the petition of Mr. Campbell respecting the location made to him by the late Colonel Mount, this committee entered into a correspondence with the Commissioner of Crown Lands, and Mr. Campbell's complaint has been redressed.

W. L. MACKENZIE,  
Chairman.

Committee Room, House of Assembly, }  
14th April, 1835.

Letter from the Treasurer of the London District to Mr. C. Duncombe.

London, 16th April, 1835.

Dear Sir,

In an article in the Liberal it is stated that Doctor Dunlop before the Grievance Committee should have said that the Canada Company had paid into the London District Treasury £1800. I do declare that the Canada Company have never paid into the Treasury one farthing. You will oblige me by showing this to the chairman of the Grievance Committee.

And oblige your,  
JOHN HARRIS.

C. Duncombe, Esq. M. P. P.

## Report on the Petition of J. Beattie.

*Letter from the Deputy Post Master General to the chairman of the Grievance committee.*

APPENDIX.

General Post Office, Quebec, 4th April, 1835.

Sir,

I have to acknowledge the receipt of your letter of the 19th March (post marked 21st) addressed to me in your capacity of chairman of the committee of grievances, conveying a petition to the House of Assembly of Upper Canada, from James Beattie of Trafalgar, Yeoman, praying relief in a case where it would appear he transmitted by the mail the sum of £10 15s in bank notes, and a note of hand for £40, addressed to the Cashier of the "Bank of Upper Canada, York" which remittance never reached its destination! The committee of grievances requests my interference in the matter, to the end that "the petitioner may if possible obtain his money or such other recompense as the Establishment can afford"—and that "steps may be taken to discover the offender."

The loss or robbery in question occurred in July 1833 (when I was out of this country, and my duty was temporarily discharged by F. H. Thompson Esq.) and I knew nothing of it, till shortly after my return in October last, when I received a letter on the subject from Mr. Beattie calling my attention to the circumstances of the case and requesting relief.—This letter which bears date the 18th October 1834, I beg to inclose a copy of together with copy of my letter in reply and copy of a second letter from Mr. Beattie with my remarks thereon. Likewise extracts from several letters from Mr. Howard, by which you will be satisfied, I think, that *that* gentleman, as well as others belonging to the department implicated or interested in the affair have used every caution to discover the author of the abstraction.

I inclose also copy of a letter from Mr. Spragge the Post Master of "Credit Office," by which you will perceive he strongly denies the justice of fixing the crime upon his office.

Circumstances of this kind are extremely annoying and mortifying to me, as they must be to every honest man connected with the Establishment, and it never can be fairly imputed to me that I have lent an indifferent ear to complaints of losses of letters, or of property, entrusted to the mails, or that I have not promptly and energetically applied myself to the investigation of the cases; but in despite of all the care that can be taken in a Department so extensive as the Post Office has now become in these Provinces, losses may occur occasionally, and every attempt to trace them prove unavailing—Accidents of the kind are not unfrequent, even in England, where the management of the Post Office is superior to that of any country in the world.

Mr. Beattie is wrong in stating in his petition that there were only three offices where the abstraction could have been effected—there were *five*, or it is possible that it may have been accomplished by the Mail Carrier, as is hinted in one of the accompanying documents—but upon what individual to fix the guilt, is, I conceive, beyond human wisdom.

The General Post Office does not acknowledge a liability for losses of property by the mail—and unless I were to indemnify Mr. Beattie out of my own pocket, I know not how to afford him the satisfaction for which he has applied to the House of Assembly.

I am, Sir,

Your very obedient Servant,  
T. A. STAYNER,  
D. P. M. Gen'l.

W. L. Mackenzie, Esq.,  
Chairman Committee of Grievances,  
House of Assembly, Toronto. }

*Extracts of Letters received at the General Post Office, Quebec, from J. S. Howard, Esq., Postmaster at Toronto City, U. C., having reference to a money letter stated to have been lost by Mr. James Beattie.*

27th August, 1833.

"This morning I received your letter of the 19th inst.—I received a letter yesterday from Mr. Proudfoot, brought by a Mr. Beattie, who, it appears, by Mr. Proudfoot's letter, mailed a money letter on the 27th July, for T. G. Ridout, Esq., of the Bank—this mail appears by my Red Book not to have been received. Mr. Proudfoot has omitted to state how much money it contained—I have written him to day, for further information. All the intermediate Post Offices will of course, as well as Mr. Proudfoot's office and my own, be implicated, and it will be necessary for us to clear ourselves of blame.

"Will you please to refer to the road bills and say who signed them on the morning of 27th July. As the mail passes through those offices early in the morning on the way to York, it is more than probable that the principals are absent during the examination and changing of the mails—as it regards my own office I have not the slightest reason to doubt or call in question the honesty of my clerks."

2nd September, 1833.

"Mr. Proudfoot, P. M. of Trafalgar, called on me on Saturday morning concerning the abstractions of the packets from his office for this—his suspicions attach to the clerk at the Credit office, which is grounded on the circumstance that when questioned he appeared much embarrassed and said that about the time the packets were lost a hole was in one of the bags, and that they might possibly have got out that way—as to the hole spoken of by the Credit clerk we have no recollection of it, and if it had been the case I think it could not possibly have escaped our observation."

1st. October, 1833.

"In reference to your letters of the 19th August and 4th ult., relating to the loss of the packet between Trafalgar and this office, I beg to inform you that as yet I have not been able to effect a discovery of the perpetrator, notwithstanding I have done every thing in my power towards it—nor can I, by the copies of the road bills you sent me, attach suspicion to any individual. I know not what fur-

# Report on Petition of James Beattie.

APPENDIX.

"ther can be done. The expenses incurred in prosecuting the enquiries I have made I will charge to the department."

True extracts,

T. A. STAYNER,  
D. P. M. G.

*Copy of Letter from J. B. Spragge, Esq., Credit Postmaster, to J. H. Thompson, Esq., Acting Deputy Postmaster General, at Quebec.*

*Credit Post Office, Toronto, U. C.  
14th September, 1833.*

SIR:

I have to acknowledge the receipt of your favor of the 22d ultimo, respecting certain letters stated to have been mailed for York, from the Post Offices at Trafalgar and Streetville, which have never reached their destination, therefore supposed to have been abstracted from the mail bag at one of the intermediate offices. It appears to me quite as possible for these to have been suppressed at the offices where they are said to have been mailed, as purloined at the intermediate offices. The assistant in this office (and no other besides myself have access to it) is a respectable young man in my employ—John Young, a nephew of the Postmaster at Perth—and is I believe perfectly trustworthy; his oath was forwarded last January. By delaying I was in hopes that something would turn up, from quiet and diligent observation and inquiry, that would put us upon the right track, but nothing has transpired here to throw any light upon the subject. I shall continue to use my utmost endeavors to discover the delinquent, and thus remove the suspicion that is cast upon this and other offices mentioned.

I have the honor to be,

Sir,

Your very obedient servant,  
J. B. SPRAGGE, P. M.

To J. H. Thompson, Esq,  
Act'g Dep'y P. M. General,  
Quebec.

[Signed]

[COPY]

T. A. STAYNER,  
D. P. M. G.

*Copy of Letter to the D. P. M. G. from Mr. James Beattie.*

*Trafalgar. October 18th, 1834.*

SIR:

I take the liberty of addressing a few lines to you, in consequence of a loss I sustained through the Post Office, some time in July of 1833. I had an occasion to send a remittance to the Bank of Upper Canada, containing ten pounds fifteen shillings, together with a renewal note for forty pounds, which appears from the books of Mr. Alexander Proudfoot's post office was regularly forwarded from the said office, and has never been heard of since. I would have wrote to you, Sir, long ago, but, in consequence of your being in England, Mr. Proudfoot thought it better to wait till your return. I have been put to a great deal of expense and trouble since, being a poor man, and not able to bear the loss. I made many fruitless attempts to find out the thief, as there was strong suspicions rested upon a young man in one of the post offices between Mr. Proudfoot's and Toronto City. I got two magistrates to sit for an examination of witnesses, but could not make out any thing that would criminate. A statement of the examination is in the hands of the magistrates for your information. It is admitted by all concerned that the money was lost by the Post Office Department, I am out more than ten pounds of expenses, and that sum, I therefore humbly hope you will take my case under your most serious consideration, and grant me that relief my case requires, and in doing so you will greatly oblige your humble servant,

[Signed]

JAMES BEATTIE.

N. B. I had to pay law costs on my note that was in the Bank at the time, as I did not know of the robbery for a month after it was done. I hope you will send me an answer by the return of post. Direct to James Beattie, Trafalgar, U. C.

[COPY]

T. A. STAYNER,  
D. P. M. G.

*Copy of letter to Mr. James Beattie from Deputy Postmaster General.*

*General Post Office Quebec, 8th Nov., 1834.*

SIR,

A great pressure of business has put it out of my power sooner to acknowledge the receipt of your letter of the 18th October, in which you represent that in July 1833 you posted at the Trafalgar office a letter containing £10 15 0 and a renewal note for £40 addressed to the Bank of U. C. (at York I suppose) and that the packet containing the said remittance, had never reached its destination—and expressing a hope that I would take your case into consideration, and grant you the relief your case requires.

## Report on Petition of J. Beattie.

In reply to this communication I beg to say that I sincerely lament the loss you have sustained, but at the same time I must explain to you that the Post Office Department is not liable for losses of money sent by Post, and that if I were to undertake to reimburse you, I must do it out of my own pocket. It is to be lamented that you did not state your case to this office at the time it occurred, or as soon as you knew of it. For then a better chance would have been afforded of tracing out the author of the robbery, whereas now so much time has elapsed, that there is very little probability of bringing it home to any body. I should be glad however to know to what office between Mr. Proudfoot's and Toronto City your suspicions apply, for I am disposed even now, late as it is, to leave no means untried to discover the thief.

APPENDIX.

I am, Sir, &amp;c.

(Signed) T. A. STAYNER.

MR. JAMES BEATTIE, Trafalgar.

True copy,

T. A. STAYNER,

D. P. M. G.

Copy of letter to the Deputy Post Master General from Mr. James Beattie.

Trafalgar, 11th Dec. 1834.

(Acknowledged 14th January, 1835.)

SIR,

I received your favor of the 8th Nov. last and I felt a good deal disappointed in my expectation after paying for a service to be performed me and that not done, and my property taken besides, it is a hard case, besides I spent nearly as much in trying to find out the thief as I lost in the first instance I expected it was in your power to have paid me for my service, in that way, and had I taken the business into my own hands in the first place, I expect I could have obtained money and thief too, but I was advised by Mr. Howard and Mr. Proudfoot to leave it to them and they would manage it better, and what was the consequence?—Mr. Howard wrote to *Quebec* to your Deputy, and he wrote back to each of the Post Offices between Toronto City and Mr. Proudfoot, apprising them of the circumstance—which put the person on his guard, and put it out of my power to detect him as I otherwise might have done—you'll see from the above statement that your office was apprised of the circumstance as soon as it was discovered by Mr. Howard. After waiting nearly six months found nothing could be done, I then applied to Mr. Howard and Mr. Proudfoot for assistance, they seemed willing to do all they could but said they had no power in their hands as they were only Deputy Post Masters themselves, I would have wrote to you but your absence prevented me, I therefore had to act for myself, and had it not been for Mr. Spragge of Springfield who tried to screen his young man from a close investigation and he took a very active part to prevent any discovery that might have been made—This is the office that was suspected—he Mr. Spragge, has since turned the said young man off for irregularities. By applying to Mr. Proudfoot you can obtain a statement of the examination that took place before Mr. Thompson and Mr. Jervis, two of His Majesty's Justices of the Peace. If I had an interview with you Sir, I could give you a better explanation, I hope Sir you will consider my case and at least allow me for my trouble and expense in trying to find out the robber and by so doing you will greatly oblige

Your most obedient

Humble Servant.

JAMES BEATTIE.

(Signed)

T. A. STAYNER, Esq. &amp;c. &amp;c.

P. S. Sir please answer the above as soon as possible and much oblige

(Signed) J. B.

True Copy

T. A. STAYNER.

D. P. M. G.

14th January.

I acquainted Mr. Beattie in answer to this letter that it was utterly out of my power to make him the allowance demanded.—I had ascertained by reference to the correspondence which took place shortly after the property was missed, that nothing had been left undone by Mr. Thomson the acting D. P. M. G. and by Mr. Howard the post Master at Toronto to trace the robbery or loss; and I knew not at so remote a period, what further steps to take.

From Mr. Beattie's own statement it appeared that the young man at first suspected, a Clerk in the "Credit" Office kept by Mr. Spragge had been dismissed: where then was it possible for me to look for satisfaction for Mr. Beattie's loss.—The General Post Office does not acknowledge a liability for such losses, and to indemnify Mr. Beattie I must have done it out of my own private funds, which he could hardly expect me to do.

T. A. STAYNER,

D. P. M. G.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

George Boyd.



The Select Committee appointed to consider and report on the Petition of George Boyd, wood-cutter for your Honorable House, beg leave to report that they have examined several witnesses whose evidence is herewith appended, by which it will appear that the Petitioner has discharged his duty in a proper manner for five years past, and as he has a wife and four young children dependent on his daily labour for support, your Committee earnestly recommend that the Sergeant-at-Arms be permitted to continue him in the employment of the House so long as he conducts himself with propriety and in an industrious and sober manner.

Your Committee cannot think that the servants of this House should be dismissed without any other cause than rumour out of doors of their having been found fault with by the Corporation of this City on account of work said to have been improperly performed for that body.

ALLAN N. MACNAB,  
Chairman.

Committee Room, House of As- }  
sembly, 1st April, 1835. }

## DAVID MACNAB, ESQUIRE, SERGEANT-AT-ARMS.

What is your opinion of the conduct of George Boyd, wood-cutter for the House of Assembly?—I have found him attentive to his duty as wood-cutter, and have never had reason to find fault with him since he has been employed by the House of Assembly.

How long has he been employed by the House?—About five years.

Had you any reason to find fault with him?—I never had.

Is it usual to discharge such servants at the close of each Session?—It is not.

Did Boyd visit you at Hamilton last autumn, how often, and mention particulars?—He called on me in Hamilton twice—in the first place he said he had called on me to know if he was not to continue as wood-cutter for the House of Assembly, and that the Clerk desired him to do so before he would allow him to commence his work. I told him he was, and to return and go to work—the next day, however, he returned again and said that the Clerk would not allow him to go to work without a written order from me to that effect. I thought there must be something wrong in the conduct of Boyd, or that the Clerk would not put him to the trouble and expense of making a second trip to Hamilton. I therefore told him, that I should go to Toronto the following day, when I should see the Clerk, and enquire into his conduct, and if there was nothing against him, he should be employed as usual, and that he (Boyd) must meet me there—which he did, and he was allowed to go to work again, and continued so to do till dismissed.

## JAMES FITZGIBBON, ESQUIRE, CLERK.

States that the Petitioner, George Boyd was not industrious, and that during the autumn when wood was wanted he enquired for Boyd and could not find him, in consequence another person was employed—told Boyd that if he brought an order from Mr. Macnab he would employ him—employed Boyd during several weeks after the commencement of the present Session till the work was not very pressing—does not recollect employing another person to saw wood last year in the autumn, although Boyd was at hand and offered to do it.

The Clerk adds that he declined to employ Boyd when he presented himself before the opening of the present Session, partly because he (Boyd) had removed from town to his land without having made his removal known to him—and the Clerk took for granted that he had entirely withdrawn himself from the service of the House. But he declined to employ him principally because he frequently saw him while in the employment of the House idling his time in the yard, or working very lazily, and for which he more than once rebuked him, and threatened to report him to the House.

The Clerk had Boyd employed under him on other duties and had reason to think unfavorably of him, which he stated to the Speaker, and also expressed his opinion that Boyd was not an eligible person to be continued in the service of the House.

ENEAS BELL states that last year in the autumn as Mr. Fitzgibbon told him to get some person to cut wood and witness brought a man named Bailey who cut 12 cords. The year before two persons cut wood, the one 88—the other 10 cords—thinks Boyd worked well—as well as the person who is now employed.

JOHN FENWICK says that George Boyd did his work well, and was willing and obliging, and did his work as well as the person at present employed.

JOHN BRIGHT was employed during the cholera season to examine the depth of some graves and found several not more than 18 inches deep—does not think Boyd dug them, as several persons brought bodies there during the night.—Thinks he was an industrious man while employed by the House of Assembly. A man (not Boyd) acknowledged that he dug the graves in the row where they were so shallow.

## R E P O R T

## OF THE COMMISSIONERS OF THE BRANTFORD BRIDGE.

*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

The undersigned Commissioners appointed by an Act of the Provincial Parliament, passed the third year of His Majesty's Reign, for the erection of a Bridge over the Grand River at Brantford, would respectfully Report :—

That early in April, 1833, the necessary notices were given, and early in May, tenders with plans and estimates received, and a contract entered into with Messrs. Homnell and Moe to have said Bridge completed on the first of December thereafter. The Commissioners agreeing to remove the old bridge early in June—but owing to a disposition of certain individuals who had paid large sums in its erection, and keeping the same in repair, the Commissioners could not remove the same until the 20th of July, without a liability of being resisted by force. In consequence of this delay, the contractors on the first of December had the bridge only so far completed as to admit of the safe passage of teams, and at the meeting of the Commissioners, they took a surrender of the bridge, giving the contractors the right of occupying one tract to enclose and finish the same by the first of June thereafter.

At this meeting a further contract was entered into for the construction of a bridge resting on stone abutments over a waste wier at the West end of the Moira Bridge of 60 feet span. Also to erect a toll-house, together with some extra work on the main bridge, not specified in the contract.

The Commissioners also levied the following tolls, and employed a toll-gatherer to collect the same :

*Schedule of Tolls to be collected from and after the 1st of December, 1833.*

	£	s.	d.
A Wagon, Cart, Sleigh, or Sled, drawn by two Horses, Oxen, or Mules.....	3		C'y
A Wagon, Cart, Sleigh, or Sled, drawn by one Horse, Ox, or Mule.....	2		"
A single Horse, Mule, or Ox.....	1		"
For all Carriages drawn by two Horses, on Steel or Leather springs.....	6		"
For all one Horse spring ditto.....	4		"
Horned Cattle, or Horses, in drove, per head.....	1		"
For every hundred of Sheep, or in that proportion.....	1	0	"
Farmers and others can pass and repass the bridge for one year with one Team by paying the toll-gatherer in advance.....	10	0	"

On the 9th of June, 1834, the Commissioners farmed out the Bridge by Public Auction for the sum of one hundred and ninety-one pounds currency, compelling the purchasers to keep the same in good order, and confining them to the schedule of tolls to collect from.

*Statement of the expenditure and receipt of the Bridge.*

	£	s.	d.
1st Contract with Homnell and Moe for main Bridge.....	1250	0	0
2nd Contract for small Bridge and Toll-House.....	150	0	0
Do. extra work on Main Bridge.....	26	0	0
Expenses of removing old Bridge.....	15	0	0
Building the Toll Gates.....	3	15	0
Printing Bill.....	7	5	0
Painting Toll-House.....	1	16	0
Legal advice from Messrs. McDonald & Foster.....	3	0	0
Sign Board for Tolls.....	3	15	0
Books and Stationary.....	4	6	0
S. Yeaward for acting Secretary.....	10	0	0
J. Jackson, as acting Commissioner for time, overseeing the work and travelling expenses.....	25	0	0
	£1499	17	0
<b>1833.</b>			
May 30th, By amount received from Hon. J. H. Dunn.....	500	0	0
Sept. 27th, do. do.....	500	0	0
Nov. 21st, do. do.....	500	0	0
Interest on the above sums to 9th March, 1835.....	135	5	0½
	£1635	5	0½
<b>Amount of Tolls collected by John Homnell, from 1st Dec. 1833, to 8th June, 1834.....</b>	<b>68</b>	<b>19</b>	<b>6</b>
<b>Less 191 days' labor collecting Tolls, at 5s.....</b>	<b>47</b>	<b>15</b>	<b>0</b>
	<b>£21</b>	<b>4</b>	<b>6</b>

This includes £15 4 5 which he gave as receipts that were unexpended when the Bridge was sold, and deducted from the sale.

## APPENDIX.

	£	s.	d.
Amount received by the Treasurer on the 9th September, 1834.....	43	18	10
Do. do 9th December.....	43	18	10
Do. do 9th March, 1835.....	43	18	10
Balance unappropriated.....		3	0
	£153 4 0		

Leaving a balance due the Government of £1482 1 0 $\frac{1}{4}$ —Reducing the debt after paying the back interest £17 18 11 $\frac{1}{4}$  on the 9th of March, 1835.

The small sum collected from 1st of December to June is accounted for by the winter being exceedingly open and the roads bad; and another cause which probably operated to reduce the receipt very much was that of the public being opposed to toll-bridges, and they would cross on the river, and many would leave their teams on the west side, and cross the bridge on foot and do their business in town, and by those means avoid the tolls. Others would pass the Bridge late in the night, after the toll-keeper had gone to bed, and as the Bridge was unfinished would get over without pay.

From the rapid growth of the town of Brantford (having doubled its inhabitants since the new bridge was finished) it is fair to anticipate that the bridge will rent for at least 25 per cent more the coming year than the last, which will enable all the funds to be returned to the Government in five years.

The bridge being built upon good stone piers and abutments resting on piles, and the remaining posts and all the timber work covered in and painted, no essential repairs will be necessary for a great number of years.

The thousand complaints and the public alarm that at first existed against toll-bridges is now dissipated, and a great share of the public have expressed themselves satisfied that all large bridges are cheaper to the community, with a light toll, than free, as they are in a safe condition at a less expense, and it is the business of some person to look after them.

The Commissioners regret that owing to a misunderstanding of the time of paying the money into the Receiver General's Office, their Treasurer, Major John Westbrooke supposing that the money would only be received by the government in yearly instalments, and not wishing to keep the same himself, loaned the three first quarters rent to Messrs. Wilkes, Gage, & Fay, to the first of June, taking the best security for the repayment, with interest, on that day.

CHARLES DUNCOMBE, *Secretary*  
for the Commissioners appointed to build a Bridge  
over the Grand River at Brantford.

20th March, 1835.

No. 72.

## REPORT

### OF THE SELECT COMMITTEE ON FIRE & LIFE ASSURANCE COMPANY BILL.

*To the Honorable the Commons House of Assembly in Provincial Parliament assembled.*

Your Committee to whom was referred the Bill to repeal part of and amend an Act passed in the 3rd year of the Reign of His present Majesty, entitled, "An Act to Incorporate a Company under the style and title of the British America Fire and Life Assurance Company."

Beg leave respectfully to Report, that they have examined the said Bill, and compared it with the Act it is intended to amend, and find that it does not affect the principles of the before recited Act except in the liability of the Stockholders to the public, by the 12th section of the Act in existence it is declared that all policies of Assurance under the seal of the Corporations shall be binding and obligatory upon the whole corporation, in the same manner, and in the like form as if under the hand and seal of each individual member of the said corporation," as a difference of opinion may arise upon the construction to be given to this clause, and as it is not probable that any number of persons would embark in an undertaking that might by a forced construction involve the whole of their private property it has been thought advisable to propose the repeal of that part of the said section and in order that the public should at the same time be protected against fraud, it is proposed in the Bill now reported to give the Directors the power of compelling the Stockholders to pay up the subsequent shares of stock as the same may be required, after the institution is in operation, instead of their being permitted as by the present law, to forfeit the same. As an objection might be made to this clause by the few Stockholders who have not signed the petition praying for the amendment of their charter: Your committee have for their protection added

a clause to the bill, to enable such Stockholders to withdraw their names from the association within three months from the passing of the Act, and to demand and receive from the managing Director such amounts respectively as they may have paid in as stock in the said company. With this protection to the non assenting stockholders and the public, Your committee would respectfully recommend the passing of the bill reported, as upon the evidence of R. Sullivan and Thomas W. Burchell, Esqrs. two of the Stockholders in the institution, the first also the solicitor, and the latter the managing director of the same, that an institution of this description is loudly called for by the Province at large, as the foreign insurance companies who have agencies in Toronto have lately made a very heavy advance upon the premium of insurance, and have in fact refused altogether to insure wooden buildings. Your committee would also notice that by enabling an institution of this description to go into operation a great amount of money would be saved to the Province which is now paid to the United States and England.—Your committee perceive no necessity for a clause in the bill reported to prohibit Banking power to the Institution as a clause to that effect is contained in the original act, which it is not attempted to repeal by this bill. Your committee have also added a clause to the bill to enable the Provincial Parliament to repeal or alter any part of the said acts at any future period as in their wisdom may seem right and expedient.

APPENDIX.

JAS. E. SMALL,  
Chairman.

Committee Room, Commons House of Assembly, }  
2nd day of April, 1835. }

No. 73.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF THE  
President, Directors and Company of the Cobourg Harbour.

To the Honorable the House of Assembly.

The Committee to whom were referred the Petition of the President, Directors and Company of the Cobourg Harbour,

BEG LEAVE RESPECTFULLY TO REPORT:

That they conceive that the Harbour constructing at Cobourg has contributed greatly to the prosperity of the Town as well as of the surrounding country, and will, if completed, be of great utility and convenience for vessels and Steam Boats navigating Lake Ontario. That the erection of a Harbour at that place, altho' of manifest public advantage, has proved too great an undertaking for the company which embarked in it, and Your Committee would observe that it appears that the tolls for the year 1833, amounted to £595 8 7—and for the last year to £698 0 3½, and will probably increase in nearly the same ratio—That out of the tolls the sum of £130 per annum is paid the Secretary and Collector of the Company—That the Company have timber and materials on hand estimated at £1034 11 5—that the company have proceeded with the work as fast as their means would admit, but are now unable to complete it without further aid—that from the present depressed state of the country it is very difficult to obtain pecuniary aid from private individuals—that a further loan of £1000 would, in the opinion of Your Committee, enable the Company to complete the work, which otherwise will in all probability have to be abandoned. Your Committee therefore recommend that the sum of £1000 should be granted by way of loan to the Cobourg Harbour to be secured on the tolls and works thereof, payable with interest, half yearly in four years. Your Committee also further recommend that the period for completing the said Harbour should be extended to ten years from the period of the incorporation.

All which is respectfully submitted,

JOHN P. ROBLIN,  
Chairman.

Committee Room, House of Assembly, }  
24th day of March, 1835. }



he has allowed 3s. 9d. per day in the depth of winter, he worked himself and charged the public. In 1831, 33 pounds, as he stated, was granted for the roads, for which half work was not done—he refused to let it out by auction. In 1834 and the previous year, there was granted, to be laid out by Keenan on the town line between Adjala and Tosorontio, £25, and if it had been let out by auction and the cash paid to the labourers, £10 would have done more work; had the work been laid out by auction that was given to Keenan in different places, the farmers would have obtained good roads to go to market.—There was a meeting called by Michael Hailey, at Mr. Robinson's suggestion, which decided that the money ought to be laid out on the swamp, agreeably to the petition—afterwards Mr. Robinson said he would give one half on the swamp, but did not do so.

APPENDIX.

MICHAEL HAILEY, *called in and examined.*

The evidence of Thomas Langley, read to Witness, who was then asked:—

Are the circumstances stated by Mr. Langley such as you know to be true?—They are—Mr. Robinson told me that our petition for the swamp road was granted—he afterwards denied that.

ROBERT KEENAN, THE COMMISSIONER *complained of, was called in, and in answer to the questions of the Committee, he gave the following explanation:*

Did you ever come to Mr. Robinson during the last Session of Parliament and ask him to change a grant made or supposed to be made to the swamp road, to another road as is stated in the Petition?—No, I never did.

Did Mr. Robinson ask you last winter what road most required improvement in Adjala?—He did—and the money was granted to be laid out on the road I told him of.

Was there any conversation then about the swamp road?—None that I recollect of.

The evidence of Langley and Hailey having been read over to witness, he was asked—Have you any observations to make to the Committee on the subject matter of the complaint made against you?—No answer was made.

[Mr. Keenan produced no witnesses to disprove the charges in the petition, and although Mr. Robinson was called on for any observations he might desire to make, he made none.]

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No. 75.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

Andrew McGlashen and Others.



The committee to whom was referred the petition of Andrew McGlashen and others, report as follows:

That from the facts set forth in the said petition and other information laid before the committee by the Trustees of the York roads it appears that it will tend much to the public advantage that a sufficient sum by way of loan should be raised to enable Trustees to be appointed by this House to extend the Macadamized road to Holland Landing.

The committee would therefore recommend that a sum not exceeding £60,000 should be granted on such securities as the House may deem proper.

All which is respectfully submitted.

W. B. ROBINSON,  
*Chairman.*

3rd April, 1835.

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NO. 76.

## SECOND REPORT

Of the Committee on Finance.



*To the Honorable the Commons House of Assembly.*

Your committee beg leave to call the attention of your Honorable House to the advantages and benefit to the Province by negotiating all future Loans in England: It brings a new capital which never would be introduced, and it is by the exhibition of the former Report of your committee, a vast saving. It is not conceived, by adopting this system, that any of the capital destined to be brought here by emigrants would be affected, nor is it calculated to disappoint or injure

Sundry Reports.

APPENDIX.

persons with money for investment, as there are abundant private and unquestionable securities always to be obtained. It is also recommended that in negotiating Bills on London, the Receiver General should be authorised to adopt such measures as he may think most conducive to the public interest, and not confine himself in the sale of those Bills to the Province, but to resort to the best market and to take such steps as will produce the highest rate of Exchange as the sale of so large a sum of money in Upper Canada must soon supply the demands for remittances and the natural consequence would be that the Province will not give that premium which might be obtained by resorting for instance to New York, as the Exchange at that place is generally  $1\frac{1}{2}$  to 2 per cent higher there than it is here, and it is about 1 to  $1\frac{1}{2}$  per cent against Upper Canada, consequently the Receiver General might be able to add in this way to the transaction. In fact every means should be taken to make as much as possible; and your committee are quite satisfied that by giving the Receiver General full powers he will exert himself to the best interests of the Province.

All which is respectfully submitted.

CHARLES DUNCOMBE,  
Chairman.

Committee Room, 4th April, 1835.

No. 77.

Letter from Surveyor General transmitting Canada Company's Charter and Schedule of Lots reserved for Glebes in the year 1833.

SURVEYOR GENERAL'S OFFICE,  
Toronto, U. C. 11th March, 1835. }

SIR :

I have the honor, in obedience to the commands of His Excellency, the Lieutenant Governor, of the 27th February last, directing me to prepare such returns, asked for by the Honorable the Commons House of Assembly in the copy of their address to His Excellency, then enclosed to me (as connected themselves with this Department) to transmit a printed copy of the agreements and arrangements entered into between His Majesty's Government and the Canada Company to the latest period known to this office; and also a schedule of lands set apart as glebes during the years 1833 and 1834 respectively, with authorities for so doing thereto annexed.

The Clergy Reserves at large, have been duly given over from this office; and the above are all that are noted in its plans and documents for the purpose in question.

I have the honor to be  
Sir,

Colonel ROWAN,  
&c. &c. &c.

Your most obedient servant,  
S. P. HURD, S. G.

SCHEDULE of Lots reserved for Glebes during the year 1833, with the date of each appropriation and the authority for the same.

LOT.	CON.	TOWNSHIP OR TOWN.	DISTRICT.	DATE OF APPROPRIATION.	AUTHORITY.
1 & 10 p't 2.	3	Lochiel (Gore of,)	Eastern,	21 February, 1833,	Order in Council.
26.	10	Elmsley,	Johnstown,	10 January, 1833,	do. do.
18.	C.	London,	London,	27 Septem'r, 1833,	do. do.

S. P. HURD, S. G.

Surveyor General's Office,  
Toronto, 11th March, 1835. }

SCHEDULE of Lots reserved for Glebes during the year 1834, with the date of each appropriation and authority for the same.

LOT.	CONCES.	TOWNSHIP OR TOWN.	DISTRICT.	DATE OF APPROPRIATION.	AUTHORITY.
5	4	Camden (East.)	Midland,	31 July, 1834,	Order in Council.
27	2	Hope,	Newcastle,	31 July, 1834,	do. do.
15	East of Bexley-st.	Woodstock (town of,)	London,	27 Nov. 1834,	do. do.

S. P. HURD, S. G.

Surveyor General's Office, Toronto, 11th March, 1835.

No. 78.

APPENDIX.

## R E P O R T

OF THE SELECT COMMITTEE ON HIS EXCELLENCY'S MESSAGE

AND

**Despatch from His Majesty's Government,**

RELATING TO THE

**Collection of certain Duties at the Port of Quebec,**

OF WHICH THIS PROVINCE RECEIVES NO SHARE.



The Select Committee appointed to consider and report on the Despatch of the Secretary of State for the Colonies, sent down to this House by His Excellency, the Lieutenant Governor, on the 26th instant, respecting certain Duties collected at the Port of Quebec, have examined several documents which shew that from the passing of the Canada Trade Act, in the year 1823, till the year 1831, inclusive, a sum exceeding £118,000 was collected at the Port of Quebec, under the authority of British Acts, no part of which has been paid into the Treasury of this Province. As the amount collected under these Acts in 1831 was £20,000, it therefore would seem, even if the Revenue has not increased since that period, that at least £60,000 were collected during the three past years, which, together with the amount above, makes a total of £178,000 raised in Lower Canada, as Duties collected on Goods, Wares and Merchandize, imported at Quebec, no portion of which, in consequence of the opinion of the Executive Council of that Province, dated 8th December, 1825, has yet been paid to the Receiver General of this Province. Although the subject has long been pending the decision of His Majesty's Government it appears by the said Despatch that an Act of the Imperial Parliament is deemed necessary before the claim of Upper Canada can be satisfied.

That your Honorable House may fully understand the nature of the objections to the claim of this Province to a just share of these Duties, the Report of the Council above alluded to is appended hereto, and in order that the amount of such claim may be officially known to your Honorable House, the Committee herewith report an address to His Excellency, requesting His Excellency to apply to the Governor-in-Chief for a statement of the annual amount of Duties collected at the Port of Quebec, under the Imperial Acts 3 Geo. 4, chap. 44, 45 and 119, and 6th Geo. 4. chap. 114, from the year 1823 up to the 1st of January last.

WILLIAM MORRIS,

Chairman.

Committee Room, House of Assembly, }  
29th Jan., 1835. }

*Report of Council at Quebec, 8th December, 1835, on the subject of the share of duties claimed by Upper Canada.*

[COPY.]

*To His Excellency, the Earl of Dalhousie, G. C. B., Captain General and Governor-in-Chief of the Province of Lower Canada, &c. &c. &c.*

Report of a Committee of the whole Council—Present, the Honorable the Chief Justice in the Chair, Mr. Kerr, Mr. Perceval, Mr. Perrault, Mr. Smith, and Mr. Hale—on a reference respecting the proportion of Duty due to the Province of Upper Canada.

MAY IT PLEASE YOUR LORDSHIP—

The Arbitrators were empowered to ascertain the proportion to be paid to Upper Canada, of duties levied in the port of Quebec under the authority of any Act or Acts passed, or to be passed therein, upon Goods, Wares and Commodities imported therein by Sea, and the award accordingly is, "That for the four years next succeeding the first day of July, 1824,  $\frac{1}{4}$  of the Duties levied in the Province of Lower Canada, under the authority of any Act or Acts passed or to be passed therein by Sea, shall be paid to Upper Canada."

It appears to the Committee that the Duties now levied in consequence of the British Acts, 3rd Geo. 4th chap. 44, 45 and 119, are not levied under the authority of any Act passed in the Province of Lower Canada, but are levied under authority of Acts passed in the Parliament of the United Kingdom of Great Britain and Ireland.

## Sundry Reports.

## APPENDIX.

Then as the award is limited to Duties levied under the authority of Acts passed in the Province of Lower Canada, and the Statute Geo. 4. chap 119, is silent as to any Duties levied under any British Act of Parliament, save and except the 14 Geo. 3. chap. 88. it appears to the Committee that the Province of Upper Canada has no claim to any proportion of the Duties levied under the Statutes 3rd Geo. 4. chap. 44, 45 and 119.

At the same time as the question is one which affects the interests of the Province of Upper Canada, it is the opinion of the Committee that it should be referred to the consideration and decision of the Imperial Government and, in the interim, that things should remain in their present condition; the Government being made acquainted with the course which has been adopted.

All which, is respectfully submitted to Your Excellency's wisdom.

By order, [Signed] J. SEWELL,  
Chairman.

Council Chamber, 8th December, 1825.

Certified, [Signed] HERMAN W. RYLAND,  
I. G. O.

True Copy,

J. BABY,  
Inspector General.

No. 79.

## R E P O R T

## OF COMMISSIONERS ON PARLIAMENT BUILDINGS.

*To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

Second Report of the Commissioners appointed by an Act of the 3rd Session of the 11th Parliament, to carry into effect the provisions of the said Act.

The Commissioners in their first Report to Your Excellency, dated 28th November, 1833, stated that a further grant of £1800 was required to finish the Parliament building in a proper manner, and to construct an area around it to the East and West sides of the Portico, and to level and improve the grounds appertaining or adjoining to it. It was further stated, that in that sum was included £508, the estimated expense of covering the roof with tin, and opening an easy communication thereto from the second story, which they considered indispensable for the safety of the building, which had already once narrowly escaped burning, by a spark from one of the chimnies, which fell on the shingles.

This further grant has not been made, and the commissioners beg leave now to state further, that the decked part of the roof admits the rain water through in many places to an extent which must have destroyed the ceilings in both chambers of the Legislature, had not constant attention been paid to place vessels to receive the water.—And that notwithstanding every care some damage has been done to the interior, in other places where water came in and where vessels could not be placed. During heavy rains the basement story has been much wetted, and the walls and floors injured, which can be prevented only by the proposed area.

The Commissioners therefore beg leave earnestly to recommend that the roof of the building be covered with tin, and the area around the house be constructed with the least possible delay.

Considering the damp and unwholesome air in the basement story, and that the clerks have already suffered in health from it, the commissioners feel themselves called upon to state the fact to Your Excellency, and to recommend that apartments for their accommodation should be erected in rear of the building, in connexion with the rear entrance to the respective houses.

All which is respectfully submitted.

ALEX. McDONELL,  
JAMES FITZGIBBON,  
DAVID A. MACNAB.

No. 80.

APPENDIX.

## REPORT

### OF THE COMMISSIONERS FOR SUPERINTENDING THE ERECTION Of a Light House on Point Pele Island.

To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

The undersigned Commissioners, acting under the authority of a statute passed on the 19th day of February, 1833, entitled, "An Act for granting to His Majesty a sum of money to defray the expense of erecting a Light House on Point Pele Island, and for appointing Commissioners to superintend the same."

Humbly Report:—

That as soon as possible after the enactment of the said statute, and our appointment, we proceeded to examine the place alluded to, in order to ascertain and fix upon the most proper site for the Light House we were directed to construct, and decided Brushey Marsh Point, on the above mentioned Island, to be the best for that purpose, and advertised for tenders, the contract was on the 24th day of April, given to John Scott of Detroit, as the lowest bidder, for the sum of £675, Province currency, to complete the said Light House, according to specification, by the 1st of October last.

The detailed account of our disbursements, amounting to £712 15, Province currency, as well as a draft of the building, and a copy of the advertised specification, accompany this Report.

It will be remarked that this Light House is, in every respect, a neat and well-finished, and most substantial building, well pointed and whitewashed on the outside, which has been found preferable to rough-cast, and it cannot fail to last for ages.

There being a vast range of water coming up the lake, we would recommend an addition of three lamps, reflectors and heaters to the said Light House to be procured as soon as possible, and also a suitable dwelling house to be erected for the Keeper, without which we would deem it difficult to get the Light House properly attended to and taken care of, and it is to be lamented, that the law did not provide for this object at the time, as it might have been done with more economy along with the building of the tower.

The island on which the Light House is built, is in possession of Wm. McCormack, Esq., under an old Indian lease, and he offers to give 10 acres of well-timbered land gratis, for the use of the Keeper, besides the ground on which the building stands, which gift we would recommend to be secured as soon as possible.

We now approach the subject to which our attention has been particularly directed by the 3rd and last section of the Statute, viz: "What Tonnage or other duties upon vessels of all description, navigating Lake Erie, will in their (the Commissioners) opinion be sufficient to defray the charge of maintaining the said Light House, and to repay the sum of seven hundred and fifty pounds, with the interest accruing thereon and in what manner and in what place the duties can be most conveniently collected." To this subject we have applied our best attention with a view of collecting and aying before the Legislature the most correct information within our reach.

The result of our investigation on this subject has been that the general opinion in this section of the country is that the expenses for building and maintaining the Light House ought to be defrayed by appropriations from the general revenue and not by special duty on the shipping with which our views perfectly coincide, for the reason, 1st, that any such duty would eventually and exclusively fall on the shippers of produce to and the consumers of goods from the Lower Province residing in this small part of the Western District west of the light house. 2nd, that any augmentation of the existing charges on transportation on the Lake, would tend to give a decided advantage to all shippers of produce, east of the Light House, on our own coast, as well as to the Americans, who ship large quantities of Wheat, Pork, Beef, Pearl and Pot Ashes, from the states of Ohio, Pennsylvania, and the North Western parts of the state of New York, to the Lower Province, and of whom no duty could be expected, in any shape, because they do not pass the Light House.

The vouchers for the different items in our subjoined statement, are in possession of Wm. Elliott, Esquire, who will transmit them to Your Excellency, and at the same time give an explanation of the unexpected circumstances, which have prevented us from making this our report in due time.

PRIDEAUX GIRTY,  
PETER SCRATCH.

Gosfield, March 1st, 1834.

**NO. 81.**  
**Sundry Reports.**

APPENDIX.

**GENERAL STATEMENT of RECEIPTS and PAYMENTS by the Commissioners appointed for the erection of a Light House on Point Pele Island.**

DR.	£ s. d.	Cr.	£ s. d.
To paid on account by William Elliott, Esquire, to J. Scott the contractor,..	468 10 0	By amount of a Warrant on His Majesty's Receiver General in favor of William Elliott, Esq. drawn by him,....	750 0 0
To balance due to J. Scott (in the hands of Wm. Elliott, Esq. for which he has given a mortgage to the former,).....	206 10 0		
To paid for printing the advertised specifications,.....	1 5 0		
To paid to W. R. Wood for two drafts of the Light House,.....	6 5 0		
To travelling expenses to Sandwich, to get the above executed,.....	1 0 0		
To paid for boat hire and hands, to go four times to the Island,.....	6 10 0		
To Wm. Elliott, Esquire's travelling expenses twice from Sandwich to Gosfield,.....	2 10 0		
To our commission on £675 at 3 per cent,	20 5 0		
To balance in the hands of Wm. Elliott, Esquire, .....	37 5 0		
	£750 0 0		£750 0 0

By balance of the above statement in the hands of William Elliott, Esquire, and for which he is accountable,....£ 37 5 0

Gosfield, March 1st, 1834.

PRIDEAUX GIRTY, }  
PETER SCRATCH, } Commissioners.

No. 81.

## REPORT

### ON THE SELECT COMMITTEE ON THE PETITION OF **William Weller.**

*To the Honorable the Commons House of Assembly in Provincial Parliament assembled.*

Your Select Committee to whom was referred the Petition of William Weller, beg leave to Report:

That at the last Session of the last Parliament the sum of £500 was granted to improve the hill at the River Rouge, and erect a new Bridge over the said river, in this District.

It appears that the Petitioner did on the 23rd of June last enter into a contract with Francis Leys and Charles Fothergill, Esquires, commissioners appointed for the expenditure of the said sum of money, by which he bound himself to complete the same by November last, the consideration of the said contract being £500, the whole amount of the above grant.

The Petitioner sets forth in his Petition aforesaid, that in consequence of his being disappointed in the nature of the soil, it being a hard pan or limestone, through which he had to excavate in prosecuting the work, he entirely failed in completing his agreement within the time specified.

The Petitioner has also handed to Your Committee a detailed statement of the expenses incurred in the work so far as the same is finished, to which Mr. Daniel J. Estey, Deputy Provincial Surveyor has attached his deposition of its correctness, and of a due observance of economy in the expenditure of the money, as he was himself the superintendent of the outlay, under the contractor, which is hereto annexed, (No. 1.)

The Petitioner states that he has expended on this improvement up to the present period, the sum of £500, having received from the Commissioners only £350, of that amount.

Your Committee have also received a Communication from Mr. Estey (No. 2.) corroborative of the statements of the Petitioner, viz:—that the Commissioners before they entered upon the work assigned them by the Legislature, did not

expect that the £500 granted would complete the work contemplated, and also a report on the state and nature of the work performed by the contractor Mr. Weller.

Your Committee regret that there is no return before Your Honorable House from the Commissioners themselves of the work performed, as it would have enabled them to form a more correct opinion as to the amount of any further grant necessarily to be made to accomplish the intention of the Legislature.

Your Committee however, under all the circumstances of the case, are well convinced that the work could not have been completed for any thing like the sum granted, and therefore feel themselves warranted in recommending the further grant of £600, to enable the Contractor to finish a work of so much consequence to the public, it being on the only stage route from this city to the Eastward, and in its present condition, (what it has ever been) most dangerous to the lives and properties of persons travelling that road.

All which is respectfully submitted.

T. D. MORRISON,  
Chairman.

Committee Room, House of Assembly, }  
March 1835. }

GENERAL ABSTRACT.

The Commissioners of Rouge Hill on account current with William Weller.

Nov 29.	1834.	To amount of expenditure as per schedule annexed	521	7	11½	Nov. 29.	1834.	By amount of monies received as per do.....	350	0	0
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City of Toronto, } Personally appeared before me, Thomas D. Morrison, Esquire, one of the Aldermen of the said City, Daniel J. Estey of the Township of Pickering, Deputy Provincial Surveyor, who being duly sworn on the Holy Evangelists, deposeth and saith, that the foregoing account is just and true, and that the several items of expenditure and receipts were made under his superintendence and with the utmost regard to economy and exactness to the best of his knowledge and belief—"So HELP ME GOD."

DANIEL J. ESTEY.

Sworn before me this 3rd day of March, 1835.

T. D. MORRISON,  
Alderman.

NO. 1.

Schedule of Rouge Hill Accounts & Receipts.

1834	To Amount	paid	Matthias Prout for labour, per Receipt.....	7	6
July 5	"	"	paid Daniel Baily do do .....	7	6
" 9	"	"	paid William Ballard, Board for two.....	5	0 0
" "	"	"	paid for an Ox yoke.....	7	6
12	"	"	paid William Wasnidge, per rec'd bill.....	1	12 9
" "	"	"	paid for three Picks, weight 18 lbs at 10d.....	15	0
" "	"	"	paid Blacksmith, Hooks and Links on chain.....	3	9
" "	"	"	paid Mr. Lesslie for Stationary.....	7	6
14	"	"	paid Levi Fairbanks, per bill.....	3	9
16	"	"	paid John Wannamaker, rec'd bill.....	16	10
19	"	"	paid Gardner G. Parker, per rec'd bill.....	1	3 9
22	"	"	paid Robert Grames, per rec'd bill.....	13	5
23	"	"	paid George Waller " .....	19	4
" "	"	"	paid Oliver W. Warner " .....	2	0 0
" "	"	"	paid do do Cash lent on contract.....	2	6
24	"	"	paid Charles Hadley, mens board.....	11	7½
25	"	"	paid Truemna Needham, for labour.....	10	0
26	"	"	paid Charles Hadley, mens board.....	3	10
" "	"	"	paid Charles Hadley, mens board.....	4	4 7½
30	"	"	paid Wm. Ballard do .....	8	1 8

## Sundry Reports.

APPENDIX.				
Aug.	1	"	Owen Carlan, labour, Rec't.....	£2 15 0
	4	"	William Johnston, blasting utensils.....	14 0
	"	"	paid Charles Hadley, mens board.....	4 16 2½
	7	"	paid Matthias Prout, Rec't.....	2 15 0
	"	"	paid William and Thomas Harley, Rec't.....	5 0 0
	8	"	paid John Grant do .....	2 10 0
	"	"	paid William Wasnidge do bill.....	1 5 0
	9	"	paid Abrm. Stoner, in Wagon to and from Toronto.....	5 0
	11	"	paid John Naylor, Rec't.....	2 10 0
	"	"	paid Ryan for one Yoke Oxen.....	15 0 0
	"	"	paid Trueman Needham, balance labour.....	1 3
	"	"	paid Oliver W. Warner, rec't.....	2 10 0
	"	"	paid Oliver W. Warner (an omission 2nd).....	1 5 0
	20	"	paid Oliver W. Warner, rec't.....	5 0 0
	28	"	paid Edward Mander " .....	18 0 0
	29	"	paid Charles Hadley, mens board.....	9 14 0½
Sep.	6	"	paid Oliver W. Warner, Rec't.....	1 5 0
	"	"	paid Thomas and Joseph Hurst, Rec't.....	14 0
	"	"	paid William Norton, on account O. W. Warner.....	5 0
	21	"	paid O. W. Warner, Rec't.....	1 5 0
	"	"	paid Asa Landon " .....	3 1 6
	22	"	paid O. W. Warner, No.....	15 0
	"	"	paid for Staples and Rings (Henry Ballard).....	7 6
	"	"	paid Wm. Norton on account O. W. Warner.....	1 3
	"	"	paid William Ballard, mens board, Rec't.....	7 10 0
	"	"	paid James Lapping, Rec't.....	2 10 0
	23	"	paid John Johnston, E. Cornells.....	1 1 5
	"	"	paid, order, " .....	2 10
	24	"	paid David Weller " .....	2 10 0
	"	"	paid Jacob Spikerman " .....	2 10 0
	25	"	paid William Balard, board, .....	11 4 9
	26	"	paid, Remembrance, G. Richards.....	3 5 0
	"	"	paid O. W. Warner " .....	1 5 0
	"	"	paid Levi Fairbanks, Rec't bill.....	4 18 1½
	28	"	paid G. G. Parker, use of Oxen.....	10 0
	"	"	paid Vanakin, on account of labour.....	1 5 0
	"	"	paid Isaac Wanakin, Rec't.....	1 10 0
	29	"	paid George Black, Rec't bill.....	1 3 4
Oct.	2	"	paid James Gordon " .....	1 5 0
	"	"	paid Edward Harris " .....	1 5 0
	"	"	paid G. G. Parker " .....	1 14 6
	4	"	paid Daniel McCarthy " .....	2 10 0
	"	"	paid John Lantry " .....	2 10 0
	10	"	paid Patrick Duffy " .....	15 0
	15	"	paid S. H. Smalley " .....	2 5 7½
	"	"	paid John Middleton " .....	4 0 0
	"	"	paid Thomas Hartwell " .....	1 3 0
	16	"	paid Trueman R. Clark " .....	10 0
	18	"	paid Charles Meggs " .....	2 10 0
	"	"	paid William Ballard, per Rec't.....	9 15 0
	20	"	paid William Ballard " .....	2 8 0
	"	"	paid Oliver W. Warner " .....	3 12 6
	24	"	paid John Maher " .....	10 0
	"	"	paid Michael Slatry " .....	10 0
	"	"	paid Trueman R. Clarke " .....	2 10 0
	25	"	paid Levi Fairbanks " bill .....	2 6 3
	"	"	paid William Ware " .....	3 15 0
	"	"	paid John Menight " .....	1 5 0
	"	"	paid Levi Vanakin " .....	1 2 0
	"	"	paid Isaac Scott " .....	2 10 0
	"	"	paid John Stoner " .....	10 0
	27	"	paid John Whipple " .....	1 14 8
	"	"	paid John Menight " .....	2 10 0
	28	"	paid John Middleton " .....	1 3 11
	31	"	paid Robert Ray " .....	17 3
	"	"	paid George Long " .....	1 3 4
Nov.	"	"	paid John Resor " .....	2 6 11½
	1	"	paid William Norton " .....	12 6
	"	"	paid O. W. Warner " .....	1 5 0
	"	"	paid Levi Fairbanks, on account.....	5 17 6
	"	"	paid R. G. Richards, Rec't.....	4 5 0
	2	"	paid John Page " .....	5 0
	"	"	paid Richard McLaughlan " .....	1 0 0
	"	"	paid James Julian " .....	10 0
	"	"	paid James Cook " .....	1 19 0
	8	"	paid Gardner G. Parker, one day use of Oxen.....	2 6
	"	"	paid James Speckerman's expenses with R. Ray.....	2 6
	"	"	paid Isaac Simpson, for Butter.....	5 0

Sundry Reports.

Nov.				
3	"	paid Isaac Simpson, for 20 Bushel Oats.....	1	5 0
"	"	paid at sundry times for Salmon.....	2	0 0
4	"	paid James Evory Rec't.....	2	11 11
"	"	paid John Hort ".....	2	10 0
"	"	paid Thomas Hallihan ".....	2	10 0
"	"	paid Michael Chabriely ".....	2	10 0
11	"	paid John Page ".....	2	10 0
"	"	paid Richd. McLaughlan ".....	2	10 0
13	"	paid George Lery (Oats) ".....	2	6 8
15	"	paid William Stackdale ".....	1	5 0
16	"	paid Charles Hadley ".....	2	16 10½
19	"	paid Oliver W. Warner ".....	2	15 0
22	"	paid Isaac Scott ".....	4	2 9
"	"	paid James Julian ".....	4	2 9
"	"	paid William Owen ".....	2	10 0
"	"	paid John Skelton ".....	4	4 6
"	"	paid William Knox ".....	2	6 10½
"	"	paid Michael Chabriely ".....	1	6 7
"	"	paid William Stockdale ".....	1	14 10
"	"	paid Thomas Halihan ".....	1	6 7
"	"	paid James Richardson ".....	0	11 6
"	"	paid Michael Braman ".....	2	10 0
23	"	paid W. C. Ross " bill.....	3	0 0
"	"	paid, Remembrance, G. Richards, Rec't.....	8	0 0
"	"	paid ——— Hulbert ".....	0	5 0
24	"	paid John Johnston ".....	1	15 2
27	"	paid for a Hog.....	1	14 0
"	"	paid Jacob Spickerman.....	2	5 0
"	"	paid Levi Fairbanks.....	10	0 0
"	"	paid D. McDougald Haims.....	2	2 6
"	"	paid Wm. Ballard, Flour.....	0	17 6
"	"	paid Jonathan Stevens, Rec't.....	0	10 0
"	"	paid John Middleton ".....	1	1 7
"	"	paid Murray Newbigging & Co. Rec't bill.....	1	0 0
28	"	paid G. G. Parker " bill.....	2	10 0
"	"	paid R. G. Richards ".....	1	10 0
"	"	paid C. Hadley ".....	2	0 0
"	"	paid Jacob Spickerman ".....	0	15 0
"	"	paid Charles Hadley ".....	1	0 0
29	"	paid William Brown for one days labour.....	0	2 6
"	"	paid William Brombey do.....	0	2 6
"	"	paid Henry Brannum, four do.....	0	10 0
"	"	paid for four Wheelbarrows at 25s.....	5	0 0
"	"	paid for use of Yoke of Oxen.....	7	10 0
"	"	paid for use of a pair of horses 60 days at 5s.....	15	0 0
"	"	paid for Rugs by Mr. Weller in Toronto.....	1	2 6
"	"	paid for a Spade by ".....	0	4 0
"	"	paid for a Water Keg ".....	0	3 9
"	"	paid O. W. Warner Rec't.....	1	5 0
"	"	due O. W. Warner, on account of Contract.....	69	11 3
"	"	of Acct's still unpaid.....	33	19 0
			471	7 11½
		due for superintendance from 1st July to 31st Janr'y.....	50	0 0
		Cr.		
			521	7 11½
By	"	of Monies rec'd from Commissioners.....	350	0 0
		Balance £.....	171	7 11½

APPENDIX

March 10th, 1835.

Sir,  
Being the person employed by Mr. Weller to superintend the expenditure of five hundred pounds in building a bridge across the River Rouge and improving the road by making an excavation thro' the hill forming the Eastern Bank of said River, I take the liberty to report to you for the information of the Select Committee the following particulars touching the matter in question.

In June last an application was made to me by the Commissioners to examine and report to them the height and distances from a certain point marked, which I accordingly attended to, and gave a plan and report shewing the height of the hill from a horizontal base to the summit, as also an imaginary line passing through the hill at an angle of five degrees, being the same which is generally used in surveying works of that nature, all of which was submitted to the Commissioners, and it was then taken into consideration by them and fully agreed upon that the sum granted would be altogether insufficient to carry the work thro' at that angle (5°) and therefore an angle of seven degrees was adopted and the contract executed accordingly under an impression that if the whole could not be completed for the sum, it might not be impossible to make a road passable until another application could be made to Parliament, and their sanction obtained for an addition to the former grant; but not at the time, supposing that the work could be permanently concluded the then present allowance.

NO. 82.  
Sundry Reports.

## APPENDIX.

With this object in view the work was commenced according to contract, by raising an embankment from the point mentioned, at an angle of seven degrees, to the river, and a good abutment raised at the Western end of the Bridge, which was contracted for by another person. In the meantime preparations were making to go on with the excavation by removing the trees, stumps, &c.; this part you will easily perceive must progress very slowly as the trees were all pine, the stumps of which cost great labour to remove them, and from the whole having to be done by men alone, as the steepness of the hill would not admit of the use of oxen.

I beg further to state, that much greater difficulties were to be surmounted than could have been supposed from the nature and growth of timber on the land, which would warrant the belief that the whole cut would be thro' a bank of sand and gravel; but on the contrary, at the depth of two feet from the surface we came in contact with a hard marle, which requires the use of great quantity of powder to remove it, thereby with other necessary preparations such as wharfing with logs securing them with binders, bushes, &c. to make the road permanent, rendering the task extremely tedious. Perhaps it will be excusable in me to give an instance which I think will go to prove this statement. In July last, six men, Miners from Cornwall, in England, engaged to remove 500 yards in the following manner: to dig out the clay, keeping it only twelve feet behind them (which is not more than half the labour required to place it on the road) and as it would be their advantage, I have every reason to believe that they used every means in their power to forward their work, and notwithstanding, at the end of six weeks, they had only excavated 480 yards for which they received the sum charged in the account per Edward Manders receipt.

As to the permanency of the work as far as it goes we may judge something from the circumstance of its having stood the test of winter in the very worst state in which it could be left, the operation stopped at a time when we could not secure the earth properly, but although great quantities of water have washed the face of the road through the winter, there is no part which has given away in the least.

I would beg further to state, with regard to the log-abutments on the East side of the stream of which something has been said; that it was found impossible to lay up logs or any other thing so as to secure the earth in the road on the steepest part of the hill in any other way, as the timber could not be got to the spot without the help of a team, which in that case was every moment in danger of being swept down the bank and killed, accordingly after many narrow escapes of the kind we adopted the method which we pursued—leaving the space between the walls sufficiently wide to secure the embankment properly within.

I have been induced to give this Report under a conviction that a great deal has been surmised—and feeling fully that every thing has been done on the part of the contractor within his power.

Firmly believing that this arduous undertaking could not have been in the time and for the sum expended put in a greater state of forwardness by any management.

I have the honor to be

Sir,

Your Ob't. humble Servt.

DANIEL J. ESTRY.

DOCTR. T. MORRISON, }  
Select Committee. }

No. 82.

C O P Y O F A L E T T E R

TO THE INSPECTOR GENERAL OF PUBLIC ACCOUNTS.

January 31st, 1835.



[COPY]

*Government House, January 31st, 1835.*

SIR :

With reference to the several Addresses of the House of Assembly, respecting the Accounts of the Casual and Territorial Revenue, and certain Returns of Clergy Reserves and Glebe Lots, I am directed by the Lieutenant Governor to request, that you will have the goodness to examine the accompanying documents, which have been forwarded to this office with a view of their being laid before the House, and to point out to the Heads of Departments and Accountants any documents, which do not appear to you to be complete, or to contain all the information required by the Assembly.

His Excellency desires me to add, that you are to consider yourself authorised to transmit to the House of Assembly such details, accounts or vouchers, of every description of Revenue and Expenditure, under the control of the Crown, as the House may deem it expedient to apply for, without further instructions.

I have the honor to be, &c.

WM. ROWAN.

THE INSPECTOR GENERAL.

**P E T I T I O N**  
OF THE INHABITANTS OF KINGSTON.



*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein, &c. &c. &c.*

We, His Majesty's dutiful subjects, inhabitants of the Town of Kingston,  
BEG LEAVE TO STATE,

That the intercourse between this part of the Province, and the opposite portion of the American frontier country has been hitherto kept up principally by means of a road across Wolf Island, and by ferries from the Island to Kingston and Cape Vincent, a means of communication that has ever been found uncertain and liable to frequent delays and obstructions.

That in consequence of the inconvenience of this route, your Petitioners have recently turned their attention to the practicability of opening a direct and uninterrupted water communication with Cape Vincent by a Canal across Wolf Island.

A reference to the map will shew that between Ferguson's Bay, immediately in front of Kingston on the North West side of the Island, and Big Bay or Bayfield's Bay, (as it has lately been called) on the South East side of the Island, there is but a low and narrow strip of land, by cutting a channel thro' which, boats and small steamers might be made to pass and repass with regularity and expedition at inconsiderable cost and with great and growing advantage to the public on both sides of the Boundary Line. In order to determine the cost of such a work, an Engineer of adequate skill and judgment was some time since engaged; and he has explored the course of the proposed Canal and found that it afforded extraordinary facilities. According to his report (of which, your Petitioners have the honor to append a copy and a diagram) the length of excavation required to connect the navigation of Ferguson's and Bayfield's Bays, is about eighty-seven chains, and the nature and quality of the soil are such as to render the excavation easy and cheap. For a Canal of four feet in depth with forty feet of width at the bottom, (locks, of course, being needless) the Engineer has calculated the cost at less than eighteen hundred pounds, currency, and your Petitioners place confidence in the accuracy of this estimate.—Your Petitioners have proposed to themselves the excavation of this work for the common benefit of the public, by raising a general subscription, the funds obtained by which, are to be applied without any pledge or expectation of reimbursement, and they further intend that the Canal, when completed, shall be free and open to the use of all persons, without control, and without the exaction of tolls or dues of any kind.

Your Petitioners have the pleasure to state that in furtherance of this enterprise, the inhabitants of Cape Vincent and its vicinity, on the American frontier, have come forward with laudible alacrity, and offered a subscription very honorable to their liberality and public spirit, and it now rests with the Legislature to afford the projected work its countenance and support, and to ensure its completion by a reasonable appropriation from the public funds.

Your Excellency's Petitioners beg to represent that the utility and advantage to be derived from this Canal would not be limited to the people residing in its immediate neighbourhood on either bank of St. Lawrence. At this prominent point of the frontier communications of Upper Canada, there is, at all seasons of the year, a great deal of travelling; and the inhabitants of the Province from the Eastern boundary upwards as far as Cobourg and Port Hope are more or less interested in the accomplishment of the purposed improvement, in the means of crossing the River from Kingston to Cape Vincent.

Wherefore, your Petitioners humbly request that your Excellency will be pleased to take the subject of this statement into consideration, and recommend to the Legislature the grant of such public aid to your Petitioners as the nature and general benefit of the work in which they are about to engage may appear to justify and require.

And your Excellency's Petitioners, as in duty bound, will ever pray, &c.

Kingston, 25th February 1834.

C. W. Grant,  
Horatio B. Garratt,  
Wm. Garratt,  
John Watkins,  
C. A. Clarke,  
Geo. W. Yarker,  
H. Earl,  
George Hardy,  
John R. Forsyth,  
H. Smith,

H. Cassidy, Senr.  
Henry Cassidy, Junr.  
John S. Cartwright,  
Robert D. Cartwright,  
F. A. Harper,  
John Kerby,  
H. Dupuy,  
Geo. F. Corbett,  
John Oliphant,  
John A. Green,

A. Manahan,  
D. Bethune,  
James Sampson,  
James Macfarlane,  
John G. Parker,  
James R. Benson,  
Abraham Truax,  
T. Macnider,  
Geo. Mackenzie,  
Wm. Wilson.

Sundry Reports.

APPENDIX.

Copy of Col. Nickles Report of Survey.

After attending to the duties which I have been called on to perform—I would beg leave to report that I have examined with caution the contemplated canal route, from Ferguson's Bay, on the North shore, to Bayfield's Bay, on the South side of the island, and find the descent to be about three feet from the North to the South side, as will be ascertained by each station through the line—I also find that it is necessary that the line of said canal should be on a curve from West to South, in order to evade a point of land which intervenes, and to save the expense of extra cutting.—I would also remark, that so far as we have been able to test the earth, we find from 2 to 3 feet of clay, after which appears to be sand, and no rock to the depth required.—You will observe from the profile that merely to bring the bottom of the canal upon a level, that from the summit of its termination at the Marsh, it will not admit of four feet water, consequently it is required to be excavated to the depth of four feet or nearly so, that the water may be on a gradual descent from the commencement to its termination, for which I have accordingly made the calculation in the estimation.

From station No. 22, we were not able to examine the march or creek through which the canal is to pass, therefore I am unable to make any accurate calculation as to the distance required to be improved, or the expense, but believe it will not be more expensive than the cutting through the march on the north side of the island, which we examined, and which could be easily made navigable by the aid of a scow or a boat constructed for that purpose.—In fine I cannot discover any serious objection to the completion of the work, as it is in my opinion highly practicable, and can be easily accomplished with the necessary means.—As respects the mode of construction I would recommend that there should be a committee appointed whose duty it shall be to superintend its construction, with the aid of some person who is acquainted with the business, and a practical Engineer, whose expenses will be saved by a close application to its location and mode of construction.—You will also be particular to have the banks left with a slope of at least to an angle of 45 degrees, and as the bottom requires to be 40 feet in width, you will in all cases see that the earth is removed to a sufficient width at top, where there is more than four feet in depth required, that the banks may be secure, and prevent slipping by front, th s calculation as to the expense, is also made per yard, according to the depth and width required, as will be seen on the profile accompanying this.

I am,

Sir,

Your most obedient Servant,

(Signed)

ROBERT NICKLES,

Civil Engineer.

24th February, 1834.

No. 84.

R E P O R T

OF COMMISSIONERS ON KINGSTON HOSPITAL.

To His Excellency Sir John Colborne, K. C.B., Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.

The undersigned Commissioners appointed by an Act passed in the second year of His Majesty's reign, "to superintend and manage the erection and completion of an Hospital in or near the town of " Kingston, and to purchase or otherwise obtain, choose, and determine the site thereof."

Most Humbly Report :

That they had confidently hoped on the present occasion to confirm the anticipations hazarded last year by one of their number on their behalf, by certifying that the building assigned to their management was completed and ready for the reception of patients. They regret to say that in consequence of the prevalence during many weeks in the summer of a destructive malady, the progress of the building has been greatly retarded. The contractors for some time found it difficult to procure as many mechanics and labourers as were required for the due performance of their work within the period prescribed by their respective agreements; and the Commissioners sensible of the disheartening circumstances in which those individuals were placed, were not disposed to be severe in exacting what they were bound to perform. The Hospital thus remains incomplete, and unfit as yet, for use. It has been roofed, the floors have been laid in every story, and one coat of plaster has been put on throughout the building. In the ensuing spring, the remainder of the work specified in the contracts will be finished, and the Hospital may then be appropriated to those purposes of benevolence and charity for which it has been designed. The Commissioners venture to think that a more commodious building of the same description, has not been erected at the same cost in any country.

The accounts of their disbursements are herewith submitted by the Commissioners, made up in as complete and clear a manner as circumstances will at present allow. On the due fulfilment of the contracts, regular vouchers for the two largest items in the general statement shall be prepared and laid before your Excellency. It will be seen that the sum total of the public grant and private contributions that have been collected up to this date, amount to.....£3,695 4 4

And that the amount of disbursements is..... 3,309 14 9½

Leaving a balance in hand of.....£ 885 9 6½

This balance will not discharge the claims yet open, and it is not even certain that the amount of unpaid private subscriptions, added to the sum on hand will suffice for this purpose; for in consequence of the great mortality which has occurred since the passing of the statute, as well as of other events, there

are many more subscriptions that are irrecoverable, than could possibly have been anticipated at the time when the contracts were made. It may thus happen that notwithstanding the precaution observed by the Commissioners in keeping, as they imagined, far within the limit of their means, they may eventually find themselves responsible for a sum considerably beyond it. In such a case, however, if it should unfortunately occur, they will confidently rely on the public spirit and benevolence of their fellow townsmen for additional contributions to the required extent.

It remains to be stated, that after all the work contracted for shall be completed, the Hospital will not be prepared for the actual reception of patients until the wards appropriated for the sick, and the rooms designed as dormitories for the servants of the establishment shall be furnished with the necessary bedsteads and bedding—the closets with suitable baths—the kitchen and laundry with their appropriate implements—and the several apartments be provided with stoves.

Besides the purposes above stated as necessary to precede the reception of patients, it is desirable that on the opening of the ensuing spring, the grounds adjoining the building should be cleared of rubbish, levelled and put in order, and the yard provided with suitable fences, and the roof and inside of the building painted. And it would add much to the comfort and convenience of the establishment, as well as subserve the purposes of future economy, to sink a cistern, and form an artificial pond contiguous to the building;—both of which purposes could be accomplished at a moderate expense, and would secure a constant supply of water for all ordinary purposes.

To accomplish these improvements, the necessity of which they trust will be apparent to Your Excellency, the Commissioners are of opinion that the further sum of five hundred pounds would be requisite. And as this Hospital has been confessedly patronized by the Legislature as a provincial institution, the Commissioners conceive that the bare allusion to this matter, as well as the expediency of providing annual aid in support of the Hospital, will be sufficient to attract to it the due consideration of the Legislature. Annual contributions will doubtless be made towards the maintenance of this charity by the people of Kingston, as cheerfully as in times past their aid was afforded to institutions of similar character, though less extensive in their scope; but this is a source of revenue and support which alone is manifestly inadequate for an Infirmary designed for the relief of persons taken from a wide range, and embracing not only destitute and diseased emigrants, but also, sick and disabled paupers from the eastern sections of the Province.

On the subject of the management and government of the Hospital on its completion, the Commissioners do not feel it incumbent on them to enter. If not provided for by royal charter, it will probably not be overlooked in the course of legislation, at the approaching session of the provincial parliament.

Kingston, 31st December 1834.

JNO. MACAULAY,  
JAS. SAMPSON,  
E. W. ARMSTRONG, } Commissioners.

GENERAL STATEMENT OF RECEIPTS AND DISBURSEMENTS by the Commissioners for erecting the Kingston Hospital.

D. McMillan, Boundary Stones....	1	2	17	6	Cash from Receiver General, on 7th May, 1832.....	1000	0	0
Messrs. Sampson & Armstrong, Expenses.....	2	26	10	0	Cash from Receiver General, on 24th June, 1833.....	1000	0	0
Dennis McGrath, Cartage.....	3	1	1	6	Cash from Receiver General, on 24th November, 1834.....	1000	0	0
Hugh Lavery, Digging Holes for Pickets.....	4	3	12	6	Private subscriptions collected to this date, including that of T. Phillips, Esquire, of Montreal	690	15	4
J. S. Cartwright, Expenses on Deed, Edward Noble, Levelling Ground..	5	0	13	3	Interest obtained on a temporary loan, made of a sum of money, at a time when it was not immediately wanted.....	4	9	0
John Mowat, Cedar Pickets.....	7	10	0	3½				
Daniel Everitt, Boards for Fence...	8	2	0	6				
Robert Forest, ditto ...	9	9	5	4				
Henry Shannon, making Fence....	10	23	2	2½				
John Boyd, Labour.....	11	0	8	3				
William King, Excavation.....	12	7	11	11				
Thomas Burrows, Surveying.....	13	3	3	9				
Thomas Rogers, labour at Sewer...	14	4	18	9				
James Kerr, Painting.....	15	17	15	10				
Estate of H. C. Thomson, Advertising	16	1	0	4				
Venerable G. O'K. Stuart, Land...	17	540	0	0				
Fisher & Lyall, Carpenter's Contract.....	18	1166	8	10				
Thomas & John Milnor, Mason's do.	16	1430	10	5				
Thomas Phillips, account paid by him for the Plan of Montreal Hospital.....	20	10	0	0				
J. McFarlane & Co., Blank Book..	21	0	9	0				
Balance.....		385	9	6½				
£	3695	4	4		£	3695	4	4

JOHN MACAULAY,  
JAMES SAMPSON,  
E. W. ARMSTRONG, } Commissioners.

Kingston, December 31st, 1834.



John Hammell and Benjamin C. Perce, in connexion, and after consulting with our Engineer, it was supposed that the proposal was sufficiently low to warrant our closing the Contract with them, which we did, and soon as the proposals were accepted, the Contractors commenced their operations. The Contract is for widening the embankment from Welland Canal Feeder Bridge to the Head Gate of a Mill Pond, a distance of twenty feet; making a Bridge across said Head Gate, twenty-six feet long and seventeen feet wide; the widening the embankment from said Head Gate to the Welland Canal Ware House, a distance of sixty-two feet, now ten feet to the width of twenty feet on top, from said Ware House to the abutment of the main Bridge, a distance of seventy feet, to be filled in for making the approach to main Bridge good; the main bridge across the River, six hundred feet long and seventeen feet wide, placed upon twelve Piers, six feet wide, filled with stone, with good abutments at either end and approaches, then the embankment from main Bridge to a waste wier on south side of the River, now six feet wide, to be made fifteen feet wide on top, a distance of two thousand feet, to be protected by a stone wall, two feet thick and three feet high, with three layers of timbers under said wall, all supported by Piles, drove sixteen feet in muck and clay, and four feet above water, ten feet apart; at the end of this embankment it was necessary to erect a Bridge over a waste wier of a hundred and fifteen feet; and also a Bridge over what is called Sulphur Creek, a distance of two hundred and fifty-five feet, by seventeen feet wide, built upon Piles—the whole to be completed by the first day of Dec. last past, for the sum of eleven hundred and forty-two pounds; upon this Contract, we are sorry we have to report that the Contractors could not keep their contract good in point of time, in consequence of the prevailing sickness at this place during the summer season, the same cause has operated against the Contractors in increasing the expense of said work; yet, notwithstanding, the main bridge is nearly completed, and that over the waste wier finished, the abutments to the bridge over Sulphur Creek, are laid and filled, and all the materials for completing, except plank, are on the spot. The work, as far as finished, is universally allowed to be done in the best manner. We are sorry to add, that the Contractors are likely to sustain a considerable loss in their contract. We find, also, that it will be necessary to increase the stone wall, from two to three feet thick, and also to add a stick of timber the whole length of the wall, for coping, which is not included in the contract, and there is other extra work which must be done: such as painting the bridge for its preservation, and hand-rails on the embankment, which will make the aggregate sum exceed the sum granted by Parliament, nearly two hundred and fifty pounds.

May it, therefore please your Excellency to recommend to the House of Assembly to grant a further sum of two hundred and fifty pounds for the completion of said work which we confidently expect will be completed by the first day of May next. The sum advanced to the Contractors, and for other necessary expenses is nine hundred and seventy pounds, there yet remains in the Bank, unexpended, two hundred and eighty pounds up to this date.

We have the honor to be Your Excellency's most dutiful and obedient servants,

WILLIAM MYLNE,  
ALPHEUS S. ST. JOHN.

Dunnville, January 21st, 1835.

No. 86.

## REPORT

OF THE SELECT COMMITTEE ON THE PETITION OF

John McDonnell and Thomas Mears.



The Committee upon the Petition of Messrs. John MacDonell and Thomas Mears, of the Ottawa District.

REPORT TO THIS HONORABLE HOUSE,

That they have duly considered the prayer of the Petitioners, and as they are of opinion that your Petitioners acted under the impression that they would be reimbursed by the Legislature, and as the expenditure was made upon the public high way and for the good of the community—and also taking into consideration the character of the Petitioners, are of opinion that they would not advance any claim but a just one.

Your committee have further to report, that upon enquiry for documents, they find that any papers which could throw light upon the subject had been consumed in the Government buildings.

They do therefore recommend the Petition to the favourable consideration of this Honorable House.

DONALD E. MACDONELL, *Chairman*,  
T. MCKAY,  
D. MACDONELL,

House of Assembly }  
18th February, 1835. }



quence at the ensuing election for the county of Leeds, no responsibility can rest with the House of Assembly, that body having by so large a majority adopted such a remedy as they deemed most expedient to secure a fair and independent election and return, but that the Executive government must and will be held responsible for any and all unhappy proceedings and results that may occur at the coming election in consequence of the recommendation of the House of Assembly being so utterly disregarded. Taking all things into consideration your committee refrain from recommending an address to His Excellency the Lieutenant Governor, requesting him to appoint a more distant day for holding the said election, as they have but too good reason to apprehend, from what has already taken place on this subject, that it would be unavailing.

All which is respectfully submitted.

Committee Room, House of Assembly, }  
20th February, 1835.

PETER PERRY,  
Chairman.

APPENDIX.

NO. 88.

## FIRST REPORT

### OF THE SELECT COMMITTEE ON THE PETITION OF MARGARET DRUMMOND AND JAMES BRUCE.



The Committee to which was referred the petition of Margaret Drummond, Executrix of the last will and testament of the late Robert Drummond, deceased, and Joseph Bruce, Executor to the said Will—beg leave to make a first Report:—

That during the prevalence of cholera in Kingston, Mr. Drummond fell a victim to the disease—that the well known industry and enterprise of Mr. Drummond had led him to embark in many works, which were not only creditable to himself, but very beneficial to the section of the Province in which his talent, and industry were exercised.

That in the progress of his business, many contracts had been made, and accounts to a large amount were outstanding against the said Robert Drummond at the time of his sudden death.

That upon ascertaining the amount of claims against the estate of the said Robert Drummond, it was discovered by the petitioners that the personal property of every description would be insufficient for the satisfaction of such claims. That the said Robert Drummond died possessed of real estate to a large amount. That the petitioners being desirous of discharging demands against the said estate as soon as possible, and with the least expense, are desirous of disposing of such a portion of the said real estate as may suffice for that purpose—that as doubts have arisen whether the petitioners have by the terms of the said Will, sufficient authority to sell and convey any part of the said real estate, that doubt operates to their disadvantage in three ways—First, if the lands be sold by Sheriff's sale, there must accrue not only the cost of a great number of actions, the delay of satisfying creditors, but the certainty of a lower price than should the same quantity of land be sold by private sale under the authority of the executors, might be obtained.

The committee would therefore respectfully recommend that a bill be passed in accordance with the prayer of the said petition, constituting the petitioners Trustees for the benefit of creditors only,—and under those restrictions contained in an Act passed in the first year of His present Majesty's reign, constituting William Warren Baldwin, Esquire, a Trustee to sell and convey the estate of the late Laurent Quetton de Saint George.

A copy of the said Will, the committee beg leave for the information of the House to append to this report. From the terms of which it appears to your committee, the intention of the Testator evidently was to authorize the petitioners to sell such portion of the real estate as might be sufficient, not only to discharge all just claims against his estate, but also to defray the legacy of £1,000 to his wife.—Yet the committee feel convinced that intention cannot be carried into effect so beneficially for the other legatees, without an Act to remove the doubts which persons wishing to purchase, might probably entertain.

All which is respectfully submitted.

JOHN STRANGE,  
Chairman.

COMMITTEE ROOM, 31st March, 1835.

### In the name of God==Amen.

I, Robert Drummond, of the town of Kingston, in the Province of Upper Canada, Architect and Builder, being at the signing and sealing of these presents, in perfect health of body and soundness of mind; and considering the uncertainty of human life, and duly appreciating the precept of the inspired writer, "set thine house in order"—do hereby declare this to be my last will and testament, and that it is my wish and desire, at my decease, whenever it shall please Almighty God to permit that event, that all the property, real estate, fixed or moveable, and of whatever kind I may then be possessed of, shall be appropriated and divided in way and manner and in the portions hereinafter mentioned—namely—First, after all my just and lawful debts are paid and discharged; and all my funeral expenses paid and satisfied; I give and bequeath whatever remaining property I may have at my death, whether in landed property, houses or tenements, in money, stock, debts, owing to my estate by book accounts, notes of hand, bills, bonds, or any other securities, to be divided as follow—Second, before any division of the said property I may be possessed of, shall take place, I give and bequeath to my wife Margaret Gentle provided she be alive at the time of my decease, for her sole use and benefit and behoof, and liable to her free and uncontrolled disposal, the sum of one thousand pounds currency; to be well and truly

## Sundry Reports.

APPENDIX.

paid out of whatever property I may have aforesaid. But in case and provided my wife Margaret Gentle shall not be alive at my death, or shall not survive me, then the said sum of one thousand pounds to be divided with the rest of my property in way and manner hereinafter mentioned.—Third, I give and bequeath all the remainder of the property I may have at my death, save and except the bequests and provisions before made and above mentioned, to be equally and fairly divided among my children who may be alive at my death, share and share alike.—And if any of my said children should die before attaining the age of twenty-one years, or before marrying, then and in that case the share of such child or children so dying, to be divided among the survivors or their heirs, equally, share and share alike.—The said portions or shares of my property so divided or bequeathed, to be for the sole benefit and behoof of these my children and their heirs, as their own right and property.—Provided always, that no child having any claim to his share of the property aforesaid, shall have any right to demand or obtain payment of the same, or any part thereof, beyond what may be necessary for his personal expenses and maintenance, during his nonage.—Fourth, for the due and faithful execution of all and sundry the clauses, terms, and conditions, of this my last will and testament, I have hereby appoint, nominate, and constitute my said wife Margaret Gentle and Joseph Bruce, Esquire, of Kingston aforesaid, my joint Executrix and Executor, with full power and authority to do, act, and perform, or to cause to be done, acted, and performed, all and sundry acts and deeds as shall be needful to be done in the premises.

In witness whereof, I have hereunto set my hand and seal, at Bytown, the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and thirty-two.

(Signed)

"

"

JOHN HAGGART,  
J. McTAGGART,  
JOHN S. CORMACK.

(Signed)

} Witnesses.

ROBERT DRUMMOND.

No. 89.

## REPORT

ON THE PETITION OF LIEUT. DONALD McDERMID.

*To the Honorable the Commons of Upper Canada in Provincial Parliament assembled.*

The committee appointed to take into consideration the petition of Donald McDermid of Martintown,

Respectfully report:—

That from the petition and documents accompanying it, as well as from the personal knowledge and observation of some of the members of the committee, it is clearly established that the petitioner was severely wounded in action at the capture of Ogdensburgh—that in consequence of such wound and the disability arising from it his name was entered on the pension list of this Province, and that he enjoyed a pension of twenty pounds a year up to the year 1821, when, as the petitioner states, after a slight examination, by the surgeons appointed to examine and report upon the wounds of the militia pensioners, his name was struck off. That the Petitioner, at the time of this examination and for a considerable period after, was resident in Lower Canada, and in charge of a Government School with a respectable salary and was not in a situation to avail himself of the right given by the Provincial Statute, to appeal from the decision of the surgeons who examined him to the Medical Board, which appeal would necessarily require his personal attendance, and a considerable expenditure of money.—That on retiring from the charge of his school in Lower Canada on a pension (of which he has since been deprived in consequence of his being in the enjoyment of a small annual allowance as a teacher in this Province) he came to this Province with his family to reside; that the period limited for an appeal to the Medical Board having expired, no means have been open to the petitioner of having his name restored to the pension list.—That he has since repeatedly applied to the Imperial Government, as well as to the government of this Province for the pension to which he considers himself entitled as an officer, and also for the allowance of a year's pay on account of his wound, under a regulation of His Majesty's government, but without success, having been referred by the latter to the Provincial Government, which had not the means or the power to grant him redress.—The committee believing these circumstances to be strictly true, consider the case of Mr. McDermid one of peculiar hardship, and therefore strongly recommend it to your Honorable House, that a bill may be passed during the present session to authorise any three surgeons in the Eastern district, duly authorised to practice as surgeons according to the law of this Province, to examine the wound of the petitioner, and to certify as to any disability to earn a livelihood by hard labour arising therefrom, and that in the event of the petitioner being actually disabled his name may be entered by His Excellency the Lieutenant Governor on the pension list of this Province, and that he may receive such arrears of pension as His Excellency the Lieutenant Governor may consider him reasonably entitled to claim.

All which is respectfully submitted.

ARCHIBALD McLEAN,  
Chairman.

*House of Assembly, 27th March, 1835.*

No. 90.

APPENDIX.

R E P O R T

OF THE SELECT COMMITTEE ON CONTINGENCIES.



To the Honorable the Commons House of Assembly.

The committee on contingencies beg leave to make the following report :

That on an application to your committee on behalf of Mr. S. O. Tazewell, requesting that he may be paid for Lithographing two several plans by order of your Honorable House during the present session, they have enquired into the circumstances, and have ascertained that his bill amounts to £25 for the two plans ordered by your Honorable House to be Lithographed, and that he urgently requests that the said bill be paid to relieve him from a pressing necessity.

Your committee therefore respectfully recommend, that the said sum be paid to him without delay, out of the money in the hands of the Honorable the Speaker.

All which is respectfully submitted.

DAVID THORBURN,  
Chairman.

Committee Room, House of Assembly, }  
1st April, 1835. }

No. 91.

R E P O R T

OF THE SELECT COMMITTEE ON THE PETITION OF

J. Malloy and others.



To the Honorable the Commons House of Assembly of Upper Canada in Parliament assembled.

The select committee to whom was referred the petition of James Malloy, Esq., and others of the Ottawa district,

Report as follows :

That your committee have examined the merits of the petition and the prayer of the petitioners, and find, that a certain water fall called "the Pitch off" about one mile above Chessers mills, on the Petite Nation River, consists of two several Bars of Rock, extending across the river, and near each other, forming a positive barrier and obstruction to the navigation of the river in ascending and descending to and from Chessers mills—causing a portage of several rods during summer and autumn—over which all water crafts and loading have to be taken over or past this water-fall by land, to the great inconvenience of all the inhabitants settled above this place on the river, and its tributary streams—the river itself being deep and navigable for nearly thirty miles, following its course upwards to the High Falls, and that the said inhabitants of the surrounding country above are obliged to go to Chesserville for their milling in the above seasons by water, and have to pass this place for that purpose as well as for all their trading and the public business of that part of the district—and further that this water fall and the small quantity of water falling over it totally obstructs the floating down of lumber during the season of low water—and your committee are moreover fully convinced that these bars across the river operate and have the effect of a dam, and set the water back for a great distance, so as to flow many thousand acres of land that would become valuable for cultivation if this natural obstruction was removed so as to draw off the water in due season.—And in order effectually to remedy the aforesaid inconvenience it is necessary to excavate a channel through the bars of rock of sufficient width and as deep as the bed of the river, which would afford a free navigation to and from Chessers mills ; and for that purpose the petitioners have prayed that your Honorable House will be pleased to grant the sum of three hundred pounds to enable them to make the necessary excavation, which in the opinion of your committee is of the utmost importance both to the improvement and settlement of an extensive country—all which they recommend to the favourable consideration of your Honorable House.

CHARLES WATERS,  
Chairman,

Committee Room, March, 14, 1835.

## REPORT

### OF THE COMMISSIONERS OF THE KETTLE CREEK HARBOUR

*To His Excellency Sir John Colborne, K. C. B., &c. &c. &c.*

The Commissioners appointed to superintend the construction of a Harbour at the mouth of Kettle Creek, beg leave to state:—

That having been very explicit in their Report of the 10th of January, 1834, it is only necessary to add in continuation thereof, that after repeated attempts made by the contractors during the spring and part of the summer of last year to excavate the channel to the required depth, and without effect,—the commissioners deemed it expedient to relive them in some measure, by requiring only a depth of ten feet instead of eleven, and in lieu thereof to excavate certain portions within the basin to afford greater convenience to the shipping—also to take down the angle on the Western Pier to the waters level in order to do away with the heavy cross seas formed by winds from the eastward.

This had the desired effect as to the sea, it did not however prevent the deposit of sand opposite the end of the old Eastern Pier head.

The contractors made some progress in the basin, but meeting with the same obstacle as in the excavation of the channel, they have not as yet been able to complete the undertaking.

We present Your Excellency with a statement of the expenditures, and feel annoyed that the result has not proved more beneficial.

Lastly, we beg leave to call your attention to the excessive high rates of toll imposed, when compared with those exacted at other harbours on either lake—the direct tendency of which is to force the produce of the country into other more hazardous but less expensive channels.

Your obedient servant,

JAMES HAMILTON,  
*President K. C. Harbour Commission.*

*Sterling, 21st March, 1835.*

#### *Statement of Expenditures at the mouth of Kettle Creek, now Port Stanley.*

Amount of contract taken by Messrs. Ryan and Rand,.....	£ 3,075	0	0
Amount of ditto for sheath piling the old work, taken by them also,.....	277	17	6
		£ 3,352	17 6
Amount paid up to the 31st December, 1834,.....	3,123	18	0
Balance due the Contractors on completion of the work,.....	£ 228	19	6
Amount of appropriation,.....	£ 3,500	0	0
Amount paid the Contractors,.....	£ 3,123	18	0
Incidental expenses from 1831 inclusive,.....	84	6	6
		£ 3,208	4 6
Balance in the hands of the President,.....	£ 291	15	9

JAMES HAMILTON,

*President K. C. Harbor Commission*

*Sterling, March 21, 1835.*

## REPORT

### OF THE SELECT COMMITTEE ON WINDSOR HARBOUR.

*In the Honorable the Commons House of Assembly in Provincial Parliament assembled.*

The Select Committee to whom were referred the message of His Excellency the Lieutenant Governor, together with the plan and report of the Commissioners who surveyed the Harbour of the town of Windsor in the township of Whitby, in the Home District, beg leave to report:

That at the last session of the last Parliament, a resolution was adopted authorising the survey of this Harbour, and a report and plan of survey was accordingly made agreeably to the same.

Your Committee are happy to find that it is reported by the Commissioners that Big Bay, otherwise Windsor Bay, possesses facilities and good natural properties for forming a Harbour, that can command in the present low state of the lake waters seven feet in the channel of its bar. Within the bar is a large expanse of water varying in depth from five to twelve feet (of this latter depth however there is very little space) the whole forming an irregular estuary, comprising a surface of about two hundred acres in extent. A point of land projects at the entrance of the bay from the East and from the West, in a Westerly and Easterly direction, and from these points shoals extend in the same directions; the Westernmost, which is by far the largest stretching over towards the East side, and that from the East towards the West.—These form the bar, and between them on the East side of the bay, is the channel or best water, carrying at the present low state of the lake about seven feet. Presuming the best means of forming this harbour to be, to follow the line marked out by nature for it, and that piers extended from the projecting points of land along the top of each shoal until they meet the channel, would nearly land lock an area of water of about two hundred acres in extent, capable in any part from the nature of the bottom, of being dredged to a depth to suit the convenience of large vessels, whilst smaller ones may choose their water any where from the shore to five and six feet. The natural features of Big-Bay present the ground work for constructing a better artificial harbour than any that has yet been made on the British side of Lake Ontario, if we except Burlington Bay. Vessels would not have to lie surging alongside of piers exposed to the agitation of the Lake, but could run in, come to an anchor, or land along side of a wharf in a basin well sheltered from every wind. It is observed that a current sets in and out of the present estuary of Big Bay according to the prevailing winds, and that the water rises and falls at periods to the extent of 2½ feet.—This current will be much more felt when the channel shall be contracted by piers, and will undoubtedly serve to deepen it; but it must be expected as the natural consequence of the current, that a small bar will form within and without the entrance. The expense of making this harbour is considerable, but when made, it will be a more efficient one than any between Toronto and Kingston.

Your Committee perceive that according to the estimate, the expense of the erection of the said bay into an artificial harbour would be considerable. They recommend two plans:—the one and the first, by piers sunk, filled with stones amounting to £9420 13 9. The second estimate is by driving piles and constructing the piers on them as a base, filling them in also with stone, by which there would be a saving of nearly £2,000; the total amount of which estimate is £7450 5. Which of the plans it is most reasonable to adopt, Your Committee are unable to judge, but they believe a cheaper construction still might be had, and would therefore recommend that any Commissioners appointed by Your Honorable House for the superintendance of the construction of this Harbour (if this important and necessary work is entertained) should be instructed to employ some competent and practical Engineer to survey the same and report for their information the most practicable means of ensuring a cheap, permanent and commodious harbour.

Your Committee viewing the increase of wealth and population of this part of the country in which this bay is situated, and the want of such harbour by an extensive Northern settlement, feel no hesitation in recommending this improvement to the favorable consideration of Your Honorable House; they also feel justified in stating that as that part of the Province has greatly increased in wealth within the few last years, and as this increase is still progressing, the accomplishment of the undertaking with pecuniary advantage may be safely looked for.

Your Committee would not only recommend this from an isolated advantage the vicinity might attain by making an artificial harbour in that part of the Lake, but the undeniable gain the Province would require to its shipping interest and commerce generally, as frequently, in stormy weather, much loss of property and life is sustained from the want of a safe harbour between the port of this City and Presquise the only one considered in any degree safe between this and that of Kingston.

All which is respectfully submitted,

T. D. MORRISON,  
*Chairman,*

*Committee Room, Commons House of Assembly, }  
8th March, 1835.*

NO. 94.

COPY.

**CONDITIONS PROPOSED BY HIS MAJESTY'S GOVERNMENT IN  
SETTLING EMIGRANTS IN BRITISH NORTH AMERICAN PROVINCES.**

**British Provinces in North America.**

Liberal encouragement by His Majesty's government to settlers inclined to proceed from Great Britain and Ireland, and provision by vessels, &c. for their passage to Quebec with their families.

It is the intention of His Majesty's government to encourage settlers, to proceed from Great Britain and Ireland, to the British Provinces in North America, and for this purpose a certain number of vessels will be appropriated for the conveyance of such persons as may be properly recommended, together with their wives and children to Quebec, to which port only the conveyance of settlers free of expense, with other advantages, will be limited during the year.—Lands will be granted to them either in Upper or in Lower Canada, in which extent is comprehended a choice of climate and of soil adapted for every branch of cultivation.

The encouragement and advantages intended to be afforded to settlers will be, as follows:—

A passage and provisions during the voyage will be furnished by government, and on their arrival in the colony, a grant of one hundred acres of land will be secured to each family, of which they will be put immediately in possession, and all their male children actually residing in the Province, will be entitled on attaining the age of twenty-one years, to a similar grant of one hundred acres each.

## APPENDIX.

For the first six or eight months, as it may be found necessary after their arrival, (in order to enable the settlers to establish themselves upon their respective grants, and to clear and to cultivate a portion of the land), they will be allowed rations from the public stores, and in case from unforeseen events it should be found requisite, further aid in this respect may be afforded according to the circumstances of the case, by issuing rations for a limited period, at a price under prime cost.

Axes and other necessary implements will also be furnished to them, under certain regulations, at a fixed price, not exceeding half the prime cost.

Should any number of families proceeding from the same part of the United Kingdom, or possessing any joint stock or funds, be desirous of settling in the same neighborhood in Canada, care will be taken to allot them the lands, as nearly as possible, contiguous to each other; and a sufficient portion of land will be appropriated in the midst of such settlers for a church, and for the maintenance of a clergyman, and a school-master; and in case a sufficient number of settlers so united should be accompanied from the United Kingdom by a person of either of the above functions, who possesses their confidence, and can be well recommended, and who shall be approved of by government, a salary will be provided of one hundred pounds per annum to such Minister, and fifty pounds per annum to the school-master, for such period as shall afterwards be specified.

Persons who may be allowed to proceed to Canada as settlers from Scotland, must embark in the month of April, from such port or ports in the Clyde, as shall be noticed in a future advertisement, where vessels will be ready to receive those for whom the necessary accommodation will be provided.

In order to prevent persons from making an unwarranted and improper use of the liberality of government, it will be required that every person embarking for Quebec, should at the time of embarkation deposit in the hands of the government Agent, the following sum.

Every male person above sixteen years of age, sixteen pounds sterling—every woman, being the wife of any person so embarking, two guineas;—children under sixteen years of age, will be conveyed free of expense;—and whatever sums may be so paid by them will be repaid to them or their representatives in Canada, at the end of two years from the date of their embarkation, upon its being ascertained that they are settled on the grant of land allotted to them.

John Campbell, Esquire, writer to His Majesty's signet, Abercrombie place, Edinburgh, is appointed by government, Commissioner and general Agent in Scotland for this business, to whom communications may be made.

As the time of embarkation of settlers is limited; such as are at a distance, and who wish to embrace the present opportunity of settling in British America, will do well to send by post their proposals and certificates without any delay. Those testimonials must certify the general good character of applicants—their professions—former pursuits—whether married or widowers—the number of their children, distinguishing male and female—and the ages of all.—These must be obtained either from justices of the peace, clergymen, or elders of the parish, or other respectable persons.

It is recommended that the utmost care be taken by those who grant certificates, that they are satisfied from personal knowledge of the facts contained in the representation of the circumstances.

Edinburgh, 22d February, 1815, }  
Abercromby Place. }

A true Copy,

JOHN BEIKIE,  
Clerk Executive Council.

Executive Council Office, }  
Toronto. 21st March, 1835. }

*Minutes of the Executive Council, together with the Despatch from Earl Bathurst, relating to the settlement of certain emigrants.*

Copy.

In Council, 18th December, 1827.

Several Petitions in behalf of the male Children of Emigrants in the ships Atlas, Eliza, Dorothy, and Baltic Merchant, under His Majesty's regulations, published at Edinburgh, 22nd February and 24th March 1815, being at present before the Council undisposed of from the want of copies of the terms upon which such emigrants came out to this colony, referred to in Earl Bathurst's despatch, dated 30th August, 1823. The Council respectfully recommend that copies of the said terms be obtained, and submit the expediency of placing the same, together with the four nominal lists now before the Board, in the hands of His Majesty's Inspector General, with directions to approve, and certify all future applications as practised with regard to U. E. Loyalists, upon proof to his satisfaction, that the parties are the persons they may represent themselves to be.

(Signed) P. M.

(Signed) W. C.

A true Copy,

JOHN BEIKIE,  
Clerk Executive Council.

Copy.

DOWNING-STREET,  
30th August, 1823.

SIR,

I herewith transmit to you the copy of a letter from Mr. Campbell, the agent employed by government in arranging the emigration of 1815 and 1816, relative to some difficulty which exists in fulfilling the terms under which the settlers proceeded, on the part of the colonial government of Upper Canada.

As Mr. Campbell's statement is strictly correct, and as copies of the terms together with nominal lists on the subject, were at the time transmitted to the Governor General, a reference to which will ob-

viate any doubt which may exist.—I am to desire that you will take the necessary steps for fulfilling the conditions under which the individuals in question proceeded to Canada.

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

APPENDIX.

(Signed)

BATHURST.

Major General,  
SIR P. MAITLAND, K. C. B.,  
&c. &c. &c.

A true Copy.

JOHN BEIKIE,  
Clerk Executive Council.

*Despatch from Lord Bathurst to Lieutenant General Sir John Sherbrooke, respecting reductions of certain corps in the British Provinces of North America.*

Copy.

DOWNING-STREET,  
6th March, 1816.

SIR,

His Royal Highness the Commander-in-Chief will have communicated to you the necessary instructions for the reduction of the corps specified in the margin, and for making such of the individuals composing them as may be willing to settle in North America, the offers of land and other encouragements, which were held out to them during the war with the United States, as the best testimony of the sense, which His Majesty's government entertains of their faithful services.

You will therefore, with respect to the officers and men, who may be willing to accept of grants of land in the Province, carry into effect the instructions conveyed to Sir George Provost, and Sir Gordon Drummond, in my letters of 12th July and 15th September, 1814, and 20th of March and 3rd June 1815, of which copies and extracts are enclosed for your information and guidance, keeping always in mind, that the grants of land are not to exceed the proportions specified in Sir Gordon Drummond's letter, No. 61, of 23rd September, 1815, and that those are to be made in conformity with the regulations proposed in Sir Gordon Drummond's previous correspondence and approval from hence.

I have, &c.

(Signed)

BATHURST.

To Lieutenant General,  
SIR JOHN SHERBROOKE, K. C. B.,  
&c. &c. &c.

The Newborn Regt.  
De Waterfalls.

N. Scotin,  
Glenagarry,  
Canadian,  
N. Brunswick,  
Newfoundland, } Franchises

Copy enclosed.

*Explanations of the conditions for settling Emigrants in the British North American Colonies.*

Copy.

By the authority of His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, and communicated by the right honorable Earl Bathurst, one of the principal Secretaries of State.

**CANADA.**

*Explanation of the conditions for settlers in Upper and Lower Canada, already published, dated 22nd February last.*

The commissioner in the agency for government has received a vast number of letters, requesting information in regard to the terms that have been published for applicants to be settlers in Canada.

It has been impossible to give answers to all these letters, consistently with the necessary attention to other branches of this business, especially as the time of embarkation fixed by government (i. e. in April in the Clyde) fast approaches.

Many of the questions put, may be easily solved, by an attentive re-perusal of these terms or by having recourse to intelligent neighbours, and are to be found in all the newspapers published in Scotland for several weeks back, and they have been already transmitted for publicity to every clergyman, and will be immediately pasted upon every post office throughout Scotland. They will also be seen or delivered at the office in Abercromby Place, Edinburgh, and at Mr. Duncan's, printer to the University, Morison's Court, Glasgow.

It cannot be too much impressed on the minds of applicants, nor too often enforced by those with whom they advise, that the wishes and intentions of His Majesty's Government are directed, not to an increase of emigration from this part of the United Kingdom, but to divert to the British Provinces in North America the surplus population which would otherwise proceed to the United States. Accordingly, no solicitation whatever has been used by this office to induce persons or families to go to Canada.

The agent for the government, agreeably to the instructions received, has uniformly abstained from exciting any desire for leaving Scotland that did not before exist, and has repeatedly pointed out, especially to the more ignorant of the persons applying, every circumstance of information, to prevent misunderstanding and to preclude the possibility of disappointment.

The following particulars published by authority of His Majesty's Government, will serve as an explanation of the terms offered to settlers, properly recommended, and will supersede the necessity of answering these letters, and of many verbal enquiries.

## APPENDIX.

## LANDS.

1. The Settlers shall have the option as to the Province, whether of Upper or Lower Canada, but the precise spot must be regulated by the Governor of the colony.
2. The grants of land will be made under the same regulations as all grants of land in Canada are made. No new ones will be imposed.
3. The grant will be made on their arrival, by Deed, free of expense, and will as all other grants do, revert to the Crown, on being abandoned, or not cultivated by the settlers.
4. In answer to a query which has been frequently put, whether government sell lands in Canada?—It will be noticed that there is no difficulty in making purchases in Canada, or in obtaining leases of Crown Lands to any extent. Persons with capital, who take out labourers, will receive larger grants, proportioned to their capital and their means of cultivation.

## DEPOSIT.

5. The deposit of £16 for persons above the age of sixteen, and two guineas for wives, &c., is indispensable. No security in lieu of money can be taken. This is intended both as a pledge that the settlers shall perform the conditions on their part, and to prevent persons from availing themselves of a passage to the United States. It also prevents persons of bad character from obtruding themselves among respectable settlers.

## CERTIFICATES.

6. Applicants are desired to be particular in the certificates they lodge, in the terms of the paper formerly published, of 22d February last.—General good character—their occupation—former pursuits, if changed—whether married, unmarried, or widowers—the number of their children or grand-children, distinguishing male and female, the ages of all.
7. Recourse must be had to parish registers for proof of marriages and births, or where this cannot be obtained, other satisfactory evidence. Application may be made for this purpose to magistrates, clergymen, elders of the parish, schoolmasters, or other respectable persons with a reference to persons here or at Glasgow, when necessary.
8. It will be necessary that those who have made up their minds to proceed to Quebec, shall immediately produce the necessary certificates, and lodge their deposit, in order that when the number is filled up for this season, the public may be apprised, to prevent disappointment, especially to those at a distance.

## LIMITATION OF NUMBERS.

9. His Majesty's Government have judged it expedient to limit the number to be provided with passages from Scotland to Canada, for this season to 2000 persons of the age of 16 and upwards, with a proportion of children.

## ACCOMMODATION ON THE PASSAGE.

10. The freight or charge for children above 16 and under 21, to be paid for as grown persons.
11. Bedding and other accommodation will be provided for each settler, the same as troops embarked for Canada receive.
12. If surgeons are required for the voyage they will be provided by the Transport Board.
13. If settlers shall export articles liable to export duties here, or import duties in Canada, they cannot be exempted from the usual custom-house regulations.
14. No travelling expense paid to Glasgow. From thence the settlers will be conveyed in small vessels to the transport vessels.
15. Settlers will be carried out in transports, under the same regulations as those under which troops are carried out, two tons being allowed per man.
16. The necessary tonnage will be in the Clyde in April, and proceed to Quebec as soon after as circumstances will permit.
17. In regard to pensions of sergeants, privates, &c. measures will be taken by government for continuing their pensions and for their payment in Canada.

## OTHER PARTICULARS.

18. As to single men, (for instance two brothers,) who may be under or above, 21 years of age, they go out as independent settlers, i. e. each brother, above 21 years old, will have a grant of 100 acres. If one brother only is above that age, he may take out his brother, who will, on attaining the age, have a similar grant of land given under similar conditions.
19. A young man, under or above 21, may take out his sister on the same terms as a wife, as specified in the regulations, upon depositing two guineas, but not more than one sister.
20. The settlers will be forwarded as troops are forwarded, from Quebec to their place of residence, either on foot or otherwise, as may appear most expedient to the Governor.
21. Any settlers wishing to settle together will be permitted to do so, on stating their intentions previous to sailing. Each settler above 21, will, whether single or in company with others, have 100 acres as stated in the conditions.
22. Single women will not be permitted to proceed as settlers, unless they are daughters of a settler, or, as above mentioned, the sister of a settler.
23. No encouragement will be given to widows, with families or without; but her children may go out as independent settlers upon the footing already stated.
24. A wife may follow her husband at a future embarkation, in case such shall take place, upon her depositing two guineas.
25. Grand-children will be permitted to go out, and will receive the same encouragement as children accompanied by their parents, on their obtaining the age of 21.
26. The term *prime cost* as relative to implements and rations, is to be understood to be what the articles cost in this country, (Great Britain) and is therefore sterling money.
27. All persons above 16 must make the deposits required, whether servants or others.

28. His Majesty's Government are to extend the bounty mentioned in the terms already published for clergymen, pastors and schoolmasters, without any distinction of religious sect, and they will each be entitled to 100 acres. They must each deposit the same money as the common settlers.

29. The assistance required in building their churches, chapels, houses, school-houses, &c., or inclosures, if such be required, must be given by the settlers who accompany them.

30. In answer to a query put—whether government give arms and ammunition to settlers, or any part of them, for protecting themselves?—They will be protected, as all other settlers are; but there is no necessity, from the nature of the place, for arming individuals, except in case of actual war; and in regard to arms for private use, every man may, in this, exercise his own discretion, as in other British dominions.

31. Rations will be allowed, free of any charge or deduction, for a limited time, as per condition of 22nd February last. The Governor will exercise a discretion afterwards on this point, according to the circumstances of the case.

32. It is not intended to encourage other Mechanics than those who may be useful in agriculture, or in making a first settlement, such as Carpenters, Masons, Bricklayers, Smiths &c.

No person whatever in the Highlands, or Hebrides, or elsewhere, have any delegated authority from the Government Agent, to induce persons to become settlers in Canada.

JOHN CAMPBELL.

*Edinburgh, March 24, 1815, Abercromby Place.*

Hours of attendance for applicants:—From 9 to 11 in the morning, from 6 to 9 in the evening—and for those coming from the country from 2 to 4, afternoon.

[A true copy]

JOHN BEIKIE,

Clerk Executive Council.

*Executive Council Office, Toronto, 21st March, 1835.*

*Extracts of a despatch from Lord Bathurst, Secretary of State for the Colonies, to Lieutenant General Sir Gordon Drummond, dated*

*Downing Street, 20th March, 1815*

"The restoration of peace with the United States having rendered it necessary to despatch from this country to Canada, a considerable amount of Transport Tonnage for the purpose of removing some part of the Force now serving in Canada, His Majesty's Government have determined to give during the present year, free passages to such persons as may be desirous of proceeding with their families to Quebec, as permanent settlers in the provinces of Upper and Lower Canada."

"I enclose for your information, a memorandum of the conditions, under which such persons will be permitted to proceed."

"The whole number is not expected in any case to exceed 4000, and it is expected, that the ships will leave this country in the course of the next month; you will not fail to make the necessary preparation for the reception and establishment of the settlers immediately on their arrival at Quebec, it being important in every point of view that they should be placed in the Lands allotted to them at as early a period as possible."

"From the communication which I have had with Mr. Bouchette the Surveyor General of Canada, I am induced to recommend, that those settlers, who prefer an establishment in the Lower Province should be placed in those townships which lie to the Southward of Quebec, between the River St. Lawrence and the parallel of 45° of Latitude, taking care at the same time, that no settlements are made on any portion of Territory, to which the right of His Majesty has not been admitted as indisputable.—As however a considerable portion of the persons about to proceed to Canada may prefer a settlement in the Upper Province, it will be for you to decide in what part of the Province they can be settled, with the least expense to Government and the greatest advantage to themselves as well as to the Province."

"As the extent of the grant promised to each settler proceeding from this country is only 100 Acres, it is the pleasure of His Royal Highness the Prince Regent, that after the receipt of this despatch all grants of land to common applicants in Canada, should be limited to 100 acres, instead of 200 as has been heretofore the practice."

*Petition of certain Military Settlers at Perth, together with Memoranda from Deputy Quarter Master General's Office and despatch of Lord Goderich on the same subject*

COPY.

*To His Excellency Sir John Colborne, K. C. B., Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

The petition of the Emigrants and discharged Soldiers of the Perth Military Settlement;

HUMBLY SHEWETH:—

That your petitioners feel grateful for Your Excellency's gracious attention to their petition of the 18th June last, on the subject of their claim for a grant of land for their sons.—That your petitioners are subjects of our gracious Sovereign by birth-right, and (from principle) have never joined in those popular clamours, which at present and for some time, have agitated the public mind in this Province.

That from experience and principle, petitioners have an unbounded confidence in the generosity and integrity of their gracious King and government, and on this ground they cannot doubt the grant of land, (as they conceive by the order of the 18th July, 1818) they had every reason to expect.

That petitioners regret, that the honorable the Executive Council do not regard the order from the Quarter Master General's Department, as a sufficient authority to grant the land, although your petitioners were located by that department.

That petitioners do not wish to approach your Excellency with popular expressions of loyalty, as most of them bear on their bodies, those marks received in the field, which are the best proofs.

## Sundry Reports.

## APPENDIX.

That petitioners have been assisted by their children in wading through great hardships and privations, at and since the formation of this settlement, and were greatly encouraged by the prospect of obtaining land for their sons.

That should Your Excellency not accede to their application, they humbly request Your Excellency will be graciously pleased to forward their petition to the right honorable the Secretary of State for the Colonies, with such observations as your Excellency may deem proper; which will add to the many meritorious acts of your Excellency's life.

All which is humbly submitted, and petitioners will pray.

ALEXANDER MATHESON,  
CHAIRMAN,  
LUPTON WRATHALL,  
THOMAS MORRIS,  
GEORGE LESTER,

JOHN MORRIS,  
PETER FULLAN,  
JAMES CHAMBERS,  
WILLIAM FLECK,  
WILLIAM TULLY, SECRETARY.

Perth, 15th September, 1835.

P. S. Petitioners having confidence in the integrity of Mr. Matheson and Mr. William Tully, have deputed them to wait on Your Excellency with this petition.

Copy.

Deputy Quarter Master General's Office,  
Quebec, July 18th, 1818.

## MEMORANDUMS.

First—The sons of emigrants and discharged soldiers, located at the settlement, as they arrive at age, will be recommended for the usual indulgence of land, &c. to Head Quarters, when an authority for their being received, will be transmitted in return.

Second—Edward Morton to be located for town lot No. 2, south side Craig street.

Secretary and Store-keeper Daverne, to be located either for town lot No. 4, on the south side De Watteville street,—town lot No. 4, on the north side of Brock street, as a matter of indulgence and not as a claim.

John McNee, emigrant from Scotland, town lot No. 5, north side De Watteville street.

John Ritchie, emigrant from Scotland, town lot No. 2, south end of the town, forming a continuation of the Scotch line.

Third—All emigrants and discharged soldiers in the settlement, must be directed by public notice, that when they may have applications to prefer to Lieutenant Colonel Cockburn, they are to give them in at the Superintendent's office, to be forwarded through the Secretary, who will accordingly transmit them with his report on each case.

Fourth—The location authority in favor of Lieutenant Dalgatty, half-pay, 89th Regiment, dated August 5th, 1817, is cancelled.

By Command,

GEORGE FOWLER, D. A. Q. M. General.

To the Secretary Rideau Settlement.

(Copy)

No. 81.

DOWNING STREET, 4th July, 1832.

SIR,

I have the honor to acknowledge the receipt of your despatch of the 24th February last, inclosing the petition of certain emigrants and discharged soldiers settled at Perth, in which they state, that they were led to believe, from a document transmitted to them in 1818, by the Deputy Quarter Master General at Quebec, that their sons would be recommended for free grants of land, on their being able to cultivate their respective allotments.

I have to acquaint you in reply, that the indulgence to which the petitioners refer, was never held out to them by this Department, or sanctioned by His Majesty's government, and I am, therefore, to desire, that you will acquaint the petitioners, that it is impossible to comply with their request, and that they can only acquire an additional quantity of land for their children by purchasing it according to the established regulations.

I have, &c.,

GODERICH.

Major General SIR JOHN COLBORNE,  
K. C. B., &c. &c. &c.

## EXTRACT

Of a Despatch from Lt. General Gordon Drummond to Earl Bathurst, dated Sept. 23. 1815.

"With a view to settle the waste lands in this country with loyal and good subjects, and at the same time to retain a most useful body of men therein, I take the liberty of suggesting in the event of the general peace, causing the reduction of the Provincial Corps, such as the 104th Regiment, formerly the New Brunswick Fencibles, the Canadian Fencibles, the Glengarry Light Infantry, &c."

"I would therefore humbly submit, that they should be placed on crown lands to be granted to them in the following proportions and subject to the same conditions with regard to their cultivation and improvement as are annexed to the grants now made to a few of the discharged soldiers and settlers from the United Kingdom:

To a Lieut. Colonel,.....	1,200	To a Sergeant Major or Qr. Mas-	
To a Major,.....	1,000	ter Sergeant,.....	300
To a Captain,.....	800	To a Sergeant,.....	200
To a Subaltern,.....	500	To a Rank and File,.....	100

*Minutes of the Executive Council respecting Grants of Land to certain Emigrants.*

APPENDIX.

Copy,

At a Council held at York, in the Executive Council Chamber, on Saturday the 4th Nov. 1815 :

## PRESENT :

His Excellency, FRANCIS GORE, Esquire, *Lieutenant Governor.*  
 The Honorable THOMAS SCOTT, *Chief Justice.*  
 The Honorable WILLIAM DUMMER POWELL.  
 The Honorable SAMUEL SMITH.  
 The Honorable and Reverend Doctor JOHN STRACHAN.

His Excellency, the Lieutenant Governor informed the Board, that His Royal Highness the Prince Regent, in behalf of His Majesty, had been pleased to authorise and direct the location and grant of lands in Upper and Lower Canada to certain emigrants from Europe and reduced soldiers.

That the preliminary measures to carry into effect His Majesty's pleasure, in transporting, victualing and providing the settlers with tools and implements of husbandry, were so intimately connected with the several departments of the military command, that all the arrangements, except in what related to the Surveyor General's department, had hitherto been made without the participation of the Civil Government.

That His Excellency had had a personal conference on the subject with Sir Sydney Beckwith, Quarter-master General of the Forces in Canada, from which had resulted the fullest conviction to His Excellency's mind, that it would be expedient and best tend to further the Royal intentions, that all the previous steps to the actual grant of the land, should continue to be directed by the Commander of the Forces and the agents appointed by him.

That to favor such an arrangement, orders would be given to the Surveyor General to report from time to time, vacant and grantable locations to satisfy the requisitions of the superintendant of those settlers, which being approved by His Excellency in Council would be subjected to his disposition.

That His Majesty had been pleased to associate the Executive Council to the trust of granting the waste lands of the Crown; he invited the board to concur in an act of government which should sanction the proposed arrangement and be a pledge to the settler for the future grant in the terms of the Royal Instruction.

Whereupon it is ordered, that the Surveyor General do from time to time, report for settlement, such vacant and grantable lots, not excepting Crown Reserves, as may be required for the accommodation of the emigrants and reduced soldiers referred to in His Excellency's communication; and that upon the confirmed report of location by the authorised agent, and his subsequent certificate of actual settlement and improvement in the terms of the Royal Instruction, the present order be sufficient warrant in each case to the Surveyor General to issue his description and to the Attorney General to prepare his fiat for the patent.

As there may be applications before the Council for leases of Crown Reserves and from various circumstances settlers may be found on lots supposed by the Surveyor General to be vacant, it will be desirable that the superintendant and agents should be cautioned to forbear location on any lot actually occupied until report shall be made to the Executive Government and its special sanction obtained.

A true copy,

JOHN BEIKIE, *Clerk Executive Council.**Correspondence between their Excellencies the Governor of Lower Canada and the Lieutenant Governor of Upper Canada, respecting the Boundary Line of the two Provinces.*

Copy.

CASTLE OF ST. LEWIS,  
Quebec, 1st December, 1830.

SIR,

I have the honor of transmitting to you herewith a copy of a paper, which has been addressed to me by the Chief Justice and the Puisne Judges of the District of Montreal and Lower Canada, pointing out some of the evil consequences which result from the want of a line of Boundary, duly and officially determined, between the Provinces of Upper and Lower Canada, as exhibited in a case which has been brought before them for decision.

I am sure you will readily concur with me in opinion, that it is highly important this question of the Boundary should be set at rest by the adoption of some arrangement which shall have for its object, to determine the precise line of division between the Provinces, an object, the importance of which must daily increase with the increasing value of land in that part of the country.

I am not exactly informed with regard to the steps which may have been taken hitherto to ascertain the point in question, but the fact which is now apparent, that it has never been officially decided, leaves it open for the adoption of such measures as may be judged necessary without reference to former proceedings.

It is with this view that I have now the honor of addressing you, and I would propose that the Surveyor General of each Province, accompanied by a third person, (to be named by them conjointly) in the character of Umpire, should be directed to proceed, early in the spring of next year, to the frontier, there to decide the precise line of Boundary; having done which, two plans, duly certified as being exactly similar, should be made out and deposited, one in the office of each of the Surveyors respectively.

I shall be glad to have the honor of receiving any communication you may be pleased to address to

## Sundry Reports.

x. to me on the subject, and to consider any changes or modifications, in the above arrangements, which may suggest themselves to your mind.

His Excellency Major General  
SIR JOHN COLBORNE, K. C. B.,  
&c. &c. &c.

I have the honor to be, &c.

AYLMER.

Copy.

GOVERNMENT HOUSE,  
York, 27th December, 1830.

MY LORD,

I have the honor to state, in reply to Your Lordship's communication of the 1st instant, that the importance of settling definitely the Boundary between the two Provinces, cannot, I think, be more strongly pointed out than in the representation of the Judges of the District of Montreal.—Without reference to the consideration given to the subject on various occasions by the government of Upper Canada, I beg leave to express my concurrence in the measure proposed by Your Lordship for the immediate appointment of Commissioners to ascertain the true Boundary line; but to suggest, that instead of naming an arbitrator, it might prove more satisfactory to the parties concerned, to direct the Surveyors General to transmit their reports to the Executive Council of both Provinces; and should either of the Councils, after the examination of their statements, still entertain a doubt of the correctness of the lines drawn, to refer the question to the King in Council.

I have, &c.

His Excellency Lt. Gen. LORD AYLMER,  
Governor in Chief, Commander of the Forces,  
&c. &c. &c.

J. COLBORNE.

COPY.

Government House,  
York, May 23d, 1831. }

MY LORD,

In reply to your Lordships communication of the 30th ultimo, respecting an Act passed by the Legislature of the Lower Province authorising the appointment of Commissioners to fix the boundary between the two Provinces, that no other measures have been adopted in Upper Canada with a view of determining that important question, than those mentioned in my letter of the 27th December last, with reference to the proposal of your Lordship's

The boundary having been fixed by a Royal Proclamation, it is now only intended by appointing Commissioners, to ascertain the exact line specified in that Instrument. I have no doubt therefore of the competency of the Executive government of this Province to make such arrangements as may be required to correct the errors of the surveyors, who were employed on the original disputed survey; and I shall lose no time in appointing three Commissioners to act in conjunction with those named by Your Lordship, with a view of laying their decision before the Legislature of this Province.

I have &c.

J. COLBORNE.

His Excellency Lt. General,  
Lord Aylmer, K. C. B. }  
&c. &c. &c. }

COPY.

Government House,  
York, July 11, 1832. }

MY LORD,

With reference to your Lordship's communication of the 30th April respecting the appointment of Commissioners to determine the boundaries of the two Provinces, I have the honor to acquaint your Lordship, that three Commissioners, viz. the Hon. Archibald McLean, Donald McDonald, and John McAulay, Esquires, have been appointed under the Great Seal of the Province, to act in conjunction with those of the Lower Province named by your Lordship, and that Mr. Thomson of Williamstown in the Eastern District, an experienced Surveyor, is attached to the Commission for the purpose of conducting the survey required.

I have &c.

J. COLBORNE.

His Excellency Lt. General,  
Lord Aylmer, K. C. B. }  
&c. &c. &c. }

NO. 95.

# REPORT

OF

## Select Committee,

ON

### Petitions of William Jackson, John Ardiel, & Levi Lewis.

*To the Honorable the Commons House of Assembly.*

The Select Committee to whom were referred the Petitions of William Jackson, of John Ardiel, and of Levi Lewis, all of the Talbot Settlement, London District, beg leave to submit their 2nd Report.

That they have obtained what information they are at present able in relation to the above Petitions, and beg leave to present the same to Your Honorable House.

THOMAS PARKE,  
*Chairman.*

*Committee Room, Commons House of Assembly, }  
8th day of April, 1835, }*

[COPY.]

*To His Excellency Sir John Colborne K. C. B. Lieutenant Governor of the Province of Upper Canada, and  
Major General Commanding His Majesty's Forces therein,*  
IN COUNCIL.

The Petition of William Jackson, son of Robin Jackson of London, Yeoman, Most Humbly Sheweth—

That Petitioner's father emigrated from Ireland to this Province in the year 1819, and was located by the Honorable Colonel Talbot in the Autumn of the same year, on a Lot of Land in the Township of London.

That Petitioner being the eldest son of his father and having obtained the age of 17 years, Colonel Talbot in the year 1823, allowed him to locate 100 acres of Land upon which he made considerable improvements, and which he retained in his possession until last May, when Colonel Talbot in consequence of having heard that Petitioner and his father had signed the petition commonly called the Grievance Petition, gave the said Lot to a young man named Canaday.

That Petitioner with his father on hearing of this Report went to Edward Allan Talbot Esq. and offered to make oath before him, that they had never signed or caused to be signed the said Petition, and further that they never saw it.

That Mr. Talbot on being informed by Petitioner, that he had reason to believe that James Parkinson Esq. was the person who gave this information to Colonel Talbot, advised Petitioner to make oath before Mr. Parkinson, that Petitioner acting in accordance with this advice, did with his father make oath as above before Mr. Parkinson, and took the Affidavit as signed by Mr. Parkinson to Colonel Talbot with the hope that the Colonel would on being undeceived restore to Petitioner his Land.

Petitioner however regrets to state to Your Excellency, that he received nothing but abuse from Colonel Talbot, was called by him a REBEL, and refused even a patient hearing in defence of his conduct and loyalty.

Petitioner, regarding as he does his character as a loyal man of much more consequence than even the possession of his property, is induced to transmit to Your Excellency the enclosed letters in order to shew that if he is guilty of *disloyalty* or *disaffection* he has not walked in the path marked out for him by his aged Father.

Petitioner, if Your Excellency should think proper to take his cause into consideration, and to restore to him his Land, will at any time required by Your Excellency transmit to the Government Office the most indubitable proofs, that not only have he and his Father ever been loyal subjects, but that all his connections, as well in this Country as in their native land had always been regarded as such.

Petitioner's father, now an old man, has got a wife and ten children to support from the proceeds of a single 100 acres of land, and being now thirteen years in the Province after having previously served as a Sergeant for upwards of fifteen years in the Armagh Yeomanry, he fondly hopes that Your Excellency will not regard his son as an unfit object to partake of 100 Acres of the Royal bounty of his beloved Sovereign.

Petitioner sees around him many, very many young men, the sons of American citizens, enjoying a share of that bounty; and without wishing to see them deprived of their Lands, whatever may be their political feelings, he fancies that if loyalty to his King, and an unshaken attachment to our glorious Constitution, are any recommendation, that he has a stronger claim to be restored to that Land, which he has many years esteemed as his own, and for which he has, ever since he got it, paid Taxes and done statute labor, than those persons have to theirs, who care little about King or Constitution.

Should Your Excellency favourably regard his claim, it will cheer the hearts of a numerous family and prevent the grey hairs of his aged Parents from descending with sorrow to the grave. And he will himself as in duty bound ever pray.

WILLIAM JACKSON.

*London, 5th Aug 1832.*



## 2 Report on Petitions of William Jackson and others.

APPENDIX.

[COPY.]

London, 19th October, 1832.

SIR :

I had the honor to receive your letter of the 26th September, informing me that my Petition had been referred to the Honorable Colonel Talbot, and that the Colonel replied that I had been entered for 100 Acres about TWELVE YEARS ago, and that having *never occupied or improved the Land*, he located it to *another Emigrant last spring*. I thank His Excellency for the disposition which he has on this as on all other occasions evinced to do justice to a complaining party, and I feel it due to His Excellency to give him an opportunity of judging fairly and impartially between me and the Honorable Colonel Talbot; and as I can prove to the satisfaction of the Lieutenant Governor, that I have been only entered for the Land for about nine years, and that I have both occupied and improved a considerable portion of it, as will appear manifest from the fact of the present Locatee having caused my improvements to be surveyed and offered me payment for them. Colonel Talbot also says that he gave the land to another Emigrant; but the person to whom he gave the land is a lad of about nineteen years of age, who has resided in London in the house of his father for the last thirteen years.

If His Excellency will do me the justice as I have no doubt he will, to cause an enquiry to be made into this affair, I shall most cheerfully relinquish all claim which I may have to the Lot, should I fail satisfactorily to establish the facts to which I have adverted.

I have the honor to be

Sir,

Your very obedient

and very humble servant,

WILLIAM JACKSON.

LIEUTENANT COLONEL ROWAN, &amp;c. &amp;c. &amp;c.

Government House, 24th October, 1832.

Referred to Colonel Talbot, for any observations he may think it proper to make on the within statement for the information of the Lieutenant Governor.

By Command,

WM. ROWAN.

[COPY.]

London, April 17th, 1833.

SIR :

I have had the honor to receive your letter of the second March last, in which you intimate to me that His Excellency the Lieutenant Governor does not consider my case as one which will warrant his interference, but that he will if I think proper, lay my petition before the Executive Council and transmit it to the Secretary of State for the Colonies.

I am most desirous that His Majesty's Government should be put in full possession of all the facts in relation to the manner in which I have been deprived of my Lands—the circumstances of my case are so fully detailed in my Petition to His Excellency, that it becomes only necessary for me to transmit to you the enclosed documents in order that they may accompany my Petition to be laid before His Majesty.

I have the honor to be

Sir,

Your most obedient servant,

WILLIAM JACKSON.

LIEUTENANT COLONEL WM. ROWAN, }  
&c. &c. &c. }

N. B.—I shall take it as a favor if His Excellency the Lieutenant Governor will forward with my papers my letter bearing date 19th October 1832.

W. J.

Government House, 7th May, 1833.

Referred to the Honorable the Executive Council.

By Command,

WM. ROWAN.

In Council, 10th April, 1834.

Not recommended, as ten years had elapsed from Colonel Talbot's Statement without his performing the settlement duty.

JOHN STRACHAN,

P. C.

I. C.

[COPY.]

GOVERNMENT HOUSE, }  
York, 2nd March, 1833. }

SIR :

I am directed by the Lieutenant Governor to acquaint you, with reference to your application at this Office, that as the Lot of land you claim is in the Tract placed under the management of Colonel Talbot by His Majesty's Government, and he states that you have not conformed to the

## Report on Petitions of William Jackson and others.

conditions on which he located you, His Excellency will not interfere in your case. He will however, lay your petition before the Executive Council, and forward it to His Majesty's Government, if you are desirous that course should be pursued.

APPENDIX.

I am Sir,  
Your Obedient Servant,  
WM. ROWAN.

Mr WM. JACKSON, }  
London. }

[COPY.]

LONDON DISTRICT, } Levi Lewis, of the Township of London in the London District, Yeoman—  
TO WIT : } maketh oath and saith, that he this deponent, heard the Honourable Thomas  
Talbot declare that Robert Jackson of said Township of London, Yeoman, should not have another  
acre of land in the Province of Upper Canada; neither should one of his family, (meaning as this de-  
ponent understood the family of the said Robert Jackson.)

LEVI LEWIS.

Sworn before me at London in the London }  
District, this 23rd. day of March 1835. }  
WILLIAM KING CORNISH,  
A Commissioner for taking Affidavits in the }  
King's Bench, London District. }

COMMITTEE ROOM.

Mr. ROBERT JACKSON, called in and examined,

Says, that he moved into Westminster in the summer of 1819, with his son William Jackson the Petitioner, who was located by the Honorable Colonel Talbot on the South half of Lot Number 24 in the 9th Concession of the Township of London, from which time, witness paid Taxes and did the statute labor for said lot, for eight or nine years, the said William occasionally laboring on the lot until he had five acres chopped down, and the road chopped open across the end of the Road except a marsh at each end of the Road at the corners of the lot. Witness commencing to make a farm out of a wild lot of land and the said William being the eldest son, was required to stop at home with his father occasionally working on this lot in the same manner as improvements were made on other lots in the Township, where the settlers being poor, the improvements on the land progressed slowly; that in 1832 the Honorable Colonel Talbot did take the said half lot from the Petitioner and gave it to a lad under age, at the time said to be about nineteen years of age, who was in the Province previous to the witness; that the occupant got a deputy Surveyor to measure the ground chopped, and two more to appraise the same—the Surveyor reported that five acres had been chopped, and yet the petitioner has never received one shilling for the lot or for the improvements he made on the same.

Witness believes that the Honorable Colonel Talbot's reason for taking the Petitioner's only hundred acres of land from him, was, his having heard a report that petitioner had signed a petition called the "Grievance Petition," and to remove this prejudice (unfounded in fact) from the mind of the Honorable Colonel Talbot, Witness took his own and Petitioner's Affidavit, that they had neither of them signed said petition, made before a magistrate in the Township of London to the Honorable Colonel Talbot, who threw the Affidavit on the floor, and told witness that he was a Methodist Rebel, and that witness, nor one of his family should ever have an acre more of Land in the Province; which is further substantiated by the Affidavit of Levi Lewis, (whose Affidavit is annexed:) at which time witness presented the Honorable Colonel Talbot with a letter from the Reverend Mr. Roswell and a recommendation from William Robinson Esq. praying that the sons of witness might be allowed to settle on some of the village lots in the town of London, as witness with five sons had only one hundred acres, but this was peremptorily refused.

Witness two years since engaged Colonel Burwell to ask the Honorable Colonel Talbot to grant witness one vacant Town lot in London for his son, since the former lands had been taken from him, but Colonel Burwell told witness that the Honorable Colonel Talbot told him that he would not give witness any land.

[COPY.]

To His Excellency Sir John Colborne K. C. B. Lieutenant Governor of Upper Canada. &c. &c. &c.

The Petition of John Ardiel of the Township of London, humbly sheweth, that your petitioner having about thirteen years ago located a lot of land in the said Township by direction of Colonel Talbot, and having cleared part of it, paid taxes for it, and looked forward with hope to its being his home, was unjustly and illegally deprived of it by direction of the aforementioned Colonel Talbot, who gave it to another; and thus been inhumanly and capriciously turned adrift, he begs to solicit redress from your Excellency.

That your Excellency, may be informed of the unjust manner in which your humble petitioner has been treated, he submits the following statement; and any proofs necessary to substantiate them will be promptly forwarded when required.

## 4 Report on Petitions of William Jackson and others.

## APPENDIX.

Your Petitioner emigrated from Ireland in the year 1819, with his aged father and mother and their large family. Your Petitioner and his father got from Colonel Talbot a 200 acre lot of land (100 for each). His father not being able to do much work, and the very existence of his helpless family, depending in a great degree on the exertions of Your Petitioner, he resolved that he would assist his father, thinking that while they worked together, even on the one part of the land, they would not be dispossessed. They cleared a field along the Concession line, some of which was on each 100 acres, if the lot were divided lengthways. This field being wet or swampy and unfit for tillage, they commenced clearing farther back, on another part of the lot fitter for that purpose, and more contiguous to water. There they built a house and barn, and cleared 25 acres under the impression, that they had now an improvement on each 100 acres, whether divided crossways or lengthways and even a building on each. It can be seen by the Affidavits of two of their neighbors, that they (your petitioner's neighbors,) as well as themselves believed that even part of the late improvement was on each hundred. Besides your Petitioner cleared part of his concession line and partially cleared the rest and chopped some more land.

By this time through your petitioner's unwearied exertions &c. his father was enabled to raise food for his family, but they were in the greatest need of clothing and other necessaries. Your petitioner, in order to procure them, went to the Welland Canal to earn money. No money could be got for his labor nearer home. He remitted to his father his earnings, and intended returning in a few months; but he sickened and had to remain at the Canal longer than he wished or anticipated. While thus absent on an errand of filial and fraternal affection, and pressed down with affliction, a man named William Armitage applied to Colonel Talbot for your petitioner's land, telling the Colonel that your petitioner had gone to the United States. It appears that Colonel Talbot refused at first, to give away the lot; Armitage however returned to London and got a certificate signed by some of his family connexions, stating that your petitioner had gone to the United States, had made little improvement and had left no one to take care of it! All of which assertions were infamous falsehoods, for Your Petitioner did not go to the States, did make considerable improvement, and did leave his father to take care of it; who preserved the crops, did the statute labor for it, and paid the taxes. On seeing the certificate, Colonel Talbot wrote to a Mr. Harrison of said Township to inspect the land. Armitage took him to see it, and shewed him only the first mentioned clearing, but never told him of the larger clearing and the buildings that were only a few rods behind a small piece of woods lying between. Harrison being too inexperienced or too indolent to look over the whole lot or lots, took the Report of Armitage for truth, and deceived himself—he misinformed Colonel Talbot who then gave the 100 acres to Armitage. However when Harrison saw how he was led into error he advised that your petitioner should be sent for. Your Petitioner returned in a few days went to Col. Talbot, offered to bring many witnesses to prove that his case was as is here stated. But the Colonel would only tell him that if he could settle with Armitage, he might have it again, (thus recognising his right to it, tho' in the possession of another by his authority) Armitage on this agreed, that if your petitioner paid him for some work which he did on it, he would relinquish it. Three men were accordingly sworn, they valued it and your petitioner paid him, and got a receipt in writing, which receipt your petitioner took to Colonel Talbot (who still holds it) and he then put your petitioner's name on the map again. In this manner was your petitioner put once more in possession of his land, built a house and made further improvement. But Armitage went again to Colonel Talbot told him that he did not get value for his work done on the land but that your petitioner forcibly dispossessed him. And though Colonel Talbot had Armitage's receipt in his hands, and tho' he had been plainly told of the deceit practiced by him, though he had ocular demonstration that your petitioner was not in the States, and though he had repossessed your petitioner of his right, which he held for several years,—once more erased his name from the map.—Armitage then took forcible possession of it, and still retains it; except the clearing first mentioned and the house built by your petitioner after getting possession the second time.

Your Excellency's Petitioner humbly begs that your Excellency taking into due consideration the hardships of his case, the deceitful and violent and unjust methods taken to deprive him of his property, will order his land to be restored speedily, that he may not be under the painful necessity of waiting the tedious process of applying to the Colonial Secretary.

And your Excellency's Petitioner as in duty bound will ever pray.

JOHN ARDIEL.

October, 17th, 1832.

[COPY.]

London, January 28th, 1833,

LIEUTENANT COLONEL ROWEN.

SIR,

The bearer of this Robin Jackson will call at your office to solicit an answer from His Excellency the Lieutenant Governor in relation to some land business which he will explain to you, and as I also petitioned the Governor on a similar subject some time in October last, I will thank you if the Lieutenant Governor does not think my petition worthy of any reply, to procure for me from his Excellency the petition to which I allude.

I have the honor to be

Sir,

Your very obedient and very humble Serv't.

JOHN ARDIEL.

[COPY.]

GOVERNMENT HOUSE, }  
York, 2nd, March, 1833. }

Sir,

With reference to your petition of the 17th, October, 1832, and your letter of the 28th, January last, I am directed by the Lieutenant Governor to acquaint you, that your petition was referred to Col.

## Report on Petitions of William Jackson and others.

Talbot on the 24th, October 1832, for such remarks as might enable the Lieutenant Governor to judge as to the correctness of your statements, and how far it might be necessary for the Executive Government to interfere in the case which you have stated, respecting the lot of land of which you allege that you have been unjustly deprived.

APPENDIX.

Colonel Talbot informs the Lieutenant Governor, that you were ten years entered for 100 Acres of land, and that you did not perform the settlement duties during that period, which he has been authorised by His Majesty's Government to require, nor did you reside on the land.

I am therefore to observe, that, as certain tracts of land in the London District, have for many years been placed by His Majesty's Government, under the direct superintendence of Colonel Talbot, to be located by him, on the conditions which have been hitherto acted on, with much success, His Excellency does not consider your case one which will warrant his interference; he will however lay your petition before the Executive Council and transmit it to the Secretary of state for the colonies if you wish that course to be pursued.

I am  
Sir,

Your obedient Servant,

Wm. ROWAN.

Mr. JOHN ARDIEL, London, }  
London District. }

[COPY.]

London, April 17th, 1833.

SIR :

I have had the honor to receive your letter of the 2nd March last, in which you intimate to me, that His Excellency the Lieutenant Governor does not consider my case as one which will warrant his interference, but that he will if I think proper lay my Petition before the Executive Council and transmit it to the Secretary of State for the Colonies.

I am most desirous that His Majesty's Government should be put in full possession of all the facts in relation to the manner in which I have been deprived of my Land. The circumstances of my case are so fully detailed in my Petition to His Excellency that it becomes only necessary for me to transmit to you the enclosed document in order that it may accompany my Petition to be laid before His Majesty.

I have the honor to be,  
Sir,

Your obedient servant,

JOHN ARDIEL.

LIEUTENANT COLONEL ROWAN, }  
&c. &c. &c. }

[COPY.]

Edward Allan Talbot, Esq. one of His Majesty's Justices of the Peace for the District of London, this day personally appeared before me John Tenbroeck, Esq. Commissioner for taking affidavits in the Court of Kings Bench in the London District, and made oath that he is acquainted with John Ardiel for about thirteen years, that in the month of October 1830 he was called upon as a Magistrate by the said John Ardiel to give him possession of a lot of land being the North half of number nine in the Seventh Concession of the Township of London which Lot of land had been taken possession of without his consent by one William Armitage. That on making enquiry into the nature of the case, Deponent ascertained that Ardiel was in possession of the said Lot for upwards of ten years, that he cultivated a part of it for that period, and that he lived in the house of his father on the adjoining lot. That William Armitage in consequence, it is believed, of having through false statements induced Colonel Talbot to give him permission to go upon the said land, assumed the possession of it, and Deponent further swears that not being able to discover any reason why a person who had enjoyed peaceable possession of a Lot of land for ten years, should be thus summarily ousted after taking the necessary affidavits, proceeded with a Constable to the land with a view of restoring him to his possession under the Statutes of 15 Richard 2, ch. 2, and 8th Henry 6, ch. 9.

That on Deponent pointing out to Armitage the impropriety of his holding possession of another man's lands and also the power with which he was invested as a magistrate to restore him to his possessions, "without enquiring into the right or title of either party," Armitage consented to restore Ardiel to his land, on condition that he should pay him the said Armitage, for the improvements which he had made. This condition was immediately complied with, and peaceable possession of the land given by Armitage to Ardiel, in the presence of this Deponent. And Deponent further swears, that he has reason to believe that the said Armitage has since resumed possession of the said Lot without the consent, and contrary to the wishes of the said Ardiel, and further that this Deponent is unacquainted with any cause why the said Ardiel should not be restored to his land. He is an Emigrant loyal and industrious, and is surrounded by a very numerous train of relations of well known loyalty.

Deponent further swears that he does not consider that the reason alleged by Colonel Talbot, namely, that he did not perform his settlement duties, a good cause why the said Ardiel should be de-

## 6 Report on Petitions of William Jackson and others.

APPENDIX. deprived of his land, it not being customary with Colonel Talbot to insist upon the performance of settlement duties, in the Township of London, within any specified period.

EDWARD ALLAN TALBOT,  
Justice of the Peace, }  
London District. }

Sworn before me at London, London }  
District, this 19th day of April, 1833. }  
JOHN TENBROECK,  
Commissioner for taking Affidavits in }  
the London District. }

## PETITION, JOHN ARDIEL.

Government House, 7th May 1833.

Referred to the Honorable the Executive Council.

By Command,

WM. ROWAN.

In Council, 10th April, 1834.

Not recommended for reasons given in Colonel Talbot's Report.

JOHN STRACHAN,  
P. C.  
L. C.

[COPY.]

EXECUTIVE COUNCIL OFFICE, }  
Toronto, 15th April, 1834. }

SIR :

Your Petition respecting a Lot of land located under Colonel Talbot in the Township of London, was read in Council on the 10th inst. and the prayer *not granted*.

I have the honor to be

Sir,

Your obedient servant,

JOHN BEIKIE,  
Clerk Executive Council.

JOHN ARDIEL, London, }  
London District. }

COMMITTEE ROOM, }  
March 27th, 1835. }

JOSEPH O'BRIEN, called in and examined.

How long have you been in this Province ?

Seventeen years, Emigrated to this Province in July 1818, and been in the same ever since.

Do you know John Ardiel of the Township of London ?

Yes I do.

When did he come to this Province ?

In the year 1819.

Was he located on any land by Colonel Talbot in the Township of London ?

He was, I was present when Colonel Talbot put his name on the map for the north half of Lot 9 in the 7th Concession.

Did he make any clearing on that land ?

He did, I helped him to make it, in chopping, fencing, and saw it laid down in grass.

Do you know how much he cleared ?

The clearing was done by himself, and his father conjointly, on both these Lots, the father having located the adjoining half, there was no division fence kept up between them, as they both lived together, there was also chopping done on John Ardiel's Lot, consisting of some Acres, the exact number I do not recollect, and had chopped some on the Concession Road in front of it.

How long has he been in possession of the land ?

Since the year 1819 till the year 1830, when turned off of it by one Armitage, who said he had Colonel Talbot's authority, he was away a short time from his land, working at the Welland Canal to earn money to support the family, and aid him in farming his land, he is his father's only son, on whom his father solely depends for his support, and without his aid he could not obtain such support, except through other benevolent assistance.

Was he dispossessed of his land ?

He was, one Armitage having applied for the Lot to Colonel Talbot, and obtained the land by false representations as I heard Armitage say, and I did see Armitage in possession of the land in 1830—I have heard, that Colonel Talbot agreed that if Armitage and Ardiel would make some mutual agreement on the subject, he would again put Ardiel in possession of the Lot, there was such agreement entered into by the parties,—Armitage having received valuable consideration from Ardiel in presence of witnesses, and I saw Armitage agree to leave the land and did see him move off; and

Report on Petitions of William Jackson and others. 7

again saw Ardiel in possession of the land in 1830, and working on it, and I helped him to work on it. Ardiel was again dispossessed after this, in the fall of the year 1830—by Armitage coming in by forcible means driving Ardiel off the Lot, whether by order of Colonel Talbot or not, I cannot say of myself, but it is so reported that Colonel Talbot gave Armitage the authority for so doing and Armitage is now in possession of the land, Ardiel merely retaining a small portion of the clearing.

APPENDIX.

[COPY.]

To His Excellency Sir John Colborne K. C. B. Lieutenant Governor of the Province of Upper Canada. and Major General Commanding His Majesty's Forces therein.

IN COUNCIL.

The Petition of Levi Lewis, of the Township of London, Yeoman. Most humbly sheweth, That Petitioner was born in the District of Niagara, in which he resided until 1824, when he came to this Township and obtained from Colonel Talbot 200 Acres of land, being Lot No. 21, in the 8th Concession, upon which he has ever since resided.

That a short time ago Colonel Talbot gave one half of his land to a person named English as he supposes, owing to some information which the Colonel had received in relation to his political conduct.

That Petitioner being never out of the Province in his life entertains none but British feelings, and when the Address commonly called the Talbot Address was handed to him by Edward Allan Talbot, Esq. he at once affixed his name to it, as will appear by the enclosed certificate.

Petitioner having a large family amongst which are five sons and having been accustomed to hold out to them the idea, as he thought, certainty of their one day becoming the owners of this land, he trusts Your Excellency will order it to be restored to him,—and he will as in duty bound ever pray.

LEVI LEWIS.

[COPY.]

This is to certify that Levi Lewis, and Benjamin W. Lewis, are sons of John Lewis of Grimsby, a very respectable Inhabitant, loyal to His Majesty's Government, and an industrious farmer, both the sons were born in this Province, are industrious young men, and doing their duty as Militia men, they have always shewed a willingness and activity whenever called upon.

Given under my hand this }  
15th day of December, 1823. }  
ROBERT NELLES.

[COPY.]

London, April 17th, 1833.

SIR :

I have had the honor to receive your letter of the 2nd of March last, in which you intimate to me that His Excellency the Lieutenant Governor does not consider my case as one which will warrant his interference, but that he will if I think proper, lay my Petition before the Executive Council and transmit it to the Secretary of State for the Colonies.

I am most desirous that His Majesty's Government should be put in full possession of all the facts in relation to the manner in which I have been deprived of my lands. The circumstances of my case are so fully detailed in my Petition to His Excellency, that it becomes only necessary for me to transmit to you the enclosed documents, in order that they may accompany my Petition to be laid before His Majesty.

I have the honor to be  
Sir,

Your obedient servant  
LEVI LEWIS.

LIEUTENANT COLONEL WM. ROWAN.

N. B.—I shall be thankful to have the enclosed certificate, and a copy of my Oath of Allegiance transmitted with my petition.

L. L.

GOVERNMENT HOUSE. }  
7th, May, 1833, }

Referred to the Honorable the Executive Council, \*  
By Command,

WILLIAM ROWAN.

In Council, 10th, April, 1834.

Not recommended for the reasons stated in Colonel Talbot's Report.

JOHN STRACHAN.

P. C.  
L. C.

ROBERT JACKSON, called in and examined,

## 8 Report on Petitions of William Jackson and others.

## APPENDIX.

Knows Levi Lewis since the year one thousand eight hundred and twenty-four—Lewis lives on Lot No. 20 in the eighth concession of the Township of London, on the south half of which lot he, Lewis, has cleared and fenced in a good manner about twenty acres—had at the time Colonel Talbot took the north half from him about twelve acres cleared and fenced. The first house Lewis put up was unfortunately burned and all he had in it, about a year after he commenced clearing on said lot—Immediately after, or about nine years ago, Lewis built a second dwelling on said lot, in which he has ever since resided, he has also a barn and orchard on the said lot, which improvements were all made at the time Colonel Talbot took the north half of the lot from him. At the time Lewis got the land from Colonel Talbot, others were getting two hundred acres from him. Witness knows other settlers to whom Colonel Talbot has given two hundred acres of land; and who still retain the same, altho' they have done only improvement on the one hundred. Thomas English who got Lewis's half lot from Colonel Talbot threw up a hundred acres he had previously got from the Colonel in favour of his father, to make up to his father a two hundred acre lot; English has never lived on the lot which he got Colonel Talbot to take from Lewis, but merely put up a small log House on it, and sold it to another person for three hundred dollars.

Witness knows Lewis to be an honest industrious and respectable man, and who has a large family of small children.

JOSEPH O'BRIEN, *again examined.*

Knows Levi Lewis about ten years and agrees with the foregoing testimony in every part.

Knows a person by the name of Phillip Swartz, who got an hundred acre lot from Colonel Talbot, which lot the Colonel took from him—and which lot the Colonel gave back to Swartz, in consideration that he Swartz, would perform settlement duty on a lot of Colonel Talbot's own, for no consideration whatever, but Colonel Talbot allowing him to repossess the lot he had previously taken from him, said lot of Colonel Talbot's was, witness thinks, No. 29, in one of the Concessions of the Township of London.

[COPY.]

The Affidavit of Ambrose Powell, Yeoman, of the Township of London, who personally came before me, Wm. King Cornish, a Commissioner for taking Affidavits, this day and made oath that he knew Ardiel, son of Leonard Ardiel, both of the Township of London to be in quiet possession of a lot of land being lot No. 9. north half 7th. concession, of the aforesaid Township for several years, and cleared, fenced, and laid down a field as meadowing, and chopped considerable on said lot, which he and his father quietly possessed, until one Wm. Armitage took possession of it, as he said by Colonel Talbot's permission, and upon Ardiel's attempting to resist said Armitage's usurpation, Armitage offered to give up peaceable possession of said lot, if Ardiel would pay him for some improvements done on said lot, while he Armitage was on it, to which Ardiel consented, and deponent was appointed to give Armitage his pay, after a valuation of both improvement and property given in lieu thereof, that Armitage took it and gave a receipt for his pay and went off the premises, declaring he never would have come on the lot but for bad advice—deponent further saith that he heard Colonel Talbot say, if Ardiel and Armitage would agree among themselves he, the Colonel had no objection to Ardiel's still having the lot and that after the above mentioned occurrences had taken place, Armitage again forced himself on to the premises with a furious party assisting him and to the present holds forcible possession of the same, and as far as deponent could ever hear, Colonel Talbot sanctions the proceedings of Armitage and his party.

AMBROSE POWELL.

Sworn before me at London in the London }  
District, this 21st. day of March 1835. }  
WILLIAM KING CORNISH,  
A Commissioner for taking Affidavits in the }  
King's Bench, London District. }

[COPY.]

The Affidavit of John Ardiel yeoman of the Township of London who personally came before me, Wm. King Cornish, a Commissioner for taking Affidavits, this day and made oath that he was located on a lot of land, being lot No. 9 north half 7th, concession of London, by Colonel Talbot on which he cleared, fenced and laid down a field for meadowing, and chopped more along the line, all which was quietly possessed by said Ardiel and his father for several years, until one William Armitage took forcible possession of it as he said by Colonel Talbot's orders, and kept it for some time, and on Ardiel's attempting to resist said Armitage, unjustly, Armitage offered to quit peaceably if Ardiel would pay him for some improvement which said Armitage had done while in possession of the lot, to which Ardiel agreed and gave him pay and took Armitage's receipt and went to Colonel Talbot and got the Colonel, to sanction the agreement by putting Ardiel's name on his map again, and bid deponent go home and clear up a farm, and that he deponent did come home and got some help and went to chop on the farm, but in a few weeks Armitage came on to the premises again with a previous party and took forcible possession and still holds it contrary to the mutual agreement made between the parties, and Colonel Talbot continues to sanction the unjust usurpation.

JOHN ARDIEL.

Sworn before at London in the London }  
District this 21st. day of March, 1835. }  
WILLIAM KING CORNISH,  
A Commissioner for taking Affidavits in the }  
King's Bench, London District. }

[COPY.]

APPENDIX.

HOME DISTRICT- } Personally appeared before me Thomas David Morrison, Esq. one of the  
 City of Toronto } Aldermen of the said city, Joseph O'Brien, of the Township of London, in  
 TO WIT: } the London District, yeoman, who being duly sworn on the Holy Evange-  
 lists, deposeth and saith—that he did prepare three certain certificates in his own hand writing, and  
 dated at London aforesaid, on the 22nd day of October one thousand eight hundred and thirty—one  
 signed by John Cook, another by George Fitzgerald, the third by Thomas Geelson, and now exhibited  
 to him and attached to this deposition, and further that it was in his presence before mentioned they affix-  
 ed their signatures to the said certificates, and that he enclosed copies thereof to Colonel Talbot by mail.

JOSEPH O'BRIEN.

Sworn before me this }  
 27th day of March, 1835, }

T. D. MORRISON,  
*Alderman.*

[COPY.]

I hereby certify that I was called on to value some improvements done by Wm. Armitage on a lot of land which he said was given him by Colonel Talbot, that I knew to be in the possession of John Ardiel for a number of years previous to Armitage's claiming it, and that I was requested by him (Armitage) to value the said improvements with two other persons indifferently chosen and sworn, and that he came attended, and shewed us the improvements himself, and that after our valuation of said improvements, we valued property, and seen him receive it as his pay for the improvements, saw no resistance whatever, seen him and wife help to clear out their effects, and he told me himself that he never would go on another man's lot again, and the very next day went and bought the improvements of another's lot and passed his notes for the pay thereof, in from one year to six years; and have been told by George Fitzgerald that he was very willing to go live on the lot he last purchased, that it was he (Fitzgerald) that drew the writing between Armitage and the other parties and gave his notes for the pay of the improvements on the strength of Mr. and Mrs. Gleeson giving him a writing to Col. Talbot to get his name on the map.

JOHN COOK.

London, October, 22nd. 1830.

[COPY.]

I hereby certify that I was called on to draw notes between William Armitage, and James Dag, and Eleanor Gleeson, for the improvements done on James Dag's lot, which I did on the 11th, day of October last, and saw him quite willing to pass said notes to James Dag, and further said that he was paid by John Ardiel for what he had done on a lot, belonging to the said Ardiel and was then willing to pass the above notes by Mr. and Mrs. Gleeson giving him a writing to Colonel Talbot to get his name on the map, which writing they gave him as value for the above notes.

GEORGE T. FITZGERALD.

London, October 22nd. 1830.

P. S.—After his return from Colonel Talbot's he told me that he never shewed Mr. Gleeson's writing to Colonel Talbot as he was again in expectation of getting back Ardiel's lot.

[COPY.]

I hereby certify that Mr. Armitage called on me to inform me that he had got pay from John Ardiel for improvements done on his lot and had given up possession to Ardiel and would now wish to buy James Dag's improvement which he said you declare you would give out. But that he did not want to take it without paying for the improvements, and that if we did sell them to him, he would get the lot without pay, in consequence of which he got a writing from us, for which he passed me notes payable in six years, which I hope said Dag shall have his pay on his lot.

THOMAS GLEESON.

London October, 22nd, 1830.

To the HONORABLE THOMAS TALBOT, }  
 Port Talbot. }

[COPY.]

A statement of the particulars connected with the petitions of William Jackson, John Nixon, John Ardiel, and Levi Lewis of the Township of London, transmitted to the Secretary of state for the Colonies.

William Jackson, an Emigrant from Ireland, was located by me for 100 acres of land, subject to the conditions of performing certain settlement duties and being an actual settler on the land, which I required should be complied with, within two years, but I extended my indulgence to Jackson by keeping his name entered on the land for ten years, during the latter part of that time repeated representations were made to me, that the lot was not improved and remained a wilderness and unoccupied.

## 10 Report on Petitions of William Jackson and others.

## APPENDIX.

ed and applications were made by new arrivals of Emigrants for the land, I accordingly made enquiry, and learned that Jackson had, during this length of time, only cut down a few trees, or as it is termed in Canada "slashed" some of the timber, which practice tends more to injure than benefit a new settlement; upon being satisfied that this was the case, I relocated the land to an English Emigrant.

John Nixon an Irish Emigrant, I located on 100 Acres—I did not dispossess Nixon off the land which continues located to him.

John Ardiel, an Emigrant from Ireland, was located on 100 Acres, and I indulged him to the same extent that I had William Jackson, and similar representations were almost daily made to me, that the land remained unimproved and unoccupied, and further that he was and had been more than a year absent from the Township, however, some of Ardiel's friends that resided in London, contradicted these reports, and assured me, that John Ardiel had more ground under cultivation on the lot than I required for the settlement duty, together, with a good house and barn, but that his clearing was made in the interior of the lot, and could not be seen from the Concession Road, still persons not connected with Ardiel, declared the whole of their statement not to be true; therefore to ascertain the fact, I directed a licenced surveyor to examine the lot, and report to me as the case might be found—accordingly when the surveyor went on that duty he was met by Ardiel's friends, who conducted him to a stake, which they stated was the north west boundary of Ardiel's lot, from which stake the surveyor commenced running the division line between two lots, and to his surprise, after running a short distance he got into a large clearing with a house and barn on Ardiel's side—fortunately the surveyor suspected, that there was deception used; and he returned to the stake, from whence he had started, and measured the distance from the west stake to the eastern boundary of the lot, when he detected the fraud, by the west stake having been removed from its proper position so far westwardly, as to make the clearing appear to be on Ardiel's lot, and nothing but a few trees slashed down on the lot he was sent to examine—such being the case, I relocated the 100 Acres, to another Emigrant.

Levi Lewis, a Canadian by birth applied to me for land, stating that he was the son of a U. E. Loyalist and as such entitled to 200 Acres, accordingly he was entered for that quantity of land; some years after some other persons applied for one half of the Lot I had located to Lewis, I replied that I could not grant their request, as Lewis as a U. E. Loyalist was entitled to the whole Lot of 200 Acres, when I was informed by the applicants that Levi Lewis was not a son of a U. E. Loyalist, and that he had frequently boasted of how he had imposed upon me by representing himself as a U. E. and further that Lewis was so lazy that he would not ever clear ten Acres, having this statement proved, I enquired on what part of the Lot, Lewis had worked; and was told on the South half, consequently, I limited him to the usual quantity of land, granted 100 Acres, and located the North 100 Acres of the same Lot to another Settler.

THOMAS TALBOT,  
Superintendent of the }  
Talbot Settlement. }

Port Talbot, February 1st, 1834.

## COLONEL TALBOT, called in and examined.

Levi Lewis came to me and reported himself as a "son of a U. E." being entitled to 200 Acres—located him in the Township of London, on 200 Acres, as supposing him such, found he was not so—therefore took one hundred Acres from him, being the usual quantity a settler is entitled to and no more, does not know when he found out he was not a "son of a U. E." nor by what means—I sometimes located persons on 200 Acres not "sons of U. E's." or "U. E's. sons," as I saw fit in certain cases.

State what those certain circumstances are?—I refuse to answer that question.

What reason have you for thus answering this question? Because I think it a sufficient answer, Lewis was represented to me to be a lazy person, and by what means I know not, I have no written documents to that effect.

Who informed you that Lewis was not the "son of a U. E.?" I cannot tell you, but was so informed by several persons.

Did you not state in your communication to the Government Office who it was that informed you Lewis was not son of a "U. E.?" I do not recollect that I did.

You have given us a reason why Lewis was deprived of 100 Acres of his location, that he was lazy,—who informed you of this? I got it by hearsay.

Do you usually dispossess persons of their locations by hearsay.—Not commonly, except it is from persons I can depend upon—the principal grounds I dispossessed him of 100 Acres of his location was, that he was not what he represented himself to be a "S. U. E."—I cannot tell whether a patent has issued for this 100 Acres formerly located to Lewis.

Col. Talbot's Evidence on Ardiel's case.—I have no written statements at present on which I founded my report to his Excellency the Lieut. Governor in the petitions of John Ardiel, Wm. Jackson and Levi Lewis. I made the same on recollection. I cannot say where I received this or any information on these cases relative to their delinquencies, whether in four or ten years, nor do I know from whom I received it. I never give 200 acres as jointly to father and son when the latter is under age, I always make each person I locate individually liable for the conditions of settlement, I don't recollect that I had previously located Armitage in any other part before I located him on the lot I had at first located Ardiel.

How is it that you are so forgetful as to dates and persons, and yet recollect facts on which you make your Report? The facts made an impression on my mind—I know nothing of those things of myself personally.

Were any of the persons who made these representations those who were endeavoring to get the lands for themselves or their friends? No they were not, to my recollection.

How do you know they were not?

I do not know indeed. He makes a general practice of relocating when persons do not perform the settlement duty required, or the persons located are not actual residents, by various representations, sometimes in writing, and sometimes not, frequently when clearing is made, compels last locatee to pay the same by valuation of it.

Under what authority do you act?—Under the authority of the Home Government, and made known to the Officer administering the Government in this Province.

Do you consider yourself amenable to the Local Government under this authority?—I do not, nor do they (I believe) consider me so.

What quantity of land have you under your control?—About twenty or thirty Townships, but I cannot at present exactly say the quantity, it may be ascertained in the Surveyor General's Office.

Can you produce your authority from the Home Government? I have no written authority under which I act, only I know that such a despatch is communicated to the Government of this Province, which I have seen, and I act from verbal information, and the thing is all understood.

Do you call the persons before you, who are interested in the representations before alluded to? and have a regular investigation? I do not, I generally proceed according to circumstances, or on the information or certificate of persons I can depend on.

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COLONEL TALBOT'S, *examination continued.*

Can you state the reason of your removing William Jackson from the 100 acres on which you located him? Because he had not performed the settlement duty that I required in my regulations, and refer you to my report to the Governor on this case.

How did you know the settlement duty was not performed? I got information on the subject but do not recollect exactly how, I have no kind of written record of the fact.

Can you state any general plan by which you ascertain the conditions of settlement are not complied with? I have none—I enquire about the facts of individuals, who may be acquainted with the facts, and receive wholly *viva voce* testimony on the subject.

Did you let Jackson, Ardiel, and Lewis, know that such representations were made? No, I do not know that I did but I fully expect they knew such were made.

NO. 96

## REPORT

OF

Select Committee,

ON THE

PETITION OF JAMES DAVIDSON.

*To the Honorable the Commons House of Assembly.*

The Select Committee to which was referred the petition of James Davidson of the Township of Nelson, in the County of Halton, beg leave to report:

That by the petition and documents in confirmation of its statements, appended, it will be seen by your Honorable House, that the petitioner has been subjected to wrong (without means being afforded him of obtaining redress) by an order of the Executive Council for "removing the name of William Dickson from the map, upon condition that the Welland Canal Company, furnish to the heir or person having a claim recognized by the Council, a lot, of a value equal to that at the time the location was made," that petitioner's claim as the heir of William Dickson, is acknowledged, and the transaction by that means becomes simple and unequivocal—The first reason intimated for the removal of the name of the original nominee for the lot of land in the Township of Humberstone, viz, the neglect of building a house on said lot, however feasible it might appear, had it been generally acted upon under similar circumstances, is apparently quite insufficient under the every day practice between the Executive and the Locatees of lands in the earlier settlements of this Province. The second reason, viz, that of facilitating the designs of the Welland Canal Company in the accomplishment of a work (even though acknowledged to be of paramount importance to the Country) could only be justified by laying the Company under the necessity of conveying to the claimant an equivalent compensation in land (as to quantity and value) at the time the lot was transferred by the Executive Council to said Company, and not

## Report on Petition of James Davidson.

APPENDIX.

by merely making over to the petitioner, a lot of land of equal value to that taken, estimating that value at the time it was first located by William Dickson.

These reasons your Committee deem to be insufficient to justify the transaction.

The petitioner is an infirm man, with a large family, incapable of affording him much assistance, and too far advanced in years to expect much relief, from a rheumatic disorder under which he labors.

Under all the circumstances your Committee report an Address to His Excellency the Lieutenant Governor hoping that His Excellency will so far agree with the views of Your Honorable House on this subject, as to be induced to look into the matter, and procure for the Petitioner that justice which his case demands, and which is only attainable through His Excellency's interference, without at least greatly protracting the period of restitution.

Your Committee recommended that a copy of this report and documents appended hereto, may accompany the address to His Excellency.

All which is respectfully submitted,

CALEB HOPKINS.

Chairman.

Committee Room, Commons House of Assembly, }  
8th April 1835, }

To the Honorable The Speaker and other Members of the House of Assembly of Upper Canada in Provincial Parliament Assembled.

The Petition of James Davidson of the Township of Nelson, in the Gore District, humbly sheweth.

That whereas William Dickson late of the Township of Stamford, in said Province deceased, had located lot No. 27 in the 1st. Concession of the Township of Humberstone in the said Province, and he having died without issue—Your Petitioner (his sister's son) being the only surviving branch of the male line of that family, became heir to the said lot of land. The proof which your petitioner produced to the Executive Council having proved satisfactory, he was recognised as the true claimant for the said land, but as this lot joined Lake Erie, and as there was a brook leading from it to the Lake, the Welland Canal Company thought it proper to bring their Canal into the Lake by that channel—therefore the Council consigned the said lot to that Company, on condition that they would transfer to your petitioner any lot unlocated upon the line of that Canal which might be selected by your petitioner, subject to the approbation of the commissioners appointed during last session to report upon the Welland Canal.

It appears that two reasons induced the Council to this decision; first, that the original terms of building a house on said lot, had not been complied with by the original nominee or his heir.—Secondly, by giving it to the Company, it would be applied to public purposes, and a general benefit would be conferred.—In regard to the first of these considerations, it seems to rest on a very weak foundation, for that order of Council never was complied with by any, and this is the first time your petitioner ever heard it called for, and several people located land on the same Township, who did not comply with the said order, but no such objection was brought against their claims. The second reason was very proper, and your petitioner would have had no objections, so far as the prosperity of the colony was concerned, that the Company should be allowed every indulgence which might be consistent with justice. But this was not the case in the present transaction, for the unlocated land on the line of that Canal, and which they intended to give was of no use to your petitioner, being nothing but Swamp—for your petitioner being unable to travel, and having no means of conveyance, employed a very respectable gentleman living in the vicinity of that Canal, to examine the land, who made me the following reply.—The land which the Welland Company means to give you in exchange, is an entire swamp unfit for cultivation, one thousand five hundred pounds would not effectually drain it; and if that were done no person could reside upon it; and if you do not take such land, they are going to offer you a location ticket, neither of which would bring two shillings and six-pence per acre.

The last letter which your petitioner received from the Council on that subject, is dated the 10th of March 1834 and is as follows. "Ordered—that a patent for Lot No. 27 in the first concession of Humberstone do issue to the Welland Canal Company, they having complied with the terms of the order in Council relating to the said lot."

[Signed ]

JOHN BEIKIE.

C. E. C.

What terms of the said order they may have complied with, are unknown to your petitioner, but this he certainly knows, that he has not yet ever received any remuneration for the said lot, nor has any ever been offered to him worthy of acceptance, and to take his land from him and not to allow him a fair value, would, in his opinion, be an act unprecedented in the annals of Upper Canada.

Your petitioner further begs leave to represent to Your Honorable House, that he is far advanced in life, and that by reason of painful diseases, is rendered unfit for labor; and he indulged the pleasing hope, that this property might be the means of supplying his wants and smoothing the path of his declining life; but these hopes are blasted, and he is left to pine under the pressure of painful disease.

The value of the land thus taken your petitioner does not attempt to point out; but he has been informed by people who have seen it, that the lot was worth five hundred pounds, Provincial Currency;

and from this information he is inclined to believe that he might have sold it for that price.

Your petitioner therefore humbly prays that Your Honorable House will be pleased to take his case into consideration and allow him such compensation as you in your wisdom may think proper to grant.

APPENDIX.

And Your Petitioner as in duty bound, will ever pray,

JAMES DAVIDSON,

Done at Nelson, this 24th, day of February, }  
in the year of our Lord, 1835. }

I do hereby certify that I have been personally acquainted with James Davidson the within petitioner during a period of 30 years, and I believe the statement he hath given in the said petition to be correct, as the documents which he can produce will satisfactorily prove—I am also well acquainted with his private circumstances, and can further certify that he has a large family of children, most of whom are females, consequently are unable to render him that assistance which a man in his situation might necessarily require, he having been severely afflicted with rheumatic diseases for as much as twenty-two years and particularly that kind called Sciatica, by which his hip bone appears to be quite dislocated, in so much that he is rendered almost entirely unfit for labor.

JAMES McBRIDE, J. P.

Trafalgar, 24th, February, in the }  
year of our Lord 1835 }

York, 22nd, November, 1833.

Sir,  
Agreeably to the following order of Council, I am prepared, as the person in whom the lands of the Welland Canal Company are now vested, to transfer to you the lot of land according to the said orders.

COPY OF ORDER.

"It is respectfully recommended that the order in Council of the 14th November 1831 be rescinded and that petitioner is recognised as the true claimant to whom the Welland Canal shall be required to transfer any unlocated upon the line of the Welland Canal which may be selected by him, subject to the approbation of the Commissioners appointed during the last session to report upon the Welland Canal."

I would be gratified to receive your immediate reply to this letter directed to York to the care of Wm. H. Merritt, Esq. M. P. P.

Your obedient servant,

A. MACDONELL,

MR. JAMES DAVIDSON, }  
Nelson, }

In Council, 10th March, 1834.

"Ordered that a Patent for lot number twenty-seven in the first concession of the Township Humberstone do issue to the Welland Canal Company, they having complied with the terms of the order Council relating to the said Lot.

JOHN BEIKIE,

CLERK EXECUTIVE COUNCIL."

MR. JAMES DAVIDSON, }  
Township of Nelson, District of Gore. }

In Council, 14th, Nov. 1831.

"Recommended that the lot be granted to the President, Directors & Co. of the Welland Canal after removing the name of William Dickson from the map upon condition that the Company furnish to the heir or person having a claim recognized by the Council, a lot of a value equal to that at the time the location was made.

A copy from the minutes in council,

JAS. STANTON."

GOVERNMENT HOUSE, }  
Toronto, 3d, April, 1835. }

Sir: I am directed by the Lieut. Governor to acquaint you that your letter of the 31st, ultimo, has been referred to the Executive Council which meets this day, and His Excellency can see no ob-

# 14 Reports on U. C. Bank Bill, & Petition of S. Kellogg, &c.

APPENDIX. }  
 jection to copies of the documents which have been applied for being transmitted to the Committee of which you are Chairman.

I have the honor to be,  
 Sir,

Your obedient servant,

WM. ROWAN.

CALEB HOPKINS, Esq. }  
 Chairman of a Committee,  
 House of Assembly.

NOTE.—The Committee find that the Prorogation of the Legislature is at hand and not having received from the Council copies of the documents requested, are constrained to report without.

CALEB HOPKINS,  
 Chairman.

8th April, 1835.

NO. 97.

## REPORT

OF THE

### Select Committee on Trade,

ON THE

### UPPER CANADA BANK BILL.

*To the Honorable the House of Assembly.*

The Committee on Trade, to whom was referred the Bill for increasing the Capital Stock of the Bank of Upper Canada, respectfully Report.

That it appears to them to be in-expedient to increase the Capital Stock of that Bank, they therefore recommend that the further consideration of the Bill be deferred till the 31st day of August next.

JAMES WILSON, *Chairman.*  
 WM. L. MCKENZIE.  
 GILBERT McMICKING.  
 JAMES DURAND.  
 PETER SHAVER.

NO. 98.

## REPORT

OF THE

### Select Committee,

ON THE

### Petition of Simeon Kellogg and others.

*To the Honorable the Commons House of Assembly.*

The Committee to whom was referred the Petition of Simeon Kellogg and others, praying for a Grant of Money to enable them to construct a Wharf at Freeman's Point in Presque Isle Harbour.

Beg leave most respectfully to Report:—

That they are of opinion if a good Wharf were constructed at the before mentioned place, it would greatly promote the prosperity of the surrounding Country as well as facilitate the shipping interest on Lake Ontario.

Your Committee therefore recommend to Your *Honorable House* that a sum of Money be granted to aid in the erection of a Wharf at the place before mentioned.

APPENDIX.

All which is respectfully submitted.

JAMES WILSON,  
Chairman.

*Committee Room, House of Assembly, }  
15th day of April, 1835. }*

NO. 99.

## REPORT

OF

### Select Committee,

ON THE

### Petitions of William Purdy and Robert Jameson.

The Committee to whom was referred the petition of William Purdy and others and also the petition of Robert Jameson.

*Report as follows;*

That it appears to the Committee from all the information they have been able to obtain on the subject, it would be the most prudent course to address His Excellency the Lieutenant Governor, to appoint some competent Engineer or Surveyor to make an accurate survey of the lands overflowed in consequence of the mill dam, erected by William Purdy, upon the River Scugog in the Township of Ops, and report thereon for the information of this House at its next session; stating the quantity of land rendered thereby unfit for cultivation and the effect it has had on the Navigation of those waters.

All which is respectfully submitted.

W. B. ROBINSON.  
Chairman.

*Committee Room, House of Assembly, }  
April 15th, 1835. }*

NO. 100.

## REPORT

OF THE

### Select Committee,

ON THE

### STATE OF THE LIBRARY.

The Committee appointed to examine and report upon the library of the Legislature.

Beg leave respectfully to report the following Resolution.

Resolved, that an humbly Address be presented to His Excellency the Lieutenant Governor requesting that he will be pleased to advance to The Honorable the speakers of the Legislative Council and of this House, such sum as they may find requisite, not exceeding five hundred pounds, to be applied under their direction for the purchase of Books for the Library of the Legislature, and assuring His Excellency that this House will make good the same at the next session of Parliament; and to inform His Excellency that this House are of opinion that

## 16 Report on Despatch from Vis. Goderich to Sir P. Maitland.

APPENDIX.

it would be convenient that the copy of the works of the Record Commission included to in his Excellency's Message of the 20th, February 1835, be placed in the Library of this Province.

All which is respectfully submitted,

CHARLES DUNCOMBE.

Chairman.

Committee Room. }  
12th. April, 1835. }

NO. 101.

## COPY OF DESPATCH,

FROM THE

Secretary of State, Viscount Goderich,

TO

Lieutenant Governor, Sir P. Maitland

[COPY.]

DOWNING STREET, }  
28th June. 1827. }

Sir,

You are already aware that a Royal Charter for establishing a University in the Province of Upper Canada has passed the great Seal, and of which Dr. Strachan is the bearer.

As Doctor Strachan was sent home to solicit this Charter and has been detained on the concerns of the church and other matters of great interest to the Province, you will consider yourself authorised to make him such a remuneration from the Clergy Reserve fund and any other fund at your disposal, as on account of the length of his detention in this Country and the trouble and expense to which he has been exposed, may seem reasonable.

M. GENERAL, SIR P. MAITLAND. }  
K. C. B. &c. &c. &c. }

I have the honor to be &c,  
GODERICH.

*Letter from the Honorable and Venerable ARCHDEACON STRACHAN, to MR. SECRETARY ROWAN.*

Toronto, 17th, March, 1835.

[COPY.]

Sir,

I have the honor to acknowledge your letter of the 7th, inst. enclosing an Address from the House of Assembly requesting various returns respecting Upper Canada College and the University of King's College, and beg leave to state for His Excellency the Lieutenant Governor's information, that as the returns required seem to embrace a complete transcript of all the books of these Institutions, I very much fear, that it will be impossible to satisfy the said Address to the letter, during the present session of the Legislature, but every practicable exertion will be made and in the mean time every particle of information that can be deemed, either useful or necessary, the proper officer has been directed to furnish with as little delay as possible.

In regard to one head of inquiry, number three "a copy of any communication from His Majesty's Government by authority of which £712 16 2 was paid to Archdeacon Strachan out of the College funds as expenses of a journey to England performed by him;" I most respectfully submit that this money was paid to me in consequence of a despatch from Lord Ripon, then Goderich, dated I believe in June or July 1827, doubtless to be found in the Government Office.

To anticipate the trouble of future inquiry it may be convenient to state, that confining myself merely to the expenses incident to my journey and long detention in England, a journey be it remembered, made at the express desire of His Majesty's Government, I claimed and was allowed £1100 (eleven hundred pounds) payable in London, where the money had been furnished me on credit, and chiefly expended, and where it remained at interest till repaid. This sum included £226 14 Sterling paid for the performance of part of my duty, during my absence, and double passage money, which the fulness of the ship obliged me to advance on my voyage home-wards, leaving about a guinea and a half per day, to cover my expenses, while in London and on my Journey.

My services were principally devoted to the subject of Emigration, to withdrawing the Clergy Reserves from what was judged an improvident sale, to the procuring an Act of the Imperial Parliament to dispose of one fourth of the said Reserves, now in operation, and the Charter establishing the University of King's College.

From the nature of these various services, it was deemed reasonable to pay one half of the eleven hundred pounds Sterling, which including interest and exchange, and difference of Currency, amounted to £1356 13 4 from the Clergy Reserve fund, and one half from the funds of the University of King's College.—The former half or £678 6 8 was paid in July 1828 the latter not till May 1829, at which time, the accruing interest being added it came to £712 16 2.

The services I was enabled to perform were duly appreciated in England, and I feel justified in declaring, for it is now matter of fact, that they have been and ever will be beneficial to the Province, nor is the time far distant when the university of King's College, the establishment of which on a more liberal footing than any similar Institution in Great Britain or America, I was the humble instrument in effecting, will shed light and glory over the Colony and embalm the names of its promoters in the grateful affections of posterity, when its ignorant and rancorous revilers are forgotten or deservedly consigned to contempt and execration, as having been ready to sacrifice the most important interests of the present and future generation in deference to a popular clamour, which they themselves had for the purpose excited.

APPENDIX.

I have the honor to be &amp;c.

JOHN STRACHAN.

LIEUTENANT COLONEL ROWAN. }  
Civil Secretary }  
&c. &c. &c. }

NO. 102.

## REPORT

### Of Commissioners

ON THE

### Brockville Contested Election.

We the undersigned Commissioners appointed to take the Evidence upon the Brockville contested Election, beg leave to Report, that in pursuance to the commission under the hand and seal of the Speaker of the House of Assembly, we met at the Court House in Brockville, on Saturday the twenty first day of February inst. and finding that the Clerk of the House had omitted to attach to the said Commission a list of the witnesses of the respective parties, and the sitting member for Brockville being unwilling to proceed in consequence of the said omission we adjourned from day to day up to the present time and shall continue to do so, until we receive the necessary documents. We beg leave further to state that Mr. Henry Sherwood one of the Petitioners has expressed a willingness to proceed notwithstanding the said omission, but the sitting member being unwilling to do so, we feel ourselves unauthorised to act.

HENRY JONES,  
*Chairman.*

JAS. MORRIS.

Brockville, 24th February, 1835.

NO. 103.

## REPORT

### Of Select Committee

### On Petition of Doctor William Rees.

*To the Honorable the Commons House of Assembly.*

The Committee to whom was referred the Petition of William Rees Surgeon. Respectfully beg leave to Report:—

That it is universally established that there is no subject more important to the welfare and prosperity of a new country, than a thorough knowledge of its Physical Geography, an investigation of its natural productions in the Animal, Vegetable and Mineral Kingdoms, its Lakes, Rivers, and their tributaries together with its medical Topography, comprehending the nature and extent of such causes as influence the production of epidemic and endemic diseases in particular Districts. and peculiar to certain situations, the climate and other external causes which influence the health and lives of the inhabitants, circumstances which it will be readily admitted by every friend to humanity, and to the best interests of the Province, well deserve the attention of an enlightened Legislature.

E

## APPENDIX.

The results of such investigations, performed during a residence of nearly fifteen years in different parts of British America, where he has had access and every facility afforded him of examining Official Returns, Registers of Churches, Hospitals, &c. compose the principal materials which your petitioner is desirous to publish.

Your Committee further remark, that a popular view of the Medical Topography, climate, &c. more especially of the Canadas, illustrated by meteorological and statistical tables, by which to establish its comparative salubrity, the health, longevity and mortality of the inhabitants, with the British Isles and continent of Europe, is much called for, and that it would tend materially to correct the gross errors entertained in these particulars and to establish its true character, whilst it would be a desideratum in every other respect; no work of the same nature ever having been published of this Country. It is a fact worthy of notice, that the health, longevity, &c. of the inhabitants of some parts of this Province especially of Sandwich are not less than those of any other part of the known world.

Your Committee therefore entirely acquiesce in the views of that to which this petition was referred in the last session of Provincial Parliament, (herein embodied) that such a publication would be calculated to remove the objections made by wealthy emigrants to a residence in Upper Canada, thousands of whom being on the continent of Europe, without the prospect of acquiring real estate who would gladly give a preference to this Country, and Your Committee recommend to Your Honorable House to grant the prayer of the Petitioner by authorising His Excellency, when such a work shall be published, to defray the expense of five hundred copies, as a means of enabling the Petitioner to meet the expense of its publication.

H. SMITH,

*Chairman.*

*Committee Room, House of Assembly, }  
February 17th, 1835; }*

NO. 104.

**REPORT**

OF THE

**Select Committee,**

**Appointed to examine and Report, what laws have expired and are about to expire.**

*To the Honorable the Commons House of Assembly.*

The Committee appointed upon expiring Laws, beg leave to Report:  
That the Act authorising the establishment of Boards of Health:  
The Act authorising the payment of Militia Pensions:  
The Act granting a premium for the destruction of Wolves, and,  
The Act authorising the establishment of Agricultural Societies, expire with this session.

Your Committee beg leave to recommend to your Honorable House to go into Committee of the whole upon these subjects this day, and adopt such Resolutions as shall be necessary respecting the same.

All which is respectfully submitted.

CHARLES DUNCOMBE.

*Chairman.*

*Commons House of Assembly, }  
Committee Room 6th April, 1835. }*

NO. 105.

APPENDIX.

## REPORT

ON THE

**Select Committee,**

ON

**Parliament Buildings.***To the Honorable the Commons House of Assembly.*

Your Committee to whom were referred the message of His Excellency and Report of the Parliament Building Commissioners, beg leave to report as follows.

Your Committee have examined the building and find that in order to secure the basement story and render the foundation permanent, it is necessary that an area be formed with a protecting wall, and proper means taken to carry off the water, which now, by settling under the ground floor, renders the rooms very unhealthy, and subjects the timbers to immediate destruction by rot.

Your Committee have also inspected the roof, and find it much exposed, by its peculiar construction to fire, as a spark falling from any of the chimneys at a season of the year when the shingles are dry might by the help of a breeze of wind, kindle and gain such ascending before discovery, as to greatly endanger, if not consume the whole building.

The danger of this is so great at present as to preclude the possibility of assuring from fire, the company not choosing to subject themselves to so great risk.

The roof in its present state, is also quite inefficient in keeping out the rain, and the interior of the building has to be protected by the means of buckets being set under the various parts which leak during a storm, to keep the water from penetrating the ceiling of the Halls and entirely destroying the edifice.

Your Committee are not aware of any means which might be used for making the roof both safe and effective by a cheaper process than that of tinning, which though in the first place is costly, is durable, free from leakage and secure.

Your Committee would also call the attention of Your Honorable House to the total inadequacy of this building to the use for which it was designed, from the want of suitable Committee Rooms and Clerk's Offices so situated as to be of ready access to the house, and convenient for the transaction of the accumulating business of each successive session.

Your Committee need hardly mention the inconvenience and uncomfortable situation of the Legislative Chamber appropriated to the use of Your Honorable House by means of the illy contrived structure of the building.

Your Committee under all the circumstances would not hesitate to recommend that the building may be sold, or disposed of for other purposes, if any case be found for which it is at all fitting, or in case it may be considered susceptible of alteration, to make such as will better adapt it to the accommodation of the Legislature.

For the present, Your Committee recommend that one thousand pounds may be appropriated for the purpose of the improvements mentioned, namely, the area and tinning the roof, as the present apartments occupied as Clerk's Offices and as a depository for the Records, must necessarily continue to be so occupied, until more suitable places are prepared, and they are altogether, in their present state, unfit for either of those purposes, but by means of the area mentioned, will be much improved.

All which is respectfully submitted.

T. D. MORRISSON,  
Chairman.

Committee Room, Commons' House of Assembly, }  
8th April 1835, }

APPENDIX.

NO. 106

**REPORT**  
 OF  
**Select Committee,**  
 ON  
**Petition of F. Hewson and others.**

The Committee to whom was referred the Petition of Francis Hewson, Esq. and others praying that the County of Simcoe may be set off into a separate District, with Barrie for the District Town—make the following Report:—

The Committee having enquired into the extent of the County of Simcoe, (consisting as it does of more than twenty Townships most of which are partially settled,) and the great distance of many of them from the city of Toronto to the present District Town, are of opinion that the prayer of the Petition should be granted, so soon as the number of Inhabitants and amount of Assessments collected, will warrant it.

The present population of the County according to the Returns for 1834, does not exceed eight Thousand—and the amount of taxes paid into the District Treasury is about £290.

Under these circumstances, the Committee are not disposed to recommend the immediate separation of that County from the Home District—particularly as that District is still in debt; and the County of Simcoe forming part of it, is of course liable to pay a proportion of the amount.

With respect to the proper site for the District Town, the Committee have carefully examined the map of the County; and from the peculiar manner in which the same is divided by the Waters of Lake Simcoe, and also the uncertainty as to the speedy settlement of many of the Townships in the western part of it, they are not prepared to recommend any particular place,—leaving the same to be determined when the County shall become more thickly inhabited and the wishes of the people on this subject fully ascertained.

All which is respectfully submitted,

*Committee Room, }  
 8th, April, 1835. }*

W. B. ROBINSON, *Chairman.*  
 SAMUEL LOUNT,  
 DAVID GIBSON,  
 T. D. MORRISON,  
 J. MACINTOSH, } *Committee.*

NO. 107.

**REPORT.**  
**Of Select Committee.**  
**On Petition of Archibald McFaul Esq.**

*To the Honorable the Commons House of Assembly, in Parliament Assembled.*

Your Committee, to whom was referred the Petition of Archibald McFaul, Esq. of Wellington, have examined the merits of said Petition and are fully satisfied, that Your Petitioner has advanced out of his own monies, the sum of 19l. currency, to open a road in aid of the public appropriation, under the direction of the Commissioners appointed by act of Parliament, and a public good is effected by the Improvement of the said road, and Your Committee doth hereby recommend the same to the consideration of Your Honorable House.

JAS. WILSON,  
*Chairman.*

*Committee Room, April the 14th, 1835.*

NO. 108.

APPENDIX.

**REPORT.**

OF

**Select Committee**

ON

**Petition of John Carey.***To the Honorable the Commons House of Assembly.*

The Committee to whom was referred the Petition of John Carey, Editor and Reporter, beg leave to submit to Your Honorable House, that upon investigating his claim, they found that he reported the proceedings during several sessions without receiving any remuneration for the same, with the exception of the session of 1832, for which he was paid 100*l.*— We therefore recommend his claim to the consideration of Your Honorable House.

JAS. WILSON.

*Chairman.***REPORT**

OF THE

**Select Committee,**

ON THE

**Petition of Andrew Deacon, Esq.***To the Honorable the Commons House of Assembly.*

Your Committee appointed by Your Honorable House to try the merits of the Petition of Andrew Deacon, Esq. Collector of Customs at the Port of Hallowell, and it appears to Your Committee, that the per centage on dutiable articles having been stopped since the year 1822, 23, 24, 29, and since the mentioned year it has increased to 100*l.* which according to the statements received from the Inspector General's Office, the sum of three hundred and twenty one pounds nineteen shilling and eight pence currency, to remunerate the said Andrew Deacon, Esq. seeing that the said sum is only taken out of one hand and put into the other, that is the said sum must be immediately paid over to the Receiver General of the Province, to be disposed of by him like all other monies of this Province, and the accounts of the said Andrew Deacon cannot be settled by any other means, therefore Your Committee most respectfully submits the same for the consideration of Your Honorable House.

JAS. WILSON.

*Chairman.*

*Committee Room, }  
April 9th 1835. }*

APPENDIX.

NO. 109.

**REPORT**

OF THE

**Select Committee,**

ON THE

**Petition of the Inhabitants of Cornwall:***To the Honorable the Commons of Upper Canada in Parliament Assembled.*

The Select Committee to whom was referred the Petition of the Inhabitants of the Town of Cornwall praying that a Basin may be constructed connected with the Canal passing through that Town and that an additional Culvert may be made for the convenience of persons residing in the West part of the Town.

*Respectfully Report:—*

That in discharge of the duty imposed upon them by the House, a Letter has been addressed to each of the Commissioners of the St. Lawrence Canal for the purpose of ascertaining if any and what obstacles exist to prevent a compliance with the prayer of the Petitioners, and that answers have been received from four of the Commissioners some approving of the application, and others disapproving on account of the additional expence which would thereby be incurred, but in all cases, except one, expressing a readiness to comply with the request of the Inhabitants if a Resolution of Your Honorable House or of both Houses of the Legislature should be passed, conveying an opinion as to the propriety of the undertaking—Your Committee also addressed a Letter to the superintending Engineer of the Canal with a view to ascertain the additional expence of a Culvert and Basin, and from his report communicated through the President of the Board of Commissioners, it appears that such expence will amount to about 6000*L*. It appears to Your Committee that justice to the Inhabitants of Cornwall requires that they should not be placed by the Canal in a worse situation than they have heretofore been, and that as they will be completely cut off by the Canal from all access to the River, it is essential to the well being of the Inhabitants that such access may be afforded by means of Culverts as may be practicable, and that a Basin may be constructed for the accommodation of the increasing trade of the place, and the Country in its vicinity. The Commissioners have made arrangements for the construction of one Culvert in the East end of the Town, but this cannot be deemed sufficient for the convenience of a place having a front of a mile on the River, and having heretofore a ready access to every part of the River for the purpose of procuring Stone, Fire Wood, Lumber and all other articles usually supplied to the Town by Water. Your Committee fully sensible of the great injury and inconvenience which must be inflicted on the Inhabitants if the prayer of their Petition is not complied with; and satisfied that they will derive much less benefit from the completion of the Canal than those parts of the Province above the Long Sault, strongly and earnestly recommend the construction of the Works prayed for, more especially as a Basin may be so made as to answer either as a wet Dock for the convenience of the Town, or a dry Dock for general accommodation.

All which is respectfully submitted.

ARCHD. McLEAN.

*Chairman.*

*Committee Room. }  
13th, April, 1835. }*

NO. 110.

APPENDIX.

# REPORT

OF

## Select Committee,

ON THE

### Petition of Samuel Kennedy and others.

*To the Honorable the Commons' House of Assembly.*

The Committee to whom was referred the Petition of Samuel Kennedy and others beg leave to Report.

That they have examined different witnesses relative to the prayer of their petition, and find that by the "survey of Mr. Jones, of part of the Township of Scarboro' his return appears partially different from the first made by him" the first being half a chain off Scarboro'  $\frac{1}{2}$  chain off the township of York, by the latter one chain wholly off the Township of York, as per Mr. Chewitt's evidence and other evidence, That the inhabitants were instructed by the late Surveyor General, the Honorable Thomas Ridout, and Deputy Surveyors who had been regulating their boundary lines, to consider that the road was wholly taken from the Township of York. By the evidence of John Fenton, Police Clerk for the Home District, it appears "That John Hopper, Henry Earl, John Rawson, and —Beard were fined the sum of two pounds and costs each— which yet remains in his hands by order of the Magistrates until the boundary line be legally defined and settled" as these magistrates did not apply the said fines but ordered the same to lie in the hands of their clerk, until said boundary was determined. As said boundary is not likely to be determined without an expensive law suit which neither party seem willing to enter into.

Your committee viewing the peculiar hard case of the petitioners, they having settled according to the original survey of that line; —Mr. Chewitt's evidence taken from the Records in the original survey, and surveys made by licensed Deputy Surveyors, justifying it,—and under the pressure of the imposition of a heavy fine in consequence. feel no objection in recommending an address to His Excellency requesting His Excellency to recommend to the magistrates to order the same to be repaid to the different parties.

T. D. MORRISON,  
*Chairman.*

*Committee Room, House of Assembly, }  
April 15th, 1835.*

Statement of Surveys by authority of the surveyor General's department made at different periods in the Township of Scarborough.

In 1791 Mr. Deputy Surveyor Jones was ordered to survey the Base Lines for a range of Townships with the division line between each from York (now Toronto) to the River Trent, the allowance for roads being each way from a line produced north  $16^{\circ}$  west at the end of every ninth mile; Scarborough being one of this range of Townships. In 1793 Mr. Deputy Surveyor Lewis Grant was ordered to survey A. B. C. 2 & 3 and 4 & 5 concessions, to run and mark the side lines of the Township of Scarboro' from the 5th concession to the Lake, and govern himself by Mr. Jones' survey, the ground work of the Township. In 1795 Mr. Deputy Surveyor Jones was again ordered to survey part of the Township of Scarboro' and his return appears partially different from the first, made by him, he states in his field notes 1791 Lot No. 35 first Concession 20 c. 50 l to a pine tree marked on four sides "1795 Lot No. 35 between Concession C & D 20 C 50 L N. 60 E. 5 links a Basswood tree marked" these are in the centre of the Road, continuing the survey of 1795 Lot No. 35, between the concession B & C. 20 Chains, leaving the Road altogether to the west of the line.

Instructions were given in 1833 to Mr. Galbraith to finish the fifth concession of Scarborough, and he was ordered to make his survey in the same manner with that by Mr Jones in 1791.

J. G. Chewett,  
S. S. D.

S. G. Office 11th, April, 1835.

T. D. MORRISON Esq. &c. &c. &c. }  
Chairman Committee House of Assembly, }  
Township of York front, 2nd, concession Lot No 1 is 21 Chains, by Mr. Jones Survey of 1795.  
J. G. C.

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APPENDIX.

COMMITTEE ROOM  
HOUSE OF ASSEMBLY. }

Mr. ASA PATRICK, *called in and examined.*

How many years have you resided in the Township of Scarborough? About 35 years.

On what side of the original line between the Townships of York and Scarborough, have you considered the allowance for road to be? On the west side.

What have you to shew that fact? I have been acquainted in the Township when the stakes were principally standing, and the marks of red chalk plainly on them; I recollect on no place seeing red marked on the east side of the line, but always on the west, and distinctly recollect seeing No. 35 marked on the east side, and never had any doubts in my mind, but the allowance for road came off the west side.

On what side of the original line have Deputy Surveyors left the allowance for road? Hudson and Gibson, have uniformly left it on the west side of the line, and during the life of the late Surveyor General Mr. Ridout I never heard it disputed.

How does the quantities of land hold out in those lots that have been measured on the Town line? The lots in York Township have more than their quantities, after the allowance for road is taken off. In Scarborough some lots are deficient and some have an overplus.

Were you called to give evidence by Henry Earl, John Rawson, John Hopper and Beard when they were prosecuted for placing their fences in the public highways as appeared by oath of the then pathmaster James Long? I was.

What was your evidence? The Magistrate would receive no evidence, but that of the pathmaster and the certificate of the Surveyor General.

Mr. JOHN FENTON, Police Clerk for the Home District, *called in and examined.*

Were John Hopper, Henry Earl, John Rawson and—Beard, fined with costs, in the Police Court of this District? And what was the nature of the offence for which they were so fined? The above named John Hopper, Henry Earl, John Rawson, and—Beard were fined sometime in the month of— in the year— for obstructing the public road between the Townships of York and Scarborough in the Home District, on the complaint of James Long, pathmaster, the fine was two pounds each and costs which yet remains in my hands by order of the Magistrates, until the boundary line be legally defined and settled.

JOHN FENTON.

*Toronto, April 11th, 1835.*

JAMES LONG, Pathmaster for the Township of York, for the Year 1834 *called in and examined.*

Were you pathmaster for the Township of York as appointed by the people at their meeting in 1834? Yes.

Do you know of which of the two Townships, Scarborough or York, the allowance for road, between these Townships is taken off, by the original blazed line? I do not know of myself, but on applying to the Surveyor General's Office for information on the subject, I was informed that it was taken, half from each Township, a certificate of which I obtained from Mr. Hurd the Surveyor General, I therefore informed the persons living on that line, who were encroaching by their fences on the said road, and gave them the usual legal notice, which they would not obey, and of consequence were fined; copy of certificates I now hand in.

[COPY.]

S. G. O. Toronto. }  
7th, August, 1834 }

I certify that I am of opinion from the original field notes, that the Town line between Scarborough and York is 50 links on either side from the adjoining lots on the centre of the allowance which will I think, be borne out by the act protecting original Monuments.

[Signed.]

S. P. HURD S. G

[COPY.]

I certify that the Town line between Scarborough and York was placed at 50 links each way from the adjoining lots, viz; in the centre of the allowance.

J. G. CHEWETT.

S. G. Office. }  
25th, April, 1834. }

MR WILLIAM DEVENISH, *called in and examined.*

Do you live in the Township of Scarborough and in what part? Yes, on Lot No. 35, on the Town ship line between Scarborough and York.

How many years have you lived there? Nearly 30 years.

Did you ever consult the late Surveyor General, on which side of the line the allowance for road was situated between the Townships of York and Scarborough? Yes, I went along with Mr. Pilkey to the late Surveyor General Ridout, and was informed that the allowance for road was all on the west side of the line, between the Townships of York and Scarborough.

NO. 111.  
Sundry Reports.

No. 111.

APPENDIX.

P E T I T I O N

OF JOSEPH SWETMAN, KEEPER OF THE LIGHT HOUSE ON FALSE  
DUCKS ISLAND.

(COPY.)

*To His Excellency Sir John Colborne, K. C. B. Lieutenant Governor of the Province of Upper Canada, Major General Commanding His Majesty's Forces therein,  
&c. &c. &c.*

THE PETITION OF JOSEPH SWETMAN

HUMBLY SHEWETH:—

That Your Petitioner has been keeper of the Light House on False Ducks Island from the time of its erection until the present period, during which he has been in the receipt of one hundred pounds per annum, until the Session of the Provincial Parliament in 1833, when the said Salary was reduced by that House to Sixty-two pounds ten shillings, the sum then fixed for the Light Houses generally without any reference to situation or local circumstances.

That Your Petitioner has a large family entirely dependent on him for support and has no other means of providing for them than by his salary as Light House Keeper, the land on the said Island being incapable of cultivation from the barrenness of its soil, and consequently Your Petitioner is obliged to purchase his provisions.

That Your Petitioner being bound by his duty to make the Island his constant residence, until the close of Navigation is thereby necessarily compelled to remain thereon during winter, by which he is subject to many privations (there being no other resident on said Island) which are further augmented by the decrease in his salary, so that he is not only unable to provide against sickness and other casualties, to which he is liable from being out off from all society, to which he may flee for succour, but also much straightened to procure a sufficiency of absolute necessaries.

That Your Petitioner being compelled periodically to leave the Island is obliged to employ the elder branches of his family at such times to superintend the management of the Light House, whereby he is prevented from procuring for them any other subsistence by their own industry.

That Your Petitioner from his Isolated situation is prevented from engaging in any other pursuit, whereby he might add to his means of support, his present reduced salary being altogether inadequate for that purpose.

That Your Petitioner entertaining every confidence that his salary as Light House keeper in a situation so exiled would never have been reduced, and the reduction being altogether unexpected, has involved him in difficulties.

That Your Petitioner conceives the sum of sixty-two pounds ten shillings on the main land for the attendance of a similar light house preferable to one hundred pounds per annum on this Island, and Your Petitioner humbly prays Your Excellency will be pleased to recommend, that the sum of one hundred pounds be paid to him as heretofore, and that the arrears of the last two years up to January first 1835 be allowed him, making the said sum of one hundred pounds per annum.

And as in duty bound Your Petitioner will ever pray.

JOSEPH SWETMAN.

*False Ducks Island, }  
November 24, 1834. }*

(COPY.)

TORONTO, 4th Feb. 1835.

It is respectfully reported, that the circumstances herein stated are correct and that the salary allowed to the keeper of the Light House on the False Ducks is quite insufficient. when his privations and isolated situation are considered.

GEORGE H. MARKLAND,  
*Inspector General.*

No. 112.

*To the Honorable the Commons House of Assembly.*

The Committee to whom was referred the Petition of Thomas Dalton, beg leave to report:

That they have heard the statements of the petitioner and examined the documents accompanying the petition, and are of opinion that he has a just claim for services performed; they therefore recommend that a suitable remuneration be granted to him.

All which is respectfully submitted,

ALLAN N. MACNAB,  
*Chairman.*

*Commons House of Assembly, }  
5th March, 1835. }*

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**NOS. 113 & 114.**  
**Sundry Reports.**

APPENDIX.

No. 113.

*To the Honorable the Commons House of Assembly.*

The Committee to which was referred the petition of Patrick O'Brian and others,

**BEG LEAVE MOST RESPECTFULLY TO REPORT :**

That they have had no person before them on the part of the petitioners, but they embraced the opportunity of a Mr. Holden who is a freeholder in the township of Loughboro' who had no interest in either the 1, 2, 3, 4, 5, or 6 concessions of that township. The bill before the House relative to the survey of Loughborough being read to witness. In answer stated, "I consider it would do justice to all parties more than any other method I could propose to your committee. I am also of opinion that it will give satisfaction to a majority of the inhabitants of the first six concessions of said township.

Your Committee beg respectfully to recommend to Your Honorable House the adoption of the bill now before the House for the proposed survey of Loughborough.

DAVID GIBSON,  
*Chairman.*

*Committee Room, House of Assembly, }  
4th March, 1835.*

NO. 114.

**R E P O R T**

**OF THE SELECT COMMITTEE ON THE PETITION OF**  
**Daniel Armstrong and others.**

*To the Honorable the Commons House of Assembly.*

The Select Committee to whom were referred the petition of Daniel Armstrong and others, praying for the imposition of a duty on articles of produce imported from the United States of America, into this Province, as also several other petitions on the same subject, have met and agreed to the following report :

Your Committee first directed their enquiry to the question whether or not it is proper and expedient to impose a duty on various articles coming from the United States, into this Province, which are now admitted, duty free, and are of opinion that in order to afford a proper encouragement to the agriculturist, and various other inhabitants of this Province, a proper protecting duty should be imposed on several articles which are not now subject to duties, viz : live stock, Indian corn, and other grain, fruit and vegetables—various kinds of meal—fresh meat—hams and bacon—beef and pork and many other articles ; in as much as the said agriculturists and others are the principal consumers of various other articles which are subject to duties, and in some instances heavy duties, and therefore, if for no other reason, are entitled to equal protection.

And further Your Committee would observe that many of their products are not allowed to go into the United States on the same terms, that the like articles are admitted into this Province, from the United States, thereby giving that country a decided advantage over this Province—and also Your Committee beg leave to state that a duty of six pence per bushel is required to be paid on all salt used in putting up beef, pork, &c., in this province, while the salt used in putting up beef and pork in the United States, is exempted from the said duty, while, at the same time, the said beef and pork are admitted into this Province, duty free. Your Committee would remark that various other reasons might be advanced in favour of the imposition of said duties, but refrain from troubling Your Honorable House with any further remarks or arguments, as it appears to them that the propriety of such a measure must be very apparent to every reflecting mind. Your Committee's second object was to ascertain if possible whether the Legislature of this Province were prevented by the Imperial Statute, now in force, from imposing by a Colonial law, duties on such articles coming from the United States, into this Province ; and, upon full examination, Your Committee are most happy to find that although, for several years past, the Colonial Legislature, have been precluded from imposing duties as aforesaid, by Provincial enactments, yet, in the 57th section of an act passed on the 28th August, 1833, in the 3rd and 4th years of the reign of King William the Fourth, chap. 59. it is enacted as follows :

" Provided always, and be it further enacted and declared that no exemption from duty in any of the British Possessions abroad, contained in any act of Parliament, does or shall extend to any duty not imposed by act of Parliament, unless and so far only as any duty not so imposed is or shall be expressly mentioned in such exemption."

By this act, therefore, the Legislature of this Province are authorised and empowered to impose by Provincial enactment such duties as they in their discretion may deem expedient on articles or commodities imported into this Province from the United States of America, such articles or commodities not being exempted, or the said Legislature not being prevented from legislating relative thereto, by some express provision in the Imperial Statute in force in this Province.

Your Committee are not able, positively, to state to Your Honorable House, upon whose recommendation His Majesty's Government have been induced to make the said provision, but deem it to be no more than just to His Majesty's Government, to presume that it arose from a disposition, on the part of His Majesty, to listen to the just request of His faithful people in this Province, and his desire to remove a grievance that may be felt by his loyal subjects and brought under his gracious consideration in a

**NO. 114.**  
**Sundry Reports.**

direct but respectful manner, as was this most important subject in a respectful address transmitted to His Majesty's Government in the year 1832, from the counties of Lennox and Addington, Frontenac, Leeds, and perhaps some other parts of the Province, setting forth the partial and unjust operation of the Commercial intercourse laws and regulations, and at the same time pressing upon His Majesty's consideration, the unquestionable fact that the Provincial Legislature, would more satisfactorily regulate the duties to be collected here upon products of the United States of America, imported into this Province than, for the want of the requisite local information, it could, by possibility, be done by the Imperial Parliament; and which address no doubt had its due weight with His Majesty's Government in coming to a conclusion on this interesting subject. Your Committee therefore recommend the immediate passing of an Act imposing a suitable protecting duty on various articles of the products of the United States imported into this Province, and therefore herewith submit resolutions which they recommend to the favourable consideration of Your Honorable House,

APPENDIX.

**PETER PERRY,**  
*Chairman.*

*Resolved*,—That, in order to afford a proper protection and encouragement to those engaged in Agricultural pursuits and other operatives in this Province,

It is expedient to pass an Act, imposing a duty on various products of the United States of America, coming into this Province for domestic consumption, agreeable to the following scale of duties, viz.:

Horses and Colts,.....	50s.	per head,
Mules and Jackasses,.....	40s.	do.
Young Cattle from 1 to 2 years old,.....	5s.	do.
Cows and young Cattle from 2 to 4 years old,.....	15s.	do.
Oxen from 4 years old and upwards,.....	20s.	do.
Live Hogs,.....	10s.	do.
Fresh Pork,.....	5s.	per cwt.
Fresh Beef,.....	3s. 9d.	do.
Salted Pork,.....	5s.	do.
— Beef,.....	3s. 9d.	do.
Salted or Smoked Hams or Bacon,.....	10s.	do.
Butter and Cheese,.....	10s.	do.
Hog's Lard and Tallow,.....	5s.	do.
Wheat per bushel of 60lbs.,...	1s. 3d.	per bushel,
Rye do. of 56lbs.,...	1s.	do. do.
Corn do. do. 56lbs.,...	1s.	do.
Sheep.....	1s. 3d.	per head,
Mutton.....	2s.	per 100 lbs.
Peas do. do. 60lbs.,...	1s.	do.
Barley do. do. 48lbs.,...	9d.	do.
Oats do. do. 34lbs.,...	6d.	do.
Potatoes, do.	6d.	do.
Buck Wheat, do.	6d.	do.
Apples, do.	6d.	do.
Dried Apples, do.	1s. 6d.	do.
Hay,.....	10s.	per ton,
Wheat Flour,.....	2s. 6d.	per cwt.
Rye do. ....	2s.	do.
Buck Wheat Flour,.....	2s.	do.
Indian Meal,.....	2s.	do.
Wheat Flour,.....	5s.	per barrel,
Rye do. ....	4s.	do.
Indian Meal,.....	4s.	do.
Buck Wheat Flour,.....	4s.	do.
Hops.....	15s.	per cwt.
Beer and Ale,.....	5s.	do.
Cider,.....	2s. 6d.	do.

*Resolved*—That in order to afford encouragement and protection to persons in this Province engaged in the manufacture of Leather, and to guard against the introduction of an inferior article, one regular scale of valuation should be fixed for the several kinds of Leather imported into this Province from the United States of America—at which the same shall be entered at the several Custom Houses agreeably to the following rate:

Sole Leather.....	1s. 3d.	per pound.
Upper Leather,.....	2s. 3d.	do.
Harness Leather,.....	1s. 4d.	do.
Skirting,.....	2s.	do.
Calf,.....	5s.	do.
Morocco, (Sheep) each, ....	5s.	each:
Morocco, (Goat).....	8s. 9d.	do.
Linings, and Bindings,.....	2s. 6d.	do.
Bridle Leather,.....	17s. 6d.	per hide.
Horse Hides,.....	9s.	do.
Top Leather,.....	50s.	per hide.
Hog Skins,.....	20s.	each.

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APPENDIX.

NO. 115.

SURVEYOR GENERAL'S OFFICE,  
Toronto, 5th March, 1835. }

SIR:

I have the honor hereby to transmit to you, in obedience to His Excellency's commands of the 18th ultimo, a Schedule of Lots reserved for the use of Schools and Schoolmasters in the different Townships and Towns in this Province, as required by the address of the Honorable the House of Assembly.

I have the honor to be  
Sir,

Your obedient humble servant,  
S. P. HURD, S. G.

LIEUT. COLONEL ROWAN,  
Civil Secretary, &c. &c. &c.

## SCHEDULE of Lots reserved for the use of Schools and Schoolmasters in the different Townships and Towns in this Province.

LOTS.	CONCESSION.	T'PS OR TOWNS.	ACRES.	DISTRICTS.	For what purpose reserved.	REMARKS.
20	4	A. Lancaster,	200	Eastern,	Schoolmaster	
20	6	A. Matilda,	200	do	do	License of occupation to W. C. McMillan and others.
21	5	A. Osnabruck,	200	do	do	
D.	5	A. Roxborough,	200	do	do	
7	2	A. Kenyon,	200	do	do	License of occupation to Roderick McDonnell.
18	4	A. Williamsburgh,	200	do	do	
16	3	A. Marlborough,	200	Johnstown,	do	
18	5	A. Elizabethtown,	200	do	do	
17	5	A. Edwardsburgh,	200	do	do	
16	5	A. Oxford,	200	do	School,	
14	4	A. Lansdowne,	200	do	Schoolmaster	
12	4	A. Yonge,	200	do	do	
14	3	A. Yonge (formerly Escott,)	200	do	do	Marked on plan com 1801 supposed to be a certificate from Quebec but not described.
14	4	A. Leeds,	200	do	do	
31	1	A. Ernesttown,	300	Midland,	School,	Granted in trust to the Rev. J. Stoughton and others for the use of a school
18	4	A. Camden,	200	do	Schoolmaster	
19	1	A. Sydney,	298	do	School,	Granted in trust to D. Ostrum and others for the use of a school
3	1. E.H. Street,	B. Toronto,	200	Home,	Schoolmaster	Granted in trust to W. Thompson and others.
A block of land in rear of the town of Chatham between the t'p line of Raleigh, Harwich and Wellington Street.		B. Harwich,	12	Western,	Com. School,	Granted in trust to the Rev. T. Morley and others.
11	W. side Lenox st.	B. T'n of Richmond	1	Bathurst,	School-house	
Block B. & C.		B. do. of Johnstown	8	Johnstown,	Parsonage & S. house	
37, 72, 79,		C. Town of Kingston,	3-5ths	Midland,	Pub. School,	
130, 131,		do do	2-5ths	do	Schoolmaster	
28, 29,	E. of Church st.	B. do of Belleville,	17-10ths	do	Gram. School	Granted in trust to the Rev. T. Campbell and others.
28, 29,	W. of Rear street.	do do		do	do	
19,	W. of Pumcle st.	do do	1/2	do	Com. School,	
A Block,	S. of 3rd street.	C. do of Newcastle	6	Newcastle,	School,	
74,	N. of Collin st.	B. do of Barrie,	1/2	Home,	do	
4, 5, 6,	W. of Ramsay st.	C. do Gwillimbury	3	do	Pub. School,	
5,	E. of do. st.	do do	1	do	Master,	
A Block,	N. of Newgate st.	B. do of York,	6	do	School,	Granted in trust to the Hon. C. J. Powell and others.
A Block,		C. do of Brantford,	14-10ths	Gore,	do	
A Block,		C. do of Cayuga,	8-10ths	do	do	
203, 204, 225, 226,		A. do of Niagara,	4	Niagara,	Church Par. & S. house	
201, 202, 213, 314.		do of do	4	do	do	License of occupation to Rev'd Thomas Green.
6,	S. of 3rd street.	C. do of London,	1/2	London,	Pub. School,	
9,	W. of Bedford st.	C. do of Sandwich,	1	Western,	do	Granted in trust to John McGregor and William Haas.

### SCHEDULES shewing the Authorities for the above Reservations.

A

The Lots in the following Townships and Towns were reserved under an Order in Council dated Quebec the 25th August, 1789:—

Lancaster, Matilda, Osnabruck, Roxborough, Kenyon,	Williamsburgh, Marlborough, Elizabethtown, Edwardsburgh, Oxford,	Lansdowne, Yonge, Yonge (formerly Escot) Leeds, Ernesttown,	Camden, Sydney, Sec F, Niagara.
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**NO. 116.**  
**Sundry Reports**

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**B**

APPENDIX.

The Lots in the following Townships and Towns have the date of the Order in Council for the Reservation opposite to each :

Township of Toronto, O. C. 22nd April, 1819. " Hardwich, 11th Jan'y 1812. Town of Richmond, By the Qr. Master Genl's Department in 1818.	Town of Johnstown, Land Board, 17th Jan'y 1790. " Bellville, O. C. 6th Dec'r 1827. " Barrie, 27th Nov. 1834. " York, 9th June 1818.	
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**C**

The Lots in the following Towns were returned on the plan of each as Reserves for Schools, &c :

Town of Kingstoa, " Newcastle, " Gwillimbury, " Brantford,		Town of Cayuga, " London, " Sandwich.
Surveyor General's Office } 5th March 1835. }		S. P. HURD, S. G.

No. 116.

*Extract from the Minutes in Council of the 9th June, 1818.*

That the land attached to the Government or Elmsley House, in the town of York—Russell's Square, in the town of York—Simcoe Place, in the town of York—the Park, or Government Reserve, east of the town of York—The land and site of the old brick and government buildings adjoining the south-east angle of the town of York—the government reservation west of Russell Square, in the town of York—the Hospital reservation, in the town of York—the site of the present Gaol, in the town of York—and the School reservation, in the town of York—be granted to the Hon. Chief Justice Powell, the Hon. James Baby, and the Hon. and Rev. Doctor John Strachan, and to their heirs and assigns for ever. In trust, to observe such directions, and to consent to, and allow such appropriations and disposition of them, as the Hon. the Executive Council for the affairs of this Province, for the time being, shall from time to time make and order, pursuant to the purpose for which the said parcel or tract of land was originally reserved, viz: for &c., and to make such conveyance of the same to such persons, and upon such trusts as His Majesty's said Executive Council for the time being shall from time to time direct.

Truly extracted,

JOHN BEIKIE,  
*Clerk Executive Council.*

Copy.

EXECUTIVE COUNCIL CHAMBER,  
at York, Wednesday, 9th Sept., 1813.

PRESENT—*The Hon. James Baby, Presiding Councillor, Samuel Smith, and Rev. John Strachan.*

*To His Excellency Sir Perigrine Maitland, K. C. B. Lieutenant Governor of the Province of Upper Canada, and Major General commanding His Majesty's Forces therein, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY.

On Your Excellency's reference as to the best means of putting to immediate use the Hospital reservation in the town of York, the committee have the honor to report:—

That by an order in Council dated 9th June, 1818, and approved by his Honor the Administrator, the Hospital reservation is granted to the Hon. Chief Justice Powell, the Hon. James Baby, and the Hon. and Rev. John Strachan, and to their heirs and assigns forever. In trust to observe such directions, and to consent to and allow such appropriations and dispositions of them as the Hon. the Executive Council for the affairs of this Province for the time being shall from time to time make and order, pursuant to the purpose for which the said parcel or tract of land was reserved, viz: for an Hospital, and to make such conveyance of the same to such persons and upon such trusts as His Majesty's said Executive Council for the time being shall from time to time direct.

Wherefore it is recommended that the said trustees, viz: the Hon. Chief Justice Powell, the Hon. James Baby, and the Hon. and Rev. John Strachan, be directed to lay out lots along the three sides of the Hospital Square, which are bounded by streets (of 60 feet front by 100 in depth) for building lots to be given out on leases of 21 years, and on similar terms as those on which the market lots are now leasing, the said trustees to reserve 200 feet in the middle of the south front as an entrance to the interior part of the square where the Hospital is recommended to be built.

The committee beg leave to state, that there are 6 lots, each containing one acre, which were set apart for French refugees, and have since been resumed by government, and are therefore at Your Ex-

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NO. 117.  
Sundry Reports.

APPENDIX.

cellency's disposal, with the consent of His Majesty's government, and may be given to assist in building and supporting the said Hospital.  
All which is humbly submitted.

Approved.

(Signed) P. MAITLAND, *Lieutenant Governor.*

By order,  
(Signed)

J. BABY,  
*Presiding Councillor.*

A true Copy,

JOHN BEIKIE,  
*Clerk Executive Council.*

*Extract from the Minutes in Council of 15th Oct., 1819.*

It is ordered that the lots of land on each side the road from the town of York to the Don Bridge be granted in trust to the Hon. William Dummer Powell, Chief Justice, the Hon. James Baby, and the Hon. and Rev. Dr. John Strachan, to sell, lease, or otherwise dispose of the same towards raising a revenue for the support of the town and county Hospital, in the town of York—the proceeds to be paid into the hands of the person constituted treasurer of the Hospital, to be expended under the sanction of the Governors thereof, and account for to the Executive Council of the Province annually, when required.

Truly extracted,

JOHN BEIKIE,  
*Clerk Executive Council.*

No. 117.

**RULES AND REGULATIONS**

PROPOSED FOR THE GOVERNMENT OF THE  
**General Hospital.**



GENERAL HOSPITAL PATRON,

*The Lieutenant Governor Sir John Colborne, K. C. B.*

SECTION 1st.

*Election of Governors, Officers, &c.*

Persons contributing £25 to the funds of the Hospital, or £2 10s. annually, may be chosen Governors or Directors.

Persons contributing £10 to the Funds, or £1 5s. annually, shall be entitled to vote at the election of Governors.

The whole number of Governors, including the Trustees, shall in no case be less than thirteen.

The Governors to be elected, whose number shall not be less than seven, shall be chosen from among those who pay £2 10s. annually towards the support of the Hospital, or Donors of £25.

The votes shall be given in the ratio of the contribution, that is, one vote for every £1 5s. of annual contribution, provided that no person be entitled in any case to more than five votes.

No person shall be eligible to the office of Governor, unless he be in a situation to discharge its duties, being resident in York or its vicinity.

No subscriber or contributor shall have a right to vote at any election of Governors until he shall have paid his subscription or contribution for the current year.

The Governors shall be elected on the first Tuesday in the month of May in each and every year, in the Committee Room of the Hospital, at 11 o'clock A. M.

In case the number of Governors elected shall at any time, by death, resignation, absence, neglect of duty, or refusal to act in their office, be less than thirteen, their number shall be filled up for the current year by the board.

At their first meeting, which shall take place on the Monday after their election, the Governor shall choose a President, a Vice President, a Secretary, Treasurer and Committee of Management, to consist of three Governors, and the Medical attendants, any three of whom shall be a quorum and who shall remain in office one year from the date of their appointment.

A meeting of the Board of Directors shall be held in the Committee room of the Hospital on the first Tuesday in February, May, August, and November, which shall be called Stated Meetings, all other meetings being known by the name and style of Special or Extraordinary Meetings.

Any two Governors, by application to the President, or in his absence to the Vice-President, with his concurrence shall have power to call a meeting of the Board of Governors, giving at least one day's notice.

The Secretary shall state in his notice calling such special meeting, the business to be laid before it. Five Governors, with the President, or in his absence the Vice-President, shall be a quorum, and shall have power to transact all business relating to the Hospital, according to the existing rules and regulations.

The Governors shall have power at any ordinary or extraordinary Meeting, to appoint such officers, and fix their compensations or salaries, as they may deem necessary for the management of the Hospital.

It shall be incumbent upon the medical officer in charge to attend at the Hospital at least once a day, and if he is prevented so doing by sickness, or urgent professional avocations, he shall give notice thereof to one of his coadjutors who may be able to attend for him.

An ample supply of Medicines having been procured for the Dispensary, and a Resident Apothecary having been appointed, any indigent persons whose cases are not of a nature to require Hospital treatment, may receive advice and Medicines by attending personally, without any recommendation, at the Hospital, at the hour of noon throughout the year.



SECTION 2nd.

*Of the President and Vice President.*

The President, or in his absence, the Vice President, with the concurrence of two Directors, shall call a meeting, whenever he shall think it necessary, giving, at least, one day's notice thereof.

The President, or in his absence, the Vice President, or in their absence, any member, who may be elected by a majority of those present, shall preside at all meetings of the Board of Directors.



SECTION 3rd.

*Of the Treasurer.*

The Treasurer shall give such security as may be required by the Board of Directors, for the due accounting for, and payment of the monies which he shall receive from time to time, for the use of the Hospital.

He shall receive all monies belonging to the Hospital, and pay out the whole, or any part thereof, on receipt of a written order from the Board of Governors, or the Committee of Management, but not otherwise.

He shall deliver to the Secretary, seven days, at least, previous to the general annual meeting, held on the first Tuesday in May, in each and every year, a full statement of all his accounts, with the vouchers for the preceding year to be laid before the said meeting.



SECTION 4th.

*Of the Secretary.*

The Secretary shall attend all meetings of the Board of Governors, take minutes of the proceedings of each meeting, and transcribe the same into a book.

He shall, at each meeting of the Board, read the proceedings of the last meeting.

He shall keep another book—into it, he shall transcribe the minutes of the Committee of Management, which meeting, it shall also be his duty to attend.

Through the Secretary, all communications, of whatsoever nature, shall be made to the Board of Governors, and by him, from the said Board, to the public, or any department of the Hospital.

He shall, within two days after the election of the Governors, or other officers of the Hospital, give notice thereof to the different persons so elected.

On the day preceeding each and every meeting of the Board of Directors, (special or stated,) it shall be his duty to send notice of the time and place of each meeting, to each Director and Medical Officer of the Hospital.

He shall, twenty days before any election of Governors, hang up a notice in the Committee room of the Hospital, and shall state therein the persons entitled to be elected, and the qualifications required of the electors.

He shall, on the Saturday preceding their week of attendance, notify, by letter, the weekly Visiting Directors.

He shall keep the necessary books for entering all the transactions of the Hospital, and abstracts of all the accounts.

On the first Tuesday in April, in each and every year, the Secretary shall send a monitory letter to each and every person whose subscription shall be in arrears.



SECTION 5th.

*Of the Committee of Management.*

The Committee of Management shall meet at the Hospital, at least, once a month, and shall have power, and it shall be their duty, to inquire strictly into the domestic economy of the house, to order

## Sundry Reports.

all things necessary for the same, to inquire into the conduct of officers, matron and servants of the Hospital, to examine and order all repairs, to oversee and control every thing connected with the management of the Hospital, to credit, inspect and approve all accounts, and to order payment of the same, and to report, by the Secretary, a statement of all their transactions to each quarterly meeting of the Board of Governors.

They shall have the general charge and care of the property of the Hospital, and shall enforce all necessary attention to economy, cleanliness and good conduct.

They shall have power by application to the President, or in his absence to the Vice President, to call whenever they think it necessary, a meeting of the Board of Governors.

They shall at their meetings make minutes, which the Secretary shall transcribe in a book kept for that purpose.

They shall have power, and it shall be their duty, to engage and discharge all servants of the Hospital, and to fix their wages.

The committee of management shall, five days previous to the General Annual Meeting, or the 1st Tuesday in May in each and every year, draw up a Report of the state of the Hospital, and of the state and number of patients admitted and discharged, and an abstract of the proceedings of the Board of Governors, and of all the accounts of the Hospital for the preceding year.



## SECTION 6th.

*The Steward or Purveyor.*

The Steward or Purveyor shall purchase under the direction of the Committee of Management, fuel, provisions, and all other stores for the use of the Hospital, except Medicines and Medical stores. He shall present to the Committee of Management every three months, or oftener if required, a statement of his accounts.



## SECTION 7th.

*Admission of Patients.*

It shall be the exclusive prerogative of the Medical attendants to judge if the person or persons recommended as patients be fit objects for admission.

Every Governor and Medical Officer of the Hospital, and the Clergymen belonging to such congregations of this town as make collections in aid of the funds of the Hospital, may recommend patients for admission.

Subscribers to the Institution not eligible as Governors, may recommend patients to the extent of their subscriptions, at the rate of one shilling per day for each patient, but such recommendation must be countersigned by one of the Governors.

That no Governor or Subscriber be allowed to send their servants as patients to the Hospital, unless they pay one shilling per day during their stay, for subsistence.

That no patient be admitted by the Steward unless he produce a recommendation signed by a Governor, except in case of violent wounds and severe accidents.

No patient shall be admitted into the Hospital whose case shall be considered incurable, or who is insane, or an idiot, nor any whose cure does not require the particular benefit of in-door practice.

No woman advanced in pregnancy shall be admitted as an in-door patient.

Such patients as are unable to pay for their maintenance, shall be received as paupers; such as are able to pay, shall be admitted into the Hospital as pay patients, at the rate of not less than one shilling per day.

The person recommending any patient or patients shall mention in the recommendation for admission if they are paupers, and if not, the sum they are to pay per week; in case of any doubt as to the ability of the patients to pay the Hospital dues, the Committee of management shall send to inquire the same.

More than twenty pauper patients cannot be provided for; it is therefore necessary that no patient from a distance should rely upon being admitted without a previous communication with the Directors: it is earnestly hoped, however, that such assistance may be afforded by the Provincial Legislature, as may enable the Directors to extend the benefits of the Institution more generally.

Patients admitted into the Lock Ward, shall pay 1s. 6d. per day.

When a pauper dies in the Hospital, the Steward shall give notice to the Clergyman to whose congregation or Church he or she may belong, that the burial may not be at the expense of the Hospital.



## SECTION 8th.

*Of the Patients.*

Any patient absenting himself without leave, or being guilty of drunkenness, or any irregularity, such as swearing, or speaking or acting disrespectfully to any of the servants of the Institution, or breaking through any of the regulations, or neglecting the directions prescribed for his behaviour and recovery, by the Medical Officers, shall, upon being reported, be immediately dismissed by any member of the Committee of Management.

SECTION 9th.

On the first Tuesday of the month of May, a general meeting shall be held of the Trustees, Governors, and subscribers, before which, a report of the state of the Hospital shall be laid, detailing the number of patients admitted and discharged, an abstract of all the proceedings of the Board of Governors, and of all the accounts of the Hospital for the preceding year, with such other matters respecting the Institution as may be thought worthy of consideration; and after such proceedings on this information as may be deemed proper, the meeting shall proceed to the election of Governors for the ensuing year.

No. 118.

"Circulars to Boards of Health and applications for assistance during the prevalence of the Cholera."

(Copy.)

CIRCULAR.

GOVERNMENT HOUSE,  
Toronto, 18th August, 1834. }

SIR,

I am directed by the Lieutenant Governor to acquaint you, that from the general prevalence of the Cholera in the Province, and the peculiar difficulties which many townships in your neighborhood may experience in procuring Medical aid, His Excellency will place at the disposal of every Board of Health in the Province, such a sum as the members of the Board may consider indispensably necessary, to enable Medical attendance to be afforded to persons who have no means of procuring it, and to towns or villages in which the disease may appear to render the aid of the Board requisite.

I have, &c.

WM. ROWAN.

Chairman Board of Health.

(Copy.)

BROCKVILLE, 19th July, 1834.

SIR,

The Board of Health for this town made a representation to His Excellency Sir John Colborne, a day or two ago upon the state of the indigent and sick emigrants who are subsisting upon the charity of its inhabitants.

Since then, a report which was in circulation of the Cholera having broke out in Montreal and Quebec, has been satisfactorily confirmed. There have a number of deaths occurred at both of the above mentioned places, and along the line of communication to this place. The ravages of the disease have not been confined to emigrants, but a majority of cases have occurred among the inhabitants as we have been informed.

Last evening one death happened here—the unfortunate individual was a female emigrant, who was attacked a few hours before on her way up in a barge. This morning, a child of about 6 years of age, who came up in the same boat has been attacked, and in the opinion of Dr. Edmondson, a member of the Board, cannot long survive. Under these circumstances, and under the firm conviction, that the inhabitants here are about to experience the dreadful effects of this disease again—the Board have determined to take upon themselves to open the Hospital; in doing which they intend to observe the strictest economy, and trust, that any expense, which they may incur in what they consider a conscientious discharge of their duty, will be reimbursed by the government. The Board beg to request that they may receive an answer to this as well as to their former application as soon as convenient; as, in the event of His Excellency's declining to place them in possession of funds, they must desist from their undertaking.—The Board beg leave also to request, that they may be favored with any regulations, that may be made by the Governor in Council, concerning the entry and departure of boats or vessels, as they feel, that a great necessity exists at this place for something of the kind. In the mean time the Board will endeavour to supply the want of such regulations by acts of their own.

I am directed by the Board to make this communication to you, to be submitted for the consideration of His Excellency.

I have the honor to be, &c.

DAVID JONES.

Lieutenant Colonel Wm. ROWAN:

(Copy.)

OFFICE OF THE BOARD OF HEALTH, }  
Toronto, 29th July, 1834. }

SIR,

I beg to state for the information of His Excellency, the Lieutenant Governor, that Asiatic Cholera seems to prevail to some extent in this City at present.—On Saturday last I believe the first decided case occurred in March Street and proved fatal—since then, several cases have made their appearance there and elsewhere in the City, which have also terminated fatally.—As far as I can gather from information received, there appears to have been up to this time, 12 cases, 8 of whom have proved fatal—this I do not report on regular official returns made to the Board, but on facts within their knowledge, or derived from other authentic sources,—there is also a circumstance worthy of remark, that the disease of this season seems to be so rapid in its progress and not preceded by any premonitory symptoms, that before medical advice can be obtained, the collapse state is so completely formed as to resist all salutary effect of medicine.

I am directed by the Board to request you will have the goodness to state to me for the information of the Board, whether His Excellency has it in his power to assist them with funds to meet the extraordinary expenses occasioned by the existence of this dire disease among us—this application they are urged to, both from a number of the victims being recent emigrants, and the limited means at the disposal of the Corporation arising out of City Assessments, &c.

I have the honor to be, &c.

T. D. MORRISON,

Chairman of the Board of Health.

Lieut. Colonel ROWAN, &c. &c. &c.

(Copy.)

KINGSTON, 30th July, 1834.

DEAR SIR,

I deem it my duty to state to you for the information of His Excellency, that the Asiatic Cholera broke out here on Saturday last and has been raging with great mortality, and I can state that no less than 13 interments took place yesterday—the disease came very suddenly, and from the concealment in the Lowe

**NO. 119:**  
**Sundry Reports.**

Province, the same precautions were not used,—The Board of Health being without funds, considered it absolutely necessary that an Hospital should be opened, and the members individually become responsible for £100, which they borrowed, conceiving that His Excellency would make good from funds at his disposal, such outlay as may be unavoidable under the present crisis.

To  
Lieut. Colonel ROWAN, &c. &c. &c.

I have, &c.  
JOHN S. CARTWRIGHT.

(Copy.)

OFFICE OF THE BOARD OF HEALTH, }  
9th August, 1834. }

SIR,

I am directed by the Board to state to you for the information of His Excellency, with reference to your letter of Thursday last, that every possible attention has been given to the Hospital—that the Surgeons in attendance have been furnished with such articles as they required, with attendants and with money, so that those articles the Steward might be in immediate want of, could be purchased with the least possible delay.

I am also directed to state that the Corporation have assessed the inhabitants two pence in the pound for this year, being double the rate of last year—that owing to the irregularity of the assessment laws, this tax has been found to bear heavily on the humble classes of the citizens—that several members voted against even two pence in the pound as too much—that about £400 of arrearages have been left unpaid by the district magistrates and made chargeable on the funds of the City—that the original assessment of one penny over and above the City assessment has to be paid to the district funds, and that the surplus funds derivable from the market stalls and block, over and above the interest of the bank debt, which were formerly applied to City purposes, are by the charter ordered to be employed to liquidate the debt to the bank.

Under these circumstances some of the members of the Corporation became security to the Agricultural bank for a loan of £1,000, payable in three months—with this money the Corporation have been improving the streets and lanes, removing nuisances, making side-walks, and all necessary alterations in the buildings they occupy, with other casual charges—nor have they hesitated to relieve distress as far as it was in their power, and to make provision for the reception of patients at the Cholera Hospital.

If the funds derived from tavern licenses within the City were under their control, there would be no difficulty in proceeding without a further supply of money, but under existing circumstances, and in consequence of what His Excellency stated to Doctor Tims yesterday, the Board of Health have directed me to apply to His Excellency for £500, or any sum that may be required for purposes connected with the Cholera Hospital, or the health of the City, to be carefully employed only for those purposes, and accounted for in detail to the Legislature at its next ensuing meeting, or in any other way His Excellency may direct.

To  
Lieut. Colonel ROWAN, &c. &c. &c.

I have, &c.  
JAMES LESSLIE,  
Chairman of the Board of Health.

No. 119.

*LETTER from Clerk of the Crown-in-Chancery to Returning Officer for county of Leeds, notifying him of the intention of the Legislature to pass the bill granting an extension of the time for holding the election for said county.*

Toronto, 23rd Feb. 1835.

DEAR SIR :

A bill extending the time for holding the ensuing election for the county of Leeds to 14 days has passed two branches of the Legislature, and now only waits for the Royal Assent to give it legal effect.

His Excellency had intended to go down to the Council for this purpose to day, but something interfered to prevent it, and the ceremony will not take place before to-morrow.

His Excellency is particularly desirous that it should be known in the county of Leeds as early as possible that the electors will have this additional time to poll their votes, and he has therefore requested me to say to you, that you have his permission to make the circumstance known as soon as you receive this letter.

By to-morrow's mail I shall transmit to you printed copies of the bill.

I have the honor, &c.  
SAMUEL P. JARVIS.

To Adiel Sherwood, Esq. &c. &c.

*LETTER from Clerk of Crown-in-Chancery to Returning Officer for county of Leeds, transmitting copies of the act to extend the time to hold the Election for said County.*

Clerk Crown in Chancery's Office, }  
Toronto, 24th February, 1835. }

SIR,

By this days mail I enclose to you fifty copies of a bill which has just received the Royal assent, extending the time for holding the ensuing Election for the County of Leeds to fourteen days—and it is His Excellency's command that you lose no time in giving it publicity throughout the County.

I have transmitted copies of the bill to the four candidates and to several other gentlemen in your district.

I have the honor to be,

Sir,

Your most obedient,  
Humble Servant,  
SAMUEL P. JARVIS,  
Clerk Crown Chancery.

To Adiel Sherwood, Esq.  
Returning Officer for the County of Leeds.

*LETTER from Clerk of Crown in Chancery to Returning Officer of county of Leeds, informing him that he had not received the indenture or return to the Writ.*

COPY,

Clerk Crown Chancery's Office, }  
Toronto, 10th March, 1835. }

SIR, I have to acknowledge the receipt of a packet from you by mail of this day, under date from Brockville the 4th instant, covering the writ of Election for the County of Leeds—the poll book—your oath of office—a protest against the election by Messrs. Buell and Howard and your explanatory letter.

I take the earliest opportunity of informing you that the Indenture or Return was not annexed to the Writ, neither was it enclosed in the parcel which contained the Writ.

The omission is particularly unfortunate, as I am, in consequence unable to communicate officially to the House of Assembly the result of this election, and until I do, the members elect cannot be sworn or take their seats.

I trust that the omission has been discovered by you and that I shall receive the return by to-morrow's post.

I am, your most obedient humble servant,  
S. P. JARVIS,

To Adiel Sherwood, Esq.  
Returning Officer for County of Leeds.

*LETTER from the Clerk of the Crown-in-Chancery to the Returning Officer at the late Leeds election requiring his attendance forthwith to complete the execution of the Writ of said election.*

Copy

C. C. Council Office, }  
11th March, 1835. }

SIR, I yesterday addressed a letter to you acknowledging the receipt of a packet containing the Writ of Election and other papers, relating to the recent election for the County of Leeds—and informing you that you had omitted to annex to the writ, the return or indenture, or to enclose it to me with the other papers.

I was greatly in hopes that the omission would almost immediately be discovered by you, and the indenture transmitted by the Post of the following day.

This not being the case, I am now commanded by His Excellency, the Lieutenant Governor, to require your immediate attendance at Toronto, to complete the execution of the Writ by annexing the return according to law.

I have the honor to be,

Sir,  
Your most Ob't, Humble Serv't.

SAMUEL P. JARVIS,  
C. C. CHANCY.

Adiel Sherwood, Esq.  
Returning Officer, County of Leeds.

No. 120.

*LETTER from Crown Land Commissioner, with return of Sales of Clergy Reserves, from January 1829 to December 1834, inclusive.*

Commissioner of Crown Lands Office, }  
Toronto, March 12th, 1835. }

SIR:— For the information of the Lieutenant Governor, I have the honor herewith to transmit to you a return, shewing the whole of the Clergy Reserves that have been sold, up to the 31st December, 1834, and of the monies paid over.

I have the honor to be,

Sir,

Your most obedient,  
Humble servant,  
PETER ROBINSON.

COLONEL ROWAN, }  
Civil Secretary. }

*RETURN OF CLERGY RESERVES sold in each year since the Sales commenced, under the Act 7, Geo. 4th, chap. 72.*

YEAR.	No. of Acres Sold.		Average price per acre.			Amount of purchase money received within the year.			Whole amount of purchase money.			No. of years within which, the whole am't of the purchase money is to be paid.	REMARKS. In addition to the purchase money, stated in this Return to have been received, interest has also been paid, with each instalment, a statement of which is underneath.	
	£	d.	s.	£	s.	d.	£	s.	d.					
1829	18,014	14	8½	2,464	14	0	13,229	0	0	Nine.	In. rec'd this year	1	7	3
1830	34,705½	13	6	6,153	5	9½	23,452	4	0	do	do	62	16	1½
1831	28,563½	12	1¾	8,010	2	11	17,362	12	1½	do	do	259	14	9½
1832	48,484¾	13	3¾	10,239	9	7½	32,287	19	0	do	do	473	17	2
1833	62,282¼	14	4½	14,080	16	8½	44,747	19	9	do	do	854	4	3½
1834	59,526	13	10¾	14,467	9	5½	41,376	18	7	do	do	1182	18	7½
Total,	251,575¾			55,415	18	6	172,456	13	5½			£2834	18	3

Paid into the Military Chest at this Post,.....£46,500 0 0 C'y. }  
And to the Receiver General, Interest,..... 2,834 18 3 }

PETER ROBINSON.

Commissioner of Crown Lands Office, }  
Toronto, March 12th, 1835. }

NO. 121 to 123.  
Sundry Reports.

No. 121.

*LETTER from the Receiver General to the Civil Secretary on the subject of the Casual and Territorial and Canada Company's Revenues.*

COPY

*Receiver General's Office, }  
Toronto 28th Feb. 1835. }*

SIR,

The accounts required by the Commons House of Assembly in a message to His Excellency the Lieutenant Governor of the 17th inst. conveyed to me in your letter of the 26th, will take a long period to prepare, with the limited assistance in my office, which is scarcely sufficient to discharge the ordinary and daily duties which must be done. In order therefore that the information may be furnished with as little delay as possible, I beg leave to transmit original copies of accounts attested on oath of the Casual and Territorial Revenue, as well as the Revenue derived from the Canada Company, for the years 1826, 27, 28, 29, 30, 31, and 32, in as full and detailed a manner as I am able.

The Originals have been forwarded to the Board of Audit in London for examination.

These accounts I have to request, may be kept with care, and returned to me when done with, or they may be deposited in the keeping of the House of Assembly, if they may be accessible to me or to my order.

The payments to the Right Reverend Bishop McDonell as well as all the other items specified in the address and paid out of these funds, will be found in the accounts. You are no doubt aware that the appropriation of these funds is made by instructions from His Majesty's government in England from time to time.

With regard to the balances, the public accounts furnished to the Assembly will shew the amount in my possession, and for which the public have ample security, viz: £10,000 Sterling in London, and £40,000 Currency in this country, independent of my own Bonds for £30,000 more.

All my arrangements are made to suit the public interest, accommodation and convenience, with a due regard to my own security. I have held the office for nearly 15 years, and all demands on the Treasury have met with instant and punctual satisfaction; even when the whole of the funds have been exhausted. The balances are active and fluctuating, and the Fund under the control of the Legislature has very seldom much money in it; reference to the account on the 30th of June last, will shew it in advance £2347. The debt of the Government can and always has employed any balance which may have been unappropriated. But if the Legislature wish the Balances to be employed so as to produce interest, and can devise any mode in which this can be done, I shall be very happy, as far as it may be in my power, to facilitate such an arrangement; in this case however, I should expect that my sureties will be entirely exonerated, as neither they nor myself could justly be held responsible for the safe keeping of the Public Funds in such selected places of deposit.

I have the honor to be, &c.  
JOHN H. DUNN, R. G.

Lieutenant Col. Wm. Rowan, }  
Civil Secretary, }  
&c. &c. &c. }

No. 122.

*LETTER from A. B. Hawke Esquire, Emigrant Agent, with statements shewing the expense incurred on account of Emigration for the years 1831, 1832, 1833, and 1834.*

*Emigrant Office, }*

SIR,

*Toronto, March 13th, 1835. }*

I have the honor to transmit herewith agreeably to the Lieutenant Governor's instructions, statements shewing the expenses incurred and payments made on account of Emigration in the years 1831, 1832, 1833, and 1834.

I would beg to observe, that the different items in the statements are supported by vouchers, which have been sent in with the accounts to the Inspector General; and that the dates of the payments, the nature of the services, and the periods at which they were performed, as well as the rate of wages, and prices of the articles furnished, are stated at length in the vouchers.

I also transmit herewith statements shewing the expenses incurred and payments made on account of Roads and Bridges in the years 1833 and 1834. Before the Contractors were paid, suitable persons were appointed by the Government to examine, measure, and report upon the Roads made, to enable the Government to ascertain whether the work was performed according to the contract, and that the charges made by the contractors were correct.

I have the honor to be, Sir,  
Your most obedient humble Servant  
A. B. HAWKE.

To Colonel Rowan.

No. 123.

*LETTER from Mr. Baines relating to funds arising from Rents of Clergy Reserves.*

*Clergy Corporation Office, }*

SIR,

*Toronto 11th March, 1835. }*

I have the honor to inform you that I have no funds in my hands, arising from Rents on Clergy Reserves, as according to my instructions, I pay over to the Receiver General without any delay, the money I receive on that account.

I have the honor to be, Sir,  
Your most obedient humble Servant,  
THOMAS BAINES.

Colonel Rowan, Civil Secretary,

No. 124.

**REPORT**

**OF THE SELECT COMMITTEE ON PETITION OF  
Joseph Turton.**

Report on the claim of Mr. Joseph Turton, Builder, for a balance of £290 15 8 on work and materials expended on the Parliament House, in 1830, 1831 and 1832.

*To the Honorable the Commons House of Assembly.*

The select committee to whom was referred the petition of Joseph Turton, of this city, Builder, **BEG LEAVE TO REPORT:—**

That Mr. Turton was a sub-contractor for the erection of the Parliament buildings, he having taken the contract which Mr. Priestman felt himself unable to fulfil; on making up his accounts he (Mr. T.) considered that a balance was due him from the government of £290 15 8, to this as a just debt he made oath before James Fitzgibbon, Esq., one of the Commissioners, on the 3rd of March, 1834, and applied to the House of Assembly for an enquiry into the justice of his claim, and for payment.

The House referred his petition to a select committee, composed of Mr. Jarvis, then member for the city, Mr. John Roblin, and the late Colonel Thomas Hornor, member for Oxford, who called before them and examined Grant Powell and James Fitzgibbon, Esquires, James G. Chewett, Esq., Mr. William Heather, Surveyor, Mr. Edward Wood and Mr. George Norris. They had also in evidence the certificate of forty master masons and carpenters of the town of York. (No. 6 in Appendix.) Mr. Turton's account of work done and payments made, Messrs. Ewart and Parke's remarks on the said account, (Nos. 2 3 and 4 of Appendix) and the specification under which Mr. Turton became a contractor (see appendix No. 10).

On the day before the session closed, the committee agreed to a report which was signed by Colonel Hornor, their chairman, and is hereto annexed and numbered *one*. It states that on competent evidence they had recommended that payment should be made of Mr. Turton's claim. But it appears that an opportunity was not given Colonel Hornor to present the report, consequently Mr. Turton continued unpaid.

Early in the present session Mr. Turton again applied to the House, and it was pleased to refer his memorial to this committee, who re-examined Messrs. Chewett, Heather, Wood, and Norris; these witnesses adhered severally to the testimony they had given in 1834.

By far the greater part of Mr. Turton's claim is made up of a difference in the measurement of brick work. Messrs. Ewart and Parke have only allowed 15 bricks to the foot, while Mr. Turton insists that the customary and proper method of measuring such work in this city is by allowing 16 bricks to the foot.

Mr. Turton is supported in this opinion by Messrs. John Richey, Jacob Latham, James Turner Robert Petch, John Harper, William Heather, Robert Ford, Isaac White, Daniel Morrison, William Hutchison, Joseph Hill, Robert Stewart, James Dunn, and a number of other highly respectable master workmen, whose certificate is appended (No. 6). It even appears that in some cases 17 are allowed to the foot. Mr. Chewett corroborates the testimony of the builders, and states that in the range of houses he lately erected 16 bricks were allowed.

On a reference to the specification the House will perceive that Mr. Turton was compelled to furnish bricks of a given size, but that no special agreement was entered into by him for an admeasurement of his work done for the country upon terms different from what is customary and proper in all similar cases.

Messrs. Heather and Norris's testimony, and the facts furnished by the contractor himself, has enabled this committee to confirm the decision of the committee of last session, with regard to the plastering, which forms the other material item of difference. It is to be regretted that a tradesman having so fair a claim for remuneration, as Mr. Turton's appears to be, should have so long been deprived of the reward of his labour, and we respectfully recommend that provision should be made for the payment of his account.

DAVID GIBSON,  
*Chairman.*

*Committee Room, House of Assembly, }  
March 30th, 1835. }*

No. 1.

The committee to whom was referred the petition of Joseph Turton, respectfully report:—

That the petitioner was employed as a sub-contractor in the erection of the buildings for the use of the Legislature, and as such contractor received from time to time a sum of money amounting to £4325 6 6½, which sum was paid to the petitioner by the commissioners, under the certificate of Messrs. Ewart and Parke, who were employed to measure the same. The petitioner complains that in such measurement, fifteen bricks only were computed to the square foot, when, in fact, sixteen bricks by the usage of the country are always computed to the square foot, by which estimate, and a difference in measurement in other items, the petitioner declares to be due to him the sum of £290 15 8. And your committee having had before them, competent persons, whose evidence, together with the original specification of the Parliament buildings, substantiate the claim of the petitioner, recommend to Your Honorable House the payment of the above sum, and have hereunto subjoined the documents relative thereto, for the fuller information of your Honorable House.

THOMAS HORNOR,  
*Chairman,*

*Committee Room, House of Assembly, }  
5th March, 1834. }*

# NO. 124.

## Sundry Reports.

No. 2.

COPY.  
ACCOUNT of Work done and Materials provided for the Parliament House, York, Upper Canada, by Joseph Turton,

	£	s.	d.
No. 1. 422 Toise of Stone Work, at £1 15s. per Toise,.....	738	10	0
No. 2. 829,500 Brick as per measurement by Messrs. Ewart and Parke, they allowed only 15 Bricks per foot reduced, at £2 12s 6d. per M.....	2177	8	9
No. 3. 55,300 By adding one brick to each foot, they being usual and customary allowance, viz: 16 bricks to each foot of reduced brick work,...	144	18	3
No. 4. 122,500 For labour, at 15s. per M.....	91	17	6
No. 5. 40,000 Laid this last season in chimneys, arch in hall and beam filling, &c..	105	0	0
No. 6. Extra brick work for projections to 12 large and 5 small windows,....	37	10	0
No. 7. Amount of day work as per bill,.....	30	7	8½
No. 8. Use of scaffolding for Carpenters and Painters,.....	10	0	0
No. 9. 1,120 Yards 4 feet of pugging or deafening under floors, at 9d. per yard,...	42	0	4½
	3377	12	7

### PLASTERING WORK.

No. 10. 1,380 Feet sup'l of mouldings in Bayle's compo. to outside of windows at 1s. 6d. per feet,.....	103	10	0
No. 11. 13 Yards 5 feet plain work in do. do. ....	1	9	3
No. 12. 30 Run of arris to do. ....	0	3	9
No. 13. 2,144 Sup'l of 3 coat plastering, 1s. 10d. per yard,.....	198	14	8
No. 14. 5,143 do of straight plaster corners, at 1s. 6d. per do.....	385	15	4½
No. 15. 1,506 do of circular do do at 2s. 3d. per do.....	169	8	6
No. 16. 398 do of straight plaster frieze and soffets, 6d. per do.....	9	19	3
No. 17. 384 do of circular plaster frieze and soffets, 1s. 2d. per do.....	12	16	0
No. 18. 10 6 do of leads and quirks as moulding,.....	0	15	9
No. 19. 120 Run cutting of quirks to wood leads,.....	0	15	0
No. 20. 64 Pattern to centre flowers,.....	5	17	4
No. 21. 12 Large roffeted leaves to do. cast solid and under cut fixed up with screw bolts and nuts,.....	18	18	0
No. 22. 24 Seeds leaves and seeds to crisps of do.....	2	16	0
No. 23. 20 Moulded truses and caps, cast solid and under cut and fixed at intersections,.....	21	10	0
No. 24. 4 Laurel leaves, cast solid and under cut,..... The whole of the above moulded as per original designed expressly for this work.	19	5	0
No. 25. 2,343 Yards 6 feet sup'l of 2 coat plastering, at 1s. 6d.....	213	4	6
No. 26. 951 do 5 do do of lathing only, at 7d.....	27	14	9
	1192	13	1½

### WORK REMAINING TO BE DONE.

51 Yards 5 feet of 2 coat plastering in buildings, at 11d.....	43	11	9
42 do on walls, at 1s. 6d.....	228	3	0
9 Of Baylie's compo. to blank windows,.....	0	19	3
70 Run of cutting quirks to wood leads,.....	0	8	3
12 Hearts,.....	6	0	0
14 Toise of stone work to steps, dwarf walls, &c.....	24	10	0
Turning one trimmer arch, running circle round stove pipe and other casual jobs, it is presumed will cost.....	10	0	0
	313	12	3

### RECAPITULATION.

Stone and Brick Work,.....	£3,377	12	7
Plastering Work,.....	1,192	13	1½
	£4,570	5	8½
Cash received,.....	3,482	16	3
Balance,.....	£1,086	18	8½

The sum of £3,482 16 3 is the sum paid to Joseph Turton by the Commissioners.

GRANT POWELL.

3d May 1832.

No. 3.

Mr. Joseph Turton's account with the Commissioners for the Parliament Buildings for sundries paid him, for labour performed and materials furnished for the building, as per his contract dated 19th July 1830.

1830			
August 4th.	To 33 toise Stone from M. Priestman's estimate at 40s.....	66	0 7
"	" 155 M Brick from do.....25s.....	193	15 0
"	" 120 bundles lath from do.....1s. 3d.....	7	10 0
"	" 13 brick wheels from do.....40s.....	26	0 0
"	" 6 wheel barrows from do.....25s.....	7	10 0
"	" 3 sets table boxes do.....12s. 6d.....	1	17 6
"	" 2 sets brick molds do .....	1	10 0
"	" Boards at the brick yard do .....	6	5 0
"	" Making brick yard per valuation do .....	35	0 0
13th.	" Cash paid him per certif. for brick and stone work, for 10 m raw brick	226	15 0
14th.	" Do for 91 m brick in the kiln last burnt by Priestman at 25s.....	113	15 0
Sept. 8th.	" Do per certificate for labour and materials .....	273	5 0
25th.	" Do.....do.....do .....	400	0 0
Oct. 12th.	" Do.....do.....do .....	500	0 0
Nov. 9th.	" Do.....do.....do .....	200	0 0
27th.	" Do.....do.....do .....	300	0 0
1831			
Jan'y 12th.	" Do.....do.....do .....	398	13 9
July 9th.	" Do.....do.....do .....	150	0 0
Sept. 13th.	" Do.....do.....do .....	250	0 0
do.	" Do.....do.....do .....	150	0 0
Nov. 11th.	" Do.....do.....do .....	175	0 0
	" 1600 feet boards for his shanty last year at 3s. 9d.....	3	0 0
		3485	16 3

No. 4.

COPY.

Sir,—In compliance with your directions we have measured the work done to the Parliament Buildings by Joseph Turton, under his contract with Matthew Priestman, bearing date, the 19th of July, 1830, and having carefully examined his Account rendered of the same, beg leave to submit the following remarks on its several items, separated and numbered.

No. 1.	422 Toise of stone work, at £1 15 0 per toise,.....	738	10 0
	This item agrees with our certificate of the 12th of January, 1831.		
No. 2.	829 thousand, five hundred bricks, at £2 12 6 per M.....	2177	8 9
	This item also agrees with our certificate of the above date.		
No. 3.	55 thousand, three hundred, by adding one brick to each foot, they being usual and customary allowance, viz: 16 bricks to each foot of reduced brick work, 144, 18, 3.....		
	We believe this charge to be incorrect.		
No. 4.	122 thousand, five hundred, of workmanship in openings, at 15s.....	91	17 6
	This item agrees with our certificate of January 12th, 1831.		
No. 5.	40 thousand laid this last season, in chimneys, arch in hall and beam filling, &c. £105.....		
	There is only 33 thousand bricks in this item, the difference, we presume has occurred by mistake, at £2 12 6.	86	12 6
No. 6.	Extra brick work for projections of 12 large and 5 small windows.....	37	10 0
No. 7.	Amount of day work as per bill,.....	30	7 8½
	We believe this item to be correct.		
No. 8.	Use of scaffolding for carpenters and painters, £10.....		
	This accommodation has been fully compensated in the use of scaffolding for plastering.		
No. 9.	1,120 y'ds and 4 feet of pugging and deafening under floors, at 9d per yard, £42 0 4½.....		
	In measuring this work, we find it contains 895 yards, at 9d.....	33	11 3
		£3,195	17 8½
No. 10.	1,380 feet superficial of mouldings in Baylie's composition to outside windows, at 1s. 6d per foot.....	103	11 0
	We believe this item to be correct.		
No. 11.	13 y'ds. 5 feet of plain work in do do outside of windows.....	1	9 3
No. 12.	30 run of arris.to windows.....	0	3 9
No. 13.	2,144 y'ds superficial of 3 coat plastering, at 1s. 10.....		
	There is a small deficiency in this item, which is made up in the 2 coat work.	198	14 8
No. 14.	5,143 feet superficial of straight plaster cornices, at 1s 6d £385 15 4½		
	These cornices measure 4,382 feet superficial, at 1s. 6.....	328	13 0
No. 15.	1,506 feet superficial of circular do. at 2s 3d.....	169	8 6
No. 16.	398 feet superficial of straight plaster freize and soffits at 6d.....	9	19 3
No. 17.	384 feet superficial of circular plaster freize and soffits, at 1s 2d .....	12	16 0
No. 18.	10 6 superficial of beads and quirks as mouldings.....	0	15 9
No. 19.	120 run cutting of quirks to wood beads.....	0	15 0

**NO. 124.**  
**Sundry Reports.**

No. 20.	64 patterns to centre flowers.....	5 17 4
No. 21.	12 large raffaled leaves to centre pieces, cast solid, and under cut and fixed up with screw bols and nuts .....	18 18 0
No. 22.	24 seed leaves, and seeds to crisps of do.....	2 16 0
No. 23.	20 Moulded trusses and clasps cast solid, and under cut, and fixed at intersections.....	21 10 0
No. 24.	4 Laurel leaves cast solid and under cut.....	19 5 0
No. 25.	2,343 Yards 6 feet superficial of two coat plastering at 1s. 6d.....	213 4 6
No. 26.	951 Yards 5 feet of lathing only, at 7d.....£27 14 9	27 14 9
	This amount we presumed considered the whole of the lathing as finished	
	There is only 742 yards done at 7d.....	21 12 10
	£1129 8 10....£	4325 6 6½

We consider the items passed without remarks to be reasonable charges.

All of which is most humbly submitted by your most obedient humble servants.

**JOHN EWART,**  
**THO'S PARKE.**

April 16th, 1832.

To GRANT POWELL, Esq. Commissioner.

No. 5.

The Government of Upper Canada, by the Commissioners for the Parliament Buildings,  
To Joseph Turton, Dr.

To deductions made from his account by Messrs. Parke and Ewart, as follows :

On measurement of Brick.....	£163	5 9	
On Plaster Cornices.....	57	2 4½	
On Lathing.....	6	1 11	
On Scaffolding.....	10	0 0	
On Pugging or Deafening Floors.....	8	9 1½	
			£244 19 2
To deduction made by the Commissioners for making brick yard.....			35 0 0
To an estimate made by order of the Commissioners for their information, of the work that had to be done after the plastering, the amount being £313 12s. 3d.—2 per cent on it is.....			6 5 0
To 95 yards of plastering in 1832, at 11d.....			4 7 1
To omission by self in item No. 4 of 8,200 bricks, labour only, at 15s.....			6 3 0
			£296 14 3
By use of brick yard made by M. Priestman, two months, a proportion.....			5 18 7
			£290 15 8

Cr.

The undersigned does solemnly swear that he drew out the contract between Joseph Turton and Matthew Priestman for the building of the Parliament House, and that it was clearly understood by the parties that sixteen bricks would be allowed per foot.

THOMAS APPLETON.

Sworn before me  
this 14th day of April, 1835. }

T. D. MORRISON,

Alderman,

No. 6.

We the undersigned, Master Masons and Carpenters of the Town of York, do hereby certify that the usual customary and proper method of measuring brick work, when the wall is one and a half brick thick or what is technically called reduced brick work, is by allowing bricks 16 per foot. We instance several buildings in this Town, both public and private, that are built with statute bricks, and which have been measured and allowed 16 and in some buildings 17 per foot. The College buildings and the Attorney General's private house are of the latter description. The College buildings measured by Mr. Duncan Kennedy, and approved of by Colonel Fitz Gibbon. The Scotch Kirk measured by Mr. Parke the partner of Mr. Ewart. The Honorable Colonel Allan's private house. Also the Jail and Court House and many others to numerous to mention.

Sheldon Ward,	Allan Simpson,	William Shaw,
Robert Stewart,	Daniel Morrison,	James Turner,
William Bennet,	Jacob Latham,	W. Thorn,
Christoph Clarke,	Wm. Bolton,	Philip Thorn,
Joseph Hill,	Richard McAdams	John Hay,
John Thomson,	John Ritchey,	Wm. Hutchinson,
Thos. Summers,	Robert Petch,	Robert Ford,
Richard Watson,	William Bulliver,	John Mills,
Samuel Hill,	John Lacey,	Thomas Mills,
Joseph Radford,	A. Wallace,	W. C. Bell,
Harvey Gilbert,	Edward Shaw,	Joseph Martin,
Wm. Heather,	James Dunn,	John Harper,
Daniel Simmons,	William Paine,	Isaac White,

No. 7.

I certify that I have had occasion to make enquiry respecting the measure of Brick laid up in Walls, and that I have ascertained the number required for each foot, to be from sixteen to seventeen and a half, but most commonly sixteen which is the number used in my own buildings.

J. G. CHEWETT.

York 3d March 1834.

DEPOSITION OF WILLIAM HEATHER, SURVEYOR, &c. OF YORK, U. C.

Deponent has been engaged for a period of about 26 years as a **Measurer and Practical Builder** (four years of which in this town) during which time he has had great practice in measuring buildings, and upon all occasions has never allowed less than 16 bricks to the foot, and when the bricks are less than the statute size a larger quantity in proportion to their size. The Statute size may be seen by referring to the Statutes at large, 17 Geo. 3, Chap. 42, which Enacts that all Bricks made for sale shall be when burnt eight and a half inches long, four inches wide, and two and a half inches thick.

WM. HEATHER.

Item No. 8.

Deponent is aware that the Scaffolding of Joseph Turton remained up for the use of the Carpenters and Painters nearly one year after the Brick work was up, and the charge for which in my opinion is very moderate. And as to what is said that the scaffold for the plastering being an equivalent for the above I by no means consider it so.

WM. HEATHER.

Item No. 9.

Deponent prior to any of the floors being laid measured this work and is satisfied that the quantity charged is correct.

WM. HEATHER.

Item No. 14.

Deponent also measured this work including the Cornice on two sides of the Assembly Room which was finished and afterwards taken down and altered by direction of the Architects employed by the Commissioners, having girted all the Mouldings, is every way certain that the quantities charged in Turton's account is correct.

WM. HEATHER.

Item No. 26.

Deponent also measured this item, and is prepared to shew by the dimensions, &c. taken at the time, that the quantities charged is correct.

WM. HEATHER.

DEPOSITION OF GEORGE NORRIS, OF YORK, PLASTERER.

Deponent was employed in running off the Cornice in the Assembly Room, the two long sides of which was finished, and which has since been taken down and altered to its present form, has the Mould here with which the first Cornice was run.

GEORGE NORRIS.

No. 9.

DEPOSITION OF EDWARD WOOD, BRICKLAYER, &c.

Deponent was employed by Joseph Turton in building the Parliament building in the year 1830. In the year following he was also employed in doing the following works: Carrying up and finishing chimney above the Ceiling floors. Taking down part of walls and building Arch under the Hall, and piers under do. Sundry beam filling in both the Legislative Chambers of which the walls were one and a half bricks in thickness,\* and were added on the 2 cross wall, making large brick drain across the building and sundry other jobs, which in the opinion of deponent must have taken 40 M bricks.

EDWARD WOOD.

\* Those walls were measured by Messrs. Ewart and Parke as being only one brick thick.

No. 125.

**REPORT**

OF THE SELECT COMMITTEE ON THE LAST ELECTION FOR THE COUNTY OF LEEDS.



The COMMITTEE of PRIVILEGE to whom were referred the Letters of the Clerk of the Crown-in-Chancery to the Honorable Speaker of the House of Assembly have examined the same, together with several other documents, viz:—  
The Writ of Election, two Indentures and other Records, and several Witnesses.

The Writ of Election is dated 17th February and directed to the Returning Officer for the County of Leeds, commanding him to hold an election for the election of two Members for the said County, and to attach the Indenture to the Writ, and return the same forthwith. It appears an election took place; and after the adjournment of the Poll the first day, Messrs. Buell and Howard, two of the Candidates at the election, protested against the further continuance of the said election on the grounds that there was force, violence and intimidation on the part of the friends and supporters of Messrs. Jameson and Gowan, so as to prevent the freedom of election, and claimed to be returned as the Members elect.

On Tuesday the 3rd, the Poll again opened, and after polling some time, it appears the Returning Officer closed the Poll; and on Friday the 6th, placed in the post office a packet addressed to the Clerk of the Crown-in-Chancery containing the Writ, the Poll Book, the Protest and a Letter—but through mistake omitted to attach one of the Indentures to the Writ. Two Indentures have been shewn to Your Committee; one transmitted by the Returning Officer to the Clerk of the Crown-in-Chancery, which was mailed on the 13th and received by the Clerk on the 18th instant; the other was submitted by the

Returning Officer, and upon examining them, they appear to have been executed at the same time, and by the same persons.

Your Committee herewith attach an examination made before them of the Returning Officer relative to his letter to the Clerk of the Crown-in-Chancery—in which it was intimated there had been certain riots and other improper conduct at the said election on the part of the aforesaid friends of Messrs. Jameson and Gowan.

Your Committee beg to state that it appears by the evidence of the Returning Officer, that altho' he received an intimation from his Deputy Mr. Powell, that his personal safety was in some danger, and altho' there was a good deal of violence and improper conduct on Monday, yet he did not continue the election and execute the Indenture on Tuesday from any fear and apprehension of his personal safety.

On the subject of the proceedings of the Clerk of the Crown-in-Chancery in not immediately reporting to the House, Your Committee would observe that it appears by his own evidence that he received the Writ from the Returning Officer about 11 o'clock the 10th instant, and that he discovered the deficiency in the office of the Solicitor General and in Mr. Hagerman's presence, between 2 and 3 o'clock, and that he did not report the circumstances to the House until late in the afternoon of the next day, the 11th instant, and not until he had written two letters to the Returning Officer, one on Tuesday the 10th merely informing him of the omission, the other by the direction of His Excellency, the Lieutenant Governor, requiring the Returning Officer's immediate attendance at Toronto to complete the execution of the Writ for the County of Leeds by annexing the Return according to law.

Your Committee are clearly of opinion that it was the imperative duty of the Clerk of the Crown-in-Chancery to have reported the circumstances to the House immediately, and with the least possible delay on receiving the papers from the Returning Officer, and not to have presumed to hold any official communication with the Returning Officer in regard to the election and return or to have issued any orders to the Returning Officer, requiring him to give his attendance at Toronto to amend or alter the Writ or supply any deficiency by attaching any thing thereto, either upon his own responsibility or under the direction of His Excellency, the Lieutenant Governor, or any other person or body, except the House of Assembly; the said Clerk of the Crown-in-Chancery being merely a ministerial officer, and the House of Assembly being the only tribunal to whom the Returning Officer is or can be the least amenable for his conduct as Returning Officer, and who alone has any or the least control over him, or can in any wise punish him for his conduct as Returning Officer; and whose orders alone the said Returning Officer was, or is bound to obey, either in giving his attendance at Toronto, or to alter, amend, or supply any deficiency in the return, and undoubtedly wrong for the said Clerk to take it upon himself to wait until late in the afternoon the next day, or even from the hour of eleven o'clock in the forenoon until between two and three in the afternoon of the day he received the papers, (that being the time he states he discovered the omission, a space of between 3 and 4 hours,) while he could have performed the same in the course of as many minutes, the Secretary's office being only a short distance from the House of Assembly, and the Government House and the Solicitor General's office being on the road between the two. However, it appears by the evidence of the said Clerk of the Crown-in-Chancery, and that of several others examined before Your Committee, that there is some discrepancy on the subject of the time he discovered the omission and some other matters, in consequence thereof Your Committee conceive it is proper to report the evidence relative to the same.

Your Committee consider it of the most vital importance to the freedom of elections, and in order that Returning Officers should be removed entirely from any influence, either executive or of any other character, and clearly understand they are subject to no power or body for the due execution of their important trusts, but to the Commons House of Assembly, and that it is proper that it should be known, that for any body or power to interfere or presume to exercise any control over any Returning officer or for any Returning officer to alter or amend any return in pursuance of such order must be conceded as a high breach of the privileges of the Commons House of Assembly.

All which is submitted.

PETER PERRY,  
Chairman.

Committee Room, House of Assembly, }  
21st March, 1835. }

#### EVIDENCE OF SAMUEL P. JARVIS, ESQUIRE, C. C. CHANCERY.

I received the return Writ for Leeds, about 11 o'clock, on Tuesday the 10th instant.

There was accompanying the Writ, the Poll Book; the oath of Returning Officer; a letter from the Returning Officer, giving a short history of the proceedings of the Election; and a protest by Messrs. Buell and Howard.

There was no return or indenture annexed to the writ, nor enclosed in the envelope, nor that accompanied it. About an hour after, I received the packet containing the Writ and the aforesaid papers, I proceeded on my way to the House of Assembly, to report the circumstance, supposing that the Return was regular. The Returning Officer having requested me to communicate the contents of his letter to His Excellency, I called and delivered the letter—after I left His Excellency's office, and before I had drawn up the usual report of the Return for the Speaker, I examined the Writ, and then discovered that the Return was wanting; before then I had merely broken the seal of the packet, or read the letter from the Returning Officer.

I afterwards returned to my office, and supposing it was an omission of the Returning Officer, purely accidental, I wrote to him to apprise him of the omission, and I determined to wait until the arrival of the mail on the following morning, before I made a report on the subject, for I could not help thinking that the absence of the Return was unintentional.

This morning, the 11th instant, I called at the Post Office, and found nothing addressed to me by the Returning Officer.

On my way to the House, about noon this day, (the 11th instant,) I again called on the Governor, and stated to him the omission of the Returning Officer to affix a Return to the Writ.

His Excellency seemed much annoyed at the circumstance, and desired me to write to the Returning Officer to repair immediately to Toronto; and likewise desired me to lose no time, in reporting to the House the circumstances, which I did forthwith.

I think the first time I communicated to His Excellency's Secretary the omission on the part of the Returning Officer, to annex the Indenture or Return to the Writ, was on the morning of the 11th inst near 12 o'clock, but I was at the Government Office on the afternoon before, and I may have spoken of it. I think there was some conversation about the election; I think I first discovered the omission in Mr. Hagerman's office, sometime about 2 or 3, P. M.

—called at the office to see Mr. Gilkinson—Mr. Hagerman asked me what paper I had in my hand: on saying it was the Writ of Election for Leeds, he asked me, if I had received any particulars respecting the election: I opened the parcel, and looking through the papers, I think this was the time I made the discovery of the want of the Return. I made no report or communication to any person on the subject, but returned to my office and wrote to the Returning Officer the letter to which I have before alluded, which neither His Excellency, nor any other person in his office, has ever seen to this day that I know of.

His Excellency's Secretary on the morning of the 11th instant, when I called, said it would be as well for me to see His Excellency.—I did so—and His Excellency desired me to write to the Returning officer, and desire him to repair to Toronto, and immediately to report to the House.

I wrote the first letter in the Secretary's office.

Mr. Hagerman was present when I discovered the omission.

My reason for not reporting to the House immediately on receipt of the packet from the Returning Officer, and as soon as I discovered the omission, was my perfect conviction that it was merely an accidental omission, and that the return would arrive by the following post.

I had received the packet from the Returning Officer, before I received a note from Mr. Perry, requesting me to inform him if I had received the return of the Leeds Election, which note I answered by saying I had not received the return.

I received another note from Mr. Perry to-day on the same subject, which note I did not answer, as I was just leaving my office for the House of Assembly, to report officially to the Speaker the circumstances respecting the writ.

This day (the 11th instant), both the Attorney General and Mr. Gowan, at different times inquired of me whether I had received the return to the Leeds Election, I answered that I had not, and I inquired of them whether they or either of them had brought up the duplicate; they replied they had not, and they further stated that the Returning Officer on being requested by them or either of them to deliver one part of the indenture, declined, stating that it was his custom to retain the one part himself—Mr. Gowan's queries were made this morning about ten o'clock—the Attorney General's in the House of Assembly in the afternoon of to-day; previous to which I had no conversation respecting the matter with them. Neither the Attorney General nor Mr. Gowan have called on me to administer the oaths to enable them to take their seats.



MR. JARVIS, Clerk of the Crown-in-Chancery, again called in and examined on the 18th instant.

Says Mr. Gowan has asked him, the witness, every day when he met him in the street, whether he had received the indenture,—and he told him no.

Has had no conversation other than the above.

Has called every day, sometimes twice or three times at the Post Office, to see whether the return had been received.—Has had no conversation with the Attorney General.

After he got the letter, he called on his way up here, and got a letter which he had with him—(opened the envelope in presence of committee and found it to contain a return and a letter from the Returning Officer.)



MR. SOLICITOR GENERAL, examined.

Did His Excellency advise with you respecting sending for the Returning Officer?

1st. No—Neither was I consulted by any other person, and gave no opinion or advice upon the subject. I was not aware of the order for the Returning Officer to come up until told of it yesterday the 11th instant by the Clerk of the Crown-in-Chancery.

2nd. I had heard from some quarter that there was a defect in the return on Monday, but knew nothing of the letters written to the Returning Officer on that or the subsequent day—the first certain information I had of the deficiency in the return was after I came to the House yesterday.

3rd. The papers sent up by the Returning Officer to the Clerk of the Crown-in-Chancery were submitted to me, and I do not remember that I ever looked at or examined them; I certainly was never required to do so. I think I saw the Clerk of the Crown-in-Chancery on Monday—but when he came to me I do not think he was aware of any deficiency in the return—it is probable that he then had the papers with him, but when he left me I do not think he knew that there was any actual deficiency in the return.



ATTORNEY GENERAL'S Evidence.

Mr. Attorney General was present when the late election for the County of Leeds closed. There was an Indenture entered into and executed in duplicate. It was a printed form only changed from the usual form by changing the name of York to Toronto—has not the duplicate—heard Mr. Gowan ask for the duplicate—Returning Officer said he usually kept the duplicate himself—declined giving it and preferred keeping it himself—has not seen the duplicate since, nor the return—happened to be present when the Clerk of the Crown-in-Chancery came into the Government House, and said with some surprise that he had opened the envelope and found the writ and letter from the Returning Officer but not the return—thinks this was about 12 on Tuesday the 10th instant—heard the Clerk of the Crown-in-Chancery say that he would write to the Returning Officer instantly—His Excellency was present—There was no conversation other than that the Returning Officer had left it by mistake, or the Clerk of the Crown-in-Chancery must have left it on the table—Saw the Clerk of the Crown-in-Chancery again the same day for a moment—no conversation passed, only that he said it was not enclosed with the writ in answer to my enquiry—has not heard from the Returning Officer since—has not made application since to any person to administer the oath—not considering that the officer was required to administer the oath until the return was before the House—was on his way to the House to take the oath when he heard that the return was not sent—from what Mr. Gowan stated yesterday, he had not heard from the Returning Officer any thing about the return.



MR. SECRETARY ROWAN called in and examined.

Heard from the Clerk of the Crown-in-Chancery sometime in the forenoon on Tuesday the 10th inst. that there was a deficiency in the return of the Writ of Election for the County of Leeds—saw the

## Sundry Reports.

protest and letter of the Returning Officer, with a parchment supposed to be the writ of election.

The clerk of the crown in chancery came to report to His Excellency, that the Returns to the Writ had been received, took him in to His Excellency, and a short time afterwards he came to know if he could have left any of the papers in the Government Office. All this occurred between the hours of ten and twelve, A. M., probably within a short time after eleven—saw the Clerk of the Crown-in-Chancery at my office, on Wednesday morning the 11th instant; he said he had not received the return which he had expected by post. This was the whole conversation with the Clerk of the Crown-in-Chancery. There have not been any official papers received at the Government Office, respecting the election of Leeds, since the election.

The Postmaster gave the packet to Col. Rowan's messenger to deliver to Mr. Jarvis.



Mr. FITZGIBBON, CLERK OF THE HOUSE OF ASSEMBLY, *called in and examined.*

Had been applied to by Mr. Gowan to be sworn in a member of the House of Assembly, on Monday morning, as he thinks—has not since been applied to by Mr. Gowan—has never been applied to for the same purpose by the Attorney General.

Mr. Jarvis, C. C. C. told the clerk of the House that the Speaker did not approve of his reporting to the Lieutenant Governor, and writing to the Returning Officer—and he was afraid he would be blamed by the House for so doing.—This was on Tuesday the 10th instant.—This statement was made to the clerk of the House, in his room.



PETER PERRY, Esq., *examined,*

It appears by the evidence of the Clerk of the Crown in Chancery that he wrote you a note respecting the return of the Leeds election.—What were the contents of that note?—(\*Note produced?) It appears this note is dated the 9th March, inst.—at what time did you receive it?—Answer—I received it on Monday, the 9th instant, and it is the only note I received on the subject.

\* Dear Sir—I have received no official account of the Leeds Election—I saw in a Brockville paper, (I think on Saturday) that the Attorney General and Mr. Gowan had been re-elected.

I am, &c.

P. Perry, Esq.  
9th March, 1835.

SAMUEL P. JARVIS-



MR. SHERWOOD THE RETURNING OFFICER FOR THE COUNTY OF LEEDS.

Says he received no communication from any person excepting from the Clerk of the Crown in Chancery.

Had received no communication from the Speaker of the House of Assembly, requesting his attendance at the bar of the House, with papers and documents relative to the Leeds Election and Return. Had received two Letters one dated 10th and the other the 11th at the same time on Saturday 14th at two o'clock from the clerk of the Crown in Chancery, relative to the deficiency in the Return, one of which required his attendance at Toronto to complete the Return, and started immediately for Toronto, by the first stage, previously to the arrival of the next Western Mail. (Produced the letter, the one dated the 10th, Mail marked at Toronto 11th, and no mark on it as having been received at the Toronto Post Office too late.)

2nd. The first that he learned any thing of the deficiency was on Friday, the Hon. Charles Jones told him that Mr. Whiting had arrived from Toronto, and said that the Indentures were not sent up with the writ, and other papers relative to the Election, he went immediately home and found it among his papers. He immediately forwarded it to Toronto, previously to having received any communication from the Clerk of the Crown in Chancery.

It appears by your letter to the Clerk of the Crown in Chancery, that violence and improper conduct was used by the Attorney General's and Gowan's friends—please to state to what you refer.

He commenced polling about one o'clock P. M. He had erected the Hustings with an opening on each side, and assigned one opening to each candidate, which he made publicly known to the people, that they might understand it—thinks they did understand it. The thing was so arranged as to render it unnecessary for the friends of Buel and Howard, and those of Gowan and Attorney General to intermix. After the Polling had proceeded for a short time, he observed several of Messrs Gowan's and Attorney General's apparent friends and supporters interfering at Mr. Howards window, not so as to prevent their voting at the time, yet in such a way as he believed would lead to unpleasant transactions. One person had a large drum, and continued beating it close to the window. The returning officer went out once or twice and requested them to desist, stating that they had no business there, that window was for Mr. Howard's friends.—Returning Officer took hold of the man with the drum and told him to stand back; he did so a little way, saying at the same time, is that far enough, but did not go away as he thinks he should have done—they appeared to pay but little attention to him. About two o'clock he adjourned for an hour, and then again proceeded to take votes, and the like interference again commenced, and Mr. Jonas Jones went out through Mr. Howard's window to keep the peace. Mr. Jones afterwards came in with his head bruised and much injured, and demanded of the Returning Officer and the authorities to assist in quelling the riots and keeping the peace—said the conduct was very improper and brutal, and said something about adjourning or closing the poll after finishing the vote then at the window. He did adjourn until the next day at nine o'clock. He saw a Mr. Shipman and Elliott who he understood was assisting Mr. Jones to keep the peace, who was also injured. Shipman had his head badly cut. During the day a board was torn off from the Hustings, by Gowan and Jemeson's supposed friends, and near Mr. Gowan's window, he, the Returning Officer insisted, that he would not proceed with the election until it was replaced, it was again nailed on, after which an attempt was made and partly succeeded in tearing

off another board from the side occupied by Mr. Howard—he the Returning Officer was advised by Mr. Powell, his deputy, to take care of himself, stating that he had heard something which made him fear that the Returning Officer was not altogether safe in his person, this was after the Poll had adjourned at Lewis's inn, a large party of Gowan and Attorney General's friends and supporters attacked the house—saw a man knocked down with a stick near the house, they broke down the door as he was informed, and rushed into the house. The bar-keeper and others were knocked down and much injured, with clubs, the females of the house escaped out of the back window of the kitchen, himself and others were up stairs, and although several attempts were made by the party to get up stairs they did not succeed, they continued their depredations for some time, during which time they turned over a metal stove and scattered the fire about the room which made a great smoke, and it was said the house was on fire, which created a good deal of sensation for a time, but it was soon found to be a mistake—during the row, Rich'd. D. Fraser and Dr. Breakenridge, two Justices of the Peace, stood in the stair-way and prevented by force the crowd from rushing up stairs, where he Returning Officer and Messrs. Buell, Howard, Gowan, and Jameson were.



Mr. ADIEL SHERWOOD, RETURNING OFFICER—*Called in and again examined.*

*Saturday, 8 o'clock. A. M.*

Were you in any kind of fear of your own personal safety in consequence of the threatening said to be made against you, as communicated by your Deputy Mr. Powell? No, I was not as I looked upon the threat as arising out of my polling the votes of Messrs. Buell and Howard the last,—thereby placing them at the head of the poll, this arose out of the arrangement agreed to by the candidates, of polling 5 votes for each alternately—had no hesitation of continuing the poll on Tuesday morning but on legal grounds and in executing the Indentures, had no apprehension that if he had not done so, he would have been liable to any injury in his person or property,—he continued the election, and made the return as he did, notwithstanding his belief of the friends of Messrs. Buell and Howard being intimidated from coming forward,—there were two or three instances of votes taken for Gowan and Jameson at the openings intended for Buell and Howard—whether these votes were taken at the openings of both these latter gentlemen, or that of one of them, I do not recollect—however, this did not give Jameson or Gowan any advantage on the Poll Book.



No. 126.

## REPORT

OF SELECT COMMITTEE ON PETITION ON T. G. MILLER AND OTHERS.

*To the Honorable the Commons House of Assembly,*

The Committee to whom was referred the Petition of T. G. Miller and others, beg leave to submit the following report, for the consideration of your Honorable House.

Your Committee have carefully investigated the subject matter of complaint contained in the said Petition, concur in the opinion of granting a sum of money for erecting a Bridge across Cox's Creek which intersects the main road leading from the Township of Waterloo to the town of Elora in the Township of Woolwich in the Gore District.

The Committee therefore recommend to your Honorable House that the sum of £100 may be granted as prayed for, to build the said Bridge, and that a Bill may be passed your Honorable Body to enable the Petitioners to carry the same into full operation.

All which is respectfully submitted.

JAMES DURAND.  
*Chairman.*

Committee Room,  
House of Assembly  
Thursday 19th March, 1835. }

No. 127.

*LETTER from the Keeper of the Light House at the False Ducks Island to Lieutenant Col. Rowan.*

COPY.

To Lieut. Colonel ROWAN,

I am sorry to be under the necessity of troubling you again, to request you will have the goodness to present the enclosed petition to the Lieutenant Governor.—Your doing so will very much oblige me.

I beg to state, that I was unwilling to trouble His Excellency a second time in any case, but was informed that as it is now a new Parliament, it would be necessary to do so, and it would not be strictly Parliamentary for the House of Assembly to raise salaries unless recommended by the Crown.

I am respectfully,

JOSEPH SWETMAN.

*False Ducks Island, 11th month 25th.*

*James Fitz Gibbon  
Clerk of Assembly*