

Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires:

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

10x	12x	14x	16x	18x	20x	22x	24x	26x	28x	30x	32x
								✓			

APPENDIX, No. 8,

TO THE

FIFTEENTH VOLUME.

APPENDIX TO THE FIFTEENTH VOLUME

OF THE

JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA.

From the 26th February to the 10th June, 1857, both days inclusive,
IN THE TWENTIETH YEAR OF THE REIGN OF OUR SOVEREIGN LADY
QUEEN VICTORIA.

Being the 3rd Session of the 5th Provincial Parliament of Canada.

—
SESSION, 1857.
—

Printed by Order of the Legislative Assembly.

VOL. 15.

YD4 5

DDN 6146660

R E P O R T

Of Commissioners of Inquiry *in re* Corrigan murder.

TORONTO, PROVINCIAL CHAMBERS,

28th March, 1857.

To the Honorable
The Provincial Secretary.

SIR,—I have to enclose the report of my brother Commissioners and myself in the matter of the “Corrigan Commission,” for the purpose of its being laid before His Excellency. I beg also to inform you that the evidence may be expected in a very short time, so soon as copy of the same has been completed.

I have the honor to be,
Your obedient servant,

(Signed,) GEO. A. PHILLPOTTS.

QUEBEC, 23rd March, 1857.

To the Honorable
The Provincial Secretary.

SIR,—The Commissioners appointed by His Excellency the Governor General to enquire into the circumstances connected with the death of the late Robert Corrigan, in his life time of St. Sylvester, Yeoman, have the honor to report for the information of His Excellency, that in conformity with the directions contained in this Commission, bearing date the eighteenth day of October last, they have conducted the investigation intrusted to them with as much circumspection and celerity as the circumstances connected with it would warrant, and having procured all the evidence in their power, they respectfully submit the same for His Excellency's information, together with their observations on the five following heads of inquiry comprised in their commission, viz. :

1st. To inquire into all the circumstances out of which the death of the late Robert Corrigan arose.

2ndly. The proceedings taken against the persons accused of his murder, the manner in which the trial of Richard Kelly and others was conducted, and the causes, if any, of the failure of justice thereat.

3rdly. Generally to make all inquiries as to any obstacles that may be in the way of a due and proper administration of justice in the locality where the said crime was committed, and also the best means of removing such obstacles, should any exist.

4thly. Also, to inquire into the origin of the disturbances which occurred at St. Sylvester previously to and at the time of the death of the late Robert Corrigan.

5thly. Into the conduct on that occasion of Laurent Paquet, Esquire, Justice of the Peace, or other public officer who may be reported to the said Commissioners to have failed in the discharge of their duties, and more particularly to investigate into the charges brought against the said Laurent Paquet.

The Commissioners would premise by stating that shortly after the receipt of the Commission they assembled at Quebec, with a view of entering upon their duties, but, that having ascertained that one of the persons indicted for the murder of Corrigan was awaiting his trial, they deemed it inexpedient at once to prosecute the investigation for reasons which must appear obvious, and therefore adjourned until that trial should be disposed of. Some of the Commissioners attended the trial in question and immediately after its termination they entered upon the duties of their Commission.

Knowing the anxiety prevailing that a report should be made on the more important subjects of inquiry comprised in the first, second, third and fourth heads above enumerated, their investigation was confined for the present to these, aware that to have simultaneously entered on the fifth would have involved delays precluding the possibility of their reporting for some time longer, which might have been considered objectionable.

They therefore determined to postpone the inquiry into the conduct of Mr. Paquet, &c., and will at once proceed to report the results of their investigation, so far as it has extended.

The first and fourth of the subjects of enquiry are so intimately associated, that the Commissioners, with a view to avoid repetition, will report upon them together.

It would appear that the Parish of St. Sylvester and the Township of Leeds, are, to a considerable extent, inhabited by a number of settlers from the parent country, but composed for the most part of emigrants from Ireland and their descendants, Protestants and Roman Catholics, who, unfortunately, in many instances, have been unable to divest themselves of the feuds and prejudices which prevailed among them in their native land and which have accompanied them to this, the country of their adoption. A large proportion of the population of St. Sylvester, and the surrounding settlements, is composed of French Canadians, who appear to live in peace and harmony with their neighbours from the old country, without respect to origin or creed, and to have been total strangers to the disgraceful scenes enacted in that locality.

The assault at the cattle show, in October, 1855, was but a repetition of similar disturbances and riots at cattle shows, the two preceding years, by individuals of the same class of society, but which not being followed by fatal results did not attract public attention.

The Commissioners believe that they have been enabled to trace to its source the origin of the bad feeling which it appears prevailed among a certain class against the late Robert Corrigan. Corrigan was strong, brave, and reputed to be the most successful combatant in his neighbourhood. It is but just, however, to observe, that Corrigan does not appear to have been of a quarrelsome disposition, or habitually given to the practice of seeking personal encounters, and does not seem at any time to have been the aggressor in the difficulties brought under our notice. It appears that in January, 1855, he had boasted in a public house, in presence of a number of people, that he was not afraid of, or could beat any man between two given points; that one Patrick O'Neill, a sort of champion, a man also priding himself on his prowess and who lived in the place indicated, as well as many others, took offence at this boast or challenge of Corrigan and determined to measure his strength with him. Accordingly, accompanied by four or five of his friends, O'Neill went in

quest of Corrigan a short time afterwards, met him on the highway, when a challenge to fight was no sooner made than accepted, and resulted unfavorably to O'Neill, who, smarting under this defeat, complained of having been unfairly beaten by Corrigan, who had, he said, made use of a sling-shot in the combat. Corrigan on this occasion obtained a warrant for the apprehension of O'Neill and the parties who had accompanied him, but made a settlement with them for four dollars each. It would appear also that, at the time of this settlement, Corrigan incautiously made use of some remarks with reference to the Catholic Priest of St. Sylvester, calculated to wound and irritate the religious feelings of some of those parties, and which, although very trivial, became more and more magnified as they were repeated from one to another. These two circumstances served greatly to increase the rancour already existing against Corrigan. A feeling of revenge against him, personally, was at once manifested by O'Neill and his friends, amongst whom were Kelly and the others since accused of being the authors of his death, who, thus determined to be revenged, availed themselves of the cattle show, at St. Sylvester, where Corrigan acted as one of the judges of the cattle, as a fitting opportunity to fasten a quarrel upon him, and maltreat and beat him as they did, without provocation on his part, in such a cruel and savage manner, in utter defiance and forgetfulness of all social and moral law.

Whilst the Commissioners believe that up to this period no religious animosity had ever been openly manifested in that locality, they regret much to state that party and religious feeling between a certain class of Catholics and Protestants, immediately resulted from the unfortunate occurrence of Corrigan's death, followed by the acquittal of the parties charged with his murder. They rejoice to state, however, from the evidence of the leading men of the locality, that, although that bad feeling continues to subsist, it is losing its intensity, and gradually subsiding day by day. A half dozen policemen, during the excitement, were sufficient to maintain order, and afford to the inhabitants a feeling of perfect security; and the Commissioners would suggest their being retained some time longer, as in their absence the most trivial difficulty, arising from religious feeling, might suddenly revive the bitter passions which such subjects will invariably generate and lead to disastrous consequences.

This is more to be apprehended because they have evidence as to the existence of a Ribbon Association in St. Sylvester, and of Orange Societies, which have lately been increased in that section of country, the existence of which is to be lamented, because of their being calculated to increase this unfortunate feeling, but they trust that the good sense of the leading men of both parties will show them that the existence of such societies is dangerous to the peace of the neighbourhood, and should be discouraged.

The Commissioners deem it unnecessary to advert more largely to these two branches of their inquiry, as more ample particulars can be obtained by reference to the voluminous evidence taken on these two points, which is herewith submitted.

On the second head of inquiry, namely, into the manner in which the trial of Richard Kelly and others was conducted, and the causes, if any, of the failure of justice thereat, the Commissioners have examined the counsel for the Crown, who conducted the prosecution, the counsel for the defence, with the exception of the Hon. Mr. Chabot, since appointed to the bench, and now absent from Quebec, the reporters, and several eminent, experienced, and highly intelligent citizens of Quebec, who were present at the trial, and have also had the advantage of the statements of the two Honorable Judges who sat upon the case, together with the notes of the evidence, and the substance of the charge of the presiding Judge, Mr. Justice Duval. The Commissioners have been unable to gather, from this evidence, that there was any deviation from the usual course of conducting criminal trials, in the conduct of the case under consideration. The prosecution was conducted with all the care and zeal that the importance of the case demanded, and the defence upon

which the Commissioners could not be expected to pass strictures, seeing that the freedom of defence, in a British Court of Justice, permits a latitude which it is difficult to define or control, does not appear to have trespassed beyond the limits usually permitted in criminal cases.

On the subject of the deportment and the conduct of the presiding Judge, Mr. Justice Duval, every opportunity was afforded to the witnesses to fully inform the Commissioners on the subject, and the information was sought for by them, but the Commissioners have not discovered any occurrence or circumstance which could lead them to the conclusion that in the conduct of the case by the Judge, he was influenced by any improper bias or leaning in favour of the accused.

The Commissioners are of opinion that the charge of that Judge, as respects the positions of law assumed by him, in the charge, has not been correctly reported by the press, and that from this cause considerable misapprehension has arisen as to the reason for the acquittal of Kelly and his fellow prisoners. The law, as respects *participes criminis*, and the equality in guilt of all assisting in the commission of a felony was, in the opinion of the Commissioners, accurately stated by the Judge, in the language and from the text of the acknowledged law authorities.

One circumstance which occurred at the trial sufficiently indicates that its result in favor of the accused cannot, with certainty, be ascribed as resulting from the charge of the Judge, the Jury, before the close of the defence, having declared their readiness to render a verdict, though, of course, it is impossible to say what might have been the effect, subsequently, of a charge incriminating the prisoners.

On the supposition of a failure of justice, on this particular trial, in the acquittal of the whole of the accused, and setting aside the supposition of a determination on the part of the Jury, to acquit against all evidence, the duty devolves on the Commissioners of discovering the reason or the ostensible reason to support the verdict of the Jury, and of coming to some opinion upon the weight to be attached to it.

The only cause to which upon the foregoing supposition, and upon a scrutiny of the whole case, the result of the trial can be attributed, is the supposed non-identification of the accused, or any of them, as participators in the crime committed, and from the subject of identification being made a subject in the charge of the Judge, the Commissioners can come to no other conclusion than that, with the Jury, the question of identity and the doubt of the Jury on the subject, was the ostensible reason for the verdict.

His Excellency will appreciate the difficulty and almost the impossibility of reviewing the verdict of a Jury from the perusal of written notes, without having before the Commissioners the same witnesses, deposing to the same facts, in the same language used at the trial and deporting themselves in the same manner, so as to allow of their credibility to be tested, and that, under these circumstances, a declaration of opinion by the Commissioners as to the view of the evidence taken, either by the Jury or the Judge, can be entitled merely to a certain value, without being at all conclusive. The Commissioners, however, consider that the doctrine of arbitrarily rejecting the evidence of a witness who deposes, affirmatively, to a fact, and who is uncontradicted, merely from doubts inspired by his appearance or manner, is not to be entertained except in grave and extreme cases, and that they may safely take accurate notes, as sufficient to enable them to arrive at conclusions in an enquiry like the present.

From a careful perusal of the evidence in the case of the Queen against Kelly and others, for the murder of Corrigan, as contained in the Judge's notes, the Commissioners have come to the conclusion that there was a failure of justice in this case, that some of the accused were sufficiently identified, and ought to have been convicted. The causes of this failure of justice not having been traced to any corrupt practice, can only be explained by the general tenor of the preceding remarks.

Objection has been taken to the doctrine laid down by the Court in this case, respecting dying declarations, but as the dying declaration of Corrigan, though at first rejected, was on further proof of his state of feeling ultimately received, the Commissioners, if impugning that doctrine, could only oppose their opinion on a purely speculative question, to that of the highest criminal tribunal of the country, which it would be idle to do.

It has been supposed that a different result to the trial might have been obtained had the Jury been informed by the Court of their power to return a verdict for a minor crime than murder. Their liberty to do so was stated by the Solicitor General, and supposing the facts were such as could have warranted the Judge in leaving the question open to the Jury, the Commissioners are unable to express any opinion as to whether the result of the trial would have been different, but the Judge seems to have been strongly impressed that this was not a case in which a mitigated verdict could be warranted.

The Commissioners can only attribute the failure of justice in this case, to the view taken by the Jury, as to the identity of the accused, attaching no weight to the dying declaration of Corrigan, and it is impossible to say that they were improperly influenced by any thing that transpired in Court, where, however, the Commissioners feel constrained to state, a certain levity was at times indulged in, calculated to detract from the solemnity of the occasion and to impair the respect due to a Court of Justice.

3. The third branch of the Commission, viz: to make all enquiries as to any obstacles that may be in the way of a due and proper administration of criminal justice in the locality where the crime was committed, and as to the best means of removing such obstacles, may be considered in two different ways, viz: to enquire as to any obstacles that may exist in the apprehension or arrest of fugitives from justice or parties charged with crime in the immediate neighborhood of St. Sylvester, where the alleged murder was committed, and as to the best means in future of securing the apprehension of parties so charged; or secondly, inasmuch as the administration of criminal justice for the locality of St. Sylvester is wholly exercised at the City of Quebec, except in some trifling cases which a Justice of the Peace may entertain and dispose of, it may have been intended to impose upon the Commissioners the duty of investigating whether any obstacles exist as to the due and proper administration of criminal justice within the district of Quebec, generally, and, if so, to suggest such means as shall appear to them most advisable for their removal, and as the Commissioners have been unable to come to a positive conclusion, in which light His Excellency intended that this branch should be reported upon by the Commissioners, they have considered it in both views so presented.

In the first view of this branch of the Commission as above stated, there is ample evidence to satisfy the Commissioners that from the nature of the country in the neighborhood of St. Sylvester, the character of part of the population, the distance from Quebec, and the difficulty of obtaining any assistance from a regular or organized constabulary or police force, at the time of the attack upon Corrigan, very great obstacles must have existed in effecting the apprehension and arrest of offenders, more particularly where, as in this case, the parties charged evidently enjoyed the sympathy of a considerable portion of the inhabitants, and where the local magistracy do not seem to have taken very active steps to assert the supremacy of the law, but from what cause or to what extent, the Commissioners have not yet had the opportunity of fully investigating, so as to report definitely to His Excellency, in that respect, as to the removal of such obstacles.

It appears to the Commissioners that a Police Magistrate, unconnected with any of the inhabitants in that neighborhood, with a small party of organised police, such as has been stationed at St. Sylvester, ever since a short period after the disturbance which resulted in the death of Corrigan, would be sufficient to preserve

peace and order in that locality, and also to secure the due execution of legal process upon such offenders as may have made themselves amenable to the law, and the Commissioners would therefore recommend the same or a similar force to be continued for that purpose in the locality referred to.

Previous to entering upon the second view of this branch of the Commission, the Commissioners beg to report that they have assumed that it was never intended by the Commission to impose upon the Commissioners the duty or necessity of investigating into the present constitution of the Judiciary in Lower Canada, but merely as to the administration of criminal justice by the Judiciary as at present constituted, and have therefore refrained from making any observations on that head, although it may appear from a careful perusal of the evidence, taken before them, that some of it is directed to that point; it was brought out, however incidentally, in the course of the examination, and not elicited by the Commissioners with a view of extending their investigation into or reporting upon that subject.

This being the view, therefore, which the Commissioners have adopted, they have endeavoured to obtain as much reliable evidence as was within their reach on that point, and their labours have been considerably facilitated by the feeling which has been exhibited by the profession generally to give the Commissioners all the information and assistance in their power, and upon the best consideration they have been able to give to the voluminous evidence on that point, it does appear to the Commissioners that there are existing obstacles to the due and proper administration of criminal justice in this part of Lower Canada, among which a prominent one appears to be the present Jury system in Lower Canada, which they think requires remodeling in many particulars; among them, the manner in which the Jury lists are made up by the Sheriff; the qualification of Jurors generally; the manner in which the Sheriff is now required to return the Jury panel for any criminal Court; and also the mode adopted for striking the Jury for the disposal of cases in Court.

They think it inadvisable that the Jury lists should be made up and exposed for the examination and scrutiny of any party that may have an interest in the case for so long a period before the Jurors may be called on to serve, particularly as the Sheriff is obliged to return on the panel a Jury from the lists in rotation, as they there appear, thus enabling any party to ascertain, almost to a certainty, long before the panel is summoned to serve, who are likely to be returned by the Sheriff for any particular Court, and thus affording an opportunity of an influence being exercised over or a bias created in the minds of the Jurors, without the Juror being aware of it, with respect to any case about which more than the ordinary interest exists or with respect to which a particular result is desired to be obtained. The facility of obtaining such a Jury as might be desired by the accused, was illustrated at the trial under consideration, when a second jury being required, in consequence of a mis-trial and the discharge of the first, the accused were enabled to put in the box the identical individuals sworn on the first jury, a fact which indicates that perhaps so many as twenty peremptory challenges allows too great a control over the composition of a Jury.

And even supposing the present system of making up the Jury lists is the best that can be adopted, the Commissioners think that the manner in which the Sheriff should return his panel would be much improved and much of the objection above mentioned be removed, if he was required to return his panel by some system of balloting for the Jurors and not returning them in rotation as at present. The Commissioners also think that it would be advisable that every Jury struck should be taken from the panel returned by the Sheriff by ballot and not as at present.

The Commissioners, also, are of opinion that some alteration should be made in the qualification of Petit Jurors, either by increasing the present qualification

or extending the qualification, so as to secure in all cases the attendance of some, at least, of the higher grades of society, who are now not obliged to serve as Petit Jurors, and perhaps it might be deemed advisable to do away with the distinction at present existing between Grand and Petit Jurors, so far as the Petit Jury lists are concerned.

The Commissioners also think it well worthy of consideration whether it would not be advisable that every Jury sworn on any indictment should not be composed of persons all speaking the same language, without reference to origin or nationality, to be chosen or denominated by the prisoner, or in case of his objecting, by the Crown. It must be obvious to every one that this would greatly tend to shorten and facilitate the proceedings at the trial, which are at present on some occasions protracted to a most extraordinary and unusual length, as exemplified upon the present investigation, with reference to the trial now reported on, and which occupied the extraordinary time of eighteen days, a circumstance, which itself, the Commissioners are disposed to think, may have had some operation in the result of that trial, as well as it would have, in their opinion, in the result of any other case protracted or extended to any thing like the same period, and thus tend on such occasions to embarrass or impair the due and proper administration of criminal justice.

As a further obstacle to the due and proper administration of criminal justice in the locality referred to, the Commissioners cannot but feel that in nearly every case like that now under investigation, or arising from similar circumstances, where either national, party or religious prejudices and feelings are greatly excited and inflamed, as it would appear was the case here, there always is and must be a very great difficulty in procuring the calm deliberation of a Jury wholly unbiassed or uninfluenced on one side or the other, and whose verdict will be pronounced upon the evidence adduced before them, without reference to party, nation or creed, a difficulty in the way of the administration of justice not peculiar to this particular locality and which may exist in all countries under similar circumstances; and where such a state of things exist, as far as experience teaches, the due and proper administration of criminal justice is hardly to be expected, nor can the Commissioners suggest any remedy therefor, except the improvement of the moral and social condition of the people by education, or securing the services of parties upon Juries who will not allow their mind to be swayed by any such influences.

4th. The fifth head of enquiry into the conduct of Laurent Paquet, Esq., with which is connected that portion of the second head, relating to the proceedings taken against the persons accused of the murder of Corrigan, could not be considered by the Commissioners simultaneously with the other subjects of a general nature committed to them for investigation, without embarrassing the enquiry both as respects the one and the other, and desiring, as already stated, to expedite the object of the Commission, they have thought it best to report upon the subjects of a more general nature, reserving the fifth head for future consideration.

The Commissioners have to acknowledge for the information of His Excellency, that every facility was afforded by the Honorable Judges of the Queen's Bench resident at Quebec, and by the profession and all others with whom they were in communication, for carrying out the object of the enquiry.

All which is respectfully submitted by,

Sir, Your most obedient servants,

(Signed,)

JOHN B. PARKIN,
GEO. A. PHILLPOTTS.
A. M. DELISLE.

PROVINCE OF CANADA, }
 City of Quebec. }

Depositions and proceedings taken in virtue of the Commission of His Excellency the Governor General, bearing date at Toronto the 18th day of October, 1856, appointing Commissioners to enquire into the circumstances connected with the death of the late Robert Corrigan, Esquire, of St. Sylvester, Yeoman, and other matters arising out of that event.

Pierre Antoine Doucet, of Quebec, Clerk of the Crown jointly with James Green, Esquire, being sworn, saith :

I have the custody in virtue of my office of all indictments and other documents related with criminal cases tried before the Court of Queen's Bench, in and for Lower Canada, in the District of Quebec. I now produce the indictment upon which Richard Kelly and others were tried for the murder of the late Robert Corrigan, in the month of February last. All the prisoners charged in said indictment were tried and acquitted, with the exception of John Hagen, otherwise called James Hagen, who was not in custody and did not appear at the time of the said trial. Since then the said John Hagen has been arrested, and is now in custody in the common gaol of this District, awaiting his trial for the murder of the said Robert Corrigan. The said trial is expected to take place in the end of January or beginning of February next, at the Court of Queen's Bench to be then held in the city of Quebec. The said John Hagen was arraigned upon the said indictment on the 14th of July last, and pleaded not guilty.

Further said deponent saith not and hath signed.

(Signed,)

P. A. DOUCET.

Sworn before the Commissioners
 this 8th of December, 1856.

(Signed.)

JOHN B. PARKIN,
 GEO. A. PHILLPOTTS.

Copy of a letter addressed to the Honorable Justices Duval and Caron.

QUEBEC, 9th February, 1857.

SIR,—I have the honor in pursuance of the determination of the Commissioners now in Quebec, to enclose, for your information, a copy of a Commission addressed to myself and others, directing our inquiry into the circumstances connected with the death of the late Robert Corrigan and other matters mentioned more at large in the said Commission.

I have the honor to add that the Commissioners are now sitting at the Court House in this city, and that the Commissioners will be happy to receive from you any suggestions, information or assistance which may tend to accomplish the objects of the enquiry in question, either by oral information, or by a report of the trial and charge in the case of the Queen vs. Kelly and others, and the Commissioners will be glad to attend at any hour which may suit your convenience.

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

(Signed,)

JOHN B. PARKIN,
 Commissioner.

James Green, of the city of Quebec, Esquire, joint clerk of the Crown and of the Peace for the District of Quebec, being duly sworn, doth depose and say :—On the nineteenth or twentieth of October, one thousand eight hundred and fifty-five, I received a letter signed by M. Laurent Paquet, Justice of the Peace, and dated at St. Sylvester, 18th October, 1855. This letter was delivered to me by a man calling himself Peter Stocking. The purpose of the said letter was to inform me that he had been called upon to take the deposition of Robert Corrigan, then lying dangerously ill, and requesting that a warrant should be prepared and delivered to the bearer of the said letter, and send constables to arrest the accused. This letter is No. 1 in the copy of correspondence sent by me to Government, and now in the possession of the Commission. On the following morning a man calling himself McKee, informed me that Corrigan was dead. Thereupon I prepared a warrant for murder against the parties named in the letter from Mr. Paquet above mentioned, and transmitted the same with the deposition which had been enclosed to me, to Mr. Laurent Paquet, to be signed by him, with instructions to him before doing so, to procure evidence of the death of Corrigan from Dr. Reed, and to return the depositions without delay to the Peace Office. On the same day I saw the Mayor of the city, Dr. Morrin, in company with him saw the Inspector and Superintendent of Police, when it was decided to entrust the execution of the warrant to Constable James Murphy representing the High Constable, and to send with him, as assistants, eleven men of the City Police Force. This step was taken in consequence of the statement of Mr. Paquet, that he had no persons at his command sufficiently competent and resolute to execute the warrant. The party charged with the arrest, I believe, left Quebec the same day for St. Sylvester, and returned without succeeding in arresting the accused, but I cannot say when the party returned.

The next circumstance which came to my knowledge was, the filing by the Coroner, with the Clerk of Crown, of the inquisitions upon the dead body of Corrigan on the twenty-ninth of October, eighteen hundred and fifty-five. The inquisition appears to have been taken on the twenty-fourth, and resulted in a verdict of wilful murder against Richard Kelly, Patrick O'Neil, commonly called big O'Neil, Francis Donaghue, Patrick Donaghue, one Donaghue, one Monaghan, one Monaghan, commonly called Blinking Monaghan, John alias James Hagen, George Brennan, two persons of the name of Hopkins, John McCaffrey, and other persons to the Jurors unknown.

The Grand Jury subsequently threw out the bill of indictment against Edward Donaghue, Hugh Hopkins, and Matthew Hopkins.

On the seventh December, 1855, a requisition for the aid of the military power was made at Quebec, by letter from a Justice of the Peace, a copy of which I now produce and which is in the following terms :

QUEBEC, 7th December, 1855.

SIR,—A deposition having been made before me as a Justice of the Peace, by William McGinnis, of the parish of St. Sylvester, farmer, on the 6th December instant, to the effect that one William Harrison, constable, charged with the arrest of one Richard Kelly and others, accused of the murder of one Robert Corrigan, together with others assisting him in the execution of the said warrant, have been resisted by a number of armed men when endeavoring to effect the said arrest, and that in the event of their being arrested, an attempt will be made to rescue them. And if such an attempt were made, the police in and about Quebec would be insufficient to convey them to jail without the assistance of the military. I have to request that you will furnish from the troops under your command, one hundred men to proceed on Wednesday to St. Sylvester, accompanied by a Jus-

tice of the Peace, to aid the civil force in effecting the arrest of the accused, and suppressing any resistance.

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

(Signed,) JOHN NAIRNE, J. P.

Lieut. Col. Cockell, 16th Reg't,
Commandant, Quebec.

A party of about one hundred men of the 16th Regiment, under the command of Captains Armstrong and De Winton, accordingly proceeded on the twentieth of December to St. Sylvester, to aid the civil power in effecting the arrest of the persons accused of the murder of Robert Corrigan. The party returned on the twenty-fourth without having effected their purpose. I believe nothing of note occurred subsequently, with reference to the accused, until a few days before the sitting of the Queen's Bench, criminal side, in January 1856, when all the accused surrendered themselves with the exception of James Hagen.

During the pendency of these proceedings, it was constantly reported to myself and the Solicitor General, that all the proceedings taken at Quebec, in order to effect the arrest of the accused, were made known by a system of espionage organized by themselves or their friends, and I have reason to believe that this was the case, from the circumstance, that proceedings adopted by us, and supposed to be secret, were constantly frustrated. I cannot indicate any means by which more certain information upon this subject can be obtained, nor can I state the name of any informant.

On the 25th of January, 1856, the Grand Jury returned a true bill against Richard Kelly, Patrick Donaghue, Francis Donaghue, George Bannon, John McCaffery, Patrick O'Neill, John Hagen, otherwise called James Hagen, and Patrick Monaghan, and no bill against the others, and they were all arraigned, with the exception of Hagen, and pleaded "not guilty." On the 21st of January the prisoners were put to the Bar and the following jury were sworn to try the issue, the Court being held by the Honorable Mr. Justice Duval presiding, assisted by the Honorable Mr. Justice Caron, viz :

Victor Beauprie,
Thomas Burns,
Louis Belanger,
Michael Hanley,
Olivier Gauvreau,
Charles Tanguay,

James Finigan,
Thomas Bouchard,
Patrick Redmond,
Thomas O'Donaghue,
Andrew Clarke,
Archibald McDonald.

The prisoners did not formally sever in their challenges, but severally challenged a number of the jurors called, how many I cannot state. The case was conducted on the part of the Crown by the Solicitor General. Mr. Andrew Stuart, Q. C., appeared on behalf of Patrick O'Neill and Thomas Donaghue. Mr. Chabot, Q. C., appeared as Counsel for John McCaffrey. Mr. Alleyn appeared as Counsel for Patrick Monaghan and Patrick Donaghue, and Mr. O'Farrell for Richard Kelly and George Bannon.

After the examination of two witnesses the jury retired by permission of the Court, which adjourned until half-past two o'clock, in charge of two constables sworn to keep them.

Upon their return into Court one of the jurors, James Finigan, was found to be absent, which necessitated the discharge of the jury. The absent juror was sent for and appeared, and alleging some excuse for his conduct, he was ordered to attend the next morning at ten o'clock, to which hour the Court adjourned. On

the following day, the first day of February, the said James Finigan appeared and was fined five pounds, which were immediately paid.

The prisoners were again put to the bar and the trial recommenced. The calling of the panel containing the names of sixty jurors was commenced at the name succeeding that of the juror last sworn. A number of challenges were made by the prisoners and one by the Crown, and the panel being exhausted the Crown was under the necessity of alleging cause for the challenge, which was judged insufficient by the Court, and owing to the operation of these circumstances the jury sworn in the second instance was composed of the same persons as had been sworn in the first instance.

The whole of the panel did not appear in Court, and I can state from my experience that the average attendance of Jurors does not amount to more than about half of the panel.

This is owing in some degree to the absence from the district, death, sickness or legal exemption, which causes are frequently returned on the panel itself. It is equally due to the wilful non-attendance of jurors.

Since the payment of petit jurors summoned from the country parts, their attendance has been more regular, and I have no doubt that want of means to bear the expenses has been in many instances the cause of the non-attendance of jurors.

On the eleventh day of February, being the ninth day of the trial, Mr. Lelièvre appeared as Counsel for the Crown with the Solicitor General. There were forty-three witnesses examined on the part of the Crown, and thirteen on the defence. One new witness was called and three witnesses re-called in rebuttal.

I did not observe anything in the conduct of the said trial to distinguish it from the manner of conducting it generally.

On the 18th of February the jury rendered a verdict acquitting the whole of the prisoners.

Great interest was felt in the trial of the prisoners, and the Court was immensely crowded by persons apparently interested in the prisoners, and upon the rendering of the verdict there was a general cheer in the Court.

One or two of the witnesses on behalf of the Crown were obliged to use particular precautions against violence, in consequence of threats which had come to the Solicitor General and myself.

Every possible exertion was made from the beginning to the end of the trial on behalf of the Crown to secure a conviction.

On the same day that information was given of the assault upon Corrigan, and before his death was reported, a warrant was prepared in the Peace office, for wounding with intent to murder, against the parties mentioned in Mr. Paquet's letter, but this warrant could not be forwarded for Mr. Paquet's signature in consequence of the number of persons to be arrested and the arrangements necessary to be made.

From the reports of constables charged with warrants, I have reason to believe that considerable difficulty, proceeding as well from assistance rendered to criminals by their friends, as from the facilities of concealment which exists in the section of the country in which St. Sylvester is situated, and this deponent hath signed.

(Signed,) J. GREEN.

Taken and acknowledged before us at Quebec, this 14th February, 1857.

(Signed,)

J. B. PARKIN,

GEO. A. PHILLPOTTS,

} Commissioners.

Jean Antoine Panet, of the City of Quebec, Coroner for the District of Quebec, being duly sworn, doth depose and say :

Having received information at Quebec, by letter from Mr. Paquet, a magistrate residing at St. Sylvester, of the death of the late Robert Corrigan, as having taken place at St. Sylvester, I proceeded thither to hold an inquest, accompanied by Dr. Fremont to furnish medical evidence. Upon reaching St. Sylvester I found that the body had been removed to Leeds, a distance of about two leagues. I made no stay in St. Sylvester, and had no communication with the people of that place, but proceeded immediately to Leeds, taking with me Mr. Godfrey Prendergast of Quebec, whom I found at St. Sylvester, to act as clerk.

On the 24th of October, 1855, I held the inquest in the school house near the Church at Leeds. Twenty jurors were sworn, taken from Leeds and St. Sylvester, and composed, as to religion, of four Roman Catholics, the rest of Protestants. Upon the unanimous selection of the jury, I appointed as foreman Mr. Patrick Scallon, who is a Roman Catholic.

The inquest resulted in a verdict of wilful murder against eleven persons named, and others unknown, being the same persons who were subsequently indicted for the murder. The verdict was unanimous.

Upon this verdict I issued three warrants, which were intrusted to William Harrison of Leeds, who expected to secure the services of two other persons to effect the arrest of the accused. The inquest lasted four days, and during that time a large crowd of persons, composed, as I was told, of the party who had beaten Corrigan, was collected about a mile from where the inquest was held, among whom it was supposed that the accused were.

Mr. O'Farrell of Quebec, Advocate, Member for the County of Lotbinière, requested permission to appear at the inquest as Counsel for the accused, to which I acceded on the condition that the accused should be personally present as well. He refused to accede to this condition, and was not present as Counsel. There are no means to be procured from the locality for effecting arrests or detaining parties after being arrested. I have no doubt that the arrest of the accused would have been followed by their rescue by the inhabitants of St. Sylvester. There is no difficulty in parties concealing themselves so as to evade the arrest, owing to the nature of the country. Subsequently at different times I issued seven other warrants against the accused. The four Roman Catholic jurors did not manifest any sympathy with the accused, and my impression is that the respectable Roman Catholic inhabitants of the place did not sympathise with them.

My opinion as to the remedy for this state of things is, that stipendary magistrates, with a certain amount of Police force, and a station for the transaction of Police business, should be established in different centres of the country so as to be perfectly independent of all local influences which prevent the ordinary magistrates from acting with efficiency, and the said deponent hath signed.

J. A. PANET.

Taken and acknowledged before us at Quebec, this 14th February, 1857.

JOHN B. PARKIN, }
GEO. A. PHILLPOTTS, } Commissioners.

Charles Armstrong, of the City of Quebec, Captain in Her Majesty's 16th Regiment of Foot, being duly sworn doth depose and say :

About the 20th of December, 1855, I proceeded from Quebec to St. Sylvester, leaving Point Levy on the morning of the 21st by the train, in command of a party

of about fifty men of the 16th Regiment, under orders to protect the civil power in endeavouring to effect the arrest of certain persons accused of the murder of one Robert Corrigan. Another party of about the same force left Quebec at the same time, with the same object in view, under the command of Captain de Winton, taking a different route, so as to be stationed at a distance of about nine miles from St. Sylvester. I was accompanied by a police force of about thirty men, armed with carbines, and belonging to the water police of Montreal, under the command of Colonel Ermatinger. Captain de Winton was accompanied also by a force of some thirteen or fourteen men, acting under Major Johnston, stipendary magistrate. The military party under my command arrived at St. Sylvester in the afternoon of the 21st of December, and the greater portion of the force was stationed at the school house at St. Sylvester, and the rest distributed among the farmers. The men were very willingly received by the inhabitants, who would gladly have lodged the whole force. The police were also distributed in one or two other houses. On the night of the 21st, commencing at about ten o'clock, the police force was busily occupied in making domiciliary visits to different houses in search of the accused, and continued the search in the same manner during nearly the whole night, which was repeated during the three nights that my force remained there. I observed that the police force were very active in endeavouring to effect the object of their mission.

The inhabitants of all classes appeared to me to be labouring under very great excitement, and some of them expressed considerable apprehension as to their personal safety after the withdrawal of the troops. The country affords such facilities for concealment and escape that it is extremely difficult to effect the arrest of any person who would be befriended by the inhabitants. I did not hear of any opposition being shewn to the Police while searching for the accused, but the Force in the Village was so overwhelming that any resistance to it would have been useless. I saw nothing to lead me to think that any organised resistance to the authorities had been arranged. I think that the establishment of a Police Force under a magistrate in that neighborhood would obviate the occurrence of any disturbance. I was informed while in St. Sylvester that Robert Corrigan had been a man of great muscular power, who, on several occasions had beaten certain of the inhabitants, and that was the original cause of his being beaten.

It seemed to be the general desire that a magistrate and Police Force should be established in that part of the country.

The Military Force remained at St. Sylvester until the morning of the twenty-fourth of December. The Police having completed their search the Force left *en route* for Quebec. On starting in the cars at the Craig Road Station the engine was thrown off the track in consequence of the switch having been displaced. This circumstance delayed our arrival in Quebec until the morning of the twenty-fifth. And the said deponent hath signed.

C. ARMSTRONG,
Capt. 16th Regiment.

Taken and acknowledged before us at Quebec, this 17th February, 1857.

JOHN B. PARKIN, }
GEO. A. PHILLPOTTS, } Commissisoners.

James Murphy, of the City of Quebec, Constable, being duly sworn, doth depose and say:—

On Saturday the twentieth of October, 1855, a warrant was placed in my hands for the arrest of Richard Kelly and a number of others, charged with the

murder of Robert Corrigan. This warrant was handed to me by Mr. Green, with instructions to get it signed by Mr. Paquet at St. Sylvester, which I did at an early hour on Sunday morning. I was accompanied by a party of about thirteen policemen from Quebec who were charged to assist me in executing the warrant by pointing out to me the persons to be arrested, as I did not know them, or to procure some person whom he could trust to point them out. This occurred at a very early hour, before the people generally were stirring, and Mr. Paquet himself having been aroused by me from his bed, my plan was to effect the arrest of the accused before daylight, hoping to find them in their beds,—Mr. Paquet answered: "I cannot go, I am afraid hereafter." Mr. Paquet without any unnecessary delay accompanied me to two or three of the neighbouring houses, where I found the inmates just about rising. They all excused themselves from accompanying me alleging some pretext or other. This conduct irritated me and upon my reproaching them one man consented to accompany me which he did for a short distance, and then slipped away unperceived from the party with me. The next person whom I addressed was the Reverend Mr. King who was close by where the body of Corrigan was, I think it was at Machell's house. I asked of him some person to guide me through the country and mark the prisoners. Mr. Paquet did not accompany me to Mr. King's. Mr. King spoke to a few men who agreed to assist me. They accompanied me to another part of the Parish where some of the accused resided. I requested them to direct me to the principal men or ringleaders among the accused, and they directed me to Kelly and Donaghue, whose houses, as also a mill and a kiln I searched for the accused, but did not find them. I made many enquiries from a good many people whom I considered respectable and to be trusted, as to where I was to find the accused. I was informed that they thought the accused had left the country, and my impression was that they themselves had no other information to give me. After consulting with several respectable inhabitants of the place, and particularly with Mr. Mullary, J. P., they considering that it was of no use for me to remain, on the Monday afternoon, I left St. Sylvester and returned to Quebec, together with the party of police. The police accompanied me during the whole time of my search for the accused. I met with no resistance whatever, but from the manner and bearing of the parties in the houses where I searched I had no doubt whatever but that they were aware of my coming. I received also intelligence from a Mistress Rowe, who keeps a house of entertainment on the road that a man on horse back had passed up before me with unusual haste.

From my observations on the spot I believe that there were two parties, one Protestant and one Catholic very much exasperated against each other, to that extent that, if measures had not been taken immediately to peace, collision and bloodshed would probably have resulted. I believe also that a third party, composed indiscriminately of respectable persons, both Protestants and Catholics, deplored these occurrences and would lend their aid to keep the peace. I have been attached to the police office for the last eight years, during which time I have had occasion to execute many warrants in that section of the country where Leeds and St. Sylvester are situated, and have experienced resistance on several occasions, and as a general rule the people are indisposed to allow the process of the law to be executed. I have heard of persons revenging themselves by burning buildings and injuring cattle of those who have offended them, and it is impossible to procure evidence to trace up the commission of the offence.

There is no part of the district of Quebec in which I should feel so much apprehension or experience so much difficulty in the execution of legal process as in the section where St. Sylvester and Leeds are situated. I have no doubt that a stipendary magistrate, unconnected with the place, with a small Police Force at his command, would meet with the hearty co-operation of the respect-

able part of the population, both Protestant and Catholic, in maintaining peace and order. And deponent hath signed.

JAMES MURPHY,
Constable.

Taken and acknowledged before us at Quebec, this 17th February, 1857.

JOHN B. PARKIN,
GEO. A. PHILLPOTTS, } Commissioners.

William Smith Sewell, Esquire, Sheriff of the District of Quebec, being duly sworn, doth depose and say :

It is my duty, as Sheriff of the District, to cause the several Jury Rolls to be made under the provisions of the 10 and 11 Vict., cap. 13, as subsequently amended. The Grand Jurors are summoned from the whole of the District, and the qualification of Grand Jurors for the Queen's Bench is the possession of property of the annual value of twenty-five pounds, or the payment of a rent of sixty pounds. The qualifications of Grand Jurors for the Quarter Sessions is the possession of property yielding fifteen pounds annually, or the payment of a rent of forty pounds.

The Petit Jurors are summoned within a radius of ten leagues, and their qualification is the possession of property yielding ten pounds annually or the payment of a rent of seven pounds ten shillings to twenty-five pounds.

The Jury Roll is renewed every second year by striking from it all who have ceased to be qualified and by addition of all new comers. The number of Grand Jurors now on the roll is about two thousand five hundred for the Queen's Bench, of whom only sixty are summoned to serve during one year.

The number of Grand Jurors for the Quarter Sessions is about three thousand, of whom one hundred and twenty are required each year.

The number of Petit Jurors now on the roll is about four thousand, of whom six hundred and twenty are annually required.

These rolls are continually on a greater increase than decrease. A copy of my roll is deposited with the Clerk of the Peace and the Crown, and with the Prothonotary, with my own, make four rolls to which all persons are entitled to have access.

I am required by law to summon an equal number of French and English Petit Jurors to serve at each court, and from my experience this has tended to act injuriously, as in my opinion the duties of Jurors were much better performed before this Act came into operation. It is also unjust to the English portion of the population, from the inferiority of their numbers, and being thus compelled to serve more frequently than the French.

The expense of making the Jury Roll originally was about six hundred pounds, and the biennial corrections required by law will cost from three to four hundred pounds.

I am of opinion that the qualification for Jurors is much too low, and that it was chiefly owing to this circumstance that the failure of justice sometimes occurs; I mean by this that the class of Petit Jurors is not sufficiently enlightened. I think that by raising the qualification of Petit Jurors to the standard now required for Grand Jurors would secure a proper selection, I mean the Grand Jurors of the Quarter Sessions. I would also recommend that but one roll of Jurors should be kept from which should be taken indiscriminately Grand and Petit Jurors for all courts.

The general list of names for jurors might be made up from returns to be furnished by the Clerks of the several Circuit Courts or other public officers in the country parts, and from the municipal officers in the towns.

I think that no more than a complete list for one year should be made up at a time, and that the parish list should be transferred to a general list to be kept by the Clerk of the Peace or some officer other than the one required to summon them. From this list the panel to serve should be taken by ballot, and the Jury in Court selected in the same manner. This I understand to be the Upper Canada system and to have worked well. Juries were formerly selected here something in this manner, and deponent hath signed.

(Signed,) WM. S. SEWELL.

Taken and acknowledged before us at Quebec, this 19th February, 1857.

(Signed,) JOHN B. PARKIN, Commissioner.
GEO. A. PHILLPOTTS, “

Dunbar Ross, of the City of Quebec, Esquire, Her Majesty's Solicitor General, being duly sworn upon the Holy Evangelists, saith : I conducted the case of the Queen against Kelly and others in the term of the Court of Queen's Bench held in the months of January and February, 1856. Mr. Lelièvre was associated with me as counsel for the Crown, during the latter half of the period of the trial. The prosecution was conducted in the ordinary manner. There existed a great deal of excitement among all classes which was very apparent in Court during the whole period of the trial. I cannot remember at the moment any distinct circumstances which marked the sympathy of the public for the defense, but during the whole trial there was a continuation of small incidents indicating strong sympathy for the defense. In the result of the trial there was a positive failure of justice. The crime of murder had been committed without the least possibility of a doubt, and was proved by overwhelming evidence. The causes to which I attribute this result were, 1st. A settled determination on the part of the jury empannelled to try the prisoners, to acquit them without any regard to the evidence, which was shown by their declaring in Court that they had made up their minds upon their verdict after the examination of a few witnesses on the part of the defense whose testimony only damaged the case of the prisoners. 2ndly. There was in my opinion error on the part of the presiding Judge in ruling out certain dying declarations of the deceased, which I believe conclusively established the offense against the seven defendants, and which, although they might not have increased the probability of a verdict of guilty, might still have operated in the breasts of some of the jurors to such an extent as to cause the jury to split and deter them from joining in a verdict of not guilty. These rulings I believe to be subversive of the doctrine laid down in the English books upon this subject, and very much calculated, if sanctioned, to render the proof of murder in many cases impossible. There was a misdirection also, in my opinion, on the part of the presiding judge in his charge to the jury. While he charged that the crime of murder had been committed in open day, under circumstances of a most atrocious character, or something to that effect, he commented upon that portion of the evidence which related to the participation in that crime of each of the defendants, in such a manner as to raise a doubt as to their identity, when, as far as I am able to judge, it was impossible for any man of mediocre intelligence to entertain a conscientious doubt on the subject. I may of course have contracted a bias from the fact of my conducting the prosecution, but these were and are my settled convictions, and as such I give them. I think

the judge in his charge when instructing the jury upon the verdict they might give, made some allusion to the Scotch verdict of "not proven," but I cannot say positively that he did so. Any such illustration, however, was totally inapplicable to that case. The general tenor of the charge was decidedly favorable to an acquittal, inasmuch as the moment a judge in his charge proceeds upon the hypothesis of a doubt as to the identity of the accused as participators in the crime having been established in evidence, jurors otherwise conscientious and unbiassed are very apt to lay hold of it, and render a verdict contrary to their previous convictions.

I was not present during the whole time the charge was delivered, and my evidence of course, relates to such portions of the charge as I heard. The judge seemed to entertain no doubt that Corrigan had been murdered by an assemblage of persons at St. Sylvester upon the day in question. He made comments upon the evidence which related to the identity of the accused. His strictures seemed to be predicated upon some discrepancies in the evidence upon this point which in my opinion were altogether too trivial to impugn their credit.

Ques. Did you observe any leaning on the part of the Judge in favor of any party in the case throughout the trial and what were the indications of it?

Ans. This is dangerous and difficult ground to enter upon. A leaning is disclosed occasionally by gestures and words which are not easily described, and it may be imaginary on the part of the spectator; yet it did seem to me that there were manifestations of leaning on the part of the Judge repeatedly during the trial towards the accused, which was uncalled for and unnecessary in a case in which they were defended by four counsel. The present jury system of Lower Canada is decidedly defective in the manner of the selection of jurors; the qualification is too low. I think that the juries ought to be summoned as at present in equal proportions from persons speaking the English and the French languages. Parties accused ought to have no opportunities of canvassing the jury list before their trial, and of bringing improper influences to bear upon the Jurors. I think that the power should exist to change venue in criminal cases. From my experience it is utterly impracticable to have an efficient administration of criminal justice in the District of Quebec without that power. In every case involving questions of religion or sect, or supposed to partake of such a character, it is hopeless to expect an impartial verdict as the restraint to be derived from a regard to the obligations of an oath in such cases is very feeble indeed.

The magistrate, Laurent Paquet, in his evidence at the trial, displayed a manifest bias in favor of the accused, and openly prevaricated. In regard to this case he not only did not render the assistance to the authorities which his duty as a magistrate required of him, but openly sympathised with the accused so as to defeat their arrest.

It certainly would be very desirable, if it be not absolutely necessary, that in a few localities in the District of Quebec there should be police stations with a police magistrate for the purpose of enforcing immediate obedience to the law and the apprehension of offenders. I am inclined to think that the holding of assizes in different parts of the country at periods to be fixed by the Courts for the purpose of delivering the jails in each place would be more advantages than our present system of fixed terms. I also think the power of admitting parties charged with crime to bail is too liberally exercised, and it tends to defeat the ends of justice.

(Signed,) DUNBAR ROSS.

Taken and acknowledged before us at Quebec, this 19th February, 1857.

JOHN B. PARKIN, }
GEO. A. PHILLIPPS, } Commissioners.

William King of the parish of St. Sylvester, clerk in the Holy Orders, head missionary of the Church of England, at St. Sylvester, being duly sworn, saith :

I have resided at St. Sylvester for upwards of ten years past. The parish of St. Sylvester is a populous and well settled parish, but I cannot give an idea of the population. There are two villages, commonly called St. Sylvester East and West. St. Sylvester East is inhabited principally by Roman Catholics of Irish origin ; St. Sylvester West is inhabited by a mixture of Protestants and Roman Catholics in about equal numbers, the Roman Catholics being mostly of the French origin. There are four places of worship, the English Episcopalian, the Catholic, the Presbyterian and the Wesleyan. The three protestant places of worship are in St. Sylvester West, the Roman Catholic is in St. Sylvester East. At the present time considerable religious excitement and disunion between the Protestants and Catholics at St. Sylvester to such an extent that several Protestants are only waiting for a favorable opportunity to sell their properties and leave the place, and one person went so far as to say that if he could not sell his farm he would leave it behind him and go away rather than stop there.

The animosity had its origin at a time anterior to the time of my taking charge of the mission, and is manifested upon all occasion of elections either local or for the County. I had known Corrigan for about seven years, and he had never been a Roman Catholic. Corrigan resided at the Concession of St. Margaret's, which lies towards the East of St. Sylvester, further removed from Leeds than St. Sylvester. The animosity which I have noticed as existing has been gradually on the increase since the establishment of the agricultural shows. The estrangement now exists to that degree, that not much communication is had among Catholics and Protestants there, and some of them do not even speak. I believe that several Ribbon lodges have been in existence for years back, and that of late they have increased. An Orange lodge has been established since Corrigan's death, and this is the only one now existing at that place, and was established for the object of self-protection. The lodge, indeed, was not formed until after the acquittal of Kelly and others, and from the conviction that the laws did not secure the lives of the inhabitants. With reference to elections and other occasions of general public interest, the Protestants do not take any share, owing to the dread of violence under which they labor.

The late Robert Corrigan was not a man of a quarrelsome disposition, and during the seven years I knew him, the only fight in which it came to my knowledge he was engaged, was on the occasion when five or six of the neighbours of Patrick O'Neill, amongst whom he was, sought Corrigan on two different occasions, at his own house, with the intention of beating him, and the parties subsequently meeting him on the highway, he struck O'Neill over the head with, I think, a slung shot, was himself knocked down, and ultimately compelled to desist from continuing his route. The origin of this trouble was that it was reported that Corrigan had stated that he was the best man between the two roads. Feeling it my duty to bring Corrigan to an explanation on this subject, he told me that all he meant by it was that he was in the best position as respects wealth and standing of those living there. The same O'Neill was afterwards tried for Corrigan's murder.

Corrigan was rather a prominent man in St. Sylvester, and thoroughly known by all parties. He took no lead in politics.

I am of opinion that the death of Corrigan was the consequence of a pre-determination to take his life, and that this determination arose from the animosity entertained by the Irish Roman Catholics of St. Sylvester against the Protestant inhabitants of the place, and that the cattle show was made the pretence of carrying it into execution. My reason for supposing that this feeling was general, and not individual to Corrigan, was because other persons than he, namely, myself, my son, and others, were marked out at the same time as objects of violence.

On a Sunday, shortly after the 12th of July last, while proceeding on my duty, being upon the high road, two discharges of a pistol were made at me from two different parties of men, also proceeding in carts along the road, they using at the same time language of a threatening character.

The French Canadian Roman Catholics are not animated by the same feelings as the others, and I have never experienced any trouble from them. With reference to the Protestant inhabitants of St. Sylvester, I would affirm that their disposition is peaceable, and they desire to live in amity with their neighbors. And the deponent hath signed.

(Signed,)

W. KING.

Sworn and acknowledged before us, this 20th February, 1857.

(Signed,) JOHN B. PARKIN, }
 " GEO. A. PHILLPOTTS, } Commissioners.

William Harrison, of Leeds, Bailiff, being duly sworn, saith :

I had the Coroner's warrant for the arrest of Kelly and others accused of Corrigan's murder. I made repeated searches for the accused in the Parish of St. Sylvester and the Parishes adjoining, both in the houses and in the woods, by day and by night, but owing to the accused being screened by the inhabitants, I was unable to effect any arrest. One mode taken to screen the accused was upon my arrival at any settlement, to give a signal by blowing a horn, which was repeated from house to house and hill to hill. I was also frequently threatened with personal violence, and on one occasion, when accompanied by fifteen assistants, thirteen of whom were Protestant inhabitants of St. Sylvester and two from Leeds, the party was fired upon from the woods. Upwards of twenty-five shots were fired. We then proceeded to McGennis' house, and were returning to Leeds, when we were informed by a messenger who rode after us on horseback, that the people were assembling to intercept us on our way home. I saw them running with guns and other weapons in their hands, and we returned back to McGennis', where we prepared to resist an attack. During the night up to 12 or 1 o'clock, a firing of guns in volleys from 3 to 5 was kept up at the houses all round. At 5 o'clock in the morning, I and my party surrounded Hagen's house, expecting to find them in bed, but upon searching, the inmates had all gone, excepting three children. I subsequently made several searches at St. Sylvester for the accused, but did not experience the same system of intimidation. At the time of Corrigan's murder, and before, there was no general bad feeling between parties, but there was a bad feeling entertained by some parties of the Catholics against Corrigan, on account of his personal prowess. I understood that he (Corrigan) had quarrels with some of the Roman Catholics at different times, when he has beaten several of them. Corrigan's death has increased the bad feeling between the Protestant and Catholic parties very much, and I have no doubt that if nothing be done, the same bad feeling will go on increasing. The general opinion is that personal violence will be resorted to unless some measures be taken. This is in consequence of the supposition that justice has not been shewn. I understand that there are two mounted cannons at the present time in the Roman Catholic Church at St. Sylvester.

At Hagen's house, when we surrounded it, we found some powder and balls freshly cut up into slugs. The balls were removed, and a warrant was subsequently issued against me and others for stealing them. On which charge I gave bail to Mr. Paquet, from whom I received a note addressed to Francis, or one of the Donaghues, one of the parties tried with Kelly, and he told me (Harrison) that if

I gave it to Donoghue it would be all right with him. I had frequent communication with Mr. Paquet, and he told or rather recommended me not to bother myself about the arrest of any of the parties, as it would not be safe, and I would not get paid for it. I also communicated with Mr. Thomas Walker, a magistrate there, but he did not wish to take any steps, or to have any thing to do with the matter.

Further the deponent saith not, and hath signed.

(Signed,)

WILLIAM HARRISON.

Taken and acknowledged before us, this 20th Feby., 1857.

(Signed,) JOHN B. PARKIN, }
 " GEO. A. PHILLIPS. } Commissioners

James Mullary, of St. Sylvester, Esquire, J. P. being duly sworn, saith:— The Parish of St. Sylvester comprises a number of detached settlements. There are St. Sylvester East, St. Sylvester West, Concessions St. David, St. Patrick, New Belfast, St. Charles, St. Margaret, Deschutes, Craig's Road; to the east of St. Patrick are St. John's and St. Martin's. The Concession of St. Joseph leads from the east end of St. David to the east end of St. Mary's road. There are also St. Mary's road east and St. Mary's road west. At the south of St. Mary's road is the Fournier settlement. The next concession is Killarney, which bounds the County Beauce. The Concession to the south of St. Margaret's is the Concession Egypt. To the west of St. Margaret's is the St. Catherine's Concession. To the south of St. Catherine's is St. Frederick's, and to the south of St. Frederick's is the Handkerchief Concession, which lies between the Concession of St. Frederick and the Township of Leeds. To the west of St. Frederick's is St. Peter, and to the south of St. Peter and to the west of the Handkerchief is St. Paul's. To the north of the Concession of St. Mary's road east, is the Concession called the Mekee's Gore. The next Concessions to the west are St. Anne's and St. Phillip's, divided by the road known as the Mill road from St. Patrick's to the Church at St. Sylvester. The next is a Gore known as the Montgomery Gore, which lies between St. Anne's or St. Phillip's and the rear of the Craig road lots. To the west of the Craig's road are St. Andrew's and New Armagh. The Parish of St. Sylvester comprises all these settlements, and covers an area of about nine miles square. To the best of my opinion, the population numbers five or six thousand inhabitants, of whom upwards of three-fourths are of English, Irish or Scotch origin, principally Irish, the remaining fourth is composed of French Canadians. The proportion of Catholics is about four-fifths, and the Protestants and Catholics reside intermixed throughout some of the settlements I have mentioned. I have no knowledge of any ill-feeling existing in the Parish until Corrigan and O'Neil and others got into difficulty, which was about a year before Corrigan's death. The feeling now exists, but is confined to a particular class of the inhabitants, and I should say that about one half of the Catholics and one half of the Protestants do not retain any religious animosity towards each other. The French Canadians and the better class of Roman Catholics do not entertain any such ill-feeling. A division even exists amongst the Irish Catholics, and the peace-loving class do not associate with the class to which the persons accused of Corrigan's murder belong.

It is said that there are Ribbon Lodges in the said parish. I heard of their existence before Corrigan's death, but have no personal knowledge of the fact. In July last, I understood that an Orange Lodge was established in the Parish. I was informed of persons who stated themselves to be members of the Lodge,

that they had established the same for self-protection. In my opinion, the origin of the disturbance, which took place at the cattle show where Corrigan was killed, was the difficulty between himself and O'Neill and others, to which I have adverted. Corrigan, to my personal knowledge, never conducted himself in an improper or quarrelsome manner, and I never heard of his getting into collision with the inhabitants, except upon this one occasion, when O'Neill and several others got into a fight with him at the residence of Mr. Russell, at St. Margaret's, where the Rev. Mr. King used to perform divine service. In consequence of this and of threats I had heard against Corrigan, I warned him to be on his guard. Corrigan had no relations in the parish, and from the fact of he and I having been fellow-townsmen in Ireland, I took an interest in him. I cannot answer for the circumstance of O'Neill's being assisted by so many persons in the assault upon Corrigan at the cattle show, but I suspect that there is some particular tie amongst them, which I do not know. These troubles have now assumed a religious character, which I account for in this way, that the friends of the respective parties being of different religious opinions, were thrown into opposite courses; one endeavoring to protect the accused, and the other to obtain justice. The inhabitants of St. Sylvester would be glad of the establishment of a permanent police force among them, and the place is not fit to live in without.

The religious animosity excited by these events is not likely to subside in consequence of the impression generally prevailing, as well among the Protestants as the respectable Roman Catholics, that justice has not been done at the trials for the murder of Corrigan.

I know that there is a small cannon mounted near the Catholic Church, which has been there for many years, and is used on public occasions for saluting. I never saw any more than this one, and I do not believe that there is another; being a Roman Catholic myself, and attending this Church, I would have become acquainted with the fact if there had been more than one cannon there.

As respects myself acting as a Justice of the Peace, I should not hesitate, with such assistance as I could provide in the parish, to attempt the execution of any warrant whatever; and I believe that had energetic measures been taken by the local magistrates, seized with the investigation, Kelly might have been arrested on the show ground the day after the assault. At the present time, owing to the exasperated state of feeling, no warrant could be executed without a force, headed by the magistrate in person. It was less than a month before the cattle show that I warned Corrigan to be careful.

Further deponent saith not, and hath signed.

JAMES MULLAREY.

Taken and acknowledged before us, at Quebec, this 21st February, 1857.

JOHN B. PARKIN, Commissioner.

GEO. A. PHILLPOTTS, “

A. M. DELISLE, “

John Hume, of the Township of Leeds, Esquire, one of Her Majesty's Justices of the Peace, being duly sworn, saith :

I have been settled in Leeds for upwards of thirty years, and have filled the office of a Justice of the Peace for twelve or thirteen years past. Leeds is chiefly settled by a Protestant population, in the proportion of about three-fourths Protestants to one-fourth Catholic. The Township of Leeds adjoins St. Sylvester,

and I have a large circle of acquaintances in the latter place. Previous to the assault upon Corrigan, there was no religious hostile feeling existing between the population of different religious creeds. The nature of the assault, and the circumstances under which it took place, and the knowledge which the inhabitants of Leeds and the vicinity had, from the fact of the Coroner's inquest having been held at Leeds, aroused a very strong feeling of indignation, especially as the reports which were spread in Leeds were greatly exaggerated, and calculated to produce those results. Similar exaggerated reports were likewise at the same time circulated in St. Sylvester, calculated to arouse the same bad feeling; but I do not believe that these reports were intentionally circulated with a view to produce mischief. On the contrary, I have reason to believe that these reports acquired more importance, from the fact that they were repeated by persons laboring under exaggerated fears. After the death of Corrigan, and the acquittal of Kelly and others, charged with the murder, there prevailed a very strong feeling. This feeling had considerably subsided, up to the time of the trial of Hagen on the same charge, when it was again revived, but in a lesser degree, because the result of the first trial had prepared public opinion to expect that a verdict of acquittal would be the result of the second. The prevailing opinion of Leeds and its vicinity is, that there was a failure of justice in both the trial of Kelly and others, and of Hagen. I believe it would have been impossible, with the ordinary means within the control of a Justice of the Peace in the country, to have executed a warrant for the apprehension of the parties charged with the murder of Corrigan.

The state of public feeling is such in that locality, that in my opinion no process of law could be executed by the local authorities, in any matter resulting from the religious feuds existing.

Under existing circumstances, the people do not consider themselves very secure, although I do not participate in that opinion to the degree which seems to prevail. Still, I am of opinion, that if any similar disturbance occurred, the people would most probably arm themselves, and take the law into their own hands. I have heard of the existence of Ribbon Lodges in St. Sylvester, before the murder of Corrigan, and that an Orange Lodge had been established after that event in St. Sylvester. For many years past, Orange Lodges had existed in Leeds, and since the death of Corrigan they have increased in number, extended to the surrounding Townships, and become general among the Protestant population. The prevailing opinion is, that the cause of the failure of justice arose, from the fact that the Judge, in charging the Jury on the first trial, misdirected them as to the law of the case, and omitted to explain that it was in the power of the Jury to bring in a verdict for manslaughter or assault, if they were of opinion that the accused were not guilty of murder, and that only the party proved to have inflicted the deadly blow could be convicted of murder. There was also a circulation that the Jury were predetermined to acquit, quite irrespective of any evidence. This opinion was arrived at by the publication of the proceedings had at the trial, in the case of Hagen, lately tried, public opinion blamed the Jury alone.

Further deponent saith not, and hath signed.

JOHN HUME.

Taken and acknowledged before us, at Quebec, this 21st February, 1857.

JOHN B. PARKIN, Commissioner,
GEO. A. PHILPPOTS, "
A. M. DELISLE, "

Charles Alleyn, of the City of Quebec, Esquire, Advocate, being duly sworn saith: I was one of the counsel engaged in the defense of the persons accused of the murder of Corrigan. The trial commenced on or about the first of February, 1856, and the case of the Crown on, I think, the 14th of February. and the defense on the 15th. The next day Messrs. Chabot, Andrew Stuart and O'Farrell, were also engaged in defense of the prisoners. I did not see anything in the conduct of the case unusual or different from the manner in which criminal cases are usually conducted beyond this, that both the Judge and the counsel on both sides seemed impressed with its being a case of unusual importance, and it was, consequently, conducted in a manner more protracted than usual. I account chiefly for the length of time occupied in the examination of the witnesses by this, that it was deemed necessary, early in the trial, to introduce the dying deposition of Corrigan, which required preliminary evidence of his dying condition before it could be admitted, which application was overruled, but was renewed, I think, more than once afterwards, based, as was supposed, on further evidence of his state. This evidence being divided over different portions of the trial, and being necessary to establish the state of his dying condition, contributed considerably to lengthen the trial.

Another reason was, that some of the witnesses on the part of the Crown, were the best witnesses for the defense, and were, consequently, examined almost as hostile witnesses by the Crown officer, though examined by him as witnesses in chief. If I do not mistake, also, one man named Paquet, a country magistrate, who had taken the deposition of Corrigan, was, from the very moment he was put into the box by the Crown officer, examined as a hostile witness, seemingly with the intention of destroying his credibility, and his examination occupied more than a day. I also gave as another reason, that too much latitude was given, in my opinion, to the counsel in the examination and cross-examination. The jury being composed of half French and half English, necessitated a translation of all the evidence and proceedings, as also the address in English and French by the counsel, and a double charge from the Judge.

It seemed to me also, that the Judge, instead of taking notes of the evidence, took it down word for word as given by the witnesses throughout the whole of the trial. From the nature of the case also, a certain amount of feeling was manifested by the counsel, that led to discussions which caused a waste of time. The Court, also, only sat, if I mistake not, from ten to five, with a recess of half an hour.

It will be also observed, that on this trial there were seven prisoners, and it was necessary to go as far as possible into the details with regard to each.

In my opinion, the Judge was most anxious to conduct the case impartially and to bring out all the facts. Indeed, he seemed to me to evince an over anxiety which led to prolixity, and possibly, was the cause for giving too much latitude to the counsel both in the style of examination and as to the testimony taken down. There were some jokes and levity of expression on the part of the Judge during the trial, which, considering its very grave character, were painful and unfortunate. I may observe, however, that the Judge who presided is remarkable for quickness of perception, and sometimes makes these sort of observations, and I attributed them on that trial wholly to what I may be permitted to call an error in taste and to habit. He had a very arduous duty to perform, having six counsel concerned amongst other things, and my impression was, that towards the end of the trial he was over-worked. Order was not properly preserved. The construction of the Court House, though well suited for civil business, I consider excessively defective for the trial of criminal cases. The prisoners in the dock are too far from the witnesses, the Judge and the jury. The witness box is also too distant from the jury, and the accommodation for the public is too large, there being a roomy gallery in addition to the accommodation for them in the body of the Court, from whence they overlook the dock and, indeed, all parts of the Court House, and may evince approbation or otherwise with but slight danger of detection. The accommodation of the general public in

the Criminal Court should be a matter of very minor consideration, and it is not advisable it would be too large. Though matters of detail, these things contribute much to the right administration of justice.

I was not in Court while the Judge delivered the whole of his charge extending over a period of some eight hours, including the reading of his notes, or, as I have already stated, the whole evidence. But my impression is, that I was there while he laid down the law as applicable to the case, and in doing so, he read from some law work. I heard no proposition of law laid down by him while charging, which seemed to me unsound, and had he done so, I think I am able to have detected it. I was in Quebec for a day or two after the trial was closed, and I heard no man question the legality of his charge until the question came up in Parliament, though the trial was the subject of discussion among the lawyers at Quebec.

During the trial there was considerable excitement in Court, which was crowded for the greater part by the friends and relations of the prisoners from the country.

The portion of the charge which impressed itself most upon me was, the difficulty of identifying the prisoners and the conflicting testimony, but on the whole, from what I heard, I could not gather decidedly as to whether the charge was favorable or not. I know that while the jury had retired, one of my brother counsel was very uneasy as to not having examined other witnesses, and I heard that one or two Protestant gentlemen, in leaving the Court House when the charge had been rendered, stated it was against the prisoners. The circumstances surrounding the case, rendered it impossible to find twelve jurors who were not impressed and partly prejudiced either one way or the other with regard to it, before entering the box. Immediately after Corrigan's death, it was taken up as a question between two parties in the country, among whom, unfortunately, religious prejudices run high. It was, also, discussed with much temper in the newspapers, and made the ground of political attack. Troops were sent to the locality, and when returning on the railroad, were near meeting with a serious accident, from mismanagement or displacing of a switch, which was attributed by many, to malice, so that before the trial, the case swelled into an importance which rendered it almost impossible for any man to approach it unbiassed; and even in matters of abstract science, when men form an impression, every day's experience show how they apply the same facts to support their peculiar views conscientiously, though diametrically opposite. I may refer to the evidence of the Doctors in the case of Palmer, and in the case of Castasing, for the murder of the two brothers, Ballet, about 30 years ago, in France, when some of the first medical men and chemists, including Orfila, were examined, and to a late case in Scotland, in which Hugh Miller, the celebrated geologist, and many other distinguished scientific men were examined as to whether the produce of a mine was coal or not, and their evidence was completely contradictory. The evidence as to who inflicted the injuries on Corrigan being contradictory, though a murder was committed, legally speaking, I do not think, that in the acquittal of the prisoners in February '56, there is foundation for a just charge of a failure of justice in the District of Quebec. Of course, in the escape from justice of those who were the cause of Corrigan's death, there is a failure of justice, as possibly may be also said in the case of the man who killed Henderson, in Upper Canada, and as certainly occurs in a great number of cases every year in every country.

From the very nature of a trial by jury in exceptional cases there will be a failure of justice but still I believe its advantages much more than counterbalance the objections to it, and I think the system might be improved in Lower Canada.

In my statement of the conduct of the case I wish it to be understood that I speak from memory, but I believe that the deposition before Paquet made by Corrigan was never received as a dying declaration; it appeared to the Court from the evidence of Paquet and of Dr. Reed that Corrigan was not impressed with the belief necessary to render such declaration admissible. A verbal declaration made by him afterwards was, however, received, having been made under circumstances

which in the opinion of the Court justified it. The verbal declaration was, I think, against Kelly, as in the written deposition.

I think that the trial by jury in criminal matters might be improved in Lower Canada by doing away with the writ *de medietate linguæ*, as far as aliens are concerned in the first place, and as far as British subjects are concerned by giving the prisoner the right of collecting a jury speaking wholly the English or the French language, and in default of his doing so by obliging the Crown to do so. I would leave the lower qualification of the juror as it is at present, that it might be a popular institution, but I would remove the Upper librait altogether, so that the jury might be taken from all stations. Precautions should also be taken to render it impossible to know the persons who would compose the panel, and the attendance of all jurors summoned every day should be enforced. I think also that the evidence should be as much condensed as possible by the Judge in his notes, and should not consist of the whole statement, which, by causing delay, weakens the force of the deposition of a good witness, and gives a bad one the opportunity of collecting himself. I think also it would be advisable that the sittings of the Court should be continued until the jail is cleared, which, however, would require an alteration in the present terms. The present provision of law giving the Judge the power of extending the Court is practically insufficient. A right of selection of the Judge to hold a criminal Court by commission from the Governor would be beneficial, and a Court of Appeal or revision in criminal matters, I think, highly desirable. From our enquete system in Lower Canada in civil cases the evidence is very diffuse, whereas in criminal matters it is necessary that the Jury should have the case presented to them in a concise and tangible form; otherwise points not of the first importance are apt to arise which puzzle them, and the circumstantial differences which in cases where there is substantial truth at the bottom becomes exaggerated. In the trial in February, 1856, Mr. Justice Duval presided, but Mr. Justice Caron was on the Bench during, I think, the whole time. There is no power at present to change the same, and I think it would be inadvisable that there should be such a power certainly, except in very extreme cases and under very special circumstances. And even in these cases I have many doubts. From the training of lawyers under our present system of taking the evidence in civil cases it is very difficult to escape the danger of being too diffuse in criminal cases.

Further deponent saith not and hath signed,

(Signed,) C. ALLEYN.

Taken and acknowledged before us at Quebec, this 23rd February, 1857,

(Signed,) GEO. A. PHILLPOTTS.
A. M. DELISLE, Commissioners.

Simon Lelièvre, of Quebec, Esquire, Advocate, being duly sworn, saith:

I was employed in assisting the Solicitor General during the last six days of the trial of Kelly and others, accused of the murder of Corrigan. The trial took place in February, 1856. I occasionally went into the Court during the previous portion of the trial but merely as an ordinary spectator. The case on behalf of the Crown was conducted by the Solicitor General, Dunbar Ross, Esquire, alone, until the period at which I joined him in conducting the prosecution.

Ques. Did you notice anything unusual in the manner of conducting the prosecution in the case in question?—*Ans.* I did. It appeared to me that there was a degree of levity pervading the whole trial which I thought unbecoming. This struck me on the occasional visits into Court previously to my being engaged in the prosecution, and I became convinced of the fact subsequently, when I was associated with Mr. Ross in the conduct of the trial.

Ques. By whom was this levity indulged in?—*Ans.* It seemed to me to be indulged pretty much by every body concerned in the trial, but more particularly by one of the counsel for the defense, and sometimes by the presiding Judge.

Ques. Were the remarks so indulged in, as you mention, of a character to lower the character of the Court and to affect the administration of justice?—

Ans. I did not speak of remarks, but the levity which I have adverted to was certainly not calculated to elevate the character of the Court. As to its affecting the administration of Justice, that, I think, would depend very much on the composition of the Jury. In speaking of the administration of justice I mean the administration of justice in the particular case.

Ques. Would not levity displayed on so solemn an occasion be calculated to influence the jury and make them look upon the whole investigation with less respect and influence them in their decision?—*Ans.* I think so.

Ques. Do you think that there was a failure of justice in the result of the trial, and if so, state your reasons for such an opinion?—*Ans.* I do believe that there was a failure of justice, and I so believe, because I think the evidence for the prosecution was conclusive and not destroyed by the defense.

Ques. Was the charge of the Judge favorable to the accused or otherwise?—*Ans.* I did not hear the charge of the Judge. I had been requested by the Solicitor General to assist him during the last days of the trial, and it was understood that I should take the reply in French. That done, I had fulfilled the duty imposed upon me, and I retired from Court.

Ques. Did you observe in the course of that trial anything unusual in the conduct of the jury empannelled to try the case?—*Ans.* I observed this, that immediately after the address of the counsel for the defense, they declared themselves ready to give a verdict. This was of course before the witnesses for the defense had been heard. I stated that this occurred immediately after the address of counsel for the defense, and I believed it to be so, but this may have occurred immediately after the close of the prosecution.

Ques. Why was the verdict not taken at that stage of the proceedings, and what objections were raised to its being rendered then?—*Ans.* I believe that the course was looked upon by all parties concerned as irregular, and that it was thought better that the defense should be proceeded with.

Ques. What was supposed to be the verdict they were prepared to give?—*Ans.* My conviction was, and still is, that it was a verdict of acquittal.

Ques. Assuming the verdict the jury were prepared to give to have been one of acquittal, would it not have been perfectly legal and correct to have ascertained the fact, recorded the verdict, and stopped the trial at that stage?—*Ans.* I am prepared to state facts. I decline giving legal opinions.

Ques. Was any dying declaration made by Corrigan admitted and proved while you were engaged in the case?—*Ans.* Yes; Corrigan, if I recollect right, fifteen or twenty minutes before he died, was, at the request of Dr. Reed, asked if he was of the same mind as he had been about putting his death upon Richard Kelly, when Corrigan replied that he had never altered his mind with respect to putting his death upon Richard Kelly. The question was put to Corrigan at the request of Dr. Reed by one Mickee. This declaration was admitted, Dr. Reed having stated that Corrigan for two hours before had been aware that he was immediately about to die.

Ques. Were all the parties charged identified by one or other of the witnesses?—*Ans.* Yes, and Kelly particularly by a large number.

Ques. What in your opinion operated in the failure of justice on that trial?—*Ans.* Exclusively the composition of the Jury.

Ques. Would you suggest any change in the jury system in Lower Canada?—
Ans. It is absolutely necessary in such cases.
 Further deponent saith not and hath signed.

(Signed,) S. LELIEVRE.

Taken and acknowledged before us, this 23rd February, 1857.

(Signed,) GEO. A. PHILLPOTTS,
 A. M. DELISLE, Commissioners.

Andrew Stuart, of the City of Quebec, Esq., Advocate, being duly sworn, saith :

I was one of the counsel for the defense in the case of Kelly and others, charged with the murder of Corrigan.

I would rather not express any opinion upon the details of the trial.

Ques. Did you observe in the course of the trial anything on the part of the Bench or of the presiding Judge unusual and different from that pursued in other cases tried before the Criminal Court?—*Ans.* There sat upon the Bench Mr. Justice Duval and Mr. Justice Caron, the last of these Judges took little or no part in the trial. Mr. Justice Duval, who took notes of the evidence and charged the Jury, appeared to me to be impressed with the importance of the trial and to be influenced with a strong desire to see justice done. That Judge may have permitted himself some *reparties* to counsel which for the moment slightly disturbed the solemnity of the proceedings, but I would say from my knowledge of that Judge that this was not done to affect this trial in particular, but resulted from the character of the Judge who occasionally indulges in *repartie*.

Ques. Was there anything omitted or done in the course of the trial in question on the part of the prosecution, which, in your opinion, was calculated to impair or affect the ends of justice?—*Ans.* Nothing at all. The prosecution was conducted by the Solicitor General with great zeal, and who appeared to me to be convinced by the evidence adduced of the guilt of the prisoners under trial.

Ques. In the course of the trial was the dying declaration of Corrigan received as evidence?—*Ans.* It is sometime since the trial took place, and, as far as I can now recollect, an attempt was made by the Solicitor General in the early part of the trial to bring out conversation which Corrigan had had with several members of the Mickee family, where he was, and with a number of neighbours who called to see him, and likewise an affidavit sworn to by Corrigan before a magistrate, as dying declarations. But these were all rejected by the Judge, principally, I believe, upon the evidence of Dr. Reed, who attended Corrigan. Towards the close of the evidence some of the last observations of Corrigan were allowed to go to the Jury as dying declarations, upon the evidence that Corrigan then believed himself to be dying. I do not think any dying declarations or depositions were improperly rejected. In point of fact the deposition sought to be adduced as evidence and made by Corrigan was made for the purpose of arresting Kelly and others and not as a dying declaration, as far as I recollect.

Ques. Did the jury at any time during the trial and before the evidence was closed intimate that their minds were made up and that they were prepared to give their verdict?—*Ans.* I think there was such an intimation given by the Jury after the defense had adduced the principal part of their testimony, but the Court refused to receive any verdict at that time, and the trial was proceeded with without interruption.

Ques. What is your opinion as to the present jury system?—*Ans.* I think the present jury system very defective. I think that the qualification of the jurors

should be very considerably raised so as to get a better class of men, but the principal objection to the present jury system, it seems to me, consists in the persons who are to serve upon the Jury being known with certainty long before they are summoned, affording a very dangerous opportunity of tampering with them without the juror being aware of it. I am disposed to think that it is faulty in requiring the juries to be composed of both origins, unless in exceptional cases. This necessitates two trials in consequence of the translation of the evidence and the addresses into both languages. The origin of the prisoner ought probably to regulate the language of the jury. This change in the jury alone would probably not remove all the objections that exist in the administration of criminal law in this District.

The present composition of the Bench enters in some measure in the dissatisfaction that exists. Unfortunately a rule which had been up to the composition of the present Court permitted to prevail, of having the British and French origins equally represented on the Bench has been infringed, and of four judges administering the criminal law of England three are of French origin. I do not intend to say anything in the most remote degree disparaging to those French Judges, but I believe that the British population will not be satisfied unless they are properly represented, as well on the Judgment seat as in the Jury box.

A practical difficulty arising very frequently, indeed where the juries are composed of both origins, consists in the difficulty they meet with to deliberate, there being frequently but one who is conversant with both languages and through whose medium the jury are obliged to discuss the evidence, and this person is very frequently ill qualified to be such medium.

Ques. What is your opinion as to the probable result of any trial, under the present system in Lower Canada, where religious, political or national feelings happen to be mixed up with the case?—*Ans.* It is difficult to give a satisfactory reply to this question. The way in which a jury will perform its duties depends mainly upon the Judge taking the trial, if he is every way qualified for the office he holds, free from national or religious prejudices, and above all if he stands in public estimation as a sound criminal lawyer, he will obtain in all likelihood a proper verdict. There may be a few cases of the character pointed at in the question, in which juries may refuse to be directed by the Judge, but they are few, and no change in the Jury law will prevent such occurrences. The proper administration of law depends upon the Judge and the responsibility is with him.

Ques. Do you not think it would be advantageous to assimilate the system of administering criminal justice in Lower Canada to that of Upper Canada, and, if so, in what respect and to what extent?—*Ans.* This would require only a change in the Judicature of Lower Canada which I think would be desirable, for the law is the same. If it were possible to confide the administration of criminal justice throughout Canada to one set of Judges, a very desirable uniformity would be obtained, but if there are objections to this course, I think that a general Central Criminal Court for Canada, with proper powers, might be established with very beneficial results.

(Signed,) A. STUART.

Taken and acknowledged before us at Quebec this 26th February, 1857,

(Signed)

JOHN B. PARKYN,

A. M. DELISLE

GEO. A. PHILLPOTTS, Commissioners.

James Dunbar of the City of Quebec, Esquire, Advocate, Editor of the "Morning Chronicle," being duly sworn, saith :

I am the Editor of the newspaper published in Quebec and called the "Morning Chronicle." I am in the habit of reporting important cases tried before Courts in this District.

The case of Kelly and others, charged with the murder of Corrigan, tried in the month of February, 1856, as appeared in the "Morning Chronicle," was reported partly by myself and partly by Mr. Willan, who was then the Editor of the "Mercury." I can vouch for the accuracy of everything I reported myself, and I believe that all the proceedings reported in the "Chronicle" were substantially correct. The charge delivered by Mr. Justice Duval was reported by Mr. Willan.

I saw in Court during the trial Charles Rogers, Esquire, engaged in taking notes of the proceedings to be published in the Montreal "Herald." I do not know if there were any other reporters in Court.

Ques. Did you, in the course of the trial, observe on the part of the Bench and the counsel engaged on both sides anything unusual in such cases and distinguishing this case from any other?—*Ans.* In my opinion there was a levity on the part of the presiding Judge which I did not expect to see in a trial for murder. His Honor, it seemed to me, did not do all that he might have done to restrain Counsel from joking and endeavouring to throw ridicule upon the proceedings. Laughter was frequently indulged in during the trial. Though the Judge tried to stop this he did not so express his opposition to such conduct as to prevent its recurrence. An impression was left upon my mind, while the evidence was being reduced to writing by the Judge, that he clipped the witnesses' answers, taking rather in his own language than theirs what they meant to say.

The impression which was then left in my mind was that this was done by the Judge with a view of curtailing it, but by his so doing, in my opinion, the force of the evidence was lessened.

I had been present at other trials presided over by the same Judge, in which he indulged in somewhat similar levity and familiarity with the counsel.

During the trial of Kelly and others, the counsel were not sufficiently kept in check by the Court, and the consequence was that frequent interruptions to the proceedings occurred, tending to protract the trial. The charge at the time drew down vehement animadversions as being contrary to law, and evidence from professional men in Court, and in all classes of society.

I think that the present Jury system is defective and requires reform, and I am the more convinced of this since the result of the last trial against Hagen on the same charge. I think generally that the qualification for jurors is too low, and I have frequently heard Grand Jurors state that they were unable to attend Court from want of means to sustain themselves.

Ques. From your public position, and having an opportunity of becoming acquainted with the tone of public feeling, can you state what is the feeling of the public in this district, as respects their confidence in the due and proper administration of criminal justice, and to what circumstances do the public ascribe their want of confidence, if such exists?—*Ans.* I am sorry to say that the thinking portion of the inhabitants of Quebec unreservedly express a want of confidence in the administration of justice, and the public ascribe such want of confidence;—

First: To the actual state of the judiciary, which is considered to be almost entirely composed of men of very *mediocre* talent and professional skill. A seat on the bench seems to be regarded rather as an indication that the possessor has done good service to his party in political life, than a mark of his fitness for the high and important office. Elevated to the judiciary while lacking the necessary capacity, erudition, acumen and other qualifications, nearly all the present Judges in this section of the Province are sneered at by the heads of the profession, and treated with more or less disrespect by the junior members. Advocates of high standing have

declared that ignorance of the commonest principles of the law is so frequently displayed by certain Judges, that even when a right decision is come to, most people can (contrary to what is the case in England, the United States or Upper Canada,) successfully call in question the judgments of the Courts.

The Judges being thus deficient in qualities essential to the proper exercise of their sacred trust, have not that moral influence in the community which they should have, and their dicta carry no weight in legal circles or with juries. The public opinion seems to be that if the judiciary were composed of men of more firmness of character, ability and learning, juries would not so frequently disregard the directions of the Courts. The appointment to judgeships of men of little or no knowledge of, or practice in criminal law, has frequently been animadverted upon by those in every way qualified to pronounce upon their fitness.

The public, so far as I know, ascribe their want of confidence in the administration of justice.

Secondly, To the present jury system and the several extraordinary verdicts which have been rendered in this District within the past few years. The qualification for jurors being low, and the law affording scope for the practice, by making known long before every trial, the names of the jurors who are to sit therein, tampering with the jurors, it is supposed, is frequently resorted to. This means of defeating the ends of justice is said to be taken, especially if the case be one involving to the slightest extent, the origin, creed or party of the prosecutor or accused respectively. There is, it appears, a class of jurors who will acquit, no matter how strong the evidence, if the defendant be of the same party or creed as themselves, and this opinion has become a settled conviction in the minds of the public since the result of Hagen's trial. Apart from cases to which public attention has been particularly directed and in which religious feeling has been excited, instances have occurred where juries, from total ignorance of their duties and want of proper guidance from the Judge, have rendered verdicts contrary to law, evidence and common sense. While the opinion of the public, so far as I am aware, seems to be that there should be an increase of qualification of jurors, both grand and petit, and that the present law be reformed, so as to prevent, as much as possible, any tampering with jurors before they enter upon the performance of their duties, little improvement in the present unhappy state of affairs is anticipated, until there are men on the judgment seat whose dicta will be considered as law, and whose observations will have weight both with juries and the public.

(Signed,)

J. DUNBAR.

Taken and acknowledged this day at Quebec, 27th February, 1857.

(Signed)

JOHN B. PARKIN, Com'r.
GEO. A. PHILLPOTTS, "

John Henry Willan, of Quebec, Advocate, being duly sworn, saith :

I am one of the editors of the "*Quebec Mercury*," and reported the trial of the Queen agst. Kelly and others charged with the murder of Corrigan, in conjunction with Mr. Dunbar, for the "*Chronicle and Mercury*." I can vouch for the accuracy of the portion of the trial which I reported myself. I reported the charge delivered by the presiding Judge, Mr. Justice Duval. I gave the substance of both charges, both of that delivered in the French and of that delivered in the English language. I did not give the exact words of more than one or two sentences. The impression on my mind was, that the French version of the charge was somewhat more favorable to the prisoners than the English one, and also, more voluminous. I think the charge was generally favorable to the prisoners.

While the evidence for the defence was going on, and before the charge, the jury intimated that they had made up their minds. My opinion was, that there was a pre-determination to acquit on the part of the jury. The Court, however, refused to receive their verdict, and I think that several witnesses were examined afterwards.

It struck me that the evidence called by the Crown, was so called as to make the trial unnecessarily long, and to lead to unnecessary cross-examination of the witnesses. The jury complained of the immense quantity of medical testimony, but whether it was called at the time for or against the prisoners, I cannot say. It struck me as unusual that the Solicitor General would sometimes laugh or exchange jokes in the hearing of the jury on a trial for murder; it struck me as unusual that he should submit to altercations with the prisoner's counsel in the case, and merely commented on acts which appeared to me proper to treat as contempts, and respecting which he ought to have claimed the interference of the Court.

It struck me as unusual that the counsel for the defense should perpetually interrupt the Solicitor General, and be permitted to say all sorts of things, and to discourse before the jury, and chiefly to discourse with the Court, these things being matters of facts usually reserved for the pleadings to the jury. One of the counsel, Mr. Chabot, appeared to me to have done this more prominently than the others, though not more frequently. This was in arguing a point of law which was argued formally. I think it was as to a dying declaration, but I did not take down his speech. I cannot give more than my opinion as to it. I thought it unusual to counsel for the defense, that they should declare in open Court that prisoners had asked them whether they should obey legal process or not, and that they had advised them in reply, but more especially Mr. Andrew Stuart, to avoid process for a great length of time. I thought, also, the reason very unusual, which was, that they thought the presumptions so strong against their clients that the Judge would not have bailed them. This is the reason in substance, I do not give it in words. I thought it unusual that an officer of the Court very much, I believe, employed by the Solicitor General, would make a sign to a man to conceal himself in order to prevent a Crown witness from identifying him, and though it was reported to the presiding Judge by the Solicitor General, his honor took no notice of it. I thought the state of the Court was unusually crowded and noisy, and the demeanor of most of the audience was such as to overawe a witness or juror adverse to the prisoners. I thought it unusual that a trial for murder should have been taken under these circumstances. At the commencement of the trial a juror went to his dinner, as he alleged, and consequently of which, the proceedings of that day were set aside and the jury discharged. Another juror accused him of a great deal of want of respect towards the Judges. The next day identically the same jury, I believe, to a man, were taken. It was known the night previous, that they would be the same jury. During the night, after the jury having separated in consequence of the one man having gone to his dinner, great numbers of friends of the defense were in town. As soon as the jury were taken, the friends of the prisoners seemed very much pleased. More reliance seemed to be placed by them on some jurors than others. I thought it was unusual for a Judge sitting on a trial for murder to laugh and jest so often as Mr. Duval did. At the time of the trial my belief was that the motive of the Judge in thus conducting himself was to favor the defence, but I have changed my opinion since. My reason for changing my opinion is that I have since attended criminal trials before the same Judge. I thought it unusual that the Judge should so frequently take the witnesses out of the hands of the respective counsel. I thought it unusual that he should talk so much as he did during nearly the whole length of the trial. I thought it unusual that the Judge should correct one of the lawyers for the defence, and convey his opinion that he was putting injudicious questions, or not taking the best course for his clients. I thought it unusual that the Judge should put a question to one of the witnesses

for the defence in such a manner as to suggest a reply which appeared to me to elicit an answer entirely different from that which I and apparently every one else present expected the witness would have made to the same on nearly the same question when put by the Solicitor General. Mr. Solicitor complained of Judge Duval for doing this. I thought also that it was not usual for the Judge to interrupt so frequently the translator as Mr. Duval did. I thought it was not usual to permit a series of objections to be put obviously for the purpose of allowing the witnesses for the defence to collect themselves in order to baffle the Solicitor General. I thought it was not usual to order a witness to withdraw lest he should hear what was said by counsel, and then to allow the counsel to speak while the witness was leaving the Court, and the shutting of the door upon him to be delayed apparently through persons crowding about the door, which delay, though very slight, enabled the witness to hear those very things which the Solicitor desired him not to hear. I thought it was unusual to allow so many persons to show their sympathy with the defence in several methods, among others in following witnesses out of the Court apparently to suggest them what answers they should make upon their return to it. I thought the charge very unusual indeed.

I thought it unusual that the Judge should use such inflections of the voice as gave great weight to some portions of the evidence and slight weight to others. I thought it unusual that the Solicitor General and the Judge should concur in virtually declaring that a witness had committed manifest perjury and yet allow him to go at large without any other censure than an expression of opinion. I thought it unusual that the Solicitor General should complain loudly that the Judge mistranslated the evidence or caused it to be mistranslated to the jury. I also thought it unusual to hear so many and loud censures of the bench from the Solicitor General in open Court. For instance I heard him say that both of the Judges should be impeached. This was, I think, when they overruled the admission of Corrigan's dying declaration.

At the commencement of the trial several challenges were used by the defendants and only one by the Solicitor General. He challenged a juror for cause, and, to the best of my knowledge and belief, gave his reason for doing so the moment it was demanded, though it did not appear that the panel had been exhausted.

I decidedly think that there was a failure of justice in the result of this trial. I attributed the failure of justice at the time to misdirection on the part of the Judge, by which I mean the verdict of not guilty. I never had any confidence in that jury and did not suppose that any charge would induce them to bring in verdict of wilful murder, whatever the facts might be. I am now of a very different opinion. I believe the verdict was owing to the partiality of the jurors. I think indeed, that neither Judges nor counsel nor witnesses were of any kind of importance in the case whatever. The prisoner being the same, the deceased the same, the verdict would have been the same under any circumstances.

I think, under the present jury system, it is impossible to obtain a conviction where the religious or party animosities of the juror are enlisted in favor of the defendant. I am further inclined to believe, that the majority of a jury under the present system after retiring to deliberate in a case of this nature, will so terrify the minority with threats of personal violence that their deliberations are not free. It is said very generally that there are combinations existing in this district of a sacred nature, and that part of their business is to influence trials in party cases.

Ques. Could you suggest any remedy to correct the evils you have pointed out in the jury system, and in what manner the same could be improved? — *Ans.* That where an affidavit should be put in either by the prosecutor or in cases of murder, by the nearest of kin, establishing that justice could not be obtained owing to religious or party animosities likely to influence the jury, the defendant

should be tried by the Judges only, and the same right should be given to the defendant, where the defendant apprehends the same injustice from the jury. For I apprehend that while such cases are tried by jury, the jury must either be packed for the Crown or, as in the present case, packed for the prisoner. In the former case I apprehend constant dissatisfaction and the continuance of secret combinations among the emigrant population; in the other event I apprehend that such verdicts as in the case of Kelly and others, will become more and more common.

Ques. Do you know anything with reference to the feeling entertained in St. Sylvester and adjoining places of the late Corrigan personally and generally, of the state of the public feeling in the same localities by one part of the population against the other?—*Ans.* I have heard a great deal on both circumstances from a number of persons both from St. Sylvester and also in this neighbourhood. All these persons were British or Irish, either by birth or origin. All those persons who were Catholics attributed the animosity felt against Corrigan to his being a fighting man of a violent and quarrelsome temper, and the most successful combatant of that district. Almost all the others concur in attributing his death to religious animosity. All concur in saying that he had a prior collision with some of the same party or some of their friends, and in that collision had been victorious. Both agree that he was a strong, active man, devoid of fear. The causes of his being a peculiar mark for religious animosity was variously stated to me by Protestants. Some Protestants, residents of Quebec, told me that he had given insults to the religious feelings of the Catholics. Their statements were contradictory as to those insults which they specified. Another cause stated to me was that he was a convert from the Catholic church. From the accounts of the people of the neighbourhood, who were Protestants, I was led to attach more weight to this opinion than to the other one. In reference to the former opinion given to me that he had insulted the religious feelings of the Catholics, if reported in the neighbourhood, though falsely, would be sufficient to cause the attack, and the fact of my only hearing it from Protestants, leads me to suppose that such might be the fact, and the report have arisen in this way. Irishmen of the class in life to which Corrigan belonged, are proud not only of their courage and strength, but of the courage and strength of their friends and partisans. Many of them would be quite likely to taunt the Catholics with the fact of the champion of the parish being a Protestant, and his deeds in that capacity would grow into perfect marvels both of prowess and insolence, that is, in the conversation of his admirers. In this way the man may have been made odious without ever having committed the fact charged. On the other hand, the denial of the Catholics that anything of this sort had occasioned his death, when conversing with a Protestant, may have arisen from an influential accommodation to put the quarrel, which ended fatally, upon entirely private grounds, either for the sake of the prisoners or for the sake of the peace.

A hint from persons having influence over this section of the people would spread with a celerity, and be obeyed with an exactness which is difficult to describe to those not acquainted with their character. I have heard a great deal of secret combinations existing at St. Sylvester and in that neighbourhood, and connected with similar societies in Quebec. There is no doubt on my mind that wide spread organization existed for the protection of the prisoners, and that there was constant communication between them and friends of theirs in Quebec, and that the place of their concealment was known to a great number of persons despite of the reward offered by the Government. I have heard of such combinations ever since the Gavazzi riots in June, 1853. They are said to be either identical to or similar with what are called the ribbon associations in Ireland. I was informed by people from St. Sylvester that one or more Protestants were beaten at almost every show or fair at St. Sylvester for a long time previous to Corrigan's death. It appears from what was said to me by persons from that neighbourhood, that previous to the murder

Protestants had been greatly divided amongst themselves on the subject of Orangeism, and that since the death of Corrigan Orangeism has greatly increased in that neighbourhood. I did not gather from their discourse how long religious animosities had existed in that neighbourhood, but it appeared to me that they were not much acquainted (I speak here of the Protestants of St. Sylvester) with the events which have occasioned religious animosity in Quebec. On the contrary, I believe the Irish Catholics of all parts of this district to have been equally excited by those events, and those of St. Sylvester, more probably than those of any other locality save Quebec. Many facts led me to this conclusion, amongst them the selection of Mr. O'Farrell, one of the counsel for the Gavazzi riot trials, and the conduct of St. Sylvester grand jurors in reference to a Quebec case where religious prejudices existed. I think the reason which causes the increase of Orangeism is not an increase of its political or religious principles, or any increased admiration for it among the Protestant population, but simply from a belief that it is a ready and convenient mode of combining together for self-defence. The same remarks apply to most parts of this District.

(Signed,) JOHN HENRY WILLAN.

Taken and acknowledged before us at Quebec, this 25th February, 1857.

(Signed,)

"

GEO. A. PHILLPOTTS,
A. M. DELISLE,
JOHN B. PARKIN,

} Commissioners.

Charles Roger, of the City of Quebec, Esquire, being duly sworn, saith.

I was the editor of a newspaper called the "Quebec Gazette" in February, 1856, at the time of the trial of Kelly and others for the murder of Corrigan. I reported the proceedings had at the Court of Queen's Bench during the trial of the case in question, for the newspaper intitled the Montreal Herald as they appeared in that paper, and as they subsequently appeared in a pamphlet form at the office of the Quebec Gazette. I think I can vouch for the accuracy of my report. It may be that the judge's charge was not reported with the same degree of accuracy as was the evidence, still I believe it to be substantially correct as I was present when the charge was delivered in English.

Ques. Did you observe in the course of the trial in question, on the part of the Bench or of the Counsel engaged in prosecution and defence anything unusual, and which in your opinion would distinguish that case from any other.

Ans. I did, so much so that I considered it necessary to comment in the Quebec Gazette of the 16th February, 1856, upon what I considered to be a gross perversion of justice. The Court was filled with persons apparently interested in the acquittal of the prisoners. The officers of the Court seemed to sympathise with the individuals at the bar, who were charged with murder. The business of the Court was lightly conducted; appeals were suffered to be made to the public present in the hearing of the jury calculated to have the effect of impressing upon the minds of the jurors the idea that that which was styled murder, was rather the effect of impulse than of premeditation, and was in fact an occurrence the result of accident rather than of design. And this too in the face of evidence which it appeared to me evinced premeditation on the part of the accused.

There seemed to be on the part of the counsel for the prisoners, a design to fasten the cause of Corrigan's death upon one of the witnesses for the prosecution—a design which in the face of important testimony to the contrary, seemed to be rather countenanced than discountenanced by the Court.

When I speak of the officers of the Court I mean the lower officers of the Court, namely the constables and other subordinates:

I would also say that some of the Counsel for the defence were allowed to address the Bench in what I consider an improper manner, with a view of producing a certain effect upon the jury. The impression created in my mind as the trial proceeded was, that Corrigan having been an obnoxious man to some parties, his death was desired, and that the cattle show being considered a favorable opportunity, his death and the measure of it were determined upon.

The charge of the presiding judge was undoubtedly intended to be impartial but it seemed to me that incorrect summing up of the evidence was made in favor of the prisoners and that that which was evidently the result of predetermination, was made to appear to be the consequence of an accident. Justice in my opinion had failed in the result of this trial. In a great measure this failure of justice was attributable to the conduct of the constabulary, and other subordinate officers of the Court, to the manners of the Court itself, to the feelings of the jurors and to the conduct of the counsel for the defence tolerated by the Court.

During the progress of the trial and after the evidence on the part of the Crown was closed, and part of the evidence of the defense heard, a juror rose and said in the hearing of the Court, to the counsel for the prisoners, that the jury had heard enough, had made up their minds and were prepared to return a verdict. My impression then was that a verdict either of assault or manslaughter would have been returned. The evidence for the prosecution being conclusive against some of the prisoners, and that of the defense being untrustworthy. The Court declined to receive the verdict at that stage of the proceedings, but continued to receive evidence in defense—apparently cooked. With reference to the composition of jurors the system at present in use in Scotland might be adopted with advantage. There fifteen individuals determine as to the guilt or innocence of an accused party on trial before them, having taken notes of all the evidence and the verdict being rendered by a majority.

I believe it to be a very general and strong impression on the public mind in Lower Canada, that no confidence is felt in the administration of justice. The judges being wanting in honesty, legal and physical capacity, and in independence. There is an impression that the judges can be tampered with by the advisers of the Crown, in other words, or the government of the day. This feeling I believe to have its origin from the circumstance that active political partisans are generally put upon the Bench, and that individuals already on the Bench are apprehensive of those immediately in authority, who may be believed to have influence sufficient to unseat them, if in some cases an independent judgment be exercised. I speak merely of the public impression, it is generally understood that the judges are by law independent of the Crown, but not of the people.

(Signed,) C. ROGER.

Taken and acknowledged before us at Quebec, this 26th February, 1857.

(Signed) JOHN B. PARKIN,
GEO. A. PHILLPOTTS, } Commissioners.
A. M. DEEISLE, }

Richard Pope, of Quebec, Advocate, being duly sworn, saith :

I assisted the Solicitor General in taking notes of the evidence in the case of Kelly and others tried in February, 1856, for the murder of Corrigan.

From the manner in which the whole trial was conducted and the levity which was practised both by the counsel for the prisoners, and the frequent and unwarranted interruptions which were allowed to take place and the irregularity of the conduct of the spectators in Court in throwing ridicule upon the whole

trial and in causing the attention of the jury to be diverted from the important subject of the trial, exciting their ridicule and laughter, that the whole proceedings of the trial were such as to prevent the ends of justice from being obtained. I have not the least doubt by the result of the above mentioned trial, that there was a failure of justice owing to the irregularity of the proceedings, owing to the circumstance of the prisoners while standing in the dock being allowed to exchange their effects or wearing apparel, so as to prevent their identification by the witnesses, and thus creating laughter in Court, and also to the circumstance of the counsel for the accused, having been allowed frequently to interrupt the answers of the witnesses.

From the circumstance of the judge who presided at the trial having in his charge to the jury attached as much importance to the evidence of witnesses on the part of the defense, whose perjury was perfectly manifest, as he did to the evidence of the most respectable unbiassed witnesses on the part of the prosecution, this charge to the jury was both illegal and unjust. I did not report the charge.

The present jury system in the District of Quebec in my opinion, works badly from the class of the parties returned to serve. And this might be remedied by raising the qualification to a higher standard, to that of the Grand Jurors who serve at the Quarter Sessions and Courts of Queen's Bench. My impression is that the late Robert Corrigan was unpopular among a certain class residing in the neighborhood, and that the attack upon him in question was the result of a premeditated desire to murder him. The only point in which I mean that the judge's charge was illegal, was that it was not warranted by the evidence. My impression is that the jurors were more or less biassed, but I have no doubt that if the whole proceedings had been conducted with proper decorum, his levity had been allowed to prevail, and conducted in such a manner as the gravity and seriousness of the charge warranted and a proper and legal charge such as was warranted by the evidence had been addressed to the jury, that their verdict might have been in some degree altered, but the levity which prevailed during the whole course of the trial had the effect of throwing such ridicule upon the whole proceedings as to make the jury treat the thing far more lightly than they otherwise would have done.

(Signed,)

R. POPE.

Taken and acknowledged before us at Quebec, this 26th of February, 1857.

	GEO. A. PHILLPOTTS, A. M. DELISLE, JOHN B. PARKIN,	} Commissioners.
(Signed)		

John O'Farrell, of Quebec, Esquire, Advocate, being duly sworn, saith:—I was one of the Counsel for the defense in the case of the Queen against Kelly and others. I knew Robert Corrigan by sight for some years before his death, and I knew him to speak to for about one year before that event. The late Robert Corrigan had neighbors, Catholic and Protestant, who disliked him in his lifetime, and, from what motive I cannot say, frequently repeated of Robert Corrigan stories to his prejudice, the truth or falsehood of which I cannot speak to, one of which stories I remember distinctly. It was a challenge by Robert Corrigan to fight any man in the Parish of St. Sylvester or in the Township of Leeds. In consequence of the challenge so offered, I understood three men, one of whom I heard was one O'Neill, to have gone to offer to fight him. The offer to fight him ended in his (Corrigan's) beating some of the three men with a slung shot. This occurred during the winter previous to Corrigan's death. I believe that the death of Robert

Corrigan arose from circumstances personal to himself, and having no religious bearing, and that it afterwards assumed a religious aspect, the result of the conduct of those who called themselves the friends of the late Robert Corrigan. I had heard there were Ribbonmen in St. Sylvester, the result, I believe, of there being Orange lodges in Leeds. The origin, as I had heard it, of the formation of such a Ribbon association, was an attempt 17 years ago made by the Orangemen of Leeds to march in procession through the Parish of St. Sylvester. General good feeling existed between the two parties previous to Corrigan's death, excepting sometimes on the 12th of July. As a proof of this, I was myself supported by the Protestant vote of St. Sylvester in 1854. I think the bad feeling between the parties since the death of Corrigan arose in a great measure from the circumstance of the friends of the late Corrigan going about armed for the avowed purpose of the arrest of those charged with Corrigan's death, and committing outrages. I believe that before Corrigan's death, since 1854, these Ribbon associations had not met, owing to remonstrances from the pastor of the Parish. From the evidence adduced at the trial of Kelly and others, I do not think that there was any failure of justice in the result of said trial. I was present while the Judge charged the Jury with the exception of two short intervals of half an hour or three quarters of an hour each, during which Mr. Justice Duval was occupied in reading part of the evidence to the Jury. My impression of this charge was, and still is, that it was unfavorable to the prisoners. He discredited the evidence offered for the defense. I remarked the adverse bearing of the charge so much, that I mentioned it to Mr. Andrew Stuart and to Mr. Chabot at the time. I do not believe that the law was laid down by the Judge in the manner in which he is accused of having done so. In no way, directly or indirectly, do I know of any previous conspiracy to beat Corrigan. There were at the trial of Kelly and others occasional sallies and occasional bursts of feeling between the counsel, which I believe arose from the conduct of Mr. Solicitor General Ross, who was then prosecuting.

A good means, in my opinion, of insuring a proper verdict, even in cases where religious feelings have been excited, would be to endeavour to shorten by some way the length of the trial, as it is the necessity of translating the evidence necessarily doubles the time which it would require to get through an ordinary trial. I think that the prisoner should elect a Jury speaking one or other of the two languages, and if not the Crown should.

I think that to go to the root of the evil, and to prevent its further growth, a law for the suppression of all secret societies, without exception, would be advisable.

(Signed,)

J. O'FARRELL.

Taken and acknowledged before us, at Quebec, the 27th Feby., 1857.

(Signed,) JOHN B. PARKIN,
GEO. A. PHILLPOTTS, } Commissioners.

George T. Cary, of Quebec, Editor and Proprietor of the Quebec "*Mercury*," being sworn, saith.

I reported a small portion of the trial of Kelly and others, charged with Corrigan's murder. I reported each day for a very short period of time in connection with Mr. Willan and Mr. Dunbar, principally the latter, and we were the only reporters occupied in reporting this case, as it appeared in the *Morning Chronicle* and the *Mercury*. The report was verbatim as spoken by the witnesses, with the exception of repetitions. I did not report the charge. The Court was excessively crowded with persons, the majority of whom were undoubtedly friendly to the prisoners, and who indulged at times in loud laughter, or in exclamations approbatory

of the jokes of counsel on portions of the evidence on their being repeated by counsel for the defense for the information of the Court. Since the trial of Kelly and others, there has been a general feeling of dissatisfaction among all classes and creeds as to the administration of criminal justice. There is a conviction that Juries will not act impartially in cases where religious or political animosities are involved in the offense, and this opinion seems to be gaining ground. There also seems to be a desire that some change should be made in the constitution of the Court to correct this.

From my position as being connected with the press for eight years past, I know that among the English speaking portion of the community a dissatisfaction has been felt at the departure from the rule which formerly prevailed of representing upon the Bench in equal proportions the English and French origins. At the time the trial was proceeding, the conduct of some of the counsel for the defence in making improper insinuations against the witnesses for the Crown, and in endeavouring to turn the proceedings into ridicule, was made the object of complaint among many persons attending the trial, and it was also complained of that this license was not repressed by the Court, which license appears to me to exceed the usual bounds allowed to Counsel.

I am decidedly of opinion that there was a failure of justice in the result of this trial, arising, not alone from the prejudices which might exist in the minds of the Jury, but also from the want of gravity with which the proceedings were characterised.

(Signed,) G. T. CARY.

Taken and acknowledged before us at Quebec, this 28th February, 1857.

(Signed,) JOHN B. PARKIN, }
 " GEO. A. PHILLPOTTS, } Commissioners.

In addition to this, I wish to state, that before the trial I heard the Jury list discussed by professional men, in such a manner as to leave an impression upon my mind that there was a plan made to obtain a particular Jury, and which the present system seems calculated greatly to facilitate.

(Signed,) G. T. C.

J. B. P., }
 G. A. P., } Commissioners.

John J. C. Pentland, of Quebec, Esquire, Advocate, being duly sworn, saith:

Since the year 1844, three times a year, with the exception of last year, I have gone to the Leeds Circuit, and have become acquainted with the people resident in St. Sylvester and Leeds. I am aware that at the present time, considerable dissensions exist between the Protestant and Roman Catholic denominations. This feeling did not come under my notice until after the death of Robert Corrigan, and before the trial for his murder, and it has continued ever since on the increase.

I knew the late Robert Corrigan, he was a client of mine; and I recollect that about three months before his death, he told me that he was in fear of his life, and always went about armed for his protection; and he added that he was about to dispose of his property and leave the place, in consequence of his apprehensions. He apprehended danger from the attack of persons living in St. Sylvester, of a different religious persuasion than himself, but he did not designate from whom. He gave me clearly to understand that he could not explain the cause of the animosity, otherwise than attributing it to the party feeling of those of a different persuasion than himself. Corrigan was a man of quiet and inoffensive habits; he told me that on one occasion a party of five or six persons had gone to his house to fight him.

They asked him to fight ; he fought with one, and they ultimately parted good friends—they having gone into his house and partaken of some refreshments.

The respectable people inhabiting St. Sylvester and Leeds (and the feeling has lately spread to Ireland and Inverness,) are of opinion that it is absolutely necessary that Government should take some steps for the preservation of the peace and the protection of the inhabitants, and they are looking out in the expectation that some such steps will be taken.

In St. Sylvester and Leeds, there exists a class of persons of very lawless habits, given to rioting, and the commission of offences, such as injuring the cattle of persons against whom they feel animosity. On the other hand, there is a respectable class throughout all these Townships and Parish of St. Sylvester, who are very anxious to see these disorders suppressed.

(Signed,) J. J. C. PENTLAND.

Taken and acknowledged before us, at Quebec, this 4th March, 1857.

(Signed,)	JOHN B. PARRIN,	} Commissioners.
“	GEO. A. PHILLPOTTS,	
“	A. M. DELISLE,	

John O'Grady, of the Parish of St. Sylvester, Clerk in Holy Orders, being sworn, saith :

For the last five years I have been in charge of the Parish of St. Sylvester, as the Catholic Curate ; I did not know the late Robert Corrigan ; I do not think that I should have known him even by sight ; I am not aware myself of anything that might have tended to render the late Robert Corrigan obnoxious to any persons or party, but for the circumstance of his death, causing his antecedents to be inquired into. I understood from the general tenor of conversations held on this subject, that he was a person of querulous disposition, apt to indulge in offensive language, and that he relied upon his dexterity and strength, so as not to fear coming in contact with other individuals.

The tenor of the offensive remarks of Corrigan, I understood to be to endeavor to cast ridicule upon the ceremonies of the Catholic Church and religious practices of the Catholics, which would tend to exasperate them in the highest degree.

I was not present at the cattle show where Corrigan was beaten. I had attended at the two previous shows the two previous years, and at each of these shows I witnessed the commencement of fights, which I succeeded in suppressing ; I abstained from attending the last cattle show, in consequence of liquor having been brought to the two first shows, contrary to my advice and the promises of some of the managers of the shows. The fighting of which I have spoken was caused by the drinking on the ground, which excited the angry feelings of persons who had animosity against each other.

Previous to the beating of Corrigan, I did not perceive any animosity between the Catholic and Protestant inhabitants of St. Sylvester, but after that event, and from the proceedings taken in relation to his death, the inquest, and the circumstances attending it, a bad feeling between the Catholics and the Protestants resulted from the excitement caused by those proceedings, and the Protestants having formed an opinion that the Catholics were leagued against them, manifested considerable alarm ; I saw them, and endeavored to disabuse them of this idea, and succeeded in calming them. During all the time that the accused were secreted away, and owing to the efforts that were made to arrest them, this angry feeling was kept up and increased. The proceedings taken by the people resident at St. Sylvester to arrest the accused, searching the houses of the inhabitants at night, and conducting themselves

in such a manner as to irritate the people, tended very much to alarm them and increased the existing excitement. The people submitted very unwillingly to those searches and proceedings on the part of their neighbors, and felt relieved on the arrival of the regular police force, as they felt confident of protection; whereas, on the other hand, they apprehended violence from those inhabitants of the locality who had volunteered to assist the constable in the execution of his warrant.

With respect to the trial and acquittal of Kelly and others, the Protestant party, from the commencement, considered them guilty, and that they ought to have been condemned; and the result of the trial tended still more to irritate them. The Catholics expressed no opinion whatever on the subject; I am not aware that there exists any obstacle to the execution of the law at St. Sylvester by the local authorities on ordinary occasions, but from the existence of an Orange Lodge in St. Sylvester, and the indiscreet conduct of some of the young members in using insulting language to Catholics, there is a possibility that a serious riot might occur, which would be beyond my control. But in the event of such a thing occurring, and warrants being afterwards issued, I do not think that any resistance to the local authorities would be offered. I have done all in my power to allay the excitement and irritation existing, and I think that if efforts were made, by a person in a position similar to myself, towards the other party, the differences now unfortunately existing would gradually subside.

Upon my first taking charge at St. Sylvester, having heard something of the existence of Ribbon Societies there, I took the earliest opportunity, to inform my congregation that secret societies were contrary to the law of the Church, and that if any such existed, they must be abandoned. I heard nothing more of those secret societies until about two years since, when an effort was made by some persons from Quebec to establish a Society under the name of Friendly Sons of St. Patrick, who requested my sanction, on the ground that they were not bound together by an oath. But, as I found on enquiry, that they were to be bound together by their word of honor, I refused my sanction to any such Society, as being incompatible with the requirements of the Catholic Church, and this Society was not established. The intention of this Society was to secure influence for electioneering purposes. I have no knowledge of any Ribbon Lodge existing in St. Sylvester or its neighborhood.

(Signed,) JOHN O'GRADY, *Ptre,*
Curate of St. Sylvester.

Taken and acknowledged before us at Quebec, this 3rd March, 1857.

(Signed,) JOHN B. PARKIN, }
" A. M. DELISLE. } Commissioners.

George Okill Stuart, of the City of Quebec, Esquire, Advocate, and Queen's Counsel, a witness summoned to attend before the Commissioners, answered as follows to the questions submitted to him :

Ques. Are you aware of any existing obstacles in the way of a due and proper administration of criminal justice in the district of Quebec?—*Ans.* There are obstacles to a due and proper administration of justice in this district. I have practised in all the Courts of this district for upwards of twenty-six years, and do not hesitate to express my conviction that the administration of criminal justice has, of late years, most materially suffered in public estimation. In short, I have never known it to stand lower than it does at present. The main obstacle in the way of a proper administration of criminal justice, I attribute to the insufficiency of the members of the Judiciary. The practice which prevails of appointing Judges from political and party considerations, sufficient regard being had neither to legal

qualifications or to their character for moral integrity and worth has lowered the character of the judiciary, and so long as it prevails, I believe that it will continue to prove an obstacle to the due and proper administration of justice. Want of confidence in the judiciary began to be manifested about the time of the trial of a person of the name of Gray, at Montreal, for murder. The conviction of this individual of the crime of which he was charged was in accordance with the direction of the Court, if my recollection serves me right, and it was almost immediately followed by a unconditional pardon from the Crown, implying that the conviction of this man for a capital offence was erroneous, and but for the exercise of the Queen's clemency he would have been executed although innocent of the imputed crime of which he had been convicted. The trial of Kelly and others for the murder of Robert Corrigan, and the conduct of the Court upon that occasion, have produced upon the minds of a large portion of the community an impression that the lives of Her Majesty's subjects are not protected through the criminal law Courts. In the conduct of cases I have observed a prolixity which prevails neither in England, Upper Canada, or the United States. A case of any degree of importance generally goes over several days, the jury must in such cases forget or lose impressions produced by the evidence of the Crown, and possibly, when out of Court, access to them may be obtained.

There is another obstacle to the due and proper administration of criminal justice to be found in the law itself, where it admits one of the lowest order in the judiciary controlling the power of the highest. I allude to the allowing of writs of *habeas corpus* and admission to bail. It is, I believe, by no means an uncommon occurrence for some or all the Judges of the Superior Court to be canvassed by applicants for writs of *habeas corpus* as to their opinions, and, when unsuccessful with them, resort has been had to a Judge of the Circuit Court with a different result. In a recent case where the grand jury have found a true bill for felony and the Judges of the Queen's Bench refused to admit to bail, after the bill was found, the Judge of the Circuit Court liberated the prisoner; a result, whether the decision of the Circuit Judge be right or wrong, derogatory to the character and position of the Judges of the Court of Queen's Bench, the highest legal tribunal in the country. The jury system is also an obstacle to the due and proper administration of justice in this district, but comparatively speaking, this I believe to be a minor obstacle, as it is more calculated to occasion a failure of justice in particular cases than to affect the character of the administration of justice generally on the criminal side of the Court of Queen's Bench.

Ques. Are you aware of any defect in the present jury system? If so, please state in what particular?—*Ans.* I am aware of this defect, that it places in the petit jury box persons of the lowest class in society and mostly from the same locality. The law admits of the grand and petit jury lists being examined by the parties before the trial; the consequence is, that in cases where any excitement exists as to the result, the jurors are canvassed, and in some cases may have settled their verdict before entering the jury box. The persons on the jury list are so little known that absentees can be, and I believe have been personated by the friends of the prisoner for the purpose of obtaining a favorable verdict.

Ques. What remedy would you suggest for the defects that you have particularized?—*Ans.* As respects the judiciary, I think that its composition should be modified or changed. This, of course, must be done through the Executive Government under Legislative sanction. I think that a provision should be made to prevent the bartering of the judicial office for political capital or other advantages directly or indirectly. The jury bill should be altered or repealed and another substituted in its place, in which the qualification and mode of selection should be different from what it is, without, however, the right to a trial by jury being in any manner affected. The power of Circuit Judges to issue writs of *habeas corpus*, should, I think, be abrogated, and the power confined to the Judges of the Courts of Queen's

Bench, except in cases of their absence or illness, when the Judges of the Superior Court might exercise it.

I conducted the case of the Crown against Hagen tried for the murder of Robert Corrigan. I was assisted by Mr. Lelièvre.

(Signed,) G. O. STUART.

Taken and acknowledged before us at Quebec this 10th March, 1857.

(Signed,)	JOHN B. PARKIN,	} Commissioners.
"	GEO. PHILLPOTTS,	
"	A. M. DELISLE.	

Richard Pentland, of Quebec, Esquire, Advocate, being duly sworn, saith :

For the last eight or nine years I have frequented the Townships and that section of the country in which the parish of St. Sylvester is situated, and I am well acquainted with the inhabitants.

I am aware that at the present time there exists a great deal of animosity and party feeling between the Protestants of St. Sylvester and the Townships and Roman Catholics in St. Sylvester, which owes its origin chiefly to the murder of the late Robert Corrigan. I consider that society is in a dangerous state of excitement, and that on some future occasion bad consequences may ensue. I think the excitement is not quite so great as it was some time ago, but it would take very little to make it as bad as ever. The opposite parties do not associate together, that is, the orangemen of the Township and the ribbonmen of St. Sylvester, and I think that if they did meet on any occasion of excitement bloodshed would ensue. The prevailing opinion among the people of the Township, that is the Protestant portion, is that no more reliance is to be placed on the Courts of Justice from the result of the Corrigan cases, and that for their own protection they must rely upon themselves. I knew the late Robert Corrigan. He had the reputation of being a well disposed, kind-hearted man, but at the same time of a resolute disposition and able to defend himself. He told me four months before his death that in consequence of the animosity borne towards him by the Catholics of St. Sylvester on account of religious differences, that he expected some day to be murdered, and that he was compelled to carry pistols. I cannot account for this animosity to Corrigan particularly, except from the circumstances that he was one of a few Protestants in the particular part of St. Sylvester, where he resided, and that he was a free spoken man, and would not hesitate upon an occasion to say what he thought, and I think it is probable that he had made enemies by his free remarks upon the Catholics. I have no knowledge that this was the case.

I was present at St. Sylvester on my way to Leeds at the time of Corrigan's being beaten. I was surprised to hear that none of the Magistrates, resident on the spot, or in the neighbourhood, had taken any steps to arrest the persons who had beaten Corrigan. It was well known who these persons were, and that they were at large and going about as usual. Had efforts been made to arrest them before they had time to organize a resistance for means of evasion, I have no doubt that their capture might have been effected, and that no great excitement would have followed.

At the time that Corrigan was lying ill, I was present at the Leeds Circuit Court, and I had charge of a case wherein he was the defendant in an action against him for assault and battery, at the instance of one Johnston. Whilst in Court I received a letter from Corrigan stating that he had been beaten, was unable to attend Court, and requesting me to have the case postponed. Although

acquainted with Corrigan's handwriting I cannot charge my memory as to whether this letter was written in his handwriting or not. At the time my impression was that it was not written by Corrigan, but by one of his friends.

I was present at Leeds when the Coroner's inquest sat on the body of Corrigan. I heard it reported that the body of Corrigan had been removed from St. Sylvester to Leeds, because it was said to be the intention of some parties to make away with the body.

Two witnesses had been examined in the case in question at the previous Court by the plaintiff, but nothing more has been done in it since. By the evidence of these two men it appeared to me that the action was unfounded, and Corrigan told me when he first spoke to me of the case, that it had been instituted for the sole purpose of annoying him, which led to the conversation I have referred to.

(Signed,) R. PENTLAND.

Taken and acknowledged before us this 13th March, 1857.

(Signed,) JOHN B. PARKIN, }
 " A. M. DELISLE, } Commissioners.

Philip Aubert de Gaspé, of Quebec, Esquire, Advocate, being duly sworn, saith :

I was present in Court every day during the trial of Kelly and others for the murder of Corrigan, absenting myself generally for a couple of hours each day. The Court was very crowded with persons who seemed to be excited upon the subject of the trial, and it was much more difficult than in ordinary cases to keep order in Court. I observed that the Judges kept order in Court, as much as it was possible for them to do. I frequented the Courts for some fifty years and I have always noticed the same difficulty in keeping order in cases similar to this. I did not observe any levity at the trial, but I observed that the judges acted with much more forbearance towards the Bar than formerly.

Ques. Did you observe in the conduct of the prosecution, the defense, or in the Court, anything which distinguished this case from cases generally?—*Ans.* There was a great deal of excitement on the side of the prosecution, and on that of the defence, and I might say, especially on the side of the prosecution; and with reference to the Judges I observed that they did their utmost to secure justice in a most fair and impartial manner. I was present when Mr. Justice Duval charged the jury, and my impression at the time was that the charge was rather in favor of the prosecution than otherwise. I had attended that trial in order to form my own judgment upon the merits of the case, because the press and the public generally labored under considerable excitement, and I thought that I could gather nothing satisfactory or reliable from those sources.

With reference to the jury system I have always been of opinion that a Court of upright Judges would be preferable.

On the afternoon of the day on which the verdict was given in the case of Kelly and others, I happened to fall in with one of the Jurors, Archibald McDonald, the same juror who acted as spokesman on one or two occasions, and who, I believe, gave in the verdict. He told me that the jury saw that there was bad faith in the witnesses both on the prosecution and on the defence, speaking the English language, and that the jury gave their verdict altogether on the evidence given by French Canadians.

(Signed,) PH. A. DE GASPE.

Taken and acknowledged before us, at Quebec, this 6th March, 1857.

(Signed,) JOHN B. PARKIN, }
 " A. M. DELISLE, } Commissioners.

Joseph Morrin, of Quebec, Esquire, Physician, Mayor of Quebec, being sworn, saith :

I attended the trial of Kelly and others for the murder of Corrigan, having been called as a medical witness to listen to the evidence and pronounce an opinion upon the facts supposed as to the cause of Corrigan's death.

Ques. Did you observe anything unusual in the conduct of this case to distinguish it from other cases which you have witnessed?—*Ans.* There appeared to be great excitement between some of the Counsel opposed to each other, which caused trouble to the Court. I observed also that in one instance a trick was practised by one of the prisoners assisted by a person among the crowd immediately in rear of the prisoners. It appeared to me as if one of the prisoners had changed places and one of the crowd pushed himself forward so as to be almost in a line with the prisoners. This was done with a view, I suppose, to embarrass the witness who was then examined with respect to the identity of one of the prisoners, and consequently misled the Bench. The identification was being accomplished by numbering the prisoners as they stood ; the consequence was that a mistake occurred in the identification of the man. This trick, I feel assured, was practised with such dexterity as to pass unobserved by the Bench and the counsel for the prosecution. The Court room was very densely crowded, and the room itself is ill adapted when crowded for the purpose intended, so that, in my opinion such practises may be exercised, as they were in this instance, unobserved by the officers of the Court.

As far as I could judge the wish of the presiding Judge seemed to be to act impartially and to deal out justice to all those concerned. At least, I could discover no bias. While the evidence of the defence was being taken, some person or persons among the Jury stated that they were satisfied with the evidence which had been taken, and that they were prepared to give their verdict. My opinion was that the verdict they were prepared to render was one of acquittal. Judging from the verdict rendered in the case of Kelly and others, and more especially after the last case against Hagen, I am of opinion, that in cases where political, religious or national feelings are mixed up, it is impossible to obtain a fair and impartial verdict under our present jury system.

I have known both Judges Duval and Caron for a great number of years, and consider them men of the strictest integrity.

(Signed,) JOSEPH MORRIN.

Taken and acknowledged before us at Quebec, this 6th March 1857.

(Signed,) JOHN B. PARKIN, }
 " A. M. DELISLE, } Commissioners.

James A. Stalen, of Quebec, Sergeant of the Gaol Guard, being sworn, saith :

It is part of my duty to conduct prisoners to and from Court in command of the Gaol Guard, and also at times to remain in Court in charge. I have been connected with the police for the last 18 years, and a part of my business has been occasionally to attend criminal courts with prisoners, and my experience has led me to the conclusion that jurymen are occasionally personated by parties influenced either by pecuniary gain or party interest. In some cases it has been done to relieve jury men who were unable or unwilling to attend, and in others to prevent the ends of justice. Under the present jury law the Sheriff is compelled to summon as jurors indiscriminately a certain class of people, and I have known parties returned as such notorious keepers of the lowest taverns, frequented by the lowest order of thieves and vagabonds.

I consider the present system of summoning unpaid constables as very objectionable. Men from the lowest class of society are selected to fill this office,

and who perform the duties unwillingly, and consequently are wholly inadequate to maintain order in Courts of Justice. As order can be maintained in Court through the agency of these officers, I conceive it impossible to do so under the present system.

(Signed,)

JAMES A. STATEN.

Taken and acknowledged before us, at Quebec, this 7th March, 1857.

(Signed,)

JOHN B. PARKIN, }
A. M. DELISLE, } Commissioners.

William Gunn, of Quebec, Gaol Guard, being sworn, saith:

It is part of my duty to attend the Criminal Courts in charge of prisoners brought up for trial. It came under my observation that a particular person, whom I knew by sight, served on Juries at four or five Courts within three years. I cannot say that he served at Courts immediately succeeding each other. This man was pointed out to me among the Jury as being a Juryman upon whom the prisoners could rely upon a verdict of "Not Guilty," and that he would hold out with obstinacy against the others. This Juryman served upon trials of importance, and in which public feeling was excited. One case was the trial of three Canadians for the murder of Barber at Megantic election; another, of McHugh for the rescue of Mr. John Hearn, accused of the riots of Chalmer's Church (Gavazzi); another was the trial of Burke for the murder of a sailor at the cove; and another the case of Hogan for an aggravated assault upon Brady. I am not positive as to the last two cases, but it is my strong impression that he served on these last two cases, and on several others; and in every case in which this person sat as a Juryman the prisoners were either acquitted or there was no verdict for want of agreement. My impression at the time was that this man had personated somebody else. The cases referred to have been tried since 1852.

(Signed,)

WILLIAM GUNN.

Taken and acknowledged before us, at Quebec, this 7th March, 1857.

(Signed,)

JOHN B. PARKIN, }
A. M. DELISLE, } Commissioners.

Hugh Russell, of St. Sylvester, Joiner, being sworn, saith:

I am a Protestant, and have resided in St. Sylvester for some 24 or 25 years. I knew the late Robert Corrigan, he owned a farm in St. Sylvester, and came to reside there two or three years ago. He appeared to me to be a very sober man. I know that there existed a bad feeling between the late Robert Corrigan and Patrick O'Neill, which appeared to me to arise from the desire of both to pass for the stronger man and the best combatant. I am aware that both of these men boasted of their strength and courage, and that influences were exercised by some mischievous people to bring them into collision. Some time in the winter of 1855, about January, I was informed that the said O'Neil, in company with two other men, had gone to Corrigan's and challenged him to fight, and asked him if he was as good a man as formerly; that Corrigan had stated that he was as good a man, but preferred peace, invited them into his house, and ultimately parted on good terms. Some time afterwards I saw the same O'Neill, with five others, passing by my house, and upon enquiry I found that they were going to challenge Corrigan again. On the same day the Revd. Mr. King came to my house to perform Divine Service, and as the congregation was not aware of his presence, a messenger was sent to summon them to attend, which they did, and amongst the number was Cor-

rigan. After service, as the congregation was dispersing, I saw O'Neill and his party coming towards my house from the direction where Corrigan lived, and, meeting Corrigan on my farm, they closed upon him, and a crowd gathered round. I then saw Corrigan and O'Neill engaged together struggling, and I think that O'Neill fell first. I think that blows were exchanged. I stood at about two acres distance, and do not know how they were separated, but I saw one of O'Neill's party, John Harris, running, followed by R. Corrigan, who accused him of being the cause of all this mischief. This was said as they were making their way towards my house. O'Neil and his party then followed Corrigan until they arrived opposite my door, when they closed upon Corrigan again. Corrigan and O'Neil then engaged in a fight, when they both fell. Fearful that Corrigan might be badly used, I thought it right to interfere to separate them, a duty which I performed.

I desired the parties to go to their respective homes. I think Corrigan entered my house, whilst I was engaged in dispersing the people. I was afterwards informed that Corrigan had gone into my house for his coat, which had been taken in by some woman, and that he had then immediately departed. O'Neill's father then came up, and cursing his son, said that he was drunk or else that he would have succeeded better in the fight, and told me that I was harboring a murderer, meaning Corrigan. He urged his son and party to search my house for Corrigan in order to massacre him. They then proceeded to search my house, and as I was aware that Corrigan had left it, I permitted them to do so.

I saw Corrigan at my house the next day, and the Revd. Mr. King being there, he and I persuaded Corrigan to settle the difficulty, and he charged me to act for him in making it up. I accordingly saw O'Neill and the party who had accompanied him, and succeeded in restoring peace between them. They signed, that is, Corrigan and the said O'Neill and his party, a written document, by which they settled all their differences. I should have stated, that previously to this O'Neill and his party were unwilling to settle, and that Corrigan came to Quebec and took out a warrant against them, and that the policeman charged with the execution of the warrant failed to arrest them.

Whilst I was negotiating to make peace as above mentioned, I was requested by Corrigan to tender an oath to the said Harris, to the effect that he had not maligned Corrigan's character, and he made oath that he never did. They appeared to look upon me as a magistrate. Corrigan then proposed to give Harris a profitable advice, and said: "I'll give you an advice which will be better to you than holy water, that is, not to malign my character or that of anybody else in future."

I was subsequently informed that said John Harris had, in repeating what had occurred before me, stated that Corrigan had made use of the following expression in the said conversation: "blind Nelligan's holy water," alluding to the Reverend Mr. James Nelligan, the then Catholic clergyman at St. Sylvester. This, I subsequently was told, had given offence, and amongst others to Richard Kelly, since accused of having participated in the murder of Corrigan. I would observe that said Kelly is married to a niece of the Reverend Mr. Nelligan. I heard of nothing else occurring between the above parties from that time until the death of Corrigan at the cattle show, at which I was not present, and therefore know nothing of it.

There are in St. Sylvester a number of respectable Roman Catholics who, as well as the Protestants, exceedingly regret that an occurrence such as Corrigan's murder should have happened amongst them. A good number of the Protestants and Catholics of the parish stand considerably in awe of each other, fearing that if occasion should arise, some serious infringement of the public peace might occur through the opposition of one party to the other.

(Signed,) H. RUSSELL.

Taken and acknowledged before us at Quebec, this 9th March, 1857.

(Signed,)

JOHN B. PARKIN,
A. M. DELISLE,

} Commissioners.

John Cordack, of St. Sylvester, Farmer, being sworn, saith:

I have resided at St. Sylvester for about 25 years. I am a Protestant. I had known the late Robert Corrigan for 5 or 6 years, when he was killed. In the winter of 1855, the Rev. Mr. King, on one occasion, came and performed service in the house of Hugh Russell, in my neighborhood. I attended, and saw Robert Corrigan there. He left early after service, and was met on the road by Patrick O'Neill, George Bannon, Wm. Love, Anthony Gilfoy, Patrick Donny and John Harris. This was on a snow road, and the parties above named, closed the road upon Corrigan. I could observe that something unpleasant was occurring, and was told that O'Neill had challenged Corrigan to fight. I saw Corrigan and O'Neill exchange blows, and O'Neill fell, and I observed that O'Neill had blood on his face. Both Corrigan and O'Neill had taken off their coats to fight. I observed said John Harris running towards said Russell's house, followed by Corrigan, and the remainder of the party following. Having reached opposite Russell's house, O'Neill and Corrigan renewed their fight, and it appeared to me that the said O'Neill got the worst of the fight. Corrigan then entered Russell's house, and O'Neill challenged Corrigan to come out to receive what he said he was able to do for him. Corrigan did not come out. I then went into a room and remained in the company of the Rev. Mr. King, and was informed that in the meantime Corrigan had departed by the back part of the house. O'Neill and Harris came into the room in which I was, with the Rev. Mr. King, when Harris made use of threats to me saying, that I deserved something for standing on the ground with Corrigan. I understood that O'Neill and his party had made a search for Corrigan, and not finding him had gone away. So far as I could judge, the motive which actuated O'Neill in challenging Corrigan to fight was, to determine which of the two was the better man.

Previously to this occurrence, I was informed that Corrigan, being engaged in horse-trading, had boasted that he was afraid of no man residing between two given points, and it happened that the said O'Neill resided among those indicated. Some mischievous people, desirous of seeing a personal encounter between Corrigan and O'Neill, made use of this to excite O'Neill against Corrigan, which induced the former to call upon Corrigan and challenge him to fight. This, I believe to be the origin and only cause of difficulty between Corrigan and O'Neill.

Some short time afterwards, Corrigan told me that he had settled all his difficulties with O'Neill and the party above mentioned, and appeared pleased at the result. I heard of nothing relating to these difficulties afterwards, until Corrigan was assaulted at the cattle show. Not having been present at the show, I cannot speak as to what occurred there.

(Signed,)

JOHN CORDICK.

Taken and acknowledged before us at Quebec, this 9th March, 1857.

(Signed,) JOHN B. PARKIN, }
 " A. M. DELISLE, } Commissioners.

John Hill, of St. Sylvester, Farmer, being sworn, saith:

I have been a resident of St. Sylvester for 12 or 13 years. Some time in the winter of 1855, I attended divine service performed by the Rev. Mr. King, Protestant minister of St. Sylvester, in the house of Hugh Russell. This was on a week day, but a good many of the neighbors attended. After service, Corrigan, his two boys and servant girl, were some of the first who left to go home. As he was proceeding along, he was met by Paddy O'Neill, George Bannon, Wm. Love, Anthony Kilfoy, Patrick Donny and John Harris. I was too far distant to hear what was said between the parties, but I observed O'Neill and Corrigan taking off their coats and exchanging blows. O'Neill had a balise (bit of spruce) in his hand, and so had

all the others who accompanied him. I observed O'Neill deal his first blow at Corrigan with the balise. Corrigan had nothing in his hands as far as I could see. They both closed together, and Corrigan brought O'Neill to the ground. Having both regained their feet and exchanged blows, Corrigan again knocked O'Neill down. In this last scuffle O'Neill only used his fists. None of the five individuals who accompanied O'Neill, struck Corrigan. The parties then separated and walked about an acre, until they reached said Russell's door, where another fight took place between O'Neill and Corrigan, in which O'Neill put Corrigan down. At this stage of the fight I was standing with Mr. Russell at his barn door, and urged him to go and assist Corrigan, as I was apprehensive that he might be killed. Mr. Russell accordingly interfered, and succeeded in restoring peace. Corrigan entered Mr. Russell's house and then left it for home, when, at the same time, O'Neill and his party entered the house to look for him. At this time I went away, and left O'Neill and his party in Russell's house.

Being desirous of ascertaining the cause of this difficulty, I made inquiries on the subject, and heard that Corrigan being on one occasion in the parish of St. Jacques, engaged in horse-trading, he had boastingly said that he feared no man between two certain points, which he indicated; that the said O'Neill, residing in the place indicated by Corrigan, and looking upon himself as a powerful and strong man, had taken offense at what he looked upon as a challenge addressed to him, and had come on the occasion referred to, to fight Corrigan, and see who was the better man. Added to this, it was also reported to me that some mischievous people in the parish, anxious to witness a personal encounter between those two men, had exaggerated the language used by Corrigan with a desire of bringing them into a personal conflict. Such is my firm belief, was the only cause of the hostility and fight between O'Neill and Corrigan. I never heard that there was any religious feeling mixed up with their quarrel at all.

The late Robert Corrigan was a good, honest-hearted man, rather violent in his habits, ready to give a blow when provoked and to shake hands over it. Previous to Corrigan's death, a very good feeling prevailed between Protestants and Catholics of that locality, but that feeling has been considerably impaired by the circumstances connected with Corrigan's death. I did not attend the cattle show, and therefore, I cannot speak as to what took place there.

(Signed,) JOHN HILL.

Taken and acknowledged before us at Quebec, this 10th March, 1857.

(Signed,) JOHN B. PARKIN, }
" A. M. DELISLE, } Commissioners.

William Gilfoy, of St. Sylvester, Mason, being sworn, saith:

I am a Roman Catholic, and have resided for 24 years at St. Sylvester. My house is near Hugh Russell's. About the middle of the winter 1855, Paddy O'Neill stopped at my house in the morning and said that he was going to challenge Corrigan to fight. I asked him why, and he told me that Corrigan, some time before, being at St. Jacques, in the house of one Nancy Boyce, who kept a sheeben shop, had said that he could beat any man within a certain distance, which he had indicated; that he, O'Neill, residing in the place pointed out by Corrigan, felt insulted at this and wanted to fight Corrigan, to know which of them was the better man. My residence is about one mile from Russell's. O'Neill left my house and proceeded towards Corrigan's residence to fight him.

On the same day I heard that they had met together, had made friends and parted as such without any fighting. Subsequently some malicious persons, desirous of seeing a personal encounter between the two men, commenced circulating

exaggerated and false reports tending to irritate O'Neill and Corrigan, which led to a fight between them. I was not present at the fight, but as O'Neill was returning home in the evening, he stopped at my house and complained of having been beaten by Corrigan in an unfair manner, by using a sling shot, with which he had given him a bad wound over the eyebrow on the temple. I saw the wound, and it looked very bad. O'Neill, at the same time, complained of having received divers other wounds in the body. One McGreevey and Anthony Kilfoyl, and one George Bannon, were, to the best of my memory, in the company of O'Neill on this occasion. On the first occasion above mentioned, I had advised O'Neill to pay no attention to what Corrigan had said, and to make it up with him, and I was happy to find that he had followed my advice. From what O'Neill told me on the occasion above mentioned, and what has come to my knowledge since, I believe that the boast or threat alleged to have been made by Corrigan, as before stated, was the sole cause of the bad feeling and difficulties which subsequently followed between O'Neill and Corrigan.

Previously to these disturbances so far as I could judge, the best possible feeling existed between Protestants and Catholics in St. Sylvester, and although the events connected with Corrigan's murder tended somewhat to impair that good feeling, I consider that it subsists to this day among the better class of the population, which form by far the greater portion of it. A few turbulent and violent men, such as are found in all communities, are endeavoring to perpetuate and foster animosity between Protestants and Catholics, but the good sense of the people, I believe, will soon outweigh it all and lead to a more satisfactory state of things.

(Signed.)

WILLIAM ^{his} x GILFOY,
mark

Taken and acknowledged before us at Quebec, this 10th March, 1857.

(Signed,) JOHN B. PARKIN, }
" A. M. DELISLE, } Commissioners.

Ralph B. Johnston, of St. Sylvester, Stipendiary Magistrate, being sworn, saith:

I have been stationed at St. Sylvester since the 2nd January, 1856, consequently cannot of my own knowledge speak of any of the facts attending the late Robt. Corrigan's death, but, from continual intercourse with the inhabitants both Catholic and Protestant, the conviction I have arrived at is that the death of the late Robert Corrigan arose from his being a man of great strength, of which he was conscious, and from his being of a boasting and overbearing disposition. I have never considered that any of the excitement subsequent to Corrigan's death was founded in religious animosity as between Catholics and Protestants, but it has been evidently connected with the old feud borrowed from Ireland between Ribbonmen and Orangemen, although Corrigan was not an Orangeman, but it was assumed by the orange lodges, so numerous in the County of Megantic, that Corrigan was killed because he was a Protestant, and here I should mention that previous to Corrigan's death the orange lodges of that part of the country were all in the County of Megantic, none of them being nearer to the catholic parish of St. Sylvester than Leeds, which is about seven miles. But immediately after the death of Corrigan an orange lodge was, by the instrumentality of the Rev. Wm. King, the protestant minister of St. Sylvester, introduced into the parish in defiance, as it were, of the Ribbonmen known to be resident there, and in utter disregard of the feelings of the rest of the catholic population. Of this lodge the Rev. Mr. King is himself the master, and its meetings have been held in the protestant parsonage house. Without meaning to speak disrespectfully of orange-

men as a body, yet I cannot help knowing positively that the meeting of such a lodge within the limits of their parish has given great offence to its inhabitants, and continues to keep in activity feelings which are dangerous to the public peace, and which, but for the unhappy zeal of the Rev. Mr. King, would long since have been subsided. Being upon my oath to speak generally on all the points which the Commissioners have called on me to reply to, I deliberately state my opinion that nothing would so immediately and so effectually restore tranquillity as the removal (if such a thing be possible) of the Rev. Mr. King from the parish where he has not at all times spoken too discreetly even from the pulpit.

On my first arrival in St. Sylvester on permanent duty I was told by many persons that it would be impossible for any justice of the peace to send a warrant, or any other process, into the village of St. Sylvester, without fastening upon himself personally the vengeance of all the inhabitants, and without exposing to imminent peril the life of any peace officer, who might have such process in charge. Experience has shown that these were the representations of prejudiced and violent persons. I have exercised all the duties of a Justice of the Peace for more than 12 months in that locality, and the policemen under my orders have for the same period executed every species of process entrusted to them without molestation. On a late occasion, since the acquittal of the prisoner Hagen, a great excitement was produced in the protestant village of Leeds, but although this excitement led the inhabitants so far as to arm and declare that no warrant from a catholic magistrate should be executed among them, they at the same time professed their willingness that any one of their number accused of the outrage, then recently perpetrated, should surrender to my warrant and to the custody of the police force, in whose hands, they stated, they should consider their lives safe. I, some months ago, reported to the Government my opinion that the police force might safely be withdrawn, but the Leeds excitement which I have just referred to, seems to point to the prudence of its continuance for some time longer, until the lately irritated feelings shall have completely subsided.

(Signed,) RALPH B. JOHNSON.

Taken and acknowledged before me at Quebec, this 10th March, 1857.

(Signed,) A. M. DELISLE,
Commissioner.

Charles Timony, Esquire, Justice of the Peace, of St. Giles, Farmer, being sworn, saith :

I have been settled at St. Giles for the last 26 years. St. Giles adjoins the Parish of St. Sylvester. The population of St. Giles are chiefly composed of French Canadians, and the remainder of English, Scotch and Irish, the Irish, however, composing the greater number of that portion denominated old country people. Apart from the French Canadians, the remainder of the population is about equally divided as to Protestants and Roman Catholics. They have always lived on the best of terms, and whilst the causes which led to the death of Corrigan were lamented by both Catholics and Protestants, it in no wise interfered to disturb the good feeling subsisting between them. Although the death of Corrigan created more excitement in St. Sylvester than in St. Giles, I unhesitatingly state my opinion that the process of the law could be executed there presently as well as it could at any time heretofore. Unfortunately, I hear that a few evil disposed persons, evidently desirous of generating a bad feeling between Protestants and Catholics, circulate reports calculated to produce mischief; but I feel assured that the good sense of the better part of the population will neutralize their efforts.

With reference to the late Robert Corrigan I know nothing further than I heard some Roman Catholics say, that he was a very good fellow, whilst others stated that he occasionally indulged in remarks offensive to their feelings, in relation to their religious faith. I am a Roman Catholic.

(Signed,) CHARLES TIMONY.

Taken and acknowledged before us at Quebec, this 10th March, 1857.

(Signed,) JOHN B. PARKIN, }
 " A. M. DELISLE, } Commissioners.

Thomas Cromwell, of St. Sylvester, Farmer, being sworn, saith:—

I gave my evidence at the trial of Richard Kelly and others, tried for the murder of Robert Corrigan, in February, 1856, and then stated all I knew with reference to his death.

I am aware that Robert Corrigan died from the effects of the wounds he had received on the nineteenth of October, 1855. I am aware that his body was removed from St. Sylvester to Leeds, where the Coroner's inquest was held upon his body. It was then said that the reason of the removal of the body to Leeds was in consequence of a report circulated that a mob intended to remove the body and make away with it.

I believe the assault upon Corrigan at the cattle show arose from previous difficulties which he had had with some of the parties since charged with his murder. It appeared that having been assaulted on a certain occasion, and having had a fight with one or more of them, he had caused them to be arrested under a warrant from a Justice of the Peace, but subsequently settled with them at one pound a piece, as I was informed. This created a bad feeling against him on the part of one O'Neill and others, who had been the parties arrested, and who, it was said, would avail themselves of the first opportunity to be revenged of him. The one pound above mentioned paid by each of the said parties did not cover Corrigan's expenses, as far as I know. Having had myself some difficulty with Corrigan about a small sum of money, and it being known that he and I were not on good terms, Patrick O'Neill long before the cattle show, endeavored to persuade me to get into personal collision with Corrigan, and from the feeling which O'Neill and his party had towards Corrigan I am persuaded they had it in for him at the cattle show. The friends of Corrigan, I mean the Protestants of St. Sylvester, having determined upon removing his body to Leeds, in consequence of the apprehensions I have stated as existing, it was reported that the Roman Catholics of St. Sylvester would interfere to prevent it. Whereupon assistance from Leeds was requested and the body was escorted to Leeds by a large body of men, the inhabitants of both places, chiefly Protestants, but I believe some of the Leeds Roman Catholics assisted. I myself abstained from attending on that occasion, which I should not have done but for the apprehension of a row.

From what I heard at Machell's, immediately after the beating of Corrigan, I saw that the beating was made a party affair of. Francis Donaghue, then appearing much irritated, called out for the face of a Protestant. He was surrounded by a crowd at that time, some of whom were getting into the house in pursuit of a man named Stocking. The subject of these difficulties and the cause of them were discussed from that time out throughout the parish. The opinion of the Protestants, from the observations which were made by the Catholics, was that Corrigan had been beaten on account of his religion, and from that time out there has been a split between the Protestants and Catholics. There is, however, in the parish, a class of Roman Catholics of respectable position who desire peace and order, and disapprove of the conduct of those connected with the death of Robt. Corrigan. This class I

think to be the majority of the Roman Catholics, and the most intelligent, influential and wealthy amongst them. This division still exists in the parish, but I think the excitement is subsiding. A feeling prevails amongst the Protestants and a great many of the Roman Catholics, that justice has not been done, and that Kelly and others ought not to have got off clear. This I have heard expressed by very many Roman Catholics, who have also stated to me that when they travel to other places they feel ashamed to own themselves Roman Catholics of St. Sylvester. I have also heard it generally stated that if some remedy were not found a rebellion in that part of the country would be the consequence.

(Signed,)

THOMAS CROMWELL

Taken and acknowledged before us at Quebec, this 14th March, 1857.

(Signed,)

JOHN B. PARKIN,

GEO. A. PHILLPOTTS, } Commissioners.

A. M. DELISLE, }

James McKee, of St. Sylvester, blacksmith, being sworn, saith:

It was at the house of my father that Robert Corrigan died on Friday evening, the 19th of October, 1855. On the Monday following at 2 o'clock the body was removed to Leeds for the inquest. The body was escorted by a number of people from St. Sylvester, and also from Leeds. The reasons for removing the body were: 1st. That my father protested against its remaining any longer in his house, on account of commencing decomposition, and 2nd: That we had reason to fear that the friends of the persons afterwards tried for the murder intended to take away the body and make away with it. One reason for this fear was that it was reported to us by one Terence Sheridan that he had overheard a plot on the part of the said friends, to take the body by force and burn it, to destroy the proof. Sheridan, who is a Roman Catholic, stated that he heard this at the church and he reported it to my father. This removal, we understood, was to have been carried into effect on the Sunday night, but no attempt was made on that night. This, I believe, was owing to its being reported that resistance would be offered. On the Monday morning there were a number of the Roman Catholics, about a dozen, who wished to see the body, but were not admitted, and it was removed to Leeds without opposition or manifestation of feeling. The body was escorted to Leeds by an armed party carrying fire arms openly upon their shoulders.

I was at the inquest. I knew the late Robert Corrigan, and as well from his own declaration as from my own knowledge, as far as I can know, I have no hesitation in stating that he was not an orangeman.

Since this occurrence, I mean the beating of Corrigan, the Protestants and Catholics of St. Sylvester have been divided.

(Signed,)

JAMES MCKEE.

Taken and acknowledged before us at Quebec, this 16th March, 1857.

(Signed,)

JOHN B. PARKIN,

“

A. M. DELISLE, } Commissioners.

“

GEO. A. PHILLPOTTS, }

Thomas Walker, Esquire, of the Parish of St. Sylvester, merchant, after being duly sworn, doth depose and say:

I am a Justice of the Peace and have resided in St. Sylvester for four years past. I knew the late Robert Corrigan, and was present at the cattle show when

the assault, which resulted in his death, was committed upon his person. I saw him knocked down. This was, I think, on the 17th October, 1855. I was not called upon to give evidence on the trial of Kelly, *et al*, for the murder of Corrigan. When Corrigan was assaulted and struck, I was standing within two yards of him with six or seven other persons, and one of them, named John McCaffray, was complaining of the opinion which Corrigan had just given on some sheep belonging McCaffray. Corrigan was one of the Judges at the cattle show. Corrigan then said, "that as fault was found with the decision he had given" he would judge no more that day, and stooped down to wipe his hands on the grass. At this moment I observed a party of about fifteen men standing on the brow of a hill; about thirty feet distant, when suddenly, seven or eight of that party detached themselves from the other and rushed down the hill towards us, some of them armed with sticks, and on reaching us, struck Corrigan. The first blow was inflicted with the hand, and two others struck him with sticks, when he was felled to the ground. At this moment a crowd amounting to about forty, was grouped round Corrigan who was lying on the ground. I then saw some of the party seize the india rubber coat worn by Corrigan and pull it over his head. After this, I observed one Edward Donaghue kick him on the head and body. This was the only one of the party I could identify. I did not hear Corrigan say one word to his assailants, in fact he had not time to speak. This party continued beating Corrigan for five or six minutes. I left the ground whilst this party was beating Corrigan to go and procure assistance, but the parties I applied to would not come with me. I did not interfere when the assault was made fearful for my own life if I had, having previously been cautioned by a prominent man, a friend of mine, not to attend any public meeting. I am a Protestant, and the party who so advised me is a Roman Catholic. I had been named a Justice of the Peace about fifteen days before this occurrence. I did not inform the authorities of the evidence I could give in the case.

I was never called upon to act in this matter as a Justice of the Peace. Mr. Paquet, Justice of the Peace at St. Sylvester, was the only magistrate who took any action for the apprehension of the parties who had assaulted and beaten Corrigan. I never saw Corrigan afterwards. After leaving the ground, and being unable to obtain assistance, I went home and did not return to the show. The parties who so assaulted Corrigan, did not appear to me to be under the influence of liquor, although I heard that liquor and beer had been sold at the show. Although I personally know nothing of the causes which led to this unprovoked assault upon Corrigan, yet I am inclined to believe that there existed a bad feeling against him by some parties, who were jealous of his prowess and strength, as he had had several encounters with some of them, in which he had invariably been the successful combatant. There may also have been some bad feeling against him on account of his being supposed to be an orangeman. I attended the removal of the body of Corrigan from St. Sylvester to Leeds with a large party, about two or three hundred persons. I was told that the reason which induced the removal of the corpse to Leeds, was an apprehension that a certain party intended to carry away the body and destroy it, so as to leave no trace of it, and that it was understood that threats to that effect had been made. The parties referred to were those who had been the cause of his death and their friends. The death of Corrigan, under the circumstances it took place, and the result of the trial of Kelly and others, has generated a bad feeling amongst Protestant and Catholics, which continues to this day. So much so, that the people of that locality seldom or ever travel without carrying fire-arms on their persons. I do not think that that feeling is at all subsiding, although I am aware that a number of respectable Roman Catholics deplore these unfortunate events as much as the Protestant population. There could have been no difficulty in arresting the said Kelly on the day following the assault, for there was a ploughing match at which he attended, and where he even dined with the Committee that day; so that, in my opinion, his arrest could have been effected, if without trouble or resistance. My reason for not acting to secure

the apprehension of the parties who had assaulted Corrigan was, because I was not requested to do so by any one; for, I feel convinced, that if I had been applied to in proper time, arrests could have been made without difficulty.

THOMAS WALKER.

Taken and acknowledged before us, at Quebec, this 17th March, 1857.

(Signed,)	JOHN B. PARKIN,	} Commissioners.
“	GEO. A. PHILLIPOTS,	
“	A. M. DELISLE,	

Andrew McKee, of St. Sylvester, farmer, being sworn, saith:

I was at the cattle show at St. Sylvester, but was not present when an assault was committed on the late Robert Corrigan, which resulted in his death. I had gone home to take my dinner, and was sitting at table when Corrigan was brought in by Edward McKee, my son. He had two bad wounds on the head, and was bleeding very profusely. He complained of having received serious wounds in the body, stating that he did not attach much importance to the wounds on his head, but that the wounds in his body gave him some uneasiness, as he thought his inside was burst. After dressing the wounds on his head, I left him sitting in the house, and went back to the show. I returned in about one hour, or one hour and a half, and found him so ill that I was obliged to put him to bed, from which he never rose. He then repeated a second time that the blows on his head amounted to nothing. I gave my evidence at the trial of Kelly and others, charged with the murder of Corrigan. Corrigan was brought to my house at about one o'clock, P. M., of Wednesday, and died at about seven o'clock of the evening of Friday following. He made his will on the day of his death. I then had reason to suppose, as my son had been sent for the Coroner, that an inquest would be held on the body of Corrigan immediately, but the body remained in my house until 2 o'clock of the Monday following, without any inquest being held. The body had become putrid, and my house being continually besieged by numberless visitors, put me to very great inconvenience, so much so, that I was compelled to send away my family from home. I called upon James Mullavey, J. P., Dr. Reed, and the Rev. Mr. King, to consult them as to the means I should adopt to have the body removed from my house. As Corrigan's wife was very ill, and that he had no other relatives in the place, it was agreed that the necessity of removing the body should be made known to his friends, which was accordingly done, and the body was removed on the Monday following by a large number of his friends, who attended for that purpose. The body was taken to the Township of Leeds, where the Coroner's inquest was subsequently held, on the Tuesday and Wednesday following.

On the Sunday evening, having some business at Mr. Walker's, one of my neighbours, I went there and had some conversation with one Terence Sheridan, who boarded with Walker, on the subject of the Coroner's inquest about to be held, in which I expressed my surprise at the Coroner's absence. He told me then that it was intended to intercept the Coroner, and that very possibly such had been done, and that he had heard some of the Donaghues planning this at the church. He added that he had also heard that a party of about three hundred intended coming to my house that evening to remove the body and make away with it, so that it might not be present at the Coroner's inquest, and that he had reason to believe that the Coroner would be intercepted until the body had been made away with.

These reports proved to be groundless, for the Coroner came, and no one came to my house to remove the body by force as threatened.

In consequence of the information given me by Sheridan, I boarded the windows in the back part of my house, and with a few friends, to the number of 25 or 30, sat up that night to protect the body in my house, in case an attack should be made.

upon it. We were armed with fowling pieces and other weapons to defend ourselves in case of an attack. It is possible that the fact of our being on the watch, armed, may have prevented an attack being made, if such was intended.

We had had cattle shows at St. Sylvester annually for three years before, and at the two preceding ones, similar rows and fights had been got up by the same kind of people, Catholics against Protestants. The bad feeling of Catholics against Protestants is not universal; it is confined to a low and lawless set of settlers, who are always prepared for mischief. I believe this last party to form a majority of the Catholic population.

The police, to the number of about six, are still in the Parish, and have maintained order since their arrival there, and I think half a dozen police would succeed in keeping the place quiet. The Protestant population have felt quite secure since the presence of the police at St. Sylvester.

Question. Can you explain why the beating of Corrigan should have been made a cause of party quarrel between Catholics and Protestants at St. Sylvester?
—*Answer.* No! I cannot explain it.

I believe that the assault upon Corrigan arose from personal feuds and feeling, which originated in several fights which he had had with some of that party, in which he had been successful; that that party, actuated by resentment, availed themselves of the opportunity offered by the cattle show to assault and beat him as they did.

I do not believe they intended to murder him, but only to beat him severely.

(Signed.) ANDREW M'KEE.

Taken and acknowledged before us at Quebec, this 18th March, 1857.

(Signed.) JOHN B. PARKIN,
" A. M. DELISLE,
" GEO. A. PHILLPOTTS. } Commissioners.

(Translation.)

Charles Tanguay of Quebec, Saddler, being sworn, deposeth and saith:

I was one of the petit jurors sworn at the trial of Richard Kelly and others accused of the murder of Robert Corrigan.

This trial lasted a very long time; it appeared to me to be conducted in the manner that matters of such importance usually are, and nothing to my knowledge took place either on the part of the Judge, or of the counsel employed, which was calculated to depreciate the proceedings in the opinion of the jury and to influence their decision. The Judge's charge delivered to the jury appeared to me impartial; for the presiding Judge, after explaining to us the law from the books before him, extracts from which he read, said to us that with respect to the questions of fact, that is to say, of the evidence submitted to us in support of the charge, they were exclusively for our judgment, and I do not recollect that he made use of any expression calculated to influence our decision either on one side or the other. Nothing occurred to my knowledge during the trial in question of a nature to cause the jury to lose sight of the importance of the matter submitted for their decision; and the witness hath signed.

(Signed.) CHARLES TANGUAY.

Sworn before us at Quebec, this 19th March, 1857.

JOHN B. PARKIN,
A. M. DELISLE,
GEORGE A. PHILLPOTTS. } Commissioners.

Michael Hanley, of Quebec, merchant, being sworn, saith :

I was one of the petit jurors in the panel sworn to try the case of Kelly and others charged with the murder of Corrigan. I observed nothing unusual in the management of that case from cases of similar character. The counsel on both sides appeared to exert themselves to their utmost to obtain their ends. Nothing occurred in the course of the trial which could exercise an unfair or undue influence on the minds of the jury. The charge delivered by the Judge at the close of the trial appeared to me to be fair and impartial, and such as might have been expected from the evidence adduced on both sides. It did not appear to me that there was any bearing on the part of the Judge on one part or the other, but he impressed us with the necessity of doing justice between God and man.

Ques. What was the impression created on your mind by the charge of the Judge as respects the guilt or innocence of Kelly and the others accused of Corrigan's murder?—*Ans.* The charge given to us by the Judge, according to the evidence, was, in conscience and justice, according to all law, human and divine, as far as my knowledge leads me, and the said charge did not influence my decision.

(Signed,) M. HANLEY.

Taken and acknowledged before us at Quebec, this 20th March, 1857.

JOHN B. PARKIN,
G. A. PHILLPOTTS, } Commissioners.
A. M. DELISLE.

Thomas Burns, of Quebec, shoemaker, sworn, saith :

I was one of the jury empannelled and sworn on the trial of Richard Kelly and others for the murder of the late Robert Corrigan. It was the first time I ever served upon a jury, but have frequently attended the Criminal Courts and witnessed the trial of prisoners. I observed nothing in the management of this case on the part of the Court and the lawyers employed on both sides different from what I had observed in the trial of criminal cases generally. One of the English jurors took notes of the evidence on the trial, which we used to consult after the adjournment of the Court. Nothing came under my observation to disparage or lower the character of the proceedings, and thereby influence the judgment of the jury. I cannot presently recall to my memory the purport of the charge delivered by the Judge. Having had a daily opportunity of satisfying ourselves of the accuracy of the evidence as taken by the juror referred to, we were led in our decision chiefly upon the evidence so taken, uninfluenced by any of the speeches addressed to us.

(Signed,) THOMAS BURNS.

Taken and acknowledged before us at Quebec, this 20th March, 1857.

JOHN B. PARKIN,
G. A. PHILLPOTTS, } Commissioners.
A. M. DELISLE, TS.

Olivier Gauvreau, Inspector and Measurer of timber, of the City of Quebec being duly sworn, deposesh as follows : I was one of the petit jurors serving at the trial of Richard Kelly and others accused of the murder of Robert Corrigan, in February, 1855.

It was the first time in my life that I had served as petit juror, but had often been present at the sittings of the Criminal Court during the trials held there ; I

observed nothing extraordinary in the course of the trial in question, excepting its length, the trial having lasted eighteen days. This appeared to me to be due to the great number of witnesses examined, and the necessity of translating all the evidence, as the jury was in part composed of five Canadians, the majority of whom did not understand English. Nothing to my knowledge occurred during the trial of a nature to lower the character of the Court and the proceedings, or which could in any way influence the decision of the jury. The counsel on the side of the Crown and for the prisoners, manifested the greatest interest in the proceedings, and this also contributed to the length of the proceedings. The charge of the presiding Judge was first delivered in the French language, and appeared to me to be most impartial. I gave very close attention to this charge, which appeared to me to be strictly in accordance with the evidence which we had heard. The said Judge, after having explained to us the law which he read from the books he had before him, told us that the question of fact as contained in the evidence was to be decided by us alone. The impression I derived from that charge was that it was our duty to decide the question upon the evidence alone, which had been submitted to us, without regard to the speeches we had heard, and it was upon that principle that I formed my own decision. Our verdict was rendered after having deliberated from Saturday after the adjournment of the Court until the following Monday at its opening.

(Signed) OLIVIER GAUVREAU.

Taken and sworn before us at Quebec, this 20th March, 1857.

JOHN B. PARKIN,
A. M. DELISLE, } Commissioners.
G. A. PHILPOTTS, }

Pierre A. Doucet, of Quebec, Joint Clerk of the Peace for the District of Quebec, being sworn, saith :

On the seventeenth day of January, 1855, the late Robert Corrigan called at my office and preferred a complaint of assault and battery upon his person against Patrick O'Neill, John Harris, Anthony Gilfoy, George Bannon, William Love, and Patrick Downey. I reduced his deposition to writing, which was received before J. Maguire, Police Magistrate, who issued his warrant for the apprehension of the parties complained of. I now file a copy of the affidavit made by Corrigan on that occasion, marked A.

This complaint was not followed up by a summary trial or a prosecution by indictment at the Quarter Sessions. I have since understood that Corrigan had made a settlement with the parties in question.

(Signed) P. A. DOUCET.

Taken and acknowledged before us at Quebec, this 18th March, 1857.

JOHN B. PARKIN,
G. A. PHILLPOTTS } Commissioners.
A. M. DELISLE. }

John McLaughlin, of the City of Montreal, Chief Constable of the Government Police, after being duly sworn upon the Holy Evangelists, doth depose and say :

I accompanied the police force under the charge of Colonel Ermatinger, Inspector and Superintendent of Police, to aid in the apprehension of the parties

charged with the murder of the late Robert Corrigan at the Parish of St. Sylvester, in the month of October, 1855. We left Montreal for that purpose on the 19th December, 1855. Stopped two days at Richmond and reached St. Sylvester on the 22nd of the same month, having previously spent about one day at the Township of Leeds.

I made search in various places in that locality for the parties charged with the said murder, but was not successful.

The people appeared to labor under considerable excitement in consequence of the disturbances which followed the death of Corrigan, and I received information that there were two antagonistic parties consisting of Ribbonmen and Orangemen. I heard that there existed lodges of both Ribbon and Orangemen in St. Sylvester and Leeds.

The information I received whilst there was that there was a strong personal feeling of dislike towards Corrigan by one party to whom he had rendered himself obnoxious. This feeling seemed to increase in consequence of parties repeating stories concerning Corrigan, and which seemed to be exaggerated as they went round from mouth to mouth. The country is new, has a great deal of forest and consequently affords great facilities for concealment and escape.

I remained stationed at St. Sylvester for three months, and had frequent conversations with Protestants and Catholics, and became satisfied that, although there existed considerable excitement, things were considerably magnified. I think that a small police force stationed at Sylvester would have prevented the disturbances which took place, and would, in case it became necessary to arrest any one, have proved able to do so, and thus enforced a proper respect for the laws.

Further I say not, and have signed.

Witness adds that he is a Roman Catholic.

(Signed.)

JOHN McLAUGHLIN.

Sworn before us at Montreal, this 3rd March, 1857.

(Signed,) GEO. A. PHILLPOTTS, }
" A. M. DELISLE, } Commissioners.

George Hunter, Sub-Chief Constable, of the City of Montreal, being duly sworn, saith:

I have been attached to the Water Police, since the establishment of the force, about six years ago.

I accompanied the force sent out to St. Sylvester, to effect the arrest of the parties charged with the murder of the late Robert Corrigan. I arrested one of the parties accused of the said murder, named James Hagen, at a place called "The Handkerchief," where he was concealed in a small house about two miles distant from his own house. It was about four o'clock in the morning of the 9th July, 1856, that I so arrested him.

I am a Protestant. I found that there existed a good deal of bad feeling between the Protestants and Catholics of St. Sylvester and that vicinity. I understood that up to the time of the death of Corrigan, the best possible feeling had existed among Protestants and Catholics, and that this bad feeling was entirely due to the alleged murder of Corrigan. I heard that Corrigan had had a fight at his own house previously, with some one, and that he had the name of being a fighting man, which rendered him obnoxious to certain parties in St. Sylvester. From what I could observe, I should think that the assault upon Corrigan was more owing to personal than religious feeling against him.

I heard of the existence at St. Sylvester, of Ribbon Associations and Orange Lodges, and that the latter were on the increase since the death of Corrigan.

There was a greater number of Orange Lodges in Leeds, where the population is more generally composed of Protestants.

It is very difficult to effect arrests in that section of country, from the fact that the roads are in a most wretched state; that the country is hilly and is covered with forest, which affords every facility for concealment and escape.

From what I could observe during a stay of about three months at St. Sylvester, of the character of the population, I feel assured that a party of six policemen could have prevented the assault upon Corrigan, and if committed in their absence, could have secured the apprehension of any one in the place. I was in command of the party when Hagen was apprehended, and I was the individual who first effected his arrest. I received no portion of the reward which had been offered for the arrest of the said Hagen and others accused of the said murder.

When I made the arrest of Hagan, I was assisted by a Canadian who had given information as to his place of concealment, and who acted as our guide. From the nature of the country generally, a guide would be unavoidably necessary in order to effect the apprehension of any one under similar circumstances.

Further I say not, and have signed, these presents having been previously read over to me.

(Signed,) GEORGE HUNTER.

Sworn before us at Montreal, this 3rd March, 1857.

(Signed,) GEO. A. PHILLIPPS, }
A. M. DELISLE, } Commissioners.

William Ermatinger, Esquire, of the City of Montreal, after being duly sworn on the Holy Evangelists, doth depose and say:

I filled the office of Inspector and Superintendent of Police for the District of Montreal for many years, and held that office in the month of December, 1855. I received instructions from the Attorney General on the 7th December, 1855, to proceed to St. Sylvester, to act in aid of the police force under the command of Major Johnson, for the purpose of arresting the persons accused of the murder of Robert Corrigan. On the 19th December I proceeded to Richmond with a force of thirty men, and, on the following day, went with the police into St. Sylvester. I went to Point Levi to take charge of a party of troops, and brought them to St. Sylvester by Craig's road. I detached the whole of the police force in search of the parties that very night, without being able to effect their arrest. The same thing was repeated the following day with the same result, and so on to the 24th December, when we left.

I understood that the assault upon Corrigan and the occasion of his death, had originated from a previous quarrel with some of the parties subsequently accused of his murder, on which occasion it was said that Corrigan had made use of unfair means in a personal encounter with them, and that in consequence, they had threatened that on some future occasion they would retaliate. This information came from all parties, and it was generally reported that Corrigan considered himself a sort of champion, and had, on several occasions, personal encounters with some of the opposite party, in which he had been successful, but considered by the opposite party as having been achieved by unfair means. After Corrigan's death, the bad feeling between the parties was much increased, and was taken up as a sort of religious party feeling between them or part of them, and, in my opinion, this was either kept up or fostered by the injudicious and excitable conduct of the clergyman, Rev. Mr. King.

From the nature of the country in that neighborhood, it would be impossible to effect the arrest of parties (who had the sympathy of the inhabitants) and who en-

deavored to escape from apprehension, unless it was done on the spot at the time the crime might be committed, and which, I think, in this case, might easily have been done without causing much disturbance. I think that two police stations in the neighborhood would be effective in preventing any disturbance of the kind which has happened.

I never had any communication whatever with Mr. Paquet, J. P., in the matter. I was acting all the time with Mr. Rickey, J. P., in the neighborhood, who gave me every assistance in his power.

From the proximity of the Province line to St. Sylvester, as well as from the peculiar nature of the country, no body of police or soldiery could, at the time, have effected the arrest of the parties accused, as there was every facility for them to escape to the States, (which, I believe, they had done,) and even had they been in the neighborhood, might have easily remained concealed. And, as they were not arrested on the spot or immediately after the assault on Corrigan and before his death, I much doubt if their arrest could have been in any way effected, had they not surrendered to me, which they afterwards did to myself alone, and proceeded with me without any other assistance, until I lodged them in jail at Quebec on or about the 10th January, 1856, and which surrender I effected on my own responsibility and without assistance, by agreeing to the terms referred to in document marked A, a copy of which I now furnish, as well as a copy of their surrender marked B.

(Signed,)

W. ERMAINGER.

Sworn before us at Montreal, this 3rd March, 1857.

(Signed,)	GEO. A. PHILLPOTS,	} Commissioners.
"	A. M. DELISLE,	

François Réal Angers, of Quebec, Esquire, Advocate, being sworn, saith:—
I am not aware of any obstacles in the way of a due and proper administration of criminal justice in the District of Quebec, save and except in certain cases wherein religious prejudices are brought to bear.

In such cases the fault lies in the defect of the jury system, which permits prisoners to know long before hand the names of the persons who are to be summoned by the Sheriff. In my opinion the right of challenge is too extensive, considering the number of jurors on the panel. The jury sit ought to be composed of a higher class of people, less liable to be influenced by prejudices.

From professional experience I can state that, as counsel for a prisoner, with the privilege of challenge as it now exists, I could almost to a certainty choose twelve men for the trial, provided all the jurors be in attendance. In support of this view, I will mention the late trial of Hagen, charged with the murder of Corrigan, wherein the proceedings were conducted, on both sides, in strict conformity to the practice of criminal justice, but in which, however, owing to the defect in the jury system above mentioned, the verdict was, in my opinion, apparently contrary to the evidence, and certainly contrary to the charge of the presiding Judge. I do not mean to attach any blame to any class of jurors, my conviction being, had Corrigan been tried for the murder of Hagen, the result would have been the same, to wit, an acquittal, the prisoner in such case choosing another jury from the same panel, influenced by prejudices of a like sort, but favorable to him. It is proper to observe, however, that the case above alluded to is an exceptional one, not likely to occur frequently.

I would suggest as a remedy to this evil some amendment to the jury law, as follows:

1st. The selection of jurors of a higher class of society.

2nd. The forming of the panel, by taking the name by ballot from a box, to prevent people from knowing beforehand the composition of the panel.

3rd. The adoption in the mode of calling the jurors in Court at a trial.

4th. The restriction of the right of challenge, or the granting to the officer of the Crown a corresponding right of challenge.

I would, however, leave to the prisoners the option of a jury speaking his language, but in such case without reference to origin.

In conclusion, I humbly state as my opinion, that the institution of the jury is a superannuated one, and that the ends of justice would be better attained if trials were to take place before a Court composed of several judges, who would be less subject to be influenced by prejudices, and who would feel more the responsibility of their acts than jurors, except, however, in political trials.

I cannot state anything concerning the mode in which the trial of Kelly and others for the murder of Corrigan was conducted, being at that time absent from the country.

(Signed,) F. R. ANGERS.

Taken and acknowledged before us, at Quebec, this 19th March, 1857.

(Signed,) JOHN B. PARKIN,
 " GEO. A. PHILLPOTTS, } Commissioners.
 " A. M. DELISLE.

John Francis Duval, of Quebec, one of Her Majesty's Justices of the Court of Queen's Bench, being sworn, saith :

I produce herewith, a transcript of the evidence taken before me at the trial of Richard Kelly and others for the murder of the late Robert Corrigan, as dictated to me verbatim by the witnesses themselves.

I also give the substance of my charge to the petit jury. As this charge was delivered immediately after the closing of the evidence, was not written, and took up more than four hours in the delivery, I can do no more than state the general rules I laid down for the guidance of the jury.

I told the jury that the offence proved was murder. I said it was a cowardly and brutal murder of a man who had not given the slightest provocation,—that it was clearly established by the evidence, that, when Corrigan was down on the ground and in a defenceless state, he was set upon by 20 or 30 persons, (some of the witnesses said a greater number) who kicked him and struck him with sticks on different parts of the body; that this occurred on the Wednesday, about one o'clock in the day time, and that Corrigan died on the Friday following, about seven in the evening; that, under the circumstances disclosed by the evidence, all who had taken part in this outrage were guilty of murder; for it is a general principle of law as well as of reason, that a man is responsible for the natural consequences which result from the act he has committed, and no man who saw 20 or 30 persons, possibly more, kicking and beating another defenceless man, stretched on the ground in the manner described by the witnesses, could have any doubt as to the result. No medical testimony or medical skill was required on the subject; the plain good sense of every man would at once decide the question. No man could stand such beating; Corrigan's death must be considered the natural result of the cruel beating he had received.

Referring to the alleged combination between the prisoners, and the responsibility of the one for the acts of the other, I laid down the rule of law as it is to be found in Granger's edition of Roscoe's Digest of Evidence in criminal cases, page 84. This I read to the jury.

I then told the jury the nature of the offence proved being clear, the question they had to decide was one of fact.—Was this murder committed by all, or by any,

and which of the prisoners? Of this the jurors were the sole judges, and to enable them to decide they must weigh attentively the evidence adduced. In weighing the evidence they must not look upon all discrepancies as contradictions, which would justify them in rejecting the evidence of the witnesses. Far from it, it not unfrequently happened that the difference in narrating the circumstances of a case showed there was no previous concert between the witnesses, that each related what he saw and gave his own view of the case. Testimony so given must be preferred to that which was sometimes heard in Courts of Justice, when several witnesses narrated several facts, not only in the same order but in the same words.

The jurors must also weigh the positive and negative averments of the different witnesses, that is, if one witness swear positively that he saw one man in a crowd and another swear that he did not see the same person in the crowd, the same weight ought not to be given to the negative evidence as must be given to the affirmative; for the man might be in the crowd and not be seen by the second witness, whereas he could not have been seen by the first witness if he had not been there. This, of course, is in the supposition that the first witness is an honest man, who has given his evidence without any desire to mislead the Court and Jury.

I read to the jury all the evidence given on the trial, accompanying each deposition with the remarks called for, contrasting it with the evidence given and pointing out its conformation or contradiction of such other evidence. In alluding to the contradictory statements of the witnesses, such for instance as the evidence of the witnesses Nopper contradicted by Paquet, Delaniers, and A. Demers, I told the jurors that by law they were the sole judges of the degree of credibility to be given to each witness. They would take into consideration the conduct of the witness in the box, any bias he might have shown for or against the prisoners, any attempt to exaggerate or suppress facts. I cannot from memory give the remarks I made, but I know I stated the evidence in support of the accusation was sufficient, if not destroyed by the contradictory evidence adduced.

I also alluded to the fact, that when the witness, Richard Stuart (whose evidence was very strong and positive), was asked to point out Richard Kelly, he pointed out Patrick Monaghan, and when asked if he knew the first prisoner, standing on his left, he answered he did not know him. This man was Richard Kelly.

Having concluded my remarks on the depositions of the witnesses, I directed the attention of the jurors to the evidence adduced to identify the persons who took part in the beating of Corrigan. I took my remarks from the 4th chapter of an essay on the principles of circumstantial evidence by Wm. Wills, Esquire.

In the words of the writer, I observed that persons not conversant with judicial proceedings, would believe that personal identification is seldom attended with serious difficulty, but that such is not the case. Illustrations are numerous to show that what are supposed to be the clearest intimations of the senses are sometimes fallacious and deceptive, and some extraordinary cases have occurred of mistaking personal identity. Having this book open before me on the Bench, I read to the jury, for their guidance, the cases therein referred to, applying the rules laid down to the evidence given.

Adverting to the dying declaration of Corrigan, made on the Friday evening, some moments before his death, I stated the general principle on which this species of evidence is admitted. I had open before me the 2nd volume of Greave's edition of Russell's Treatise on Crimes and Misdemeanors, and I laid down the rules as they are there given in page 752 and the following pages. I observed on the absence of an opportunity to cross-examine Corrigan. If Corrigan had been placed in the witness box, he could have been called upon to explain himself more fully, and to say if he could assert positively that Richard Kelly gave him the fatal blow.

I left the question to the jury as one of fact. The evidence was contradictory; it was for them to say what degree of credibility they would give to each witness.

To sum up in a few words, I will observe:

That on the points of law, I stated the rules to the jury in the language of Russell, Roscoe and Wills.

On the questions of fact, the jury were told they were the judges and must pronounce, bearing in mind what I had said in my charge.

Ques. Have you formed any opinion from the evidence given on the trial of Richard Kelly and others, as to the origin of the circumstances and disturbance which resulted in the death of Robert Corrigan? If so, state.

Ans. I have no knowledge of the facts beyond that which I derived from the evidence given on the trial. From this it appears the difficulty first arose between McCaffray and Corrigan, in consequence of the opinion pronounced by the latter on some sheep brought to the exhibition by McCaffray. Whether this was made a pretext for creating a disturbance, I have no means of ascertaining.

Ques. Do you think that in the result of that trial, there was a failure of justice or not upon the evidence given at the trial? If so, what, in your opinion, was the cause?

Ans. I think there has been a failure of justice in this. A murder has been committed, and the guilty persons, whoever they may be, have not been punished.

Ques. Was there, in the manner in which the trial of Richard Kelly and others was conducted, anything to distinguish it from other cases?

Ans. I have, for many years, observed that the protracted length of trials affords prisoners a great chance of escaping. Jurors locked up in the Court House for many days and nights, (in this case for _____) kept away from their homes, their families and their business, get tired, become impatient and irritable, do not continue to give the same attention to the evidence given, their ideas become confused, and in the latter days they forget the evidence given during the first days of the trial. A doubt is thereby raised in their minds, the benefit of that doubt is given to the accused, and a verdict of acquittal is a necessary, and, I will add, a very natural consequence. I am of opinion the evidence, on the part of the Crown, in support of the prosecution against Richard Kelly and others, ought not to have taken up more than two days. No other medical evidence than that of Dr. Fremont, who made the post mortem examination, was required. The murder might have been proved by a very few witnesses; for it was a fact that could not be controverted, and was not controverted. The only question that could cause any difficulty, was one as to identification of the persons accused. Were they the guilty persons, or was any, and which of them?

When I say that the fact of the murder was not controverted, I set aside, as a matter of course, the idle talk that may have been indulged in on the part of the prisoners. This ought not to be listened to for a moment, on the part of the prosecutor. The same idle, unmeaning talk is heard in every case, in a civil as well as in a criminal case. In this case, the facts clearly ascertained, before even the arrest of any person accused, determined, beyond controversy, the points on which the defence would rest.

Ques. Have you anything to state as to whether any obstacles exist as to the due and proper administration of criminal justice in the locality where the crime was committed, and, if so, what would you recommend as to the best means of removing the same?

Ans. I am altogether unacquainted with the locality referred to, and can, therefore, give no information on the subject.

Ques. Can you give the Commissioners the substance of the charge given to the jury on that trial?

Ans. My charge is given above in substance.

Ques. Do you approve of the present jury system in Lower Canada, if not, have you any recommendation to make to the Commission in that respect?

Ans. To give a full and comprehensive answer to this question, it would be necessary to write an essay on the jury system. This is not what is demanded of me at present. I will limit myself to the following remarks. I entirely disapprove of the present jury system. By it, it may be truly said, that some of the best educated, the most wealthy and independent members of our community are virtually excluded from the jury box. In lieu of these, men of no education, of no standing in society, of no practical experience in any department of life, are returned on the jury lists. From these lists the jurors are taken, some speaking English, but not French, others speaking French, but not understanding one word of English, are put together in the jury box. Many of these jurors do not understand the language spoken by the witnesses or by the prisoner. These jurors cannot communicate their ideas to each other. They receive the evidence from an interpreter, and communicate together with the assistance of some one juror who happens to know a little of the two languages. With such a system, can it be deemed surprising that verdicts are not always in strict accordance with the facts proved?

I have not adverted to national or religious distinctions; for my experience, both on the Bench and at the Bar, during more than a quarter of a century's practice, has convinced me that the native Canadians never make any such distinctions. In this opinion I am strengthened by that of men who were certainly not void of prejudices against the natives.

Ques. It is said that during the progress of the trial, some of the prisoners at the bar, with a view to deceive the witnesses, whilst giving evidence, changed their garments and places, and that on one occasion a stranger, standing in rear of the dock, advanced his body so far forward, as to be on a line with the prisoners. Is such the case, or was the attention of the Court at any time called to any practices of the kind?

Ans. The prisoners are in charge of the sheriff, the gaoler, and special constables named. My attention was given exclusively to the examination of the witnesses and the argument of counsel. I observed no change of places or garments on the part of the prisoners. The Solicitor General one day stated he was informed the prisoners had changed their places at the bar. I did not understand by this that any trick was played by the prisoners. I, therefore, told the Solicitor General that the evidence might necessitate one prisoner communicating with another to instruct counsel to cross-examine, and that I had no power to prevent this. The Solicitor General at once acquiesced in the propriety of my remark.

(Signed) J. DUVAL.

Taken and acknowledged before us at Quebec, this 21st March, 1857.

(Signed,) JOHN B. PARKIN,
 " GEO. A. PHILLPOTTS, } Commissioners.
 " A. M. DELISLE.

Réné Edouard Caron, of Quebec, one of Her Majesty's Justices of the Court of Queen's Bench, being sworn, saith:

Ques. Have you formed any opinion from the evidence given on the trial of Richard Kelly and others as to the origin of the circumstances and disturbance which resulted in the death of Robert Corrigan? if so, state.—*Ans.* (*Translation.*) From the evidence adduced at the trial of Kelly and others, the opinion I formed is, that the difficulty which resulted in the death of Corrigan was the disappointment suffered by one named John McCaffray, occasioned by the decision of Corrigan in his capacity of judge, giving McCaffray the second prize only, while he pretended he was entitled to the first, a decision which seemed to have been

regarded by himself and his friends as due to partiality and hostile feelings, and this had led them on to take revenge for what they considered to be an act of injustice, by striking Corrigan.

Ques. Do you think that in the result of that trial there was a failure of justice or not upon the evidence given at the trial? If so, what in your opinion was the cause?—*Ans.* (*Translation.*) It is not to be doubted that those who caused the death, were guilty of an atrocious murder. Upon this point the evidence permits no hesitation. It is equally clear that the fact that hitherto this murder has not been punished, gives ground for saying that justice has not been satisfied. I will add that in my own opinion the verdict rendered at the trial of Kelly and others was in accordance neither with the charge of the presiding Judge nor with the evidence adduced. I am not, however, prepared to say, that that verdict cannot be justified by that evidence, and that it must therefore be attributed to forgetfulness of duty, and to partiality on the part of the jurors who rendered it. It is proper to acknowledge to the contrary, that with respect to certain of the more important points of the trial, and more especially with respect to the identification of the prisoners, there were on the part of some of the most important witnesses variances in their testimony, and contradictions of a grave character, and so striking that the jury well might, in weighing this evidence, come to a conclusion differing from that which I had formed myself, without for that reason deserving to be accused of bad faith, and of a culpable desire of arresting the course of justice.

Ques. Was there in the manner in which the trial of Richard Kelly and others was conducted any thing to distinguish it from other cases?—*Ans.* I remarked nothing extraordinary in the manner in which the trial was conducted, and which caused it to be distinguished from others, excepting perhaps, the excessive number of witnesses examined, many of whom were so examined to prove facts of no importance or already clearly established in the cause, also the bitter and more than useless discussions which too often took place between counsel, and the obstinacy with which they insisted upon renewing incessantly and without new reasons, objections already raised and decided upon previous occasions. These three circumstances conjointly were the cause of the useless duration of a trial which might with advantage have been terminated sooner, the duration of which beyond the ordinary time had the visible and plain effect of fatiguing the jury, distracting their attention from important facts already proved, to prejudice them and to indispose them against those whom they regarded as the cause of a tiresome and unnecessary detention. Whether these causes have or have not influenced the final decision of the jury it is very difficult to tell, but it is very difficult to arrive at the conviction that it is without reason that it has been asserted that the verdict would or might have been different but for the illegal exclusion, say they, by the Judge, of proof of the declarations made before his death by the deceased, with respect to the circumstances and the authors of his wounds. Nothing has less foundation than these assertions, for first of all it is with reason that the Judge refused the admission of these declarations, inasmuch as there was not sufficient proof to convince him that Corrigan in making these declarations had lost all hope of recovering from his wounds. But this once proved, as at last it was, the declaration was admitted, it formed part of the evidence and was submitted to the jury. In that declaration so proved and admitted Corrigan attributes to Kelly the cause of his death. It is known that the other witnesses, whom it was sought to have examined upon that point would not have been able to prove that point more clearly. Corrigan had always repeated the same thing. Thus the jury had that declaration of the deceased before them when they weighed the testimony according to which they rendered their verdict, and it was with that declaration of the deceased admitted and proved before them, that they concluded to acquit the prisoners.

Ques. Have you anything to state as to whether any obstacles exist as to the due and proper administration of criminal justice in the locality where the crime

was committed, and if so, what would you recommend as the best means of removing them?—*Ans.* Not being acquainted with that locality I am unable to answer this question. And the witness hath signed.

(Signed,) EDWARD CARON.

Taken and acknowledged before us, at Quebec, this 21st March, 1857.

(Signed,) JOHN B. PARKIN,
 “ GEO. A. PHILLPOTTS, } Commissioners.
 “ A. M. DELISLE.

Copy of Corrigan's deposition referred to by P. A. Doucet, Esquire, in his deposition, and marked A.

PROVINCE OF CANADA, } City of Quebec.
 District of Quebec.

The information and complaint of Robert Corrigan, of the Parish of St. Sylvester, in the District of Quebec, taken this seventeenth day of January, in the year of our Lord one thousand eight hundred and fifty-five, before the undersigned, one of Her Majesty's Justices of the Peace in and for the said District of Quebec, who saith that on Monday last, the 15th instant, as I was coming from meeting with my two children and my servant girl, (Jane Coyle.) I was met by Patrick O'Neill, John Harris, Anthony Gilfoy, George Bannon, William Love, and Patrick Downey, on the high road, in the concession of St. Marguerite, in the Parish of St. Sylvester. Patrick O'Neill said *no* as I passed on. John Harris said, will you fight me? I did not reply, but the whole of these persons crowded up the road. I asked them if they would give me half the road. They rushed off the road as if they were going to give up the whole road. I was on my way when Patrick O'Neill seized me by the collar and pulled me; he asked me if I was as good a man now as I was the day before when he challenged me. I replied that I was always a man. O'Neill swore a violent oath and saith by Jesus I'd better fight. John Harris pulled off his coat and swore that he must fight before he leaves the ground. Anthony Gilfoy asked me to fight him. I answered that I could not fight a mob. Harris said that I'd have to fight. Seeing the three with their coats off I tried to get off my overcoat when I received a blow on the back of my neck. I succeeded in taking off my coat and turned round and faced O'Neill. Gilfoy hit O'Neill upon the back and told him to let him have it, pointing to me. With that Patrick O'Neill, John Harris, and Anthony Gilfoy closed on me and struck me. I fell down once but was on my feet again, and some time after ran. John Harris ran in front of me and tried to enter the house I had just left, when Patrick O'Neill and Anthony Gilfoy seized hold of me and put me down and got on the top of me and struck at me when down. A crowd of women came out of the house and rescued me. And deponent hath signed.

(Signed,) ROBERT CORRIGAN.

Sworn before me, the day and year first above mentioned, at the said City of Quebec, in the District aforesaid.

(Signed,) J. MAGUIRE, J. P.

A true copy.

(Signed,) GREEN & DOUCET,
 Clerks of the Peace.

Judge's charge as reported in the *Morning Chronicle*, newspaper, and *Mercury* the two papers adopting one report, and in the *Quebec Gazette*.

These are the only two reports of the charge extant, and the circumstance under which they were reported is explained in the evidence of Dunbar, Cary, Rogers and Willan.

Mr. Justice Duval.—Gentlemen of the Jury,—

The learned Judge went over the whole of the evidence in French, and remarked upon it, attaching no importance to the testimony for the defence, and then said in English,—It is necessary to address a few words to you in English. I regret, gentlemen, to have heard of parties in connection with this trial. You are not to be guided or influenced by such considerations. You are responsible to God and your country. It is not the spirit of fire brands to stir up acrimony to further their ends—ends which may succeed for a day, that is, to guide you in the discharge of your important duty, but that regard for truth and justice which is inherent in honest men. Every intelligent man knows that justice must be made. What has religion or nationality to do with this matter? If the prisoners at the bar are guilty of the crime imputed to them, they ought to be punished, and if they are innocent they ought to be set free. I hope this is the last time I shall ever hear it, mentioned that differences of religion or race can influence the course of justice. Jurors, in crimes like this, have ever done their duty in Canada, although in other crimes political feeling may exist, as it does in other parts of the world. This unfortunate row did not originate in religious feeling or in national antiquity. You have seen the cause of it. McCaffray had two sheep at the agricultural show, and Durkin told McCaffray that they were only entitled to a second prize. McCaffray took offence and spoke to Corrigan, who referred him to Durkin. It was then that McCaffray said, "I'm damned if I'll have such judging." All know how a fight is got up in a crowd, and the victim of this fight was Corrigan. With respect to the question, "Has there been a murder?" the interests of justice require that I should speak out to you. No doubt there has been a foul murder committed, under circumstances of brutality seldom or ever heard of, even in Canada. Here is a poor man who insults no one, set upon by from twenty to thirty persons, trampled upon, beaten with sticks, and who, one minute before this was, as the doctors testify, in perfect health, a man of great bodily strength. The next question to be considered is, has this crime been committed by the whole of the prisoners, by a part, by which part, or if any one man has done it. I doubt not you will not shrink from your duty. The punishment of crime will come from a higher order—the law—that which protects us from bowie-knife and revolver, sticking and shooting, as they do in other parts. In examining the evidence our attention will be called to certain discrepancies. Now, every discrepancy in evidence is not certainly a contradiction. You may have confidence in their testimony from that very fact, as all do see alike or hear alike anywhere. When the witnesses for the defence entered there was something to create a suspicion that they had entered witness box with preconcerted stories. The differences of tale as to the witnesses for the prosecution, only showed that they had not conversed with each other; and this is to be borne in mind, negative testimony does not destroy positive testimony. There might be some doubt with two persons standing at that table, when one affirms a fact and the other denies it, but such negatives have no force at all in connection with portions of a story. A man who has not seen may be a perfectly honest man, and give the truth and the whole truth which he has to give. Still that kind of (not seeing) evidence is not to be considered of equal force with affirmative testimony. There is another point to which I am desirous of drawing your attention, and that is, as to the identification of persons. One witness recognizes the person that jumped upon Corrigan, and some tell you that they never saw that person. Persons not experienced would tell you that there could be no mistake; this is not correct, however, personal identity is not unattended with difficulty. (The learned Judge cited from the books some instances, one being, where two persons were placed in the dock so perfectly alike that the recognition of which was impossible.) In a fight, such as this, a witness may make a mistake, as Mrs. Woodward, who gave her evidence without any intention to deceive, did. There is the probability for error, and it is for you to exercise your reason with regard to

correctness, where two statements apparently conflicting are honestly made, as to which of them is to be believed. A dying declaration has been laid before you, such declarations are limited to cases of murder, they are to be received with caution. If this had been the deposition of Corrigan in the witness box, he would have been open to cross-examination, and would have been required to explain positively whether or not it was the prisoner at the bar to whom he referred. When Corrigan made his declaration there were McKee, Stuart and Reed present in the room. Deceased did not state a matter of fact, in saying, "I have not altered my mind," there should have been a distinct affirmative or negative, positively "yes" or "no." But now comes the evidence of Dr. Reed, though here again, more doubt is created. You have heard over and over again, that the room was a very small one; it is not pretended that the answer was a different one; yet Dr. Reed does not give it the same as McKee, the reason being that the other two persons were nearer than himself. Nor does Stuart give it the same way, and his reason for not giving it as the others did, is not the same as Dr. Reed's. I will with these remarks place the matter in your hands, and, as you think, so you will pronounce. Seven of your fellow countrymen await your verdict. Retire, then, gentlemen; call to your recollection the terms of expression; weigh well, and if there be a contradiction, see who is more worthy of credit. If you have a doubt, give the benefit of it to the prisoners. You may give what in Scotland is called "not proven," which in this country amounts to not guilty.

The Jury retired at half-past two, P. M., and not returning into Court at six, the Court was adjourned until Monday morning at nine o'clock.

Judge Duval then charged the Jury in both languages, and summed up the evidence in French at great length

As our readers are already in possession of the evidence, we shall not follow his recapitulation of the testimony given by the various witnesses.

His Honor commenced by observing that the extreme patience shewn by the Jury was a prognostic of such a decision as would give general satisfaction. He had learned with regret that there were two parties; he saw nothing in the case involving differences of religion or race. He regretted that it should be supposed possible that jurors would be thought capable of being swayed by such motives. They had given the highest guarantee which men could give to their fellow citizens, an oath before God. They had a right to be supposed honest, and there was no reason to expect other than a just verdict from them. Such remarks as had been heard during the trial were matters of regret. A long time had been taken up in going through the evidence, but when seven lives were at stake could a Judge take it upon himself to abbreviate the evidence. A brutal murder had been committed, it was useless in such a case to talk of medical testimony; the deceased was in full health when attacked, he had absolutely given no provocation whatever, when assaulted he exclaimed, "I am killed," and shortly after died in consequence of the violence offered to him. Positive testimony always outweighed negative testimony; of two witnesses equally credible, and with equal opportunities of seeing the fact, the Jury were to believe the one who swore, "I saw such a man do such a thing," rather than he who said, "I was there and did not see it." The evidence for the Crown, if believed, was sufficient to convict Kelly of murder. It was their duty to examine the evidence both for and against the prisoners. It was shewn by many witnesses that Kelly helped Corrigan off the ground. Edward McKee, the first witness for the Crown, omitted to state that fact, it seemed he could remember what made against the prisoners, but remembered nothing in their favor. Nopper saw Kelly leap on the belly of Corrigan, he would not have forgotten it, but deviating from all the other witnesses, he said he leaped upon his back. One of the Hopkins had made oath he was not there, which contradicted Nopper. If persons conspired to beat a man, and he was in consequence of the conspiracy killed, it was

only murder in the man who struck the fatal blow, the man who actually killed the deceased was the only man who could be punished for his murder. Kelly was not in the plot (*le complot*) which was only "to start a row." There were always rowdies (*les tapageurs*) who liked rows in these assemblies. Neither was the assault on Stocking any proof of murder, the Jury were not to go into it, it was to remain on its own merits. If they believed Nopper, he was a very strong witness for the Crown; if they believed Destauriers, they must reject the evidence of Nopper. The evidence of Paquet deserved particular attention, both from his position as a Justice of the Peace and from the way in which he gave it. There was no important difference in his evidence as given at first before the Coroner, and afterwards before that Court. As to Stewart's testimony, there was nothing in the words "he would like to see the necks stretched of those who killed Corrigan," to invalidate his testimony, on the contrary it was the sentiment of a good citizen; but if the Jury thought he used the words and then denied them, they would give little credit to his evidence, as such words would not likely be forgotten by him in course of a few months. They had been told they were answerable to public opinion; yes, they were answerable to the opinion of all honest men; they should know of no party but the party of social order as opposed to crime. The benefit of the doubt went to the accused, but if they felt a certainty of guilt was there one of the Jury who would spare a prisoner contrary to his conscience, on account of his religion or party, who would know him as an Irishman, or an Englishman, or a Canadian; if the Jury would be ruled by such motives, it might yet be visited upon them. A wife or child might be taken from one of themselves by the hands of a murderer, and if an inconsiderate verdict should bid the assassin go free, would he have the right to complain after setting the example. It was plain that the row commenced as thus:—McCaffray had two sheep to be judged, he got a second prize for them, and thought himself entitled to the first prize; he said "he'd be damned if he'd have such judging;" there was the commencement of the row. Every one knows how easy it is to get up a fight in such a crowd, but there was nothing to excuse the cruelty, the brutality with which the deceased was treated by twenty or thirty persons, who immediately attacked him in a body without provocation. But were the prisoners at the bar assailants of the deceased? The Jury should not shirk their duty; they would pronounce them not guilty, if they had any doubt of their guilt, but if not, they would give a verdict against one or against all. It was for the Jury to say what importance they would give to the dying declaration of Robert Corrigan. The deceased having said that Kelly had killed him, afterwards said, "I shall not change my mind." If he were alive he would be cross-examined on these words; but he was dead, and these words should be sifted with great caution.

His Honor then summed up the evidence for the defence. Terrence Burns said Corrigan expressed his gratitude when lying ill in McKee's house; his testimony was quite unsupported; if Kelly participated in the murder, this witness was perjured. As for Mullary, it was clear he did not see everything, even by his own shewing. The story about Stocking striking Corrigan with a stone, the Jury were not sufficiently credulous to believe a word of; they would reject it on the very face of it. Matthew Hopkins swore he was elsewhere, and so far contradicted Nopper; Michael Kelly confirmed the testimony of Matthew Hopkins. Two other witnesses were described by His Honor "as having seen what nobody else saw, and did not see what everybody else saw." If the law was not maintained, pistols and bowie knives would be the order of the day, and no man's life would be safe. At the same time the prisoners ought not to be convicted unless the Jury were convinced of their guilt.

His Honor concluded by exhorting them to retire and weigh well the evidence.

FRIDAY, 1st February.

RICHARD KELLY, } Murder of Robert Corrigan, at St. Sylvester, on 17th Octo-
 et al. } ber, 1855.

Edward McKee, now of Coventry, State of Vermont, Farmer, saith:

I lived with my father, at St. Sylvester, until about the first of November last. I knew prisoner, Kelly. I believe the prisoner on Kelly's right hand, to be George Bannon. I knew the late Robert Corrigan, farmer, of St. Marguerite, in the parish of St. Sylvester. I saw him for the last time, on 19th of October last, on which day he died, in my father's house, about seven in the evening. I have not seen George Bannon since 17th October last, until yesterday, when I saw him in this Court. On 17th October last, Robert Corrigan was in good health. I saw him in John Machell's house. There was a cattle show on that day, on Machell's farm in St. Sylvester. I saw Corrigan get a great beating there. I was standing among the cattle—the sheep were on the opposite side of the field. I saw a lot of people gathered together, and a man knocked down. I ran towards the crowd. The man I saw knocked down was Peter Stocking. When I came up to the crowd, I saw Robert Corrigan in the act of getting up from the ground. Prisoner, Kelly, turned round and asked Corrigan if he threw a stone. Corrigan answered, "I threw no stone." Kelly said "you did throw a stone," drew his fist, struck Corrigan and knocked him down. Kelly then sprung upon Corrigan's abdomen with his two feet. By abdomen, I mean belly. Kelly then stepped back and gave Corrigan a kick on the ribs. I afterwards saw a person give Corrigan a kick in the private parts, this person I believe to be the prisoner, George Bannon, but I am not positive. I saw a man strike Robert Corrigan over the ribs with a large stick, this man people called Hagen. Some person, whom I do not know, ran into the crowd to bring out Corrigan. Corrigan was lying down on the ground—one man raised him up, Corrigan could not assist himself. When prisoner, Kelly, jumped on Corrigan's belly, as I have before stated, Corrigan was lying on the ground on his back, where Kelly had knocked him down. Some wanted to take Corrigan away to the house. Corrigan said he would not go, they had killed him, he would die on the ground. Prisoner, Kelly, stepped up, put his hand to Corrigan's back, said he should go, and be damned to him. Robert Simpson, and two others, took Corrigan to a pile of logs, near Machell's barn. Corrigan sat down to rest. The crowd had gone on to Machell's house, in pursuit of Peter Stocking. Prisoner, Kelly, said to Corrigan, he deserved all he got. Corrigan's head was bleeding terribly when they took him out of the crowd. Prisoner, Kelly, said, at the pine logs, there was not a man on the ground, of his weight, that was able to stand to fight him. Robert Simpson and I led Corrigan on past Machell's house to the road. A number of the crowd had got into Machell's house, a number was outside. Simpson left us. Corrigan took my arm, and we walked to my father's house, a distance of about one and a half acres. In the house my father dressed his head. When Corrigan was lying on the ground, there were about fifty persons around him. A good many of these persons had large green sticks, as near as I could see them. The first man I saw going to the assistance of Corrigan was Peter Stocking, he was knocked down. Another man, whom I do not know, went into the crowd to take Corrigan out; this was after Kelly had jumped on Corrigan. Besides Kelly and the one was called Bannon, there were lots beating Corrigan. I did not hear Corrigan threatened by any one. After Corrigan entered my father's house he sat down down for about one hour, he then went to bed saying, he was unable to sit up any longer—this was about two in the afternoon. I then went back to the cattle show. I returned to my father's house about seven in evening—Corrigan was then unable to turn in bed, he said he did not think he would live till morning. I did not see Corrigan until about ten the same evening; he then was worse, he was hardly able to speak, one of his arms was powerless. I then left the house. My brother James sat up with him. Corrigan said he got a blow across his arm with a stick, that it was swelled and was sore, and he was not

able to move it. He was on his back. He was able to move his legs well enough. I saw Corrigan about eight next morning; he said he was very weak, but did not feel so much pain as he had felt all night.

Corrigan died about seven in the evening of Friday, which was the 19th of October. I thought by his looks, that he was in great pain, on Friday.

The man who was named to me as Bannon, wore a red flannel shirt and grey tweed trowsers on the day of the fight, 17th October; he wore nothing over his shirt down to his waist.

Cross examined by Mr. O'Farrell.

I saw Corrigan every day from the time he left the field until his death. Doctor Reed came to the house about two p.m. on Thursday. On Thursday evening, about seven, Corrigan did not wish the Doctor to be sent for; he said he thought he would be able to go home, in his own cart, the next morning. He said he thought, if he had his own cart and his bed put in it, he would be able to go home. My father asked him if he should send for his wife? He answered "no," he would see how he would be in the morning. Corrigan was lying on his side, in the bed, at two p.m. On Wednesday he was laying with his legs drawn up—he was awake. Corrigan was not vomiting at seven in the evening of Wednesday, nor did I see him vomit at any time during his illness.

About noon of Friday, I thought he was in great pain—he was a little pale. Corrigan was not pale when he entered my father's house; it was about the last day he got paler. I do not know if he looked anxious at any time. It was on Friday morning I heard him speak, for the last time, of the cause of his death. At the commencement of the row, I was about one hundred yards from the crowd. The kick in the private parts, from Bannon, was given before Kelly kicked Corrigan on the side. Bannon was then about twenty yards from me. I cannot tell how many were beating Corrigan, who was at the edge of the crowd towards me. I was between Woodward's shanty and the crowd. At first, Corrigan was in the middle of the crowd. The mares were tied behind Woodward's shanty. On Thursday Corrigan was able to move his legs. When I saw Kelly knock down Corrigan, a good many of the crowd were around Stocking, who was six or seven feet from Corrigan. George Bannon had on a black hat. I never said that Kelly kicked Corrigan oftener than I have above stated. Kelly was not the first who took Corrigan out of the crowd. Corrigan had gone about fifteen feet when Kelly interfered. Corrigan, before going to bed, on Wednesday, walked about in my father's room.

Here that part of the deposition of the witness before the Coroner's inquest, which states how many times Kelly kicked Corrigan, was read in open Court. The deposition was read as far as the word "*died*," on the first line of page 22.

Cross-Examination Continued.

When I answered "no one threatened Corrigan," I understood the question had reference to a period anterior to the cattle show. I said, and say still, it was not Kelly who first pulled Corrigan out of the crowd; it may be written so in my deposition before the Coroner, but I do not recollect having said so.

Louis Demers, Farmer, of St. Sylvester:—I know the prisoners Kelly, Francis Donaghue, Monaghan, McCaffray. I know the faces of the others, but not their names. At the commencement of the exhibition at St. Sylvester, in October last, I was close to the persons who were inspecting the horses. The prisoner Kelly acted as interpreter between the English and Canadians. My brother-in-law, Destaurier, and Laurent Paquet were there. I saw there was a quarrel an arpent or two from where I was; I went to the people who were quarreling. The deceased Corrigan was beaten to the ground by the blows which he received. There were 25 or 30 persons in a body. The thing passed so quickly, that I saw plainly they were beating a single person. They all seemed to strike that one man, that is Cor-

rigan, since dead. Some of them came and struck another named Peter Stocking. These went back to Corrigan, who had had time to get up a little, and he was again beaten to the ground. The crowd kicked and struck Corrigan with their fists. I endeavored to get in among the crowd, and got quite up to Corrigan, and there I saw the prisoner Kelly, who had hold of Corrigan by his left arm to lift him up. Kelly said to Corrigan, "come along." Corrigan said, "let me lay down here." I helped to lift up Corrigan, who seemed to hang heavily. Corrigan * * * * * resolved. I recognised among the crowd, Richard Kelly and not at the moment Kelly passed his arm round Corrigan, whose head hung partly on Kelly. There was a great deal of blood on one side of Corrigan's head, which smeared Kelly's clothes. This all took place in the space of a minute and a half to two and a half minutes. In the crowd I afterwards recognized McCaffray and Francis Donaghue the prisoners. In the crowd where the row was, I only knew the prisoner Kelly; the thing passed too quickly. It was when I came up to the spot, during the quarrel, that I recognized Francis Donaghue and McCaffrey. After the people left Machell's house I saw Monaghan in the inclosure of the exhibition also. I saw two with sticks and canes. When I got up to the crowd, I saw some go away from the main body and strike Peter Stocking with a stick. When Corrigan went down the first time, I met Frs. Donaghue near the crowd. McCaffray was there too. People were running backwards and forwards. I did not hear Frs. Donaghue make use of any expression having reference to the quarrel. I afterwards saw Corrigan sitting on a log in the enclosure, he seemed to be pretty well beaten. I have stated all I know of the affair.

[Cross-examined by Mr. Chabot.]

I have known Kelly more than twenty years. The prisoner Kelly, Destaurier, and the magistrate Paquet were with me near the horses when we heard the disturbance. I ran to the crowd, and I think I reached there before Kelly. I did not see Kelly in the crowd, for the first time, till he lifted up Corrigan. I cannot believe that Kelly can have reached the crowd before me. They were still striking when I got up to the crowd. When Kelly said to Corrigan, "come along," and Corrigan answered, "let me lay down here," Kelly said to him, "It's of no use to stay there, you must come." There were four or five persons with Corrigan when he was sitting on the log. Simpson, I think was one of them. I did not see Edward McKee near Corrigan when the latter left the crowd and went to the group of people. He might have been there. Kelly was the first person to lift up Corrigan. I was the next

James McKee, of St. Sylvester, blacksmith:—I know only two of the prisoners, Kelly and Francis Donaghue. I knew deceased, Robert Corrigan, who lived in St. Marguerite, parish of St Sylvester. He died between six and seven in the evening of the 19th of October last. The body remained in my father's house till the following Monday, when I took the body to Leeds and left it in the Church. A post mortem examination of the body was had before Coroner Panet, on Tuesday following. On Wednesday morning, at ten, I saw Corrigan in perfect health. Between 12 and 1, I saw Corrigan with my brother Edward come to my father's house. The blood was running from his head down the left side of his face. He was bleeding very fast. I took off his two coats and his shirt and left the house. Corrigan said he was a ruined man, he had got what he never would get over. I said I hoped it was not so bad as that, he said there was something broken in his inside. I saw him again about 6 in the evening of the same day, he appeared in great pain, he said he was suffering terribly; he was lying on the outside of the bed, he said it was all over with him, he would never get better. I asked him if he knew of anything that would relieve his pain, he said if I could get some goose grease and turpentine, he thought it would relieve him and do him good. I got some for him and he rubbed it on his belly; in a few minutes he got a good deal worse; he turned on his side and for several minutes could not speak. I thought he would die. He murmured something to himself. I remained up with him all

night; about half past seven or eight he got a little better, he seemed a little easier. I wanted to send for a Doctor, he would not let me, he said it was no use sending for the Doctor that night, the Doctor would do him no good, perhaps he would be able to ride home the next morning. Several times during the night he said he knew he could not get better. Next morning, Thursday, he was worse, he was not able to turn over in the bed, except as I turned him. About seven, on Thursday morning, he told two or three of his acquaintances, who had come in, I will never get over this. During Thursday forenoon I visited him every hour, to give him a drink and turn him over. He generally laid on his back. I put a board at the bottom the bed to lay his feet against. I do not remember him saying anything at this time of his health. His wife arrived between 11 and 12 on Thursday, and remained with him till he died. He was very bad all Thursday night. I staid with him till 12, I then slept two hours and got up. We applied hot flannel to his belly. On Friday he repeated several times he knew he would not get better. but I cannot say at what time of the day; this was on Thursday evening. Corrigan made a deposition before the magistrate Paquet in writing. Corrigan made a statement before the deposition, and this on Wednesday evening and Thursday morning. After this deposition was taken on the Thursday evening, I heard him make no statement as to the cause of his death. On the Wednesday evening, George Ellison and Samuel Wark were present when Corrigan made his statement. I believe Corrigan to have been a member of the Church of England.

[*Cross-examined* by Mr. O'Farrell.]

I think, on Wednesday night, about 12, I saw Corrigan vomiting for the first time, and a second time about three on the morning of Thursday, and from the third time of his vomiting until his death, he vomited repeatedly. I cannot say when he vomited for the third time, but it was before seven in the morning of Thursday. He drank a great deal of water, and not altogether more than two tea-cupsfull of whey. The Rev. Mr. King came in on Wednesday evening, about seven o'clock, and remained more than an hour. A black draught was brought from the parsonage house, but I cannot say by whom. Mrs. King came with the draught. Mr. King gave orders for the latter portion of the draught to be taken some time after the first, how long I cannot say. The deceased took two draughts, the first about nine, as to the second, I do not recollect. The Rev. Mr. King attempted to bleed him between nine and ten. Dr. Reed came in and administered an injection composed of castor oil, soap, and epsom salts. Deceased had more than one stool before the injection. I did not see blood in the stools. He got up with assistance to go to stool. I think he had a fit of vomiting at the same time, and after the injection.

The body was removed to Leeds because it was getting in a putrid state; the road to Leeds is very mountainous, rough, and hard. Corrigan's clothes were off, on Thursday, he had over him three single blankets, a sheet and a quilt. His feet were cold, the perspiration was running off his face, the rest of his body was warm, the clothes on him were removed, except one blanket over him and one across his feet, but in one hour they were replaced. During the inquest I saw but one gun outside the school room, I do not know if it was loaded or not.

Mary McLean, wife of William Woodward of St. Sylvester.

I knew the late Robert Corrigan by sight; I saw him on the field during the cattle show, on 17th October last. He was stooping, I saw a person strike him, to the best of my knowledge that person was the prisoner Patrick Donaghue. I think I knew the man who struck by his dress, he had a low crowned black hat, a broad black ribbon, a dark surtout coat, a light shirt, and dark trousers. I was a little distance from this man, I do not think I was thirty yards. I afterwards pointed out the man to my husband, and I had no doubt that was the man who struck Corrigan, there was no other man on the field in a similar dress. It was a few minutes after the fight I so pointed him out, and within a few yards of my door. Patrick Donaghue

was the first man who struck Corrigan; he struck him first with his fist. Corrigan staggered, then Patrick Donaghue struck him with his knee. An instant after, I saw Corrigan standing in the crowd without his hat. Then Mr. Kelly, the man at the bar, I think his name is Richard Kelly, struck Corrigan under the eye or under the ear. I think it was Richard Kelly, the man at the bar, with a red muffler. On 17th October, at the show, this man had on a glazed hat, with a black string or strap to keep the hat on, a loose coat, dark trousers. I saw this man, Kelly, strike Corrigan, and knock him down and jump on him. I cannot tell on what part of the body Kelly jumped. Corrigan was laying on his back when Kelly jumped on him. I jumped the fence and cried out "My God, my God—murder; is there no one to save the man." Kelly, or as I supposed to be Kelly, stepped back and gave Corrigan a kick on the left side. I then heard a man in the crowd, with a red flannel shirt on, call out "Lay on to him, he has not got half enough yet." I cannot say if he is one of the prisoners or not. Corrigan was then still lying on the ground, he had rolled over more on his side. There were plenty around him. I could not see what they were about. Some had sticks.—One James Hagen hit Corrigan with a stick on the arm and left side. There was no other man on the field with a red flannel shirt. I next saw the man, whom I supposed to be Kelly, helping Corrigan to get out of the crowd. Robert Simpson assisted Kelly. Corrigan said "O, Kelly, for God's sake, let me lie down, I cannot walk." Kelly cursed him, and said, "Come along, for it is good for you, all you have got, for you have long earned this for yourself." They took him to where there were pine logs—they set him down there. Kelly then went into Marchells' house. I recognized no other person on the field. I saw no one go to help Corrigan.

I saw Peter Stocking on the field just as they were thrashing Corrigan. I speak of the three men who beat him. I cannot say what the others were doing. I saw a man called Patrick O'Neill knock down Stocking with a stick. Patrick O'Neill is standing prisoner at the bar, the second on my right hand. I think he is the man. I do not know why he struck him. I did not see Stocking doing anything wrong. Stocking is now absent from the country.

Cross-Examined.

I never saw Patrick Donaghue before the 17th October last. There was not a great crowd when Donaghue first struck Corrigan—the people ran up to the fight. I looked at Corrigan and those who struck him.

I think Patrick Donaghue is now at the bar, the third man on my left hand. I did not see Patrick O'Neill before the 17th of October last. About a quarter of an hour before the fight I saw Kelly among the horses. I cannot say if Kelly was among the horses when the row commenced.

[By Mr. O'Farrell]

I did not see Edward McKee take Corrigan out of the crowd. I first saw Edward McKee at home. I followed Corrigan half way up the field, and kept my eye on him—he was bleeding. I did not see the man with the red shirt strike Corrigan. I did not see Corrigan strike any one. The man with a red shirt had a little blue cap on his head.

William Woodward, of St. Sylvester, tinsmith, says:

I knew Robert Corrigan slightly. I was at the cattle show on 17th of October last. I was among the cattle when I heard shouting and I ran down. The first thing I saw was Patrick O'Neill striking Peter Stocking with a stick. Prisoner now at the bar, the fifth man on my left hand, is Patrick O'Neill, to the best of my knowledge. I am not acquainted with O'Neill. I saw him, for the first time, at the show, on the 17th October last. I have not seen him since, till this moment. The next thing I saw was a man, named Hagen, striking Corrigan, who was lying on the ground. The next thing I saw was prisoner Kelly taking Corrigan by the arm. Corrigan asked to lie there, saying he could not go any further. Kelly

said you must go. Kelly and Robert Simpson then took Corrigan away. I saw Corrigan sitting on the pine logs near Machell's house. I saw the crowd, that had gathered about Corrigan and Stocking, run towards Machell's house. I followed them—Machell's house was full—they were fighting inside. I recognized among the crowd, prisoner Kelly, Patrick O'Neill, prisoner Francis Donaghue, I believe prisoner Monaghan, prisoner Patrick Donaghue; these are all I recognized in the crowd going to Machell's house. As the crowd came out of Machell's house, Francis Donaghue was jumping up and called out for any Protestant b—— in the parish of St. Sylvester. Richard Kelly then came to the door of Machell's house, and shewed Francis Donaghue his arms, saying, "Don't you see my arms reeking with Protestant blood." Kelly cursed at Donaghue to be quiet, saying, that they done enough. Francis Donaghue said, "We will obey your orders." All the crowd went away except Kelly. About 11 or 12 o'clock of the 17th October, and about a quarter of an hour after the fight, my wife pointed out Patrick O'Neill and Patrick Donaghue as two men she had seen in the fight. My wife pointed out Patrick Donaghue as the first person who struck Corrigan. Stocking and O'Neill were standing face to face when O'Neill struck him. Before Stocking got the blow he turned his head—he could not see the blow coming. About dusk on the 17th, I saw Corrigan in bed in McKee's house; he was lying on his back. He seemed to be moaning. I asked him how he was, he said he was a done man. I said, I hope you will get better, he said, "No, I am a done man." At five, on Thursday morning, Corrigan told me he was worse. About dusk on this day, I again saw him; he said he was not better, and would never get better. On Friday, about dusk, I again saw him. I did not speak to him.

[*Cross-examined* by Mr. O'Farrell.]

I was among the horned cattle when I first heard the noise. I saw no one but Patrick O'Neill strike Stocking; the latter might be four or five yards from Corrigan, when he, Stocking was struck. I kept my eye on Corrigan, from the time Hagen struck him, until he was taken away. I did not see Kelly kick Corrigan. I gave a deposition before the Coroner. I then stated all I knew, as far as I remember. I did not see Kelly hit Corrigan with his fist, nor jump on him; this was not done in my presence. I do not know where Hagen lived on 17th of October last. I say Hagen struck Corrigan, because I heard him called Hagen by people from his side of the country. I cannot name the persons who so called him. I never saw Hagen before 17th of October last. I saw none of the prisoners, with the exception of O'Neill, strike at Peter Stocking. Edward McKee was one of those who took Corrigan from the crowd. I saw Edward McKee accompany prisoner Kelly and Robert Simpson when they led Corrigan away. Corrigan was partly on his side when Hagen struck him. He was not much up any way—he was not able to raise his head. I do not think that Stocking was in fighting trim. Stocking was laid senseless. It was about half or three-quarters of an hour after Peter Stocking was struck, that I saw my wife for the first time. There was no more of the row after the crowd came out of Machell's. When Francis Donaghue came out of Machell's, I cannot give his precise words, but he challenged any Protestant b—— to fight him. The crowd was not all out at this time.

Here the deposition of this witness before the Coroner, was read to the Jury.

[*Cross-Examined.*]

I had not seen prisoner, Francis Donaghue, before that day. I heard him say, "My name is Francis Donaghue." Everything was carried on peaceably at the show, until I heard the shouting. The first thing I saw of Corrigan after he received a blow from Hagan was, Kelly taking him by the arm and taking him from the crowd. I cannot say this was done to prevent his being beaten.

I think some of Corrigan's blood got on Kelly's clothes when the latter took him away. About half an hour after the crowd left Machell's, the people left the show.

[*Re-Examined.*]

It might be three or four years since I went to Donaghue's house.

(*Translation.*)

Jean Baptiste Nopper, of St. Sylvester, far. ner.

On the 17th October last there was an exhibition at St. Sylvestre. I was there. There was a quarrel. I saw a gathering for the purpose of a fight on Machell's laud. Patrick O'Neill, John McCaffray, Francis Donaghue, Edward Donaghue, and others whose names I did not then know were present at the gathering. Patrick Donaghue was there, and they were persuading him to go and commence a row, saying they would follow him. It was Patrick O'Neill, Francis and Edward Donaghue who were stimulating him to do it. Patrick Donaghue then went and commenced a row by striking Robert Corrigan. Afterwards the prisoner, Kelly, struck Corrigan on the head with a club. Before this Kelly had been among the horses. Corrigan was stooping and examining a sheep when Patrick Donaghue struck him. Patrick Donaghue got between the umpires and the sheep. Corrigan said, get out of the way, we cannot see. Then Patrick Donaghue struck him with his fist on the side of the head. After this, Richard Kelly came and struck him on the head with a stick. The prisoner, John McCaffray, immediately struck Corrigan on the neck with a club. Corrigan was at that time standing, but fell then. Patrick O'Neill then came up and struck Corrigan with a club across the body. Corrigan was then lying on his belly. Next Richard Kelly jumped upon his back. Corrigan wished to get up, and Kelly jumped off his back and began to kick Corrigan in the side. The prisoner at the bar is, on my conscience, the George Bannon who kicked with his foot the principal part between Corrigan's legs. Francis Donaghue then came and kicked Corrigan on the side. Edward Donaghue also kicked Corrigan on the side. Patrick Monaghan struck Corrigan with a club. Patrick Monaghan came out from among the gang and said that if there was a Protestant who would take Corrigan's part he would serve him the same. I went away being afraid for my life. Patrick O'Neill, Patrick Monaghan, Patrick Donaghue, John McCaffray, Edward and Francis Donaghue, the prisoners, were at the gathering before the fight; the young Hopkins' were there too talking, but I did not hear what they said. Patrick Donaghue said that, if it was not for one thing, that if it had not been for Tommy Cude, Corrigan never would have left the place. This was said in English, the words were, "only for one thing, for Tommy Cude, the man never would have left the place," by "the man" he meant Corrigan. John Hagen said they had given him enough, and he did not think he would get over it. About half an hour after the fight, I met Patrick O'Neill on the road, with Patrick and Edward Donaghue, and there Patrick Donaghue told O'Neill that he had a mind to go back to do as much again. O'Neill told him that he had done enough. This is it in English. Donaghue said "we'll have to go back to the field again." O'Neill said "we have enough done, we don't want to go back." Donaghue took up a club, two or three inches thick, when he proposed to O'Neill to go back to the field. There were three clubs in Corrigan's cart.

Cross-examined. The two persons now in Court are Edward Donaghue and one of the Hopkins' whom I mentioned. There may have been thirty people in the gang I have mentioned. It took place on the slope of the hill behind Machell's barn. I was not twenty feet from them. They kept together about an hour. The meeting took place about fifty yards from the place where Corrigan was beaten. Kelly was not at the meeting, and there was only one (meeting) which sent Patrick Donaghue to create the disturbance. I have known Monaghan a long time as also McCaffray and Kelly. Corrigan told Patrick Donaghue to take care, that he could see nothing, and upon this Donaghue struck him right off, as I have above stated. Corrigan had said nothing else to Donaghue. If Corrigan told Donaghue that he had no business there, I did not hear him. Edward Donaghue

told Patrick Donaghue to go and strike Corrigan and begin the row. The two Hopkins' whom I mentioned are the youngest. Patrick O'Neill was the first to speak at the meeting, he told Patrick Donaghue to go and begin the row. He said "go and start the row and we'll all follow you." That is all that Patrick O'Neill said before Patrick Donaghue left the meeting. Monaghan said the same as O'Neill, "go and start the row and we'll all follow you." McCaffray said the same thing, "go and begin the row and we'll all follow you." Francis Donaghue said, "go quick we'll all follow you and we'll give it to him. Edward Donaghue said the same thing as the others, "Go quick, and we'll follow you." The two Hopkins' remained till the end of the meeting. They all went away together except the two Hopkins', whom I did not see follow them. Pat. Donaghue was the first, the rest followed close. This was a little after dinner at noon. Corrigan fell twice. It was Pat. Donaghue and Kelly who first knocked him down. It was Pat. Donaghue, Kelly, McCaffray, Bannon, Monaghan, Francis and Edward Donaghue who threw him down the second time. The prisoner jumped upon Corrigan once only, and afterwards kicked him six or seven times on the side. There were about thirty persons who left the meeting to go and beat Corrigan; they all ran. After being thrown down the first time, Corrigan got up himself. I was not present when Corrigan got up the second time. Monaghan struck with a black stick. O'Neill struck with a club of maple two or three inches thick. I saw Kelly strike one blow with a club. He struck with nothing else but his feet and a club. McCaffray struck with a club. They hit pretty hard—they hit with their ordinary strength. I did not tell everything before the Coroner, because I was afraid for my life in the parish. The one now in Court is the other young Hopkins. I was not threatened by anybody, before giving my evidence before the Coroner. It seems that the young Hopkins' have said to Neil Mooney, that if they met me I should be a dead man. Mooney told me so. John Monaghan told me to clear out of the parish. I have been to church at St. Sylvester, only once since then. I never told Bédard that I received money to give my evidence.

Mr. Chabot—What I stated at the Coroner's inquest, I knew. I had been sworn to tell all that I knew. The oath binds one to tell the truth, and the whole truth. From the striking of the first blow by Donaghue, till Monaghan called out to the Protestants, was about twenty minutes, not less. As I was going away, I saw some one raising Corrigan. I now recollect that I saw some one lift Corrigan the second time he fell. I do not recollect having said that Kelly had jumped upon Corrigan several times. If I said so in my evidence at Leeds, I was sick at the time. I now remember all that passed. The distance between the place where the horses were, and that where Corrigan was beaten, was from two to two and a half arpents. The judges were, at the time, about an arpent off, examining the mares. Between the giving of the first blow, by Donoghue, and the first blow being struck by Kelly, there was no interval, for Kelly struck immediately after Donoghue. I cannot say how many blows each prisoner struck Corrigan. There were fifty persons round Corrigan. They were all alike. When they could not strike with their hands, they kicked with their feet, across each other. I made no mistake when I said that Corrigan was on the ground on his belly. I think that, on Saturday, I told all that passed relating to the row in question. I saw all that passed while I was present. When I left, they were picking up Corrigan and the crowd was dispersing—a few were disputing. At the commencement, when Corrigan was stooping, examining the sheep, the prisoner, Kelly, was behind him, as also, the prisoner Pat Donoghue. There was also, a man named Durkins, and another whose name I do not recollect. I now remember that his name is Christie Kimmon. Corrigan, Kimmon and Durkins stood in the form of a trivet (triangularly) near each other. About five or six minutes elapsed between Pat Donoghue's leaving the meeting and coming up to Corrigan. I had got close to Corrigan, when Pat Donoghue struck him. They all came behind him. The whole gang were close to Corrigan, when Pat

Donoghue struck him the first blow. Kelly was there. Several of the people at the meeting told Pat Donoghue twice to begin the row. These expressions were spoken loud enough. The two young Hopkins' were five or six feet from me—I am certain of that—and eight feet from Pat Donoghue. That the two young Hopkins' were at the meeting. There were two gangs. The first met to get up the row. There was only one meeting before beginning the row. I was four or five feet from that meeting. Pat Donoghue struck Corrigan the first time, on the left side of the head, with his right hand. Kimmon was then nearer to Corrigan than I was. Pat Donoghue gave Corrigan only one blow with his fist, and when Corrigan was down, kicked him. There were so many people that it was difficult to see everything. Kelly gave Corrigan three or four blows with a club, to my knowledge. He had the club in his right hand, and Corrigan was stooping—he had already received a blow. He was rubbing his head. One of the blows hit Corrigan on the neck, another on the head, and another on the shoulder. I did not see where the fourth blow fell. The blows were given on the left side; that on the head was nearly on the middle of the side. I did not tell any one what I saw and heard of the row, but I gave my evidence on the inquest of the Coroner. Some asked me what I knew about it. I would not tell them. I have not spoken of it till now in Court. I have not stated elsewhere than here, that I was present at the row. I saw Corrigan at McKee's, after his death, my father, Thomas Nopper, a man named Montgomery, and his son McGinnis, the people of the house and others whom I do not know. Not a word was said about the row during the half hour that I passed at McKee's. I have known the prisoner Kelly there, fifteen years, McCaffrey four or five years. I am sure that it was Kelly who gave the first blow with the club, but not the first blow with his fist. I did not see the two Hopkins' during the scuffle. They may have been there nevertheless. I do not know whether the two Hopkins' followed the crowd who went to beat Corrigan. I had horned cattle, sheep, and horses at the exhibition. I was one of the first at the exhibition, about eight o'clock in the morning. The animals were all in the same field. The horses a dozen yards further off than the horned cattle. I saw Pat Donoghue and Pat O'Neill behind Woodward's house, about two or three hours before the row. I saw the others only at the first meeting, which took place between Woodward's house and the barn, not quite an arpent and a quarter off. I got up to Corrigan as soon as the people from the meeting passing another way, when they went towards Corrigan. Paquet judged the horses. Deslauriers was with him. At that time Kelly was with Paquet and Deslauriers. He heard a whistle and went off, moving with the people from the meeting. Paquet and Deslauriers also went away, but I cannot say whether they went to the row. As to Paquet, I am certain that he did not go. I do not know how long it was between the first blow being struck, and the time when Corrigan was taken away from among the crowd. I had a conversation with Deslauriers at Leeds, on the subject of the row, but not with Louis Demers, a witness whose evidence has been taken. I did not tell Deslauriers that I had not seen what passed at the row, but that I had heard it told. I did not tell him that during the row, I was among the horned cattle. I did not state to John Monaghan that I had seen nothing either done or said by his brother, the prisoner, during the row. When Corrigan was struck by Donoghue, he fell upon his knees; I was on his right, about fifteen yards off. I was no nearer to Corrigan during the row. It was some time before Christmas that I was at church, at St. Sylvester.

William Lowry, of St. Sylvester, farmer. I knew Corrigan. I saw Corrigan at the cattle show on the 17th October last, at St. Sylvester. In the morning of that day Corrigan was well. Between 1 and 2 the first thing I saw was Corrigan knocked down by prisoner, Patrick Donoghue, who gave Corrigan a drive with his knee in the back. Corrigan tried to rise, he was knocked down again by prisoner Kelly, who struck him with his fist on the left side of the head. I was not quite half an acre from them at this time. Immediately after Corrigan fell

from the blow Kelly gave him, Kelly jumped upon him. Corrigan was lying partly on his back and Kelly jumped upon his belly. Corrigan then said, "you have killed me," and added, "are you going to murder me out." Prisoner on the left hand of Kelly said by "Jesus Christ let us kill him out." I recognize him as one of the Donaghues. I do not know his Christian name. I knew, at the time, this person to be one of the Donaghues, but I did not know his Christian name. This person is the brother of Edward Donaghue. The prisoner who answered to the name of George Bannon, is the person I took to be Donoghue. I then saw a man named Hagan, strike Corrigan with a stick; a whole lot of them commenced kicking Corrigan, who was then laying on the ground. Corrigan was taken up and carried off by prisoner Kelly, Robert Simpson and Edward McKee. Corrigan was doubled up, his head near the ground; he begged, for God's sake, to lay him down and let him die on the ground. Prisoner Kelly told him to come on, that he deserved all he got, and twice as much more. In presence of prisoner Kelly and Patrick Donaghue, I asked Corrigan if he was very badly hurt? He said he could never recover for his inside was burst. Kelly was then assisting to carry him away, and Patrick Donaghue about six yards behind. Patrick Donaghue told them to lay Corrigan down, that they might kill him out. Corrigan said nothing more at that time as to what had been done to him, but he did on a subsequent occasion, that is, when I went to see him at McKee's house. There was a large crowd following when they were taking Corrigan away. None of the crowd said anything but what I have said. I saw three persons with sticks; one was Hagan, another Edward Donaghue. I do not know the name of the third. One of the Donaghues, the one who keeps the store at the mill, cried out, "We have killed one, let us kill another." This is the prisoner Francis Donaghue. The prisoner Bannon, whom I took for Donaghue, came to Machell's door and said, "I am Bannon." This Bannon was in the crowd while the fight was going on, and followed up after Stocking to Machell's door. I saw all the prisoners there except McCaffrey. McCaffrey was on the field, but I did not see him do anything. I saw all the others beating at Corrigan. When Donaghue said "Lay him down and we will kill him out," I said, the first man that would strike Corrigan, I would strike him. Patrick Donaghue said, "Damn your soul, I would kill you as fast as him." Corrigan was then taken to McKee's, and nothing more was said. I received two or three blows—one from Hagan. I cannot name the other. I saw Corrigan's head cut—he was bleeding very hard. This was on the field, when they carried him away. About dark I saw him at McKee's house; he said then he would never get over it. I said it was better for him to send for a doctor; he said all the doctors in the world would not cure him, that his inside was broken. He was laying in bed on his back, and in great pain. He said he would never get better in this world. The day after he was beaten, about dark, he gave me a detail of his beating. On Friday, about nine in the morning, he told me he was still getting worse—he appeared to me more in pain. I then went home.

Cross-Examined.—I saw him only three times at McKee's; each time he was in bed—he appeared not able to stir. He was able to move one of his arms, I cannot say which. His knees were not drawn up to his belly. Corrigan had the usual covering over him. I did not examine it so as to be able to describe it. I asked Corrigan if the Rev. Mr. King's medicine had done him any good? He said all the medicine in the world was of no use. On Thursday, about 8 or 9 in the morning, his face had the appearance of death. I did not examine his eyes or face. He asked to wet his lips with water. He had no hiccup when I was there. On Friday morning Corrigan told me he was still getting worse. I saw him for the last time, between 8 and 9 on Friday morning. I never threatened vengeance against any of the prisoners. I did not hear it said on Saturday, at Lindsay's, that all that had been sworn against the prisoners amounted to nothing. I never said that I derived all my knowledge of the fight from Corrigan. I have not spoken of what I

heard, but of what I saw. I was on the field. The row lasted about two minutes, that is, from the first blow, up to Kelly and Simpson's taking Corrigan away. I have known Kelly, O'Neill and Monaghan for some years. I have seen the Donaghues for the last six or seven years—Bannon I did not know. I am positive the prisoners used the language I have repeated in my examination in chief. I have, on no occasion, ascribed other and different expressions to them, nor have I given a different story from that of this day.

Here the witness' deposition at the Coroner's inquest was read.

Cross-examination continued.—A great many attacked Stocking while they took Corrigan from the field. Patrick O'Neill struck him when he went forward to save Corrigan; this was immediately after another man had turned Stocking round. The man told Stocking to stay back, that he had no business to go to save Corrigan.

Rev. William King, Minister of the Church of England, St. Sylvester.

I remember the cattle show which took place at St. Sylvester on the 17th October last. I knew the late Robert Corrigan six or seven years. I saw Corrigan about 1 p.m. on the 17th of October—he was then in Andrew McKee's house. He was almost doubled up in a chair. He was bleeding very much from the head. He told me he was in a very bad state. He was put to bed. When in bed, he said, when speaking to me, putting his hand on the lower part of his abdomen, I think the words he used were, "They have finished me." This, he may have said, about 2 p.m. He appeared in great agony, turning from side to side.

Question by Solicitor General.—How did you ascertain Corrigan had no hope of recovery?

Answer.—By looking at his head, neck, and the other parts of his body. His putting his hand on the lower part of his body, and saying, "They have finished me."

I have answered already, that I made this examination at the request of the deceased, Corrigan. I left then, and returned about six in the evening of the same day. I have related all that took place at this last interview. About six I returned, and it was either during this last interview, or the preceding one, that deceased requested me to give him some medicine, and also, to be bled. He was willing to take the medicine, and also, to be bled. He took it; the first portion about 8. The other portion I directed to be taken three hours after. I made an effort to bleed him, and I could draw no blood. This might be about 8. He had but one opinion from first to last, and that was, that he would not recover. His countenance was continually undergoing a change for the worse. He was moving in his bed from one side to the other. I considered the medicine he took not sufficiently strong. I saw him on Thursday, at eight in the morning. The same symptoms were as evident then as on the previous day. Hot flannels were applied. If they were removed for a moment, he was filled with pain. He frequently put his hand to the seat of the pain, and said he had no hope of recovery; this was all then said. I remained with deceased the greater part of Wednesday, Thursday and Friday. On Thursday he spoke of his growing worse. He made his will in my presence, late in the afternoon and part of the evening. On Thursday Dr. Reed wrote the will. I prayed with him on Wednesday evening, Thursday morning and evening. He requested the sacrament, I think, on Thursday; I then questioned him on the subject—asked him if he had ever taken it before? He answered he had. I told him I was ready to administer it when he wished; he said he would leave it to the last moment. On Friday he did not ask it. I could not say I spoke to Corrigan on Friday, of administering it to him—I might have done so. I have studied surgery sufficiently to be able to bleed, though I have no predilection for it. He signed his will very imperfectly.

Cross-examined.—The last time I saw Corrigan alive was, between 4 and 5 p.m. on Friday: he went off more suddenly than any one expected at that time. Corrigan made a statement as to the circumstances of his death, about 1 or 2 p.m. on Wednesday. Had I known I would be called upon to give evidence, I would have made a minute of every fact that occurred: on each of the days, Wednesday, Thurs-

day and Friday, Corrigan said something relative to the affair. It was when Corrigan made his deposition, that he mentioned for the last time, if my memory is correct, the name of any person as being the cause of his illness. This deposition was taken before Mr. Paquet, the magistrate. I am not aware that Corrigan wished to go back to the field on Wednesday between 1 and 2. He did not, in my presence, say that he would be able to beat any one man. He frequently asked for water to drink—he asked for it on Thursday. There were two candles on the table, I think, as the person wrote the will: he was in bed, and the paper was held up to him to sign. Corrigan was assisted while at stool and sitting, out of his bed. I have been studying for the last twenty-seven years. I have frequently practised in Newfoundland, in the Townships, and in St. Gilles, but in no case where there was a medical man present. Dr. Reed resides a distance of fifteen or twenty miles. On Wednesday, at six, I suspected the nature of Corrigan's illness. I do not think myself competent to form an opinion whether there was a rupture of the bowels. I did not prescribe medicine for deceased. I told my wife that, considering the beating he had had, a black draught would be the best thing he could take. I do not know of what was composed the black draught administered to Corrigan. I did not write down the composite parts of this potion for Mrs. King's direction; I did not even give her verbal instructions on the subject. I have never said to any person, that I had given an emetic to Corrigan. I did not say so in presence of Edward McKee, Col. Erma-tinger, Dr. Ferguson. In fact, I did not give Corrigan an emetic; I refused on being asked to do so. I have no knowledge of having said, in presence of any of these gentlemen, that an emetic had been given to Corrigan. I did not advise the body being removed to Leeds, until McKee served me with a written requisition to remove the body from his house. I anticipated the medicine would clear the stomach and intestines.

James Reed, of Inverness, physician.

I saw deceased about 4 p.m. of Thursday the 18th of October, at McKee's house, St. Sylvester. I found him in a small bed-room, lying in bed on his back; he appeared very weak, and suffering. He told me he had been beaten very severely the day before, about one o'clock. He complained of a pain in his abdomen as the worst symptom. He was vomiting and retching a great deal. He said his bowels had not been opened since the time of his beating. I asked him if he had taken any medicine; he said "yes," the Rev. Mr. King had given him several doses of medicine. He said he did not know what the medicine was. He told me that Mr. King had attempted to bleed him, but that he had failed in drawing blood. I asked him what effect Mr. King's medicine had? He said it made him weaker, and caused him to vomit. I examined his head, and found three contused and lacerated wounds on the scalp; there were three contusions on the shoulders, on left arm, side of chest, his back, and on lower part of abdomen. I then examined the abdomen. He felt great pain about the pit of the stomach—a burning sensation, and the pain was increased by pressure; the other parts of the abdomen, lower down, were slightly swelled and very painful. His tongue was covered with a white crust—the edge of the tongue was red; he was thirsty, and called constantly for something to drink. The hands and feet were colder than is natural; the face pale, the eye rather sunk, and the face indicated great pain with prostration. He had slight difficulty in making water, and, at times, the pain in the abdomen was a great deal worse, caused by the wind rumbling through his bowels, which, he told me, caused a choking sensation about his throat. He said he had passed no wind downwards through his bowels. The pulse was small and hard. He vomited almost constantly. I believe intense inflammation in the abdomen was going on. I did not intimate to himself my opinion, but I did to his friends about the house; I told them I did not think the man would get better. On Friday morning, about six, he asked me if I had any hopes of him? I told him no; that he had better have his will made as soon as pos-

sible, I advised him to send for a Notary. He said he would not send for the Notary just then, he would see by and by. I asked him if he would like to have the assistance of another medical man? He said "no," if I could not cure him nobody could. I advised his friends to get Corrigan to settle his affairs as soon as possible. I had no conversation after that with Corrigan, about his dissolution. At that time, McKee and his three sons, and Corrigan's wife were there. There were others. Corrigan did make his will some time about noon on that day, Friday; I wrote the will. From the beginning of my visits, Corrigan told me that he was very bad, and was getting worse, but he did not tell me he thought he was going to die; he told me he had received kicks on the abdomen, and that he thought his intestines were ruptured—he never talked of his recovery. About 2 p.m. on Friday he felt a great deal easier. He told me so. He then appeared in better spirits. He told me he felt easier, and the people round thought he was better. I thought the inflammation was caused by the wounds and contusions received in the abdomen, and that probably, there was a lesion of some of the abdominal viscera—that there was a wound of some kind. If there is a lesion or a rupture of the bowels, then the next immediate consequence is extravasation of the contents of the bowels, particularly if they be full. The process of digestion goes on generally, between six and eight hours; but that depends on circumstances, such as the state of the individual and the food he has taken. It may vary in particular constitutions. The general rule supposes a healthy subject. The ilium, at the expiration of from six to eight hours, would be either completely full or empty; if empty, there would be less danger of extravasation. The immediate consequence of extravasation, would be irritation of the parts with which the extravasated substance would come in contact, and this irritation would be followed by collapse and inflammation: this is attended with intense pain. Supposing the inflammation to run its course unchecked, it would terminate either in resolution or mortification and death. Another consequence might be, death without mortification, from the shock to the nervous system, and in this latter case the pain would continue, though with a slight modification, until death. Once the mortification set in, there would be a sensible diminution of the pain, and a patient would feel better, and would be, afterwards, in better spirits. I was present at the post mortem examination. I then ascertained there had been a rupture, extravasation, inflammation. There were slight appearances of gangrene in the parts in the vicinity of the wound, but no general mortification. I hardly think there was sufficient gangrene or mortification to cause a diminution of the pain; the inflammation extended to the peritoneum, from which there was a secretion of serum and coagulated lymph. An inflammation round the rupture had caused a dark or discolored appearance, with thickening and softening of the coats of the bowels, the inflammation of the wound, and of the peritoneum went on together. The inflammation of the peritoneum is a dangerous disease. There was no mortification of the peritoneum, except in the parts near the wound. I cannot say what Corrigan's belief was as to his hopes of recovery, when I spoke to him on the Friday morning, and he asked me if there was any hopes of his recovery, I did not say there were or were not. I advised him to make his will; he said he would see by and by. In my opinion, if he had made up his mind to die, he would have said yes, and agreed at once to make his will, and not put it off. This is the sole reason for my opinion. He never expressed an opinion that he would recover, and I never told him so.

Andrew McKee, of St. Sylvester, Farmer.

I was a little acquainted with the late Robert Corrigan, who died in my house in October last, on Friday evening the 19th. When brought to my house on Wednesday the 17th, about one, he was in a very weak state, covered with blood. After dressing his wounds, he sat up for about two hours, sometimes he walked and sometimes he sat down. I assisted him to bed; he was unable of himself to go to the bed. He continued in my house till his death. His wife came on the Thursday.

between 11 and 12. Until her arrival, I could not well be spared from the bed. During this time he did not get better, he was still getting weaker. Sometimes he would be calm and quiet, at other times he would take violent fits, drawing himself up and moaning heavily. All the first night, Corrigan told me he did not think he would recover. I asked him twice, if I should not go for the doctor? He said that he did not think it of any use—that he did not think he would recover; this was about ten at night. After this, Corrigan told me the occurrences of the day, and how he had been hurt. After this, every time I asked him how he felt, he said he had no hopes of recovery. Corrigan did not speak to me on the Wednesday, of the manner in which he had been beaten. I cannot recollect who was present. I believe my two sons, James and Andrew, were in the room on Wednesday during the night, when Corrigan made the statement to me. I cannot say he spoke of it on the Friday. At ten, on Wednesday evening, I asked him if I should send for his wife? He answered, he would wish to see her, but she was in a poor state of health, and could not be brought out at night. I went for her at five the next morning, before daylight. She arrived between 11 and 12. When Corrigan died, my two sons, James and Samuel, were with me in the room. The will was signed a little after noon. Corrigan expired in bed.

William McGinnis, of St. Sylvester, farmer.

I saw Robert Corrigan at McKee's on the 18th October last, in the afternoon; he was in bed, and appeared to me in a dying state. On the Thursday afternoon, Corrigan said he had no hopes of getting over it, of recovering, or something of that sort. I cannot recollect all he said. He repeated this during the afternoon as people came in, and also, during the night. This he said as people came in, and expressed a hope that he would get better. He pointed to his left side or belly, and said there was great pain there; that he would have some hopes of recovery but for this. During the afternoon and the night, he repeated this. On Thursday afternoon and during the night, he made a statement as to the cause of his dying. His wife was present.

[*Cross-examined by Mr. O'Farrell.*]

I left McKee's on Friday morning about break of day, and I did not afterwards see Corrigan alive. I cannot say who came in during the night, nor all who came in during the day. Rev. Mr. King, Paquet, J. P., Dr. Reed, Mrs. King, Richard Stewart, and Miss King came in during the afternoon. I am certain Corrigan expressed himself as above to Mrs. King. I am not certain as to the others. I am not certain as to Dr. Reed.

James Craigie, of Leeds, farmer.

I was present at the cattle show at St. Sylvester, on the 17th October last. I saw a person whom the people called Corrigan, on the field. I saw him going about judging the sheep. I came through a lot of young men about 2 p.m., and I saw a man stretched on the ground with his back up. There was a good many persons standing around him. There were some men kicking him while he was down: he was neither moving or saying anything. Two kicked him on the right side, one on the left—three were kicking him about the head and shoulders. The man so kicked was the man called Corrigan—one man was kicking his bottom; this man was standing between his feet. I knew but one of them on that day, whom the people called Richard Kelly. I had not seen any of the prisoners before that day. I cannot know one from the other. It was the person whom people called Richard Kelly that kicked Corrigan in the bottom. I looked at the body—I thought the man was dead, because he never moved. While I looked, the man tried to get up; he got on his two legs; he was leaning, a little bent. The man Corrigan was then knocked down. The crowd prevented me at this time from seeing what was going on. The crowd went away. I could not say if Corrigan walked or was carried away. I did not see him. There were twenty-five or thirty persons. I had not seen Kelly before

that day. I did not know him, but I heard the people on the field call him Mr. Kelly.

Thomas Durkin, of Leeds, farmer :

I know Richard Kelly, Patrick Donaghue, Patrick O'Neill, J. Mink and John McCaffrey. I do not know the others. I was one of the judges of sheep at the cattle show on the 17th October last at St. Sylvester. Corrigan was alongside of me. I saw him struck. One man, John McCaffrey, the prisoner, said he had a pair of sheep of the same breed as the sheep to which we had awarded the first prize. He said this to Corrigan and me. I told him to bring them up and if they were worthy the first prize they would get it. The sheep were brought up. I asked Corrigan if they were worthy of the first prize. Corrigan left it to me. I put them the second. McCaffrey said he had not got justice and that he would get other judges. Corrigan said if that was the case he would judge no more. He was then struck. I do not know by whom, some place about the head with a fist. I turned round to see who struck Corrigan, he was then down and I then cleared out. The man who gave the blow had blue clothes on, a black hat with a white buckle in front, he was a young man, slender. I cannot say whether he was tall or not. I did not see anything in his hands; there was a large crowd. I do not recollect seeing any of the prisoners among the crowd. John McCaffrey was standing among the sheep as I have above stated. Corrigan was struck alongside the sheep. When I saw Corrigan down he was lying on his back and there was a crowd about him. I saw no one touch him when he was down. I cleared out because I thought it was coming on the judges. I had no other reason. I know Patrick Donaghue since the age of 7 years.

George Ellison, of St. Sylvester, farmer :

I knew Corrigan by sight. I was four acres from the row which took place on the 17th of October last at St. Sylvester at the cattle show. I went towards the row, when I got there they were carrying the man off. I was then about an acre from the man, whose name was Robert Corrigan, since deceased. There might be from twenty to thirty persons in the crowd. I paid no attention to the crowd and therefore cannot say who was there and who was not. I do not know who carried Corrigan away. I know but two of the prisoners; Richard Kelly and Patrick Monaghan, who were both at the show. I do not remember prisoner Kelly till the row was over.

(*Translation.*)

Francois Xavier Dion dit Destauriers, of Nicolas, farmer :

I was at the show at St. Sylvester on the 17th October last. I was one of the judges for the horses. Corrigan was a judge for the sheep. I had not seen him before that day. When the row began I was about an arpent and a half distant from it. Paquet, a Justice of the Peace, McGrimley and the prisoner, Richard Kelly, were with me. Kelly acted as my interpreter. We heard loud talking and shouting, we then had our backs to those people. We were engaged in what we had to do. We then turned round, and the prisoner Kelly was the first to cry out a row. We then set off all of us, and ran towards the row. As we ran, we could see very clearly that they were beating one man, that the man was fallen, that he tried to get up, and fell again. I could not distinguish who was beating him. As we came up the man was still on the ground and they were beating him. I think I arrived one of the first, but I am not sure of this. I knew none of the persons who were beating Robert Corrigan whom I named before. I was one of the first of the gang who started with me; Kelly acted as my interpreter. We heard * * * * * , and which was composed of Paquet, Kelly, and some others. There were thirty persons and upwards about Corrigan when he was beaten. All did not strike, but all seemed to wish to do so. I did not see any one taking his part at the moment of my arrival. On arriving I saw some one whom I did not know strike Peter Stocking on the back of his head with a stick of wood; it was a young man who struck the blow. The crowd then left Corrigan and went toward

Stocking. Stocking and Corrigan were about twelve or fifteen feet apart. Corrigan was getting up. The stick of wood might be two feet and a half long, and had been peeled. Stocking fell from the effect of the blow. When Corrigan got up the right side of his face from the roots of the hair was covered with blood. He leaned his face on his hand, moaning. Another man whom I do not know then came up, having a peeled stick about two feet and a half long, with which he struck Corrigan, nearly on the middle of the head, a little on the left side. Corrigan fell on his back as if he were dead, and I thought he was dead. Afterwards the prisoner Kelly came, and immediately took Corrigan under the arm to lift him up. Kelly spoke to Corrigan and Corrigan spoke to Kelly, but I did not understand what they said. Afterwards two other men came up, Louis Demers being one, the other I do not know. These two took Corrigan under each arm. Kelly was behind Corrigan and held him up under the arms. Corrigan's head rolled on Kelly's chest. Corrigan had not strength enough left to hold up his head. Among the crowd I knew four Donaghues. I did not see them strike. I knew no others in the crowd at the moment, but five minutes, ten minutes and twenty minutes after I recognized the prisoners, John McCaffrey and Patrick O'Neill, but not the others. The prisoner Kelly was not in the battle. I recognized Francis Donaghue and Patrick Donaghue the prisoners, as having been in the crowd. This row took up about two minutes' time. Kelly was with me all the time, until we got up to the row. When they arrived they struck Peter Stocking. Corrigan was getting up. Some one immediately gave him a blow and he fell, as I have already said. I saw Peter Stocking struck, but I do not know the man who struck him. I did not see Kelly there when Stocking was struck, because we were mixed up with the people. Before the row, Kelly told me that he would not leave the place without fighting. The man who struck Corrigan, wore a black cloth surtout, and had grey hair, light complexion, thin, and rather long face. He was a little man, about five feet and a half in height. I did not hear him speak. People were talking very loud, some were shouting; but as they were talking English, I did not understand them.

[*Cross-examined by Mr. Chabot.*]

It was about ten o'clock in the morning when Kelly told me he would not leave the place without fighting. When I arrived, they were appointing the judges for the horses. The members of the Committee wished to appoint as judges for the horses, people from Leeds. Kelly would not consent. Kelly then told me in French, that he would not agree to their appointing people from Leeds—that they had no business there; and then Kelly said to me, "I will not leave this, without a fight, if things do not turn out better." Kelly did not talk of fighting at any other time but the present. I am positive in asserting that the person whom I have described, and who struck Corrigan, is not any one of the prisoners at the bar. I am positive in asserting that it was not Kelly, nor any one of the other prisoners. When we were running towards the crowd, Stocking was nearer to me than Corrigan was. Corrigan may have been twelve or fifteen feet further from me than Stocking was, in nearly a right line. Stocking fell as I arrived within about ten feet of him, and fell towards me. When he was on the ground, I was about five feet from him. When we first heard the noise, Kelly was close to me—we were talking quietly. We had just done examining the horses. When I first perceived that Corrigan was on the ground, we had not got half way; we were running. Kelly was with me, and had not got up to the row. I did not see the prisoner, McCaffrey, in the crowd at all. I saw him, for the first time, near Machell's house, about twenty minutes after the fight. After the fight there were a great number of people near Machell's house, who had no share in it. There were about thirty persons round Corrigan, who seemed to me to be beating him. There were also a great number round who seemed to take no part in the scuffle. On the day of the Coroner's inquest at Leeds, I had a conversation with Jean Baptiste

Nopper, the witness examined in this affair. I was two days with them. I, Nopper and Demers were talking. Nopper said that it was a man named Donoghue who had given the first blow to Corrigan; that afterwards the prisoner, Kelly, had struck him on the head with a stick of wood, had knocked him down, and had jumped upon his belly, and that afterwards he had got down and had given him kicks on the side. Whereupon, I said to him, "But that is not true, because Kelly was with me." Demers said the same thing to him, and I told Nopper the distance we were from the scuffle. I said to him, "Where were you then, when the row began? He answered, "I was taking care of the animals belonging to my master, Wilson." I said, you cannot know anything about the commencement of the fight, you were too far off. Upon this Nopper said that other people had told him this. This took place before Nopper had been heard as a witness on the Coroner's inquest. I describe the ground as follows:—The Craig Road was nearly south south-west from this road, the ground gets lower, we next cross over a bog, (at least an arpent wide) difficult to cross, then the ground rises. The animals for exhibition were on this ground, beyond the bog, here were the horned cattle, part of the horses were in the same place, the mares and their colts were on the hither side of the bog, and the sheep also, near the road. It was about four arpents from the sheep to the horned cattle. I do not think that any man is active enough to pass from the place where the animals were to the scene of the row in the short space between the commencement of the row and the end of the fight, for it did not last long enough; it lasted about two minutes, and a man could not in my opinion even cross the bog in that time. When I told Nopper that he had not had time to get to the row he did not tell me either that he had got to the place or that he had not got there, but he told me that other people had told him that Kelly had been the second to strike, and had jumped upon Corrigan's belly. I do not think that from the place where Nopper told me he was any one could recognize an individual at the scene of the battle. During the two minutes that the battle lasted, Kelly was constantly with me, all but two or three seconds that I lost sight of him. There is no doubt that if Kelly had struck Corrigan, if he had leaped upon his belly, and afterwards kicked him in the side, I should have seen him. I say, on my oath, to the best of my knowledge, that Kelly did not so strike Corrigan and jump upon his belly as above stated.

Ques. Have you any doubt in your own mind that Kelly did not strike Corrigan and jump upon him as before stated?—*Ans.* I have no doubt about it. I have known the prisoner McCaffrey well for seven or eight years. It is not the fact that Corrigan was struck in any way after he received the blow with the club. Kelly was so quick with the two others in picking him up, that no one touched him, there would not have been time. I saw nobody attempt to touch him at the time Paquet started with us to go to the skirmish, but I lost him in the way.

Re-examined. Kelly ran behind me as we went to the row, I did not look behind me. I looked behind, no doubt; I saw all the time that we were running. I lost sight of him only when we arrived. I did not stop near Stocking, I kept on towards Corrigan. It was when I was near Corrigan and while I was examining him that I lost sight of Kelly. When Corrigan was struck I was not more than five or six feet from him. When Corrigan got up the blood was running down the right side of his face. I did not see the blow given. The last blow which I saw struck was given by a person unknown to me, and whom I have described before. I had seen Corrigan struck before, but from a distance. I am short sighted, but any person who can see further could not have distinguished a man at the distance I mentioned. One can distinguish but not recognize a person, one might see a man but not be able to name him.

Ques. Did you say that you are short sighted, that you would see men but not name them, but that another person with longer sight would not tell the name of a man better than yourself? Have the goodness to explain that opinion.—*Ans.* Be-

cause I find the distance too great. The difference between my sight and that of others is not so great. I say this, having had to look at distant objects with other persons. There is not the difference of an arpent in four arpents. I saw Kelly after the battle. We dined together at Machell's. At the dinner were Peter Stocking, Samuel Burray, Lauret Paquet, McGuire, Ferguson, Thomas Somerville, and others. I declare positively, that after my arrival at the battle, until Corrigan was carried away, Kelly could not have struck Corrigan without my seeing him. Kelly could not strike Corrigan during the two or three seconds that I lost sight of him, because Kelly was behind me, and I had my eye on Corrigan all the time. Corrigan was before me. Arriving at the row, Louis Demers was the first; he was three or four feet before me. I have stated that when we came up to Stocking, I lost sight of Kelly.

[*Cross-examined by Mr. Chabot.*]

When Corrigan received the last blow, as I have stated, he was standing up, stooping, he rested his face upon his hand. The blow was given as we came up. I stated what has not been taken down in writing, that in the whole distance from the bog, there are bushes and evergreens which intercept the view.

Thomas Cromwell, of St. Sylvester, farmer.

I was at the cattle show on the 17th of October last, at St. Sylvester. The row was almost over when I came to it. When I first perceived it, I was at a distance of about ten rods. I saw a crowd, and apparently, as if they were beating a man in the middle of the crowd. I saw one who, I was sure his name was Hagan—his Christian name, I think, James. He was rushing forward towards the man who was down. This was Robert Corrigan, whom I afterwards saw. The prisoner Kelly, Terence Burns, and one or two more—I do not remember who they were—helped to carry Corrigan out. They wanted Corrigan to walk. He said he was not able. They insisted he should walk. He wanted them to let him sit on the ground. He said, "Boys, let me sit down on the ground and die where I was killed, for I am done." Some one who was with him, said he had got what he deserved. I do not remember whether this was said by one who was carrying him, or by some one alongside. That was all I heard Corrigan say then. I cannot say if I saw Patrick O'Neill after the row commenced or not. About the same time the row was over, I saw Patrick Monaghan crossing Machell's field, going towards Machell's house. This was two or three minutes after Corrigan was carried away. I saw prisoner, George Bannon, in the crowd that ran from where the row was to Machell's house. As to the other prisoners, I cannot say with certainty, if I saw them or not, in the crowd. I saw Corrigan the next day at McKee's house, about nine in the morning; he was in pain, in bed. I asked him how he felt? He told me he was done; he said they had beaten him badly, and he would never get over it. He said he knew all who had beaten him, but he did not name them. He said, "I am a done man. I'll never get over the way they beat me. I'll never rise off the bed I lay on." He said he thought he would have got over it all, only for the kicks he got. I do not remember anything more. He said the kicks were in the belly and in the private parts. On Thursday evening, between four and five, I went down to see him. I asked him if he was getting better? He said no, he was getting worse. He told me repeatedly, he would get over all the rest but for the kicks he had got; that is all he said. I left about six, and did not see him again after that. Paquet and the people of the house were there, as also Mrs. Corrigan.

Cross-examined.—The Terence Burns I speak of, is the man now brought into Court and shewn to me. James McKee was going in and out of the room during my conversation with Corrigan.

George King, of St. Sylvester, aged 15.

Thomas Adams, of St. Sylvester, farmer, aged 16.

I remember the cattle show at St. Sylvester, on the 17th October last; it was on the Wednesday. There was a disturbance between 1 and 3. The first thing I saw

was prisoner, Patrick Donaghue, strike Robert Corrigan with a stick on the back of the head. Prisoner George Bannon struck him also, with a stick. They struck one after the other. I saw prisoner, Patrick O'Neill, strike Corrigan with his fist. The next was prisoner, Richard Kelly, who jumped on Corrigan, then laying on the ground on his back, and immediately after, gave him one kick. I saw prisoner, Patrick Donaghue, strike with a stick. I know all the prisoners except one—McCaffrey. I saw Francis Donaghue kick Corrigan; that is all I know about it. I cannot say what first attracted my attention when the row began. I saw plenty of persons running from the place where the horses were, but I do not know them. I did not stop till the row was over. When I went away, Corrigan was on the ground. I did not see him taken away. They struck Corrigan in the way above mentioned. There were, I believe some, who went to Corrigan's assistance, but I do not know who they were. I saw them taking Corrigan from the crowd. I was then at a distance of two acres. Corrigan was not taken away when I was on the ground.

[*Cross-examined by Mr. Chabot.*]

When the row commenced, I was alongside the line fence, between three and four acres from Craig's road. The horned cattle were at a good distance from the place of the row. I was standing, looking on. I was looking where they were murdering him.

By *Mr. O'Farrell.*

My Uncle, William Neill, had at the show, a saddle mare, in a part of the field behind Woodward's house, and on the other side of the swamp. The mare had not been given me in charge. I did tell James Donaghue, of the place called the Handkerchief, that I had not seen the prisoner Richard Kelly, strike Corrigan. I did not tell him that I could not swear against Kelly. It was not my business to tell James Donaghue whether I saw Kelly strike or not. James Donaghue asked me had I seen Richard Kelly strike Corrigan? I said it was my business not to tell him that I saw Kelly strike Corrigan. I do not remember the precise words used either by James Donaghue or by myself. I do not remember saying to any one that I would get a new coat by it any way if swearing would do it. I could not have forgotten it if I had said it. I did not say it. I attend the Church of England. There is a Catechism in the Church of England. I have read it over, but have not learned it. No one has explained to me the nature of an oath. I do not know the nature of an oath.

[*By Solicitor-General.*]

I do not know what I am obliged to say when upon oath. I do not know what would happen to me if I told a lie upon oath. I believe in a future state of reward and punishment. By this I mean I will be punished in the next world for telling a lie. If I told a lie upon my oath, I suppose it would be the same thing. I would be punished by the Almighty. I suppose they will go to hell any way. When I answered before this that I did not know what would happen to me if I told a lie upon oath, I did not just then know what would happen.

By *Mr. O'Farrell.*

I have since learned what would happen. No one has told me. The Rev. Mr. King did not explain this to me at the door a moment ago. I do not know what first attracted my attention to the row. The crowd had assaulted three or four men before Corrigan was struck. I stood where I was, until it was nearly all over. I then went away towards Craig's road. I was about four minutes standing looking at the row. The row did not last more than ten minutes in the field. I did not see Corrigan taken away. I did not see him at any time from the time he was beaten until I went away. I never saw him after that. I know Peter Stocking very well. I saw him going to save Corrigan. Peter Stocking had a coat on. I know Terence Burns. When I was out of the field entirely, I saw Terence Burns carrying Corrigan away from the crowd. I was then on Craig's road, opposite to Machell's house. Andrew McKee, at this time, was with Terence Burns. I did

not observe the others. I looked only once at Corrigan when they were taking him away. I told James Donaghue that I did not see Richard Kelly jumping on Corrigan. I do not remember telling him anything else. I told him also, that I did not see Richard Kelly strike Corrigan. I did not tell young Edward Donaghue that I would get a new coat by swearing. I was not among the horned cattle when the noise began, nor in the same part of the field. I was in front of Woodward's house, between it and the place where the row commenced. Woodward's garden fenced around is an acre from the place where the row commenced. Patrick Donaghue was not between sheep and Corrigan, when the latter was struck. Corrigan was struck on the back of the head, not on the side. The last thing I saw was, when I was out of the field entirely, they were carrying Corrigan away. I went away before the row was finished. I swear positively, I saw them carrying Corrigan away. I saw Patrick O'Neill strike Corrigan, but I cannot say on what part of the body. With the exception of Patrick Donaghue and Kelly, I do not know on what part the others struck him. I did not see on what part Corrigan was struck, because there was such a crowd around him, and I did not see Corrigan's body. About two minutes after the first blow was given, the crowd gathered in, and then I could not see the body. There were good fifty persons in the crowd. While the row was going on, Patrick Donaghue was inside the crowd. I had plenty of chances of seeing him. I cannot say if I was nearer to Woodward's house than to the crowd. I heard no whistle before the row commenced. The last thing I saw was, Frank Donaghue striking Corrigan with a stick. Corrigan was lying at the time. At that particular moment I saw Corrigan's body. Sometimes I saw the body, sometimes I did not, and this during the time the crowd was around him. I do not remember how often I saw Corrigan's body while the crowd was around him. I saw the people running from all parts of the field towards the row; some from where the horned cattle were, some from Machell's house. I saw William Lowry coming to take Peter Stocking away. This was after Stocking was struck. Lowry came from the back of Machell's barn.

Mark Ellison, of St. Sylvester, aged 18.

I remember the cattle show at St. Sylvester, which took place on the 17th October last. The show was on Thursday, the ploughing match on Wednesday. I knew Robert Corrigan by sight. About 2 or 3 p.m. John McCaffrey said he would be damned if he would have such judging. I think he is one of the prisoners at the bar. He said this to Corrigan, Durkin and Kerwin, who were judges. Corrigan said he would not judge any more, then Patrick Donaghue struck him, and gave him a kick or punch with his knee, I am not sure which. Corrigan was then standing with his back to Patrick Donaghue. A crowd then rushed forward and Corrigan fell: he did not fall from the blow given by Donaghue, it was the crowd made him fall; when they rushed on him he fell. When down Patrick Donaghue struck him on his face with his fist. Patrick Donaghue struck him two or three times with his fist on the face, while Corrigan was down. In the crowd that rushed upon Corrigan, I saw at the first, prisoner Patrick Donaghue. At the first, I knew no one but Donaghue in the crowd. They beat Corrigan awhile with sticks and kicked him, after which he got up. Corrigan was standing up awhile when prisoner Richard Kelly came up and struck him with his fist in the face; the crowd rushed forward again, and Corrigan fell. Then one Hagan struck him with a stick. Then prisoner Kelly helped him away. He took him by the arm. I did not, in this second crowd, know any one but Kelly and Hagan. I did not take notice that Patrick Donaghue was in this second crowd. There were about twenty persons in each of these crowds, which were composed of the same persons. I saw plenty whom I did not know, strike Corrigan with their fists and sticks. Hagan was an old man. I have stated all I saw and know. When Corrigan got up, he said, "O my God, I am killed." He said this quite loud after the first time he was knocked down. I do not know if any body else heard this.

Cross-examined.—Kelly lives at St. Patrick's Mills. Patrick Donaghue at St. Sylvester Church, and John McCaffrey in St. Agathe. I was never in the houses of the prisoners known to me. I never saw John McCaffrey before the row. I saw Kelly at the mill three or four times. I saw McCaffrey the first day he was brought to the Court House. I cannot exactly tell where I saw Patrick Donaghue before this. I saw him five or six times. I saw him at Mr. Laurin's election. I was near enough to hear what was said, and I have told all I saw. I saw Peter Stocking going to Corrigan's assistance; he was pulling somebody off Corrigan, who was then lying on the ground. I saw Peter Stocking with a stone in his hand. He threw it down. It was a couple of pounds weight. I cannot say how long the row lasted. I did not notice how long it was, it might have lasted one quarter of an hour. I cannot say. At the end of the row, I cannot say how many stood around Corrigan. The crowd around Corrigan consisted of about twenty persons. I do not think there were twenty more in the crowd at one time than another. Patrick Donaghue could not, I think, have struck Corrigan on the head without my seeing him. I saw Corrigan's body a dozen times while down. He was lying on his face pretty much all the time; when not lying on his face, he was on his side. I did not see him lying on his back. I did not see him lying otherwise than on his face or on his side.

Richard Stewart of St. Sylvester, farmer:

There was a cattle show at St. Sylvester on the seventeenth of October last. Between 12 and 1 on Wednesday, I am not exactly sure, I saw a row. I heard prisoner John McCaffrey say he would not stand to Corrigan's judging of the sheep, upon which Corrigan said if that was the way he would judge no more. Corrigan stooped down and Patrick Donaghue struck him with a stick on the head. Corrigan fell; a mob of twenty, thirty, or perhaps more rushed on him, beat him, some kicked him, some beat him with sticks; after that he got up, when prisoner, Richard Kelly, came forward and struck him with his fist and knocked him down. Kelly came forward in a kind of run. Peter Stocking came running forward to take away Corrigan who was then down. Prisoner Patrick O'Neill told Stocking to keep back, and as Stocking stooped to take Corrigan, (Stocking was at Corrigan's feet) Patrick O'Neill struck Stocking with a stick. Kelly then took Corrigan, I think, by the collar of the coat, and with the assistance of one or two more dragged Corrigan out of the crowd. Corrigan then begged for God's sake to let him die in peace. Kelly said no, it was good for him, he deserved all he had got. They then took Corrigan away off the ground. I think it was on the breast that Kelly struck Corrigan with his fist; Corrigan fell and Kelly then kicked him about the sides and belly to the best of my knowledge. Kelly said it was damned good for him. I know prisoners McCaffrey, O'Neill, Patrick Donaghue and Kelly, the others I do not know. The first on my right is McCaffrey, the fourth O'Neill, the fifth Patrick Donaghue, the seventh is Kelly who now answers to his name, and it is he that I have all along pointed out as Kelly. I have known Kelly for two or three years. I do not know prisoner Monaghan at all, but I saw him some ten or fifteen years ago. I did not see prisoner McCaffrey do anything. I now recollect I saw McCaffrey strike Corrigan with his fist as he was falling from Patrick Donaghue's blow. I saw blood on Kelly after the row was all over. I saw a great deal of blood on Corrigan's clothes and on his face. I do not recollect Corrigan saying any more. There were two men, perhaps more, carrying Corrigan away, he was not able to walk. I saw Corrigan at McKee's house that evening between five and six, he was sitting on a chair, I asked him how he was, he said very bad. He got up, and attempting to walk would have fallen if McKee had not caught hold of him. They laid him in bed, he complained terribly of being sore in his belly. On Thursday I saw him after dark, he held out his hand to me but did not speak, I

then left the house. On Friday between six and seven in the afternoon I saw him again, he was very bad.

[*Cross-examined by Mr. O'Farrell.*]

I was not a rod distance from Patrick Donaghue when he struck Corrigan. I went for Doctor Reed in the afternoon of Thursday. After Patrick Donaghue struck Corrigan I think a person outside of the crowd could see any one who struck Corrigan. I did not see Patrick Donaghue kick Corrigan or strike him with his knee. Corrigan was knocked down twice. Stocking was struck when the row was nearly over. Kelly, Simpson and young McKee raised Corrigan from the ground. I saw Kelly strike Corrigan but once to the best of my knowledge. When Kelly came running up to the row he was alone, he was running down from Craig's Road. There is a little brook runs down between the place where the horned cattle were and the place of the row. Woodward's garden is about four or five rods from the place of the row. I cannot say that Kelly kicked Corrigan about the belly, to the best of my knowledge I think he did. When the crowd gathered round Corrigan he was on the ground. I knew John McCaffrey by name the day of the show. They carried Corrigan off the field, he could not walk. To the best of my knowledge I swore all I knew before the Magistrate Paquet. I think my deposition before the Coroner was the same as that before Paquet. I did not see Kelly kick Corrigan about the head or neck or in any other part than above stated. Corrigan fell on his back when he got the blow from Kelly. I did not hear Kelly say anything to Corrigan. I did not hear them speak together. I saw Kelly jump on Corrigan. I stated this in my deposition before the Magistrate. (Here the witness's deposition before the Coroner and before Paquet, J.P., was read to the jury.)—I never told Patrick Donaghue, commonly called Yankee Pat, that the necks of the prisoners would be stretched if I could do it, nor any thing of that kind. I did not swear in Court this day that I saw no other person than Richard Kelly and Patrick Donaghue that I knew, strike Robert Corrigan. I swear this day to three men having struck Corrigan; I did not swear to more to the best of my knowledge. I did not state to the Magistrate, Paquet, that the blow given by Kelly was on Corrigan's forehead. I stated before the Magistrate that John McCaffrey struck Corrigan on the body.

[*Cross-examined by Mr. Chubot.*]

Corrigan was quite near the sheep when Patrick Donaghue first struck him. I did not hear him (Corrigan) speak together before the blow was struck; I was near enough to hear anything they said. Corrigan was standing right behind the sheep. There was one of the Judges there, but I cannot say if he was between Corrigan and the sheep. During the fight I saw nothing in Kelly's hands; of this am sure.

Robert Simpson, of St. Sylvester, Farmer.

At the cattle show at St. Sylvester on the 17th October last, about 2 P.M., I was in the fields near the brood mares. At about an acre from me I saw a man getting beat; I started towards the row but I was advised to stop. I then saw Peter Stocking fall by the blow of a stick, pretty close by the man beaten. I passed Stocking and went on to the other man who appeared almost lifeless. Two men, prisoner Kelly and another whom I thought to be Mullaney were carrying this man away. I reached them in the field at some little distance from where he was beat. At the time Stocking was struck I was positive the blow was given by a man whose name had been previously given to me as Paddy O'Neill, I should think it is the fourth man at the bar, but I am not positive. (This prisoner being called declares his name is Francis Donaghue.) I have little acquaintance with this man, I did not know him before the 17th October last. Corrigan begged us to leave him on the field, he said he was a murdered man, or that he was killed, that he would die on the field. I think I answered first, I said that he must go on. I think Kelly spoke next, I believe he said Corrigan

deserved all he had got, that he was glad of it, or some words to that effect. We took him on. We stopped a moment at the corner of a barn, Corrigan sat down on a pine log: I said to Kelly we must take the man from this. Kelly and I then took Corrigan by the arms to Machell's door; I told Kelly I did not think we could bring Corrigan into the house as it appeared to me there was fighting inside. I said to Kelly go in and see; he did so. I then went on with Corrigan to some little distance from McKee's door, I did not wait till Kelly came out of McKee's. Young McKee took Corrigan by the arm into his father's house. I went away and saw Corrigan that evening about sundown in bed, he was very bad. Some one asked him to get a doctor, he said no, it was no use; I said it might not be as bad as he expected and it would be better for him to get a doctor, he raised his head and his hand, he bowed to me, said it is no use, the doctor can do nothing for me, it is not what I have got here (putting his hand to his head) or anywhere else, but it is here, putting his hand to his belly, he said, my belly is broken. I did not see him after this until he was a corpse.

[*Cross-examined by Mr. Chabot*]

At the time the row commenced Paquet and Deslauriers were standing near me. I think it was John Mullaney now before me in Court who was helping prisoner Kelly to carry Corrigan away when I first went up to them. The row lasted four or five minutes.

Re-examined: At the commencement when the first fight was seen of the disturbance, Kelly was standing within a few yards from me, I saw him run to the crowd. I think Deslauriers and Paquet were standing close to me

[*Examined by Mr. O'Farrell.*]

Kelly started for the row before me, perhaps one minute before me. Paquet and Deslauriers looked at the row as I did. I did not observe Paquet or Deslauriers going towards the row nor did I see them in the crowd. I cannot say I saw them start. The noise up towards Corrigan was the first thing attracted my attention, it was shouting or screeching. I heard heavy blows given. I heard a whistle when the row commenced, the whistle was in the direction of the row, I think a little to the left. I was where the brood mares were, up to the time of the crowd. I cannot say I heard the whistle before or after the blows. Where the brood mares were there was no crowd, a few persons besides the judges and those in charge of the mares. There were a number of people towards the part of the ground where the sheep stood.

James Reed, of Inverness, Physician:

The paper writing now shewn to me is of my proper handwriting, it was written about 8 or 9 of Thursday evening. Mr. Paquet, J.P., King, and some of McKee's family were present when the paper was written. At the time Corrigan told me he was dangerously ill. The people about the house talked of these men being arrested, it was thought necessary to have this deposition taken in writing to be sent to a magistrate or to Mr. Green at Quebec, for this purpose, in fact a man was sent down with this deposition to Mr. Green at Quebec the evening it was taken. My own deposition and also Richard Stewart's were taken that night and sent down that night. Corrigan did not talk of his recovery, he said he was very sick, he was dangerously ill, or words to that effect, complaining all the time. He did not say he was going to get better, nor did he say he was not going to get better. The taking of the deposition was talked of two hours before it was taken. The people of the house complained it was wrong to see Richard Kelly going about the show ground after committing such a deed. I made a remark that they should get a deposition made and send it to a Magistrate to have Kelly arrested. I did not think Corrigan could recover. I did not communicate to Corrigan that he would not recover; I told the people about the house that he would not recover, and this before the taking of the deposition. The first time I intimated to him that he had no hopes of his recovery was on

Friday morning about six. He at this time asked me if I had any hopes of him, I said no, he had better get his will made.

Re-examined: I told the people about the house that he would not recover. I told him, McKee, this, and also to all the people about the house.

Joseph McKulcheon, of St. Sylvester, farmer:

I was at the cattle show at St. Sylvester, on the 17th October last. I saw Robert Corrigan about 12 or 1. I was standing at an apple tent just near Woodward's dwelling. I heard a noise, looked round and saw people strike Corrigan. I believe, but I am not certain, that more than one struck him with his fist. I saw him struck on the head with a stick; he fell. I recognized no one in that crowd. Corrigan died on the 19th October last. I afterwards saw two men who held Corrigan under the arms and dragged him from the field towards Machell's. They were going away from me. Prisoner Richard Kelly was one of these men. I could not say who the other was. I heard Kelly say you have got it Corrigan; you have got what you deserved. I was then between half an acre and three-quarters from them. Corrigan said let me lay down and die, I cannot go. Kelly said you must go; they were moving at this time. I did not see Corrigan after this. I saw prisoners John McCaffrey, Kelly and Monaghan through the fields on that day after the fight, went running to Machell's house. I also saw Peter Stocking knocked down at the time of the row with Corrigan; he was knocked down with a stick. I cannot say by whom.

[*Cross-examined.*] I was within a distance to recognize, but there was such a mob that it was impossible to recognize any one without being closer than I was. I moved away.

James Reed, Physician, being called, appears:

[*Re-examination continued by Solicitor General.*]

It was on Thursday evening that I told the people. When Corrigan died James McKee and Mr. McKee were near him.

Reverend John Armstrong, Minister of the Wesleyan Methodist Church at Leeds:

I knew the late Robert Corrigan. I visited him on the Friday he died between four and five p.m. I remained with him the best part of an hour, he was in great distress, great pain. He complained very much of the severe pain with which he was afflicted. Before I left he said he believed he was a dying man. I visited him as a Minister of the Gospel. At his request I read a part of Scripture and prayed with him. Mrs. Corrigan and another female were in the room. Mr. Parker was also there a part of the time and so was the Reverend Mr. King. No mention was made of the Sacrament. During a considerable portion of the time I was with him, his pain was so great that he could not speak much. He complained of great distress in his bowels. In some part of the time, in general terms, he referred to the cause of his death, but mentioned no names. It was daylight for some time after I left.

[*Cross-examined by Mr. O'Farrell.*]

Corrigan said I am a killed or a murdered man. The witness adds Corrigan was in a state of perfect consciousness.

Mary McKee, wife of Richard Stewart:

I knew Robert Corrigan. I saw him at my father's about 2 p.m. on Wednesday. He was sitting on a chair and appeared to be very poorly; he had been washed and dressed. Reverend Mr. King came in and took him into an adjoining room. He then told Mr. King the state he was in and requested him to give him medicine. I went home and returned about four. Corrigan said he was very ill and did not expect he would ever recover. I left and saw him at 12 on the Thursday. He was in bed and much worse. He said he did not expect ever to recover. I asked him about his head, he said his head was bad enough, but that was not the worst part of him; he said his pain was there, placing his hand on the lower part of his side.

He said he knew there was something in his inside that was broken, that all the doctors in the world would not cure him. He said to Mr. Montgomery, "I shall never pass your door again," "I shall never see my children again." Corrigan had to pass Mrs. Montgomery's door on his way home. He never mentioned any names to me at that time. I remained till Doctor Reed and Paquet, J. P., came in, between four and five p.m. He told the doctor he was very bad and did not expect ever to recover. He said his head was very bad, but that was not the worst of him. Paquet was then in the room, he told them the same as he had told me. I left after tea about five, and was absent about three-quarters of an hour. I heard Doctor Reed say it was necessary to have a deposition drawn; no reason was given for this. Paquet was called in as a Magistrate for the purpose of a deposition. There was nothing further said by Corrigan about his condition to Paquet and Reed. It was almost six when I returned. I found Doctor Reed, Paquet, James McKee, his father, Reverend Mr. King and William McGinnis, in the house and in the same room with Corrigan. The door was shut and we were not allowed in. Corrigan said to the doctor when he came in what I have above stated, in presence of Paquet; the doctor made no answer but said "hum." Doctor Reed was about two on Friday morning because Corrigan was much worse. I asked the Doctor what he thought, he answered it was a bad case. The doctor remained up till five in the morning, when I left; nothing more occurred at that time. I returned at 3 p.m. on Friday. I found the Reverend Mr. King, his son and Robert in the house. Shortly after my arrival the Reverend Mr. Armstrong came in. The Reverend Mr. King being about to leave went to Corrigan's bed. Corrigan said, "I am going to die, I wish to take the Sacrament." Mr. King said I shall return immediately to administer the Sacrament to you. Mr. King left. Mr. Armstrong began to read from the Bible and I went home. On Friday before day, to the best of my recollection, my mother told Corrigan there was no hopes for him, he had better prepare for another world. On Thursday the 18th, in the afternoon, I heard Doctor Reed say, speaking of Corrigan's deposition, that Corrigan's deposition ought to be taken, it ought not to be delayed any longer. This was about five p.m. I heard Corrigan speak of who beat him, he so spoke to me on Wednesday. He also spoke of this on the Thursday. I do not know at what hour. I do not recollect to whom. I was going about working in the house. I cannot positively say if Corrigan spoke more than once on the Thursday on the subject. I do not remember hearing him speak on the subject after the Thursday.

[*Cross-examined by Mr. O'Farrell*]

I heard the people in the room say that prisoner Kelly was on the field, on the Thursday after the fight. I heard my brother Andrew and Thomas Cromwell say that Kelly was there.

Rachel McKee, of St. Sylvester, aged 14 :

I was at my father's house on the 17th October last. Corrigan came to my father's house leaning on my brother's arm. His head was dressed by my sister Mary and Terence Burns. He had to be put to bed and never rose from it. I remained near the bed all Wednesday afternoon. He got very bad towards six in the evening when we thought he was going to die. I remained with him until eleven, when I went to bed. I saw him the next morning about five, he was then very bad and began to vomit. On the Wednesday evening about six, he began to pray for himself, his murderers, his wife and children. I did not hear him say anything else. On the Thursday morning about six he told my brother James that he was very bad and never expected to get better. On Thursday afternoon between two and three p.m., Corrigan said to Mrs. Montgomery, I shall never pass your door again nor see my poor children. About half-past four on Wednesday we had tea. Doctor Reed was asked if he had any hopes of him, he said it was a very bad case and he had not much hopes of him. My mother was present. I do not know if any one re-

peated this to Corrigan. Corrigan both before and after tea on Thursday said he was in great pain and did not expect to get better. On Friday evening about five he wished to receive the Sacrament before he died. The Reverend Mr. King, to whom this was said, answered he must go home first; he would return as soon as he could and administer the Sacrament. I heard Corrigan on each of the days, Wednesday, Thursday and Friday, say how he had been hurt and by whom. These statements he made to every one in the room. He repeated these statements often every one of the above three days.

[*Cross-examined by Mr. Alleyn.*]

I heard Corrigan make statements of the cause of his death several times on Friday.

[*By Mr. Stuart.*]

My mother, Mrs. Carpenter, and I think brother James were present with me on Wednesday evening when Corrigan prayed at about six in the evening. The Reverend Mr. King was with Corrigan from seven till nine in the evening; he had seen him previously on the same day. My mother, my sister Mary I think, and I, were in the room when Corrigan spoke to Mrs. Montgomery. I was in the room with Corrigan most of Thursday until the Doctor came. On Friday I saw Corrigan several times. When I saw him on Friday his wife was present. I do not recollect any others. I am perfectly sure it was on Friday afternoon he asked Mr. King for the Sacrament. Reverend Mr. Armstrong was present. I do not recollect to whom Corrigan made his statements on Wednesday, Thursday and Friday. The death of Corrigan has caused great excitement in the neighbourhood and been the subject of frequent conversations.

[*By Mr. O'Farrell.*—When Corrigan first came to my father's house, he went out for about one minute and then returned very bad, and went straight to bed. Corrigan spoke of his illness for the first time on Wednesday, about 3 p.m. It was in answer to the questions put to him by the persons who came in, that he spoke of his statements. On Wednesday, Lowry, Montgomery and Robert Simpson came in about 3 o'clock. I do not remember any others coming in between 3 and 7. Harrison came in about 9. It was about 3 p.m. on Wednesday, that Corrigan, for the first time, named the persons by whom he had been beaten. He mentioned names every time he spoke on the subject. My mother, on Wednesday evening, asked Corrigan if he wished his wife to be brought? He said "No," he did not think there was any use in bringing her. Father asked him if he should go for the doctor? He said "No," it was of no use, and did not believe he would ever get well. There was no mention made of his going home in his cart. Went away about half after two on the Wednesday. When I left the room, I was not absent more than five minutes. Corrigan asked the Rev. Mr. King for medicine. Mr. King answered he did not know if he was in a fit state to take it. Corrigan begged if he had anything to give it to him. Mr. King afterwards brought medicine to Corrigan. Mr. King poured the medicine out of a bottle, and my mother gave it to Corrigan in three portions. I think it was black, the color of salts and senna. Four spoonfuls were given twice. I cannot say he got a third draught. On Thursday morning I cleaned the basin used by Corrigan. I saw no blood in it. What Corrigan vomited was thin and green. He vomited three or four times each hour. Father first asked if he should send for the doctor? Corrigan said, "No." Then Mr. Harrison insisted on the doctor being sent for. This was Wednesday evening at ten. On the Thursday, Corrigan asked if anybody would go for the doctor. Mrs. Stewart then got her husband to go. Corrigan then felt great pain, and that was the reason of his wishing the doctor to be sent for. He did not get pale until some time of the night of Thursday.

William King, of St. Sylvester, aged 19.

I knew Robert Corrigan. On the 17th of October last, at St. Sylvester, at the cattle show, a disturbance took place. I was at a distance of about

150 to 200 yards from the row when it commenced. I went to the place. Corrigan was in the act of getting up when a man, whom I do not know, struck Corrigan on the head with a stick and knocked him down. I then saw prisoner Kelly, and another, I believe, Burns, dragging Corrigan off the field. Corrigan asked Kelly to let him down, for God's sake, that he could not go on further. Kelly said that he must go, and should go, and that he deserved all he got. I did not see Corrigan afterwards, till I saw him at McKee's house about three. I did not recognize any person in the crowd. In McKee's house Corrigan said he was very badly beaten. On Wednesday or the next day, he said he never would get over it, that his bowels were burst. He had given me an account of his beating on this same day, Wednesday, at three. I saw Corrigan on the Friday, at noon, at McKee's house.

[*Cross-examined by Mr. Stuart.*]

I was at McKee's when the Rev. Mr. Armstrong came to the house. I went into the house with my father about two, to wish Corrigan good-bye. There was nothing, at this time, said about the Sacrament.

George King, of St. Sylvester, aged 15.

There was a cattle show in St. Sylvester, in October last, on a Tuesday, I think. There was a disturbance. At the commencement of it I was among the horned cattle about one and a half acres from the row. I saw one Hagan knock Corrigan down, by striking him on the head with a stick. Then I saw prisoner Kelly, assisted by one Burns, dragging Corrigan from the field. Corrigan said, "For God's sake let me down." I was then quite to them. Corrigan said, "Let me die on the field, I cannot go further." Kelly said, "You God damned bugger, you must go; you did not get half enough. If you do not hold your tongue I'll give you more." They dragged Corrigan away. Set him on some pine logs near a farm house. I saw persons kicking and tramping on his hat where he had been beaten, and then I saw Corrigan seated on the pine logs. I cannot certify who so kicked and tramped on the hat. After this, I saw Peter Stocking raised from the ground, by his brother and brother-in-law. After leaving the place where the row with Corrigan took place, the crowd went away, running to Machell's house. I saw Patrick Donaghue. He was jumping. He said, raising his hands, "Look at my hands," rejoicing in Protestant blood. "I'll have more of it before night." I did not see Patrick Donaghue strike any one. I saw another Donaghue on the field, but I do not think he is at the bar now.

[*Cross-examined by Mr. O'Farrell.*]

I have told all I know. Patrick Donaghue was on Machell's steps when I saw him jumping up. I do not remember seeing prisoner Kelly at Machell's door, challenging any body to fight. I saw prisoner Kelly on the threshold of Machell's house. I am sure it was Patrick Donaghue who said, "Look at my hands, covered with Protestant blood." I heard another person use this expression. I did not hear Kelly speak at Machell's door. Of the prisoners, Kelly and Patrick Donaghue are the only two I recognized in the crowd, going to Machell's house. I have examined the prisoners attentively. I swear it was Corrigan's hat was kicked about, because I heard many say so afterwards.

(*Translation.*)

Laurent Paquet of St. Sylvester, Magistrate.

There was a cattle show at St. Sylvester on the seventeenth of October. I did not then know Robert Corrigan. On Thursday the eighteenth, about six or seven in the evening, Andrew McKee, Sen. came to fetch me to take Corrigan's deposition who was then at McKee's. I went, and found Corrigan in a sick bed; he was not extremely weak, but was able to speak very well, and was quite conscious. On going in, I asked him how he was, and shook hands with him. I said that he might very probably recover. He answered in English "may be." The deposition was taken in English and was written by Dr. Reed. I remained

there till about ten o'clock in the evening. I remarked that he vomited a great deal. Every time he vomited, he said "that kills me," putting his hand upon his stomach. I had seen him beaten the day before; I knew nothing of anything but the wounds which he had on the head, and I expected to find him much sicker than he was after the blows which he had received on the head. I knew nothing of his own opinion of his own health, except by the words "may be" which he said when I went into the house. I think I have a perfect recollection of what passed at McKee's when I was there. I am certain respecting the answer which Corrigan gave me. I was examined at the Coroner's inquest. What I have just stated is what Corrigan told me before I had the deposition before me. I wished to go away, Dr. Reed asked me to remain and pass the evening with him. I stayed till about ten o'clock. Within half-an-hour after having finished the three depositions taken before me on Thursday evening, Corrigan vomited a great deal. When he had done vomiting he remarked to Dr. Reed that he was becoming very weak, that the vomiting was killing him, and he became weaker and weaker every hour till I left him. On reading over the part, pointed out of my deposition before the Coroner, with what Corrigan declared at the close of the evening, after he had vomited a great deal, it is written on the fifty-fifth page of deposition before the Coroner, in the thirteenth line, and the part of the deposition which commences "I found him dangerously ill" down to the words "recover from the blows which he had received" relates to what passed at the close of Thursday evening, and after Corrigan's deposition was read. I understood my deposition to mean that he was in a dangerous state at the close of the evening. I found him when I entered pretty strong and in possession of his faculties. A man who rises of himself for his occasions, with a little help, is not so very weak. He could not have done that when I left him at ten o'clock. The expression in my deposition before the Coroner "I found him dangerously ill" applies to Corrigan's state at the close of the evening only. That part of my deposition where I say "he was growing weaker and weaker every hour and kept expressing the same opinion that he was going to die," applies to what took place about eight o'clock and afterwards. Corrigan had then vomited twice after having made his deposition. Corrigan's words were that this vomiting was killing him. I remember very well what Corrigan said to me. He called the Doctor and said "this vomiting makes my stomach very weak," placing his hand on his stomach. I did not look at my watch but must have remained at McKee's about three hours and a half or four hours. It was about eight o'clock after having vomited twice that he appeared to commence to get weak. Corrigan did not say before me that he was about to die. When I arrived on the Thursday evening Corrigan had hope. I say this founded upon the answer "may be" which he gave me at the same time, shrugging his shoulders. This was at about six o'clock. I cannot recollect who was in the room when Corrigan made me this answer. There were a couple of persons at the foot of the bed. People came in and out. At the foot of the bed was a man and perhaps the other was a woman. They were both tending him. I cannot be certain because people came in and out at every moment. This answer was given to me at the time of my arrival and before I sat down. It was shortly after I arrived that the deposition was taken perhaps half-an-hour, perhaps three-quarters of an hour after, I cannot exactly state. Three depositions were taken which took up a little more than an hour, perhaps an hour and a half. Corrigan wished to sign his deposition but I told him that it was as good for him to make his cross. I am not certain how many times Corrigan asked to drink during the time his deposition was being taken. I think that he, up to the time that it was sworn to, asked once, but am not certain, because he asked so often during the evening. On my way to McKee's I stopped at Mr. King's and sent Mr. McKee, Senior, to ask Mr. King to go to McKee's, and he arrived there shortly after I did. Mr. King was present at

McKee's when we spoke about taking the depositions ; the conversation took place near the bed. Mr. King said that it was expedient to take Corrigan's deposition in order to be able to arrest the persons who had beaten him, and that it was a shame to allow these men to go at large. The doctor also spoke of it. We commenced to take down Corrigan's deposition about twenty minutes or half an hour after I had arrived, and we took half an hour or forty minutes to take down his deposition. Mr. King was in the house when I left.

[*Cross-examined.*]—I saw Corrigan beaten on the evening before, which was the 17th October, on the land of one Machell. I was about an arpent and half or two arpents from the place where they were beating him. I was standing near the mares with Dion dit Deslauriers, who was one of the judges, and also Kelly, who was all the time with us, had a paper in his hand and assisted us as judge. We had scarcely finished examining the horses when I noticed the row. Louis Demers, a witness in this case, was also present. It was I who said to the prisoner Kelly and to Deslauriers, "see they are commencing to fight." We spoke to one another to go to the scene of the row. Dion and Demers went first, Kelly followed after and came last. Before I left the place where we were I saw Corrigan fall. I saw him struck over the head with a loaded stick about three feet and a half in length. I cannot say who struck him. I saw that he was receiving kicks at the same time. He fell flat upon the earth. I did not go to the spot. I remained at about three-quarters of an arpent. Whilst running I kept my eye upon the place where Corrigan was. Corrigan tried to get up whilst I was walking across the three-quarters of an arpent. He was then struck a second time with fists and kicks. Kelly and Dion went as far as the crowd. I remained about half way. I also saw one of my neighbours, Peter Stocking, struck during the time the row was going on, at about ten or twelve feet from Corrigan. This row, in which Corrigan was struck, lasted three minutes at most. I took care of Stocking. His father and I brought him to near Machell's house. There he got rid of us and returned to fight again. He took an iron shovel which lay at his feet. Stocking was then in his shirt and in a rage. Seven or eight persons came running at him when they saw him fighting. Then, on being solicited to do so by his sister, he threw down the shovel and went into Machell's house where they fought. I then saw Richard Kelly send away his men from the door of Machell's house, and send them away from the ground to prevent them from fighting. This took place immediately after the row with Corrigan. I now come to speak of the place where Corrigan was fighting and of what took place there. I saw that Corrigan was being felled to the ground. The prisoner Kelly was one of those who helped to do so. There were others but I did not know them. Kelly came to the ground towards the end of the fight, almost at the same time as Deslauriers. There were very few feet distance between Deslauriers, Kelly and Demers when they came to where Corrigan was. I cannot state who was first, they were almost together. There elapsed about a minute between the time that Kelly, Deslauriers and Demers arrived and the time that Corrigan was picked up. I cannot state on oath whether it was possible for Corrigan to have received any blows after Kelly arrived. Corrigan was certainly thrown down a second time. When Corrigan was thrown down the second time, Kelly, Deslauriers, Demers and I were only just starting from the place where we were standing as judges. We might perhaps have been half way. I did not recognize in the crowd round Corrigan any other persons at that time but Corrigan. I have no doubt that Kelly had not yet arrived at the place where Corrigan was when the latter was struck. Most certainly it could not have been Kelly who struck Corrigan, and this for the reasons I have just given. I am positive in stating that Corrigan was on the ground when Kelly, Demers and Deslauriers arrived. I saw Corrigan picked up by three persons, of whom Kelly was one; the two others I did not know. Stocking was taking a part in the row. It is my opinion that after the arrival of Kelly no person could have struck Corrigan

with a stick or fists or jump upon his body and then get down and give him five or six kicks. I am positive that Kelly did not strike Corrigan. When McKee, senior, came for me, he stated that it was for the purpose of taking Corrigan's deposition, in order to arrest the persons who had beaten him. The depositions of Dr. Reed and Richard Stewart were taken to support that of Corrigan for the same purpose. They were all three taken and sent to Quebec to Mr. Green on the same evening, by Peter Stocking.

[By Mr. O'Farrell.]

The distance from the spot where were the horned cattle to where Corrigan was, was about five or six arpents. I have no knowledge that there was held, behind Matchell's barn, a meeting of thirty persons on the morning before the row. I did not observe. I saw nothing of it. About twenty minutes or half an hour before the row, I noticed a person of the name of Patrick McCaffrey pass by that spot with his mare. There was no meeting at that time. I did not see any meeting there before the row. Between the place where the cattle were and the spot where the row took place, there are a great many stones on the ground and the soil is wet.

[Re-examined by Solicitor General.]

Kelly and the others had not returned when Stocking was struck. Corrigan was the first struck, that is to say, before Stocking. Stocking was struck almost at the same time as Corrigan was struck the second time. I assert that Stocking had been struck when Corrigan got up the first time. Corrigan had been struck ten or eleven times before he tried to get up the first time. Dion ran to the row with Kelly. I cannot say which of the two was in front, they were almost equal. I think Demers got there before them, because he kept in advance of us throughout. I walked hastily, the three others ran. I stopped three-quarters of an arpent from the crowd. I saw Corrigan kicked as he lay on the ground, and tried to get up. It did not appear to me that the persons who beat Corrigan left him and ran to beat Stocking. It was not necessary that they should run as they were ten or twelve feet from Stocking. There were forty persons there, and they all held back. I only saw one blow given to Stocking, several were beating Corrigan at the same moment. I was not looking all the time. I did not observe whether they ceased beating him. I cannot say positively that they did not stop beating Corrigan for an instant. Upon my oath I do not think that Kelly touched Corrigan to beat him.

Ques. Can you positively swear that Kelly did not strike Corrigan at all?—

Ans. I do not think so. If he had struck him I should most likely have seen him. It was not stated in my presence that Corrigan's deposition must be taken before he died. After the depositions on Thursday, I took steps to have the accused arrested. On Thursday night, indeed, I sent an express to Quebec for a body of police, and as soon as the police arrived on Sunday morning, I signed the warrant. I started with the police at daybreak. Nothing was done on Wednesday and Thursday. I wrote several letters on the subject to the Crown Officer at Quebec. I wrote to the Solicitor General on the same subject eight or ten days after the death of Corrigan, and a few days after the departure of the police from St. Sylvester. I know no one who tried to dissuade the Crown witnesses from giving evidence. No one to my knowledge advised the Crown witnesses to go away.

[Cross-questioned anew by Mr. Chabot.]

I applied for a body of police. Peter Stocking returned to St. Sylvester on Friday about four or five o'clock, p.m. On Sunday I procured 12 men of the police force. It is a day's journey from Quebec to St. Sylvester; half a day's journey by railway. I never heard the matter spoken. There were six or seven persons beaten but it did not appear to me a matter of any consequence.

Andrew McKee, Farmer, of Saint Sylvester.

Doctor Reed first spoke of sending for a Magistrate to take Corrigan's deposition at my house in the bed-room, in which Corrigan then was; this might be about 3 P. M. on Thursday. The doctor said the man was not likely to recover. I remember no other reason given for getting a deposition taken. I told Paquet that Doctor Reed and Corrigan both requested him to come and take his deposition against those who had abused him. I did not tell Paquet why the deposition was to be taken. I do not remember anything about Corrigan saying anything about his condition before he was sworn. I do not remember hearing Paquet ask him anything on the subject. Corrigan was in great agony on my return home on Thursday evening. Paquet went in, I went to the stable to put up my horses.

Rev. William King.

I saw Corrigan at McKee's, on Thursday. In the room where Corrigan was, some one said in substance, that the deposition of the dying man should be taken. I think Dr. Reed, McGinnis and others, were present. Paquet went to the house before me. I do not remember what was said in the room between Paquet and Corrigan, or between Corrigan and any one else. I cannot charge my mind and say that Corrigan said anything of his state or condition to Paquet. I think, but I am not positive, that Corrigan made a cross to one of the documents on the Thursday evening. The reason, I think, was, from inability to write his name.

[*Cross-examined.*] On the Thursday, I heard complaints that the prisoner Kelly was still at large, and had taken dinner on this day with the President of the Agricultural Society, as he had the day before. The object of taking the depositions was, that they should be sent to Quebec, to the authorities, and the guilty parties punished.

[*Re-examined.*] I cannot say the reason of taking Corrigan's deposition on Thursday, unless it was the man was getting worse and worse.

John Bridget, of St. Sylvester, Farmer.

I never saw Corrigan before the 17th October last. I then saw him at the cattle show, judging the sheep. He was then well. I was quite close to him, and when he fell I stepped back, fearing he would fall against me. About nine or ten persons struck him with their fists, their feet and their clubs. While Corrigan was down, on the broad of his back, I saw a man step upon him, and being upon him, hop on him with one foot. He stepped over him and kicked him on his side. It was on Corrigan's belly the man hopped. Being lame, I went round, because I was afraid they would get me down. When once round, they had their backs to me. Peter Stocking came up to rescue Corrigan. Stocking was struck down with a stick. I afterwards saw prisoner, Richard Kelly, taking Corrigan away. Kelly was assisted by two or three persons whom I do not know. Corrigan said to Kelly and the others, "Let me lie down and die. I cannot go further." They took him away. Before this, when Corrigan was down on the ground, he attempted to rise, but some of them would not let him. At any time I was not ten yards from the place. When Stocking was struck, he appeared to me stooping to raise Corrigan from the ground. I think it was the second man from the left, who struck Corrigan first. I do not know who jumped and hopped on Corrigan in the manner I have above stated. This man's back was towards me. He wore, apparently, dark clothes, was a middle sized man, who appeared to be a stranger to me. I did not see his face. If I had seen his face, I would have known whether I knew him or not. I did not know him at all. Before I saw Kelly dragging Corrigan, Kelly was in the crowd. I did not see Kelly do anything to Corrigan while he was in the crowd. Plenty might have struck Corrigan without my seeing them. The first time I noticed Kelly was, when he was taking Corrigan away. After the commencement of the row, I saw persons running from where the rraes were. If Kelly had been among them, I should have recognized him. I have known him for

many years. The prisoner, Francis Donaghue, is the person pointed out to me as the second man from the left. He is a stranger to me, to the best of my knowledge. He is the man who struck Corrigan.

William McGinnis.

On Thursday afternoon, towards evening, Mrs. Corrigan, Dr. Reed, I believe, Mrs. Stewart and another, or perhaps more, were present in the room in which Corrigan was lying. Corrigan said he wished his deposition to be taken. I do not recollect his stating any reason at that time. Dr. Reed said it was requisite to get it done as soon as possible. I do not remember any more, only Mr. McKee was, I believe, sent for the magistrate, Paquet. I was in the room when Paquet came in. I recollect very little that passed between Paquet and Corrigan. I do not mind of anything Paquet did when he came into the room. Paquet and Dr. Reed had some talk in French in the room. They then went together to the adjoining room. They then returned to the room, and the deposition of Corrigan was taken against these men. I do not remember hearing Paquet put any questions to Corrigan as to his health. Corrigan said, in presence of Paquet, he never expected to get over it; he was a done man. It could not be out of Paquet's hearing—it was a small bed-room. I do not remember his saying any more. I do not remember Corrigan saying anything more than I have said in answer to any observations made by any others.

Michael Kennyfeet, of St. Sylvester, farmer.

I remember the cattle show at St. Sylvester, sometime last fall. In the afternoon of the Wednesday there was a disturbance. It began by disputing about judging. I saw a man they called Corrigan struck. I do not know who struck him; he was struck with the fist. I was from seven to ten yards from them. Corrigan said, whatever was said to him, he would not judge another sheep that day. It was a minute or two after this that Corrigan was struck by a man who appeared to me a tall man. I knew neither his name nor his face. This blow did not make him fall; he was afterwards down, but I cannot say if it was from tumbling or striking. I saw them kicking, but the crowd was so great, it was impossible for me to distinguish what was done. I did not see any more. I know the prisoners Kelly, Patrick Donaghue, John McCaffrey, Patrick O'Neill. I never knew any of these in the crowd.

[*Cross-examined by Mr. O'Farrell.*]

After the row was over, I saw Corrigan walking in by himself. No one was dragging him.

Thomas McGinley, of St. Sylvester, farmer.

I remember the cattle show on the 17th October last, at St. Sylvester. I was near the brood mares for some time. I went over to the sheep. I heard prisoner McCaffrey say, "I'm damned if I stand by this judging." I went over to the sheep to see if I would get some success there, after getting a prize for my mare. McCaffrey had his hands in his pockets. Corrigan said, "If you object to our judgment, I will back out and judge no more." Corrigan passed me behind my back. I heard a blow given. I could not see who gave the blow nor who received it. I turned round and saw a crowd close to me. Patrick Donaghue was near me. Whether Patrick Donaghue struck or received the blow, I cannot say. I did not see them. The crowd shoved me over to where Mr. Ferguson was. The crowd was in a bustle. I could not see what they were at. I did not see Corrigan after this.

James McKee.

I was in my father's house for an hour, and in the room with Corrigan for about fifteen minutes, immediately preceding his death. During these fifteen minutes, my father, Dr. Reed, Goran, and Richard Stewart were also in the room. Mrs. Corrigan was there part of the time. Corrigan was conscious of all that was going on. He asked my mother for a drink, saying "Give me a drink of water, Mrs. McKee."

Richard Stewart.

I was at McKee's a few minutes before Corrigan died; between six and seven. I was eight or ten minutes in the room with Corrigan. McGinnis, James McKee, Mr. McKee and Woodward, I believe, were there. Some words passed during these eight or ten minutes, between Corrigan and some one in the room. I now say it was Dr. Reed and James McKee. These words had no connection with the beating he got, or the persons who beat. Dr. Reed told James McKee to ask Corrigan if he was in the same mind he was in all along, as to the person he left his death upon. The question was put to Corrigan by James McKee. Corrigan gave an answer. At this time Corrigan was quite sensible.

[*Cross-examined.*] Between Corrigan and James McKee, there was no conversation at this time, the conversation was between Dr. Reed and James McKee. Dr. Reed told McKee to ask Corrigan if he was in the same mind as to the man whom he left his death upon. Corrigan answered "Yes," he was. Dr. Reed was then in the room. This might be four or five minutes before I left the house. Corrigan, while I was there, did not ask for anything, if he had, I should have heard him. I might have been about five minutes when Corrigan gave his answer. I was at the bed side holding the basin while Dr. Reed was dressing his head, when Corrigan gave his answer. To the best of my knowledge, I did not swear on my previous examination, that Corrigan did not speak on the evening of Friday while I was in the room. I am positive Corrigan gave this answer while I was holding the basin and Dr. Reed dressing his head. Corrigan spoke neither in a loud nor in a low tone. You could hear him very well; any person could hear him in the room. Mrs. Corrigan had been in the room crying; she was out at this moment. Andrew McKee, father, was in the room. I was on the left and he on the right side of the bed. In Corrigan's answer there was but one person spoken of as the person upon whom he left his death; there was no other person thus spoken of by Corrigan. Corrigan was lying on his back. Corrigan gave his answer to James McKee. Andrew McKee, the son, was in the room. Andrew McKee, son, was either at the foot of the bed or at the door. I cannot recollect the names of any other persons present when Corrigan gave his answer. James McKee was on the side of the bed opposite to me. McGinnis was backward and forward, in the room and out of it. I rather think he was at the foot of the bed, but I am not certain.

[*Re-examined.*] The question was put to Corrigan, by McKee, immediately after Reed requested it.

Andrew McKee.

I saw Corrigan for the last time, on Friday evening, between six and seven. He was perfectly in his senses until the last moment. The last words he spoke were, asking my wife for a cup of water to drink. Dr. Reed was standing in the door between the two rooms. The Doctor then told my son James to ask Corrigan whether he was of the same opinion as when the deposition was drawn. The doctor then stepped back into the adjoining room, and the question was put and answered. The doctor was probably ten minutes out of the room. Corrigan did not live more than twenty minutes after this.

[*Cross-examined.*] When the question was put by my son to Corrigan, and Corrigan gave his answer, the Doctor was out of sight in the adjoining room. I could not say if William McGinnis was there or not. I saw him in the room during the evening of Friday. This was from about 4 p m.

[The Solicitor General proposes to re-call James McKee.

Objected to by prisoners' Counsel. The Court said it would be better not to re-call him at this moment.]

James McKee:

I had a conversation with Corrigan between five and ten minutes before his death. He was perfectly sensible, Doctor Reed requested me to put a question to Corrigan a few minutes before his death. Doctor Reed and I went together in to

the room where Corrigan was, Doctor Reed went in to dress the wounds on his head, Doctor Reed requested me to ask Corrigan if he was of the same mind then as he had been with regard to leaving his death on Richard Kelly, (the prisoner,) I did not put the question as soon as Doctor Reed told me; Doctor Reed then told me a second time to put the question, saying, ask him what I told you to ask him. This might be five minutes after the first request. I went immediately to ask Corrigan; I then said, Mr. Corrigan, are you of the same mind now as you have been, Corrigan turned his head round, and he said, about what? I answered, about leaving your death upon Richard Kelly. Yes, I shall never alter my mind about that, and that is all,—Richard Stewart, my father, and Robert Goran were present in the room when Corrigan said this. I believe Doctor Reed was also present standing at the head of the bed. Corrigan died between five and ten minutes after this. I was standing close to the bed.

[*Cross-examined by Mr. O'Farrell.*]

During Corrigan's illness he took a particular affection for me. Before dying, Corrigan asked me to see justice done to him. I said yes, as far as in my power. I formed part of fifteen persons who went to Saint Sylvester to arrest some of the prisoners. I did not tell Mr. O'Farrell that I went in search of some of the prisoners in consequence of Corrigan's request to me to see justice done to him. I saw William McGinnis in my fathers house after the deposition was made on Thursday night. I saw him some time on Friday morning but I cannot say the hour. The will of Corrigan was made on Friday night.

Doctor James Reed:

I was present when Corrigan died, about six on Friday evening. I was present when James McKee, I think, put a question to Corrigan. This question had been suggested by me, I told James McKee to ask Corrigan. The precise words I do not recollect, but something to this effect, If he was in the same mind as he was the previous evening in attributing his death blow to Kelly. McKee put the question to Corrigan, the man said, yes, or something to that effect, that Kelly was the person who gave him his death blow. The other persons in the room heard Corrigan better than I did, because McKee, father and son, were both supporting him; some of McKee's family were in the room but I am unable to name them, Corrigan died few minutes after this.

[*Cross-examined.*]—About two or three Corrigan brightened up, about $\frac{1}{2}$ after, he vomited a little and felt more pain, about three he told me he felt easier. I never heard him say he was going to die, nor do I believe he himself thought so until a couple of hours before his death.

Richard Stewart:

On the Friday morning between six and seven, James McKee asked Corrigan the man he left his death upon, Corrigan said Richard Kelly was the man he left his death upon. Dr. Reed told James McKee to put this question to Corrigan. I was there as I have before stated standing at the bed side holding the basin. James McKee, Andrew McKee, father and son, Woodward, William McGinnis, Goran, were all within hearing.

Eusebe Drouin, of St. Sylvester, Farmer.

I was present at the agricultural exhibition at St. Sylvester, on the 17th October last. A difficulty occurred, but I do not know how it began. The first that I saw of it was Peter Stocking being struck on the head with a stick. I do not know whether Stocking fell. I saw persons strike another man whom I did not know, and who, I was told, was Corrigan. I first saw him struck when he was down. I cannot say by whom. I saw him get up again. I saw another man then take him by the throat, I suppose by his handkerchief, and strike him with his fist, on the head. When he was on the ground, he was kicked, I think, on the side. It was the prisoner Richard Kelly, who struck Corrigan on the head with his fist, having first seized him by the throat or by his cravat. Two minutes might have elapsed

between the time that Corrigan was down and the time that Kelly so struck him. I knew Patrick Donaghue, Patrick O'Neill and Francis Donaghue, all prisoners who were in the gang, but I did not see them do anything to be remarked. They were near Corrigan, and looked excited, as though they were parties to the mischief. They had an angry appearance, but to my knowledge, they carried no weapons in their hands. Corrigan fell twice to the ground. After the first and before the second time, he appeared to me not to wish to move. I do not know whether he fell down of himself or whether thrown down. He fell with his face to the ground, when some one came and struck him a violent blow with a stick over the loins. This blow straightened out Corrigan, who then lay on his head and knees, and had his back round in consequence. I do not know the person who struck him with the stick. I saw, at that moment, a man whose name I do not know, throw himself completely over Corrigan to protect him from the blows. Two men took Corrigan under the arms to lift him up and carry him away. I am almost certain that Richard Kelly was one of these two men; the other I did not recognise. They picked him up, and I then lost sight of them; but before losing sight of them, I saw them take Corrigan by the arms and legs and carry him away. I did not see Corrigan alter that. I saw some marks of blows upon the head which appeared to me to be split.

[*Cross-examined by Mr. Chabot.*]

I have explained the principal part of what I saw and heard. I was about a half or three-quarters of an arpent from where the row commenced. There were a great number of persons in the crowd. When I perceived Stocking he was retreating—a number of persons were advancing upon him. He was warding off the blows with his hands. I think he had a waistcoat on, but no coat. When Corrigan was picked up for the first time, two of the men who were beating him, wanted to draw him away from the row. One was on each side of him, held him by the arms, and wished to drag him away from the row. I cannot now state under oath, who were these persons. Corrigan was holding back; he seemed to me to appear to draw back, in order not to go away. He did not appear to me to be a man of great strength or able to do much. There may have elapsed about a minute or so from the time in which he fell for the first and second time. I have known the prisoners I have named since several years. I cannot state whether the blow of the club was given by either of the prisoners. I, however, do not think it was. At present am quite convinced it was neither of them. Corrigan remained on the ground for one or two minutes the second time he fell. I kept my eye constantly on Corrigan. I did not see any one jump upon Corrigan when he was on the ground the second time. I was within sight, but there was a crowd of people. It might have happened that I could not see. It was very difficult for me to see on account of the crowd of people. I was near the line fence, near the place where were the sheep. I know Louis Demers, Deslauriers and Paquet the magistrate. They were judges at the exhibition. Ten minutes before the row, I saw these three men near the mares, examining them to give their decision. The horned cattle were at a distance of about two arpents from the row. I speak of the nearest ones, the farthest away were about an arpent or an arpent and a half farther off. There was a good deal of confusion in the crowd during the fight. When the man struck Corrigan, Kelly was near Corrigan's head, I think, but am not certain. I did not see Deslauriers, Paquet and Demers during the row. Immediately after Stocking was struck, the people looked at him on the ground, and then returned to Corrigan. I did not notice whether Corrigan had anything in his hands. When I saw Stocking standing, his brother, I think, and a woman, were standing beside him. They tried and succeeded in bringing him away. He appeared not to want to go away. When Stocking came to Machell's house, there were a great number of persons around him. The number of persons who were bringing him away increased as they approached the house. I was near the fight myself; there may have been forty

people, but all of them did not take part in the row. There were some who wished to prevent it. Corrigan and Stocking could not take part in the row, for they were both separated. No doubt there was a fight since they beat him. There was no other fight than that one.

[*Cross-examined by Mr. O'Farrell.*]

I did not see Richard Stewart at the row. It was Stocking who received the first blow, and afterwards, Corrigan was thrown twice. There were about thirty persons around the judges of the sheep, about five or ten minutes before the row, and at that time I saw Francis Donaghue in his tent, which was about an arpent or an arpent and a half from Machell's barn.

[*Re-examined.*]—*Eli Nopper*, of St. Sylvester, Farmer. (Stopped by the Court.)
Jean Baptiste Drouin, of St. Sylvester, Farmer.

I was at the exhibition at St. Sylvester, during the ploughing month before All Saints' day of last year. There was a row. When it took place I was with the judges of the mares, Paquet, Deslauriers and the prisoner Kelly. I immediately betook myself to about an arpent or an arpent and a half from the row. There was a crowd. I saw that they were carrying a man towards a hollow, but could not distinguish who it was. I saw this man felled to the ground. I saw him kicked and receive one or two blows from a stick, but cannot say who gave them. I thought I recognised the prisoner, Richard Kelly, striking him with his fist in the upper part of the body, but am not certain of this. Every body said that the man who was beaten was Corrigan. I, however, did not know him. I saw him carried away. Richard Kelly held him up under one arm, and another person whom I do not know, by the other. I did not know any of the others but Kelly, who were striking Corrigan. I saw the prisoner Patrick Donaghue in the crowd, but did not see him strike. I saw a blow of a stick given to the person named Stocking, who fell down. I saw Corrigan for the second time, at this period. Two men whom I do not know, were holding him up under the arms. His legs were dragging on the ground, and he could not walk alone.

[*Cross-examined by Mr. Chabot.*]

It was not easy to see what was going on in the row, on account of the crowd that were all round. The crowd pressed Corrigan back about half an acre. From the commencement of the row up to the time that Corrigan fell, there elapsed about two minutes.

Joseph Moncency, of St. Sylvester, Farmer.

I remember the exhibition at St. Sylvester during last autumn. I saw a group of persons all huddled together. I saw them jostling together, but cannot say what it was. I was about an arpent and a half from them. The prisoner Richard Kelly, was then amongst those who were inspecting the horses. I saw him go away. He went to those who were in a group, but I was at a distance from them. I think it was Kelly whom I saw strike another man with his right hand; he appeared to strike him in the chest. I next saw the prisoner Kelly, and another person whom I do not know, carry away the man who had been struck. He held him under the arms. I saw no other person strike. I did not recognise any other person in the crowd—there were too many people.

[*Cross-examined by Mr. Chabot.*]

There elapsed about two minutes between the commencement of the row and the blow given to the person whom I saw struck. There elapsed about between the time when the blow was struck, and the moment he was carried away. After the commencement of the row, the crowd pressed back about a quarter of an arpent, and that not quietly. There were too many people to be able to say whether they were fighting or not. It was about half an hour after the commencement of the row that I saw for the first time.

[*Cross-examined by Mr. O'Farrell.*]

I did not see Jean Baptiste Nopper. If he had been about fifteen yards distant

between Woodward's house and the scene of the row, I should have seen him, for I know him well.

Captain Charles Armstrong, 16th Regiment.

I was in command of a party of Troops ordered to Saint Sylvester, we were accompanied by police force, commanded by Colonel Ermatinger. The object was to apprehend certain persons accused of the murder of one Corrigan. We left Quebec on the 20th of December, and returned on the 25th. The police were out all night, resting a part of the day, in search, and this during the whole time we were there.

William Green, Clerk of the Crown.

On the twenty-second or twenty-third of October last a warrant issued to apprehend the seven prisoners for the murder of Robert Corrigan. The warrant was enclosed to Paquet, J. P., to be signed by him after he had taken the deposition of Corrigan's death. I think the warrant was given to Murphy, and a party of police accompanied him to Saint Sylvester.

[*Cross-examined by Mr. Chabot.*]

(*Translation.*)

The Warrant was prepared by me upon the depositions transmitted by Mr. Paquet, J. P. I now produce Paquet's letter, which was addressed to Mr. Doucet, Clerk of the Peace. (Here the letter was read.)

I had two depositions received with Paquet's letter, one by Robert Corrigan, and the other by Richard Stewart.

James Murphy, Constable.

I was the bearer of a warrant for the apprehension of seven men, Richard Kelly, Patrick O'Neill, and John McCaffrey. I do not remember the names of the others. I had twelve or fifteen policemen with me. This was on the nineteenth of October last. We got to Saint Sylvester, we were two days and a night in search of the prisoners, we searched every place we could think of and could not find them.

Medical Evidence.

Charles Fremont, of Quebec, Physician and Surgeon.

I think it was on the twenty-third of October last, I went to Leeds at the request of the Coroner of the District to hold a post-mortem examination on the body of Robert Corrigan, then lately deceased. The Coroner held the inquest in the school house at Leeds. The body was in the room in which the inquest was held. It gave no mark of decomposition as yet. Externally I remarked three lacerated and contused wounds of the skull. Two of these wounds were parallel to each other, one inch in length, and about half an inch apart from each other, these were situated at the upper and back part of the parietal bone, the third was on the summit and centre of the head and was about half an inch in length. These three wounds penetrated to the bone. There was extravasated blood around each of them. There was besides a severe bruise or contusion of the scalp behind the ear. I think on the right side of the head, but I am not positive as to the side. These wounds and bruises were made by some blunt instruments, a stick or a stone. There were, besides, a great number of bruises about the body, more especially about the right arm pit, the chest, the forepart of the neck and both arms. Some bruises also about the back. I then proceeded to examine the body internally, and did so by opening the head. In removing the scalp, I observed none of the bones of the skull were fractured. I then opened the head and found neither extravasation of blood nor effusion of any quantity of fluid in the cranium. The general feature of the brain and its membrane was that of congestion; there was no lesion of that organ. The chest and abdomen were then opened, the chest, lungs, and heart were remarkably healthy, there was some slight adhesion of old standing of the lung to the side of the chest, but this

was of no importance whatever. On opening the abdomen a large quantity of liquid fecal matter and coagulable lymph were found in the cavity, this amounted to fully three pints of liquid. I then examined the organs of the abdomen carefully, and commenced by examining the stomach and traced the alimentary canal downwards. At the lower extremity of the small intestines, evident signs of inflammation appeared, that is the parts were red. On examining close by this inflamed portion of the intestine, I came to a rent or rupture of the *ilia*. This rent had above half an inch in length, was oblique with respect to the intestine and extended from right to left. It was situated at about fifteen inches from the termination of the small into the large intestine, and was situated opposite to the vertebral column. There was extravasated blood within the tissues of the intestines to the extent of about one inch on each side of the rent. I remarked no attempt at union in the wound. The lining membrane of the abdomen and the external covering of the intestines gave evident signs of recent and high inflammation, and its connections had thereby become exceedingly brittle. At this period of the examination I opened the stomach itself and the intestines. The stomach contained a very small quantity of serous fluid, its internal surface of the stomach was quite sound, the same was the case with the intestines, with the exception of the immediate vicinity of the wound which I before said was dissolved by extravasation of blood. The other organs contained in the cavity of the abdomen were also carefully examined, and were found to be remarkably healthy. The general appearance of the body with the exceptions I have mentioned was remarkably healthy, the inflammatory action was the result of recent injury no doubt. Nothing but violent external injury would produce the rent or rupture I have mentioned. Sudden and severe pressure, a severe blow or kick, would cause this rupture. This particular rupture I would class among the wounds inevitably mortal, and its usual termination is death.

[*Cross-examined.*]—In wounds inflicted a short time before death there is extravasa of blood. In wounds inflicted two hours after death there is no extravasation except in the lower parts of the body. The amount of congestion found in the brain of the deceased Corrigan, may be found in the brain of a man of ordinary health. The blood vessels of the brain were rather filled. The heart was neither full nor empty. I cannot remember that any one portion of the heart was more full than the other. I did not remark the least symptoms of derangement in the liver. There was some blood in the heart but I cannot say how much. I did not examine the fauces. I did not examine the organs of generation internally, I observed no external contusions on the testicles or the abdomen, (anterior part.) There were several contusions on the back and on the sides and none so low on the back as the rent or rupture I discovered. The rent or rupture corresponds externally to a point midway between the navel and the pubis or thereabouts. The rent was opposite the vertebral column. The rent obliquely from right to left, towards the back of the body. The discoloration was quite defined, it was as much at its external as its internal edge, and not more, it was an even discoloration without lines or spots. The discoloration, the result of inflammation, extended three or four inches in the upper part from the rupture, and a lesser distance in its lower part towards the large intestines one way, and two or three of the other. There was no dark line round the edge of this rent darker than the innermost discoloration. The inner discoloration was more of a purple than of a black colour, the outer was of a bright red. The fluid in the stomach was of a whitish milky fluid, about a wineglass full. I made no analysis of the contents of the stomach nor of the intestines. This analysis would have been a work of supererogation, because the cause of death was most evident, it was not in the stomach or in the intestines, but external to both. I cannot say there was any difference in the inflammation of the living membrane of the abdomen, it was internally inflamed in all its parts. There was some thickening and less of trans-

parency, in the lining membranes of the abdomen. I cannot say that I noted any other signs of inflammation of that membrane. There was a large part of a pint of coagulated lymph. The intense inflammation of the peritoneum must have been caused by extravasated fecal matter during life, because inflammation is a vital action, and could not have been excited by extravasated fecal matter after death. I certainly and decidedly believe, that this extravasation did not take place after death. I have no other reason to give for this opinion. I believe no portion of this could have been extravasated after death. Other causes may cause inflammation of the peritoneum. The appearances denoted that the inflammation had attained the highest possible inflammation. The extreme length of the rupture in the intestine from right to left, parallel lines being previously drawn would be a little more than one twelfth part of an inch. The extent of the rupture, with reference to the diameter of the intestine, would be about one fifth part of the intestine. The rent approached nearer to a transverse than to a longitudinal rent. If two parallel lines were drawn at the extreme points of the rent, there would be a little more than one line between each. The rent extended from before backwards in the direction of the spine into the mesentery and outside of it. The largest portion of the rent was in the cavity of the abdomen in the proportion of two-thirds more or less. I neither tested or felt the serous fluid in the stomach. The appearances of the stomach were such as led me to consider it perfectly healthy. There was an absence of redness and absence of ulceration of the mucous membrane, it was of a yellow white colour. The inequalities of its mucous coat were of the same colour and covered with the ordinary secretion which protects the tissue. I am positive the colour of the stomach was of a yellow whitish and not red. The inner coat of the wound was tumified and somewhat vascular for one inch or two. The colour of the inner coat was natural, rather pink. The edges of the rent were ragged and irregular. The whole fecal matter I observed was liquid. There is always matter in the ilicem of a healthy man. I think it is never empty in a healthy man. The matter would be liquid in the ilicem fifteen inches from its termination in the large intestines. Extravasation would be an immediate and inevitable consequence of a rupture from severe pressure. The extravasation of the two rents of fecal matter took place immediately after the rupture. On extravasation taking place the inevitable consequence is intense, and destructive inflammation of the peritoneum. Inflammation would develop itself later or sooner according to the depression of the vital powers consequent upon the shock or accident, and so long as the depression lasts inflammation is delayed, but the first effect of reaction would be upon the peritoneum. The symptoms of inflammation are intense pain felt in the abdomen, accelerated circulation, vomiting generally on the second day, and a sense of sinking in the individual; vomiting might come on at the moment of the accident. As a general rule vomiting comes on soon after the twenty-four hours, but symptoms vary in different individuals, and cases occur in which death occurs in twelve or fifteen hours. The opinion of the patient is that he will die in a few days.

Doctor James Reed:

I attended the Coroner's inquest on the body of Robert Corrigan at Leeds, on the twenty-third day of October, at the school-house. I had attended Corrigan during his last illness and I recognized the body at the inquest. Dr. Charles Fremont, of Quebec, conducted the *post mortem* examination. I was present the whole time and assisted him. No decomposition had yet taken place when we commenced the examination. We found three contused and lacerated wounds on the scalp, two were over the upper and back part of the left parietal bone. The cavity of the abdomen was examined before the stomach, it had a fecal smell. I found a quantity of coagulable lymph, serum, and what I believe to be fluid fecal matter in this cavity. The peritoneum generally inflamed. The stomach was covered with a rose-coloured blush all over, and there was a small quantity of

mucopurulent matter fluid. The liver was healthy, appeared granular and had a gristly sensation. The intestines were generally inflamed, but more particularly about the ilicem, near its termination in the cœcum. We found a rupture or opening in the ilicem about fifteen inches from its termination in the cœcum. The intestine in the vicinity of this opening was intensely inflamed, discoloured, softened and thickened. This rupture or opening was about half an inch long. The spleen and kidneys were generally healthy. The left ventricle of the heart was filled with red blood. There was a small quantity of dark coloured venous blood in the right cavity. The heart was healthy and so were the lungs. The left lung adhered to the chest, these adhesions were of old standing. The quantity of fecal matter, serum and coagulate lymph in the cavity of the abdomen, might be about a pint, but I cannot be precise on this head, a portion might have escaped before my examination. Dr. Fremont examined the abdomen more minutely than I did. There was inflammation of the intestines and the peritoneum. The inflammation from the peritoneum extended generally throughout the intestines. The parts of the body not affected by inflammation were in a healthy state. The liver was in that state in which we generally find it in persons accustomed to strong drink, it was a sound liver. The substance found in the cavity of the abdomen was produced both by effusion from the peritoneum and extravasation from the alimentary canal. The fecal matter could then only pass through the ilicem. I attribute the inflammation to the extravasation of fecal matter and gases from the canal. There was a small quantity of gas that had insinuated itself into the cellular tissue, in the immediate vicinity of the rupture. This rupture might be caused by a blow from a stick or stone, by kicks, a cart passing over the body, or a fall upon any hard substance. It might be produced also if the part were diseased by vomiting or by the action of strong irritating medicine. If the ilicem were in a healthy state I do not believe such a rupture could be produced by vomiting, but it might be by a strong irritating poison. This inflammation might also have been caused by a severe contusion or bruising. The injury I observed in Corrigan was a mortal wound that terminates almost always in death. It was not by analysis but by observation I ascertained there was a quantity of mucopurulent fluid in the stomach.

[*Cross-examined by Mr. O'Farrell.*]

The external part of the stomach was intensely inflamed, the inner coats seemed irritated. The redness I perceived in the stomach might have been occasioned by the extension of the inflammation from the external coat. If extravasation had not taken place I would not have considered the wound mortal. My opinion is that extravasation took place on the Thursday morning; it might have occurred at the time of the beating, that is on the Wednesday, on the field. Generally when extravasation occurs there are marked symptoms accompanying it.

Joseph Morrin, physician, of Quebec.

I was present in Court and heard the whole of the examination of Doctors Fremont and Reed in this case. All cases of wounds like that described by Doctors Fremont and Reed, that have come under my observation, have proved fatal.

Ques. Does an irritated but not inflamed surface ever secrete pus?—*Ans.* Pus is generally one of the terminations of inflammation. Half a pint of wine taken would produce in the stomach the blush described by Doctor Reed, and so would any other liquor.

(*Translation.*)

Jean Etienne Landry, of Quebec, physician.

I was present in Court during the whole of the examination of Doctors Fremont and Reed in this case. I heard them both describe the wound of the ilicem in the person of Robert Corrigan. Admitting that there was an escape of the fecal matter into the peritoneal cavity, I am not of opinion that such a wound is necessarily fatal.

Ques. Is it possible that upon any surface whatever in an irritable but not an inflamed state, there may be secretion of pus?—*Ans.* No, irritation of a surface tends only to augment secretion but does not generally tend to alter its nature. Pus is produced by inflammation. It is a very difficult thing without analysis to trace the presence of pus in any other fluid, especially if it be in small quantities and the fluid is mucus. The stomach is generally rose-colored during digestion and for some time afterwards, as the stomach then receives a larger quantity of blood. After death the stomach frequently presents a rose-colored appearance, which is but the result of cadaverous absorption, and which may be confounded with inflammation.

[*Cross-examined* by Mr. Stuart.]

I am of opinion that a violent cathartic being given in the case in which two of the intestines have been already lacerated, those remaining being already affected by the causes which have acted upon the two wounded ones, it might be possible that the laceration would be completed by the action of such a remedy, and laceration might be followed by the escape of the matter contained in the intestines. Intestinal wounds are always severe, but it is the escape of intestinal matter which renders them so generally fatal.

[*By Mr. O'Farrell.*]

Cadaverous absorption makes its appearance particularly in the lower parts of the body or of the organs. Fluids, after death, follow the laws of gravitation. Irritation upon a surface augments the secretion peculiar to that surface, but as I have said before does not generally change its nature. Inflammation produces a contrary effect and may change the nature of the secretions. There is no secretion in the stomach in a state of health. I am of opinion that part of the fecal matter found in the peritoneum may perhaps have escaped while removing the body to Leeds. An oblique wound in the intestines is subject to the action of two sets of muscular fibres which are found in these organs, and which tend to dilate it. In wounds of a depending part of the intestine we sometimes remark a kind of hernia of the mucous membrane through the opening. However, in a wound such as the one in question, the mucous membrane, the connexion of which with the other membrane is rather intimate, could not, in my opinion, have formed a similar wound.

[*Re-examined.*] A remedy which increases both the secretion and the movement of the intestines is a violent remedy which might complete the laceration in the way which I mentioned.

Any escape after death cannot produce inflammation, and in the present instance could certainly not have produced it. A purgative which had passed through the stomach and the upper part of the intestinal tube before the appearance of vomiting might act as a purgative, but in a case of heavy and prolonged vomiting it would not have any effect, because the action of the small intestines is inverted.

James A. Sewell, of Quebec, physician.

I was present during the whole of the examination of Doctors Fremont and Reed, in this case. All wounds in the intestines are serious and grave. Such a wound as that described by Doctors Fremont and Reed, accompanied by effusion of feculent matter into the cavity of the peritoneum, I consider fatal.

George M. Douglas, of Quebec, physician.

I was present during the whole of the examination of Doctors Fremont and Reed. I concur in considering all wounds of the intestines as grave and dangerous. Those unaccompanied by an external wound particularly so. The wound described by them is generally fatal and mortal.

Alfred Jackson of Quebec, physician.

Present during Doctors Fremont and Reed's examination. Wounds of the intestines are always grave, and when accompanied by extravasation of feculent

matter are generally fatal. Muco-perulent matter in the stomach cannot be ascertained by the naked eye, it must be by the hydrostatic test or by the microscope.

Prisoners' Witnesses.

Terence Burns, of St. Sylvester, farmer.

I know all the prisoners. I was present at the cattle show at St. Sylvester, on the 17th of October. At the time of the row which took place, I was on the field with prisoner Kelly, Demers, Destaurier, Mullaney, Paquet, J. P., and several others. We were with the brood mares, about one and a half acres from where the row took place. The ground between is not all cleared, but pretty much all cleared land. I first heard noise and turned round. I saw people running to the crowd about the row. We then started for the row. I believe Demers was the first, Destaurier next, prisoner Kelly third, myself fourth, Paquet followed. Kelly was a few yards before me. When we reached the crowd, I saw Corrigan struck with a stick, by a low sized man of a dark complexion whom I do not know, and whom I did not see before or since. Corrigan was struck over the left loin. Corrigan was, when struck, lying very much on his mouth and nose, and the blow twisted him. Prisoner Kelly took hold of Corrigan by the left arm and collar, saying, Mr. Burns, help me to take this man away out of the crowd. Up to this time Kelly had not touched Corrigan or any body else, and could not have done so without my seeing him. By touching I mean striking. Kelly and I then brought Corrigan to some timber near Machell's barn. Kelly and I each held Corrigan under the arm, there was a third person who assisted us but I do not know him. Up to this time no injury whatever was inflicted by Kelly on Corrigan. At the place where the timber was, Corrigan said, Mr. Kelly, let me go and I'll go myself. We let go Corrigan, when we heard some one calling out, who owns the fine hat. I said to Mr. Kelly, it seems to be Corrigan's hat. Kelly and I then left Corrigan. The next time I saw Corrigan, was at McKee's house. I heard no threats used to Corrigan by Kelly or any other. Corrigan said, take care Mr. Kelly, what you are about, do not take me off the ground a coward; with that, with his right arm he slung me off a small distance, saying, by God there is no man on this ground fit to fight me for one. Silence, said Kelly, come with me and I will be your protector; this was after we raised him from the ground. Corrigan was then bleeding freely from the head. The row took place, I think, between 12 and 1. About one hour after I saw Corrigan in McKee's house. Corrigan said in McKee's house, he never would forget Kelly's gratitude, or Peter Stocking's to him. The row lasted about two or three minutes.

Cross-examined.

When I arrived I saw Corrigan get only one stroke and that was the last. I kept my eye on Kelly all the time. I ran to the row for the purpose of making peace. (This is said by witness on being asked if he did not go from curiosity.) When I ran to the crowd the crowd were running through each other. I could not tell what they were doing. I saw no one striking except the one blow, there were so many between them and me. While going to the crowd I saw no one striking. I could not see what they were doing there was so many between them and me. I could not see if there was any fighting or not, they appeared to be gathering together in a furious manner and running towards this place, that is the place where the row was, and towards which I was running. I saw no fighting till I got forward, that is, until I arrived at the place. I did not see what was going on in the crowd. I did not know there was fighting till I arrived and saw the blow I have mentioned. While running towards the crowd I was not looking very much at it to see what they were about. I was trying to run as quick as I could, and of course when a man is running he cannot keep his eyes particularly upon the row.

James Mullany, of St. Sylvester, farmer.

I was at the agricultural show at St. Sylvester, on the 17th October. I was standing near the brood mares when I first noticed the row. Demers, Destaurier, Paquet, J.P., Burns, the last witness, and prisoner Kelly were then near me, examining papers and judging the mares. The first I saw was a gathering of men on the far side of the field, that is, over near where the sheep were. We ran over to the best of my knowledge in the following order, Demers first, then Destaurier, prisoner Kelly, Burns and Paquet, and I followed. I got to the row. Going forward to it I saw a man struck, I did not know him or the man who struck him. I afterwards saw prisoner Kelly rushing through the crowd, saying to Corrigan, get up and come along with me. Corrigan answered, no, let me be, I'll not leave the ground a coward. Kelly then called on Terence Burns to help him to take Corrigan out. Burns and Kelly, with a third man whom I do not know, then took Corrigan to the upper part of the field. I did not see Kelly strike Corrigan or any body else; had he struck Corrigan I should have seen him. I did not see any of the prisoners there.

[*By Mr. O'Farrell.*]

The whole row lasted about two or two and a half minutes.

Cross-examined. I was within four or five yards of the place of the row when I saw this man struck. I saw Corrigan get but one blow, he was then taken away as I have stated before. To the best of my opinion Demers arrived the first at the crowd. I cannot say whether Destaurier was a foot behind Demers, they were nearly running together, Demers, Destaurier and Kelly ran pretty much close together. I cannot say that Demers was a foot before Kelly. Demers, Destaurier and Kelly went into the crowd pretty much together, Kelly rather behind. When those three got to the edge of the crowd, I do not know where Demers and Destaurier went. To the best of my opinion I do not think Kelly stopped at all. I cannot say how many persons were between Corrigan and me when he was struck down, there may have been ten or twenty, more or less. I did not see Peter Stocking until the time they were taking Corrigan away. I then went over to my mare. I saw no more beaten that day but Corrigan. I cannot swear positively that I was within five yards of Demers when he arrived, I had no way of measuring; I am positive that I was within six yards of him. I saw no other man on the ground. I heard no one speak of Stocking having been beaten on that occasion. About half or three quarters of an hour after the row I saw Francis Donaghue standing at his tent where he sold apples. I saw Patrick O'Neill on the road on his way home, it might be one or two hours after the row. Corrigan was standing when he got the blow.

John Hagan, of St. Agathe, farmer.

I know all the prisoners. I was at the exhibition at St. Sylvester in October last. I saw a row there; I was near the fence where the sheep were; Robert Corrigan was there as one of the judges of the sheep. Prisoner McCaffrey and the judges had a few words about the judging of the sheep; Corrigan stood up and said he would be damned if he would judge any more sheep that day. A young man came up, put his hand on Corrigan's shoulder and asked him what was the reason he would not judge any more sheep. Corrigan made a blow at this young man with his left hand, both then clenched and fell down. The crowd got around them and I could not see what took place. As they fell the young fellow was uppermost I think, and they partly came to the ground together. I then saw a man named Peter Stocking throw a stone in the crowd, it was one of those field stones, a kind of grey stone, the stone struck Corrigan in the belly. I did not hear Stocking speak at all. I saw Demers, prisoner Kelly, Paquet, J.P., Destaurier, coming from where the brood mares were. I saw Kelly on coming up take Corrigan by the left arm and call on Terence Burns for assistance. These two brought Corrigan towards Machell's house, and I saw no more. I did not

see prisoner Kelly in any way strike Corrigan. The row lasted between two and three minutes. During this time I saw prisoner McCaffrey, he was between seven and eight yards from the crowd, he was moving back. McCaffrey could not have struck Corrigan before the young man put his hand on him, without my seeing him, because I was on rising ground over them. McCaffrey is a big man. McCaffrey did not strike Corrigan at any time. The boy who struck Corrigan is not one of the prisoners, he is a stranger to me. Kelly could not have struck Corrigan without my seeing him.

Cross-examined. I was within two or three yards of the row. There might have been from forty to fifty persons, perhaps more, in the crowd that closed round Corrigan and the young man. I did not leave the rising ground on which I was standing. Stocking was in the direction of my left about twenty feet more or less from me. Stocking was four or five yards from the crowd. Corrigan fell at the commencement of the fight, and the fight was over when Kelly raised him from the ground. The fight lasted between two and three minutes; I think it was near the closing of the row Stocking threw the stone. Corrigan was down still when struck with the stone. The crowd scattered a little before the row was altogether over. Before the crowd scattered I could not see what they were doing to Corrigan. I lost sight of Corrigan when he fell and I got a sight of him a little before Kelly raised him. When I first got sight of Corrigan the crowd was jostling round him, and I cannot say what they were doing to him. I saw none of the men, Demers, Destaurier, Kelly and Paquet do anything until I saw Kelly raise Corrigan from the ground. The row continued no time after Demers, Destaurier, Paquet and Kelly arrived. It was not a minute, a half minute, nor an hour; no time is not a long time. McCaffrey was seven or eight yards from the crowd, and partly on my left. I paid no more attention to the one than to the other. I cannot tell at what hour he came to the field nor when he left. I saw Patrick O'Neill, Bannon, Monaghan, and Patrick Donaghue on the field that day. I saw them in the different parts of the field. The stone that Stocking held in his hands might weigh about two pounds, it might be under.

Matthew Hopkins.

I went in the morning to the agricultural show at St. Sylvester. I left it between ten and eleven in the morning and went to St. Patrick's Mills, a distance of six miles; I returned between three and four p.m. I was brought into Court and identified by Jean Baptiste Nopper, one of the witnesses examined by the Crown on this trial. I did not hear any body was hurt at the show. I was not present at any meeting during that day behind Machell's barn, and I was not present during that day at any meeting for the purpose of getting up a row. I went to the mills accompanied by Michael Kelly; we returned together. I spoke to Francis Donaghue's wife at the mills. I saw Ann McClashy this day at Francis Donaghue's house at St. Patrick's Mills.

Cross-examined. I am the Matthew Hopkins against whom the bill was preferred. I have three brothers older than myself. The eldest is about twenty-eight; I am eighteen; one brother is twenty and the other twenty-five. I heard spoke of the row about half past four on the same day; I did not hear any one was hurt at the row. McKee's son told me there had been a row; we met on the road about two miles from Machell's; Philip Maguire was present and was returning from the show. On the day of the show I left home in the morning about seven to see the show; I had no business in leaving home but to see the show. I cannot exactly say when the show began; Edward Donaghue had a watch and told me the hour when I left, namely, about half after nine. I had no business at St. Patrick's Mills, I went with Michael Kelly. I cannot exactly say what Kelly went for, I think it was for lemon syrup. McKee told me Corrigan was beaten, there are more Corrigans than one.

[*Re-examined.*] In St. Sylvester I know several Corrigan, one is Owen, another John, another Hugh.

John McCartney, of St. Sylvester, farmer.

I know Matthew Hopkins, a witness on this trial. On the day Corrigan was beaten at the show, about three o'clock, p.m., I saw Michael Kelly and Matthew Hopkins in a cart going to the field where the show was.

Francis Maguire, of St. Agathe, farmer.

I know all the prisoners. I saw Robert Corrigan one of the judges judging two sheep of the prisoner McCaffrey. Corrigan declared these two sheep seconds. McCaffrey said, I thank you, gentlemen, very little for your judgment, turning back a few steps. Corrigan said he was damned if he would judge any more on that day. I then saw a young man say, why do you not judge the man's sheep? the young boy laid his hand on Corrigan's shoulder, Corrigan turned round and made a drive, it appeared to me a box with his left hand at this young boy. The young boy then struck at Corrigan who caught him by the right arm and they then fell down the hill. They both pulled a good while to see who would get up first. I then saw a crowd gathering round. I saw an oldish man coming whom I did not know, he struck Corrigan with a stick, I think on his side, rather on his belly. Corrigan was then lying partly on his side. The crowd was then so thick that I saw no man striking any more. I then saw prisoner Kelly coming from the place where the brood mares were, there were other persons with him. Kelly took Corrigan under the left arm, another man whom I did not know took Corrigan under the right arm. Corrigan said, Kelly, let me down, two or three men here may beat me, but one man on the field is not able to do it. Kelly and the other brought off Corrigan in the direction of Machell's barn. I then lost sight of them. I did not see a blow struck by any one of the prisoners, if either of the prisoners, McCaffrey or Kelly, had struck any one, I should have seen him. I was at the time immediately next to Corrigan, there were not eighteen inches between them. There were a great number of people on the field from different parishes, the row lasted two or three minutes, more or less.

[*Cross-examined.*] It could not be a minute after the young man struck Corrigan that the old man struck him. I cannot say that the blow given by the old man was the last given to Corrigan, but it was the last I saw. The boy appeared younger than myself. Corrigan was not a remarkably stout looking man. Corrigan and the young man were down having hold of each other, and remained so until the old man struck Corrigan. Corrigan and the young man were both struggling together, the young man seemed uppermost. They remained that way about one minute, perhaps a little less, perhaps a little more. The crowd gathered round Corrigan after the old man struck him, and I could not see what was going on until I saw Kelly rush into the crowd and take him under the left arm. From the time the crowd crowded round him (Corrigan) until Kelly rushed in might be one minute, something more. There might be forty persons round Corrigan at this time, they might be two-deep. The crowd separated. I cannot say whether it was of their own free will, or whether the man pushed his way in. The backs of the crowd were towards Kelly. I might have been seven or eight yards from the place at the time Kelly rushed in, that is further down the hill. Kelly came towards my left and entered the crowd in the direction from which he came. I was seven or eight yards behind Kelly when he rushed in. I did not see any one of the prisoners in the crowd, but I will not swear they were not there.

Michael Kelly, of Saint Sylvester, aged 16 :

On the 17th October last, the day of the cattle show at St. Sylvester, Matthew Hopkins left the show ground between 10 and 11 a.m. with me. We both went with a horse and cart to St. Patrick's Mills, at the house of prisoner Francis Donaghue. I saw there Anne McClaskey. We dined at Francis Donaghue's about 10 o'clock; we returned to the show ground between three and four.

Matthew Hopkins, now in Court and examined as a witness in this trial, is the Matthew Hopkins who accompanied me to Saint Patrick's Mills.

Cross-examined. I came on foot from the mills and arrived on the show ground about 9 a.m. I was then sent by Francis Donaghue on an errand to the mills for syrup. On our return Darby McKeon, whom we met about midway, told us there was a row up there. I had started about half an acre when Matthew Hopkins overtook me. I stopped when Hopkins called out to me, said Michael wait for me. I asked him what did he want, he said Francis Donaghue sent him to go to the mills with me; I told him to get into the cart. I asked no reasons. Hopkins has often been in a cart with me before this. On arriving at the ground, I drove to the place where Francis Donaghue had cakes and apples; I gave him the syrup, remained about half an hour on the ground and then left. None of us asked Francis Donaghue about the row when we got to the stand. Going towards the mills I told Hopkins what I was going for, that is syrup. I left the show ground between ten and eleven to the best of my knowledge. This is the hour I left. When I left the ground some were talking, some judging horses and horned cattle, people were scattered through the fields and were quiet. On our return we met Felix Maguire within about two miles from the show ground. I asked him if there had been a row as McKeon had told us, he said there was, neither of them named to us the person beaten. I heard Corrigan was beaten when I was coming home from the show grounds, about half after four. David Donaghue told me Corrigan had been beaten.

Anne McCluskey, of Saint Sylvester:

On the 17th October last, the day of the cattle show, I was at Francis Donaghue's house at St. Patrick's Mills. Michael Kelly and Matthew Hopkins came to Donaghue's about twelve and one. I have heard the distance of the mills from the show ground is between six and seven miles. Bridget Donaghue, Edward Donaghue, myself and child dined. Kelly and Hopkins arrived after dinner.

[*Cross-examined.*] I cannot exactly say at what hour we dined on this day, we generally dine about 12. I went to Francis Donaghue's the evening before on a visit. I reside about nine miles from Francis Donaghue's. I seldom visited the house before. I suppose Donaghues dine at twelve because it is the general custom. I know nothing about their domestic arrangements. The Edward Donaghue I have named is the son of the prisoner Francis Donaghue, and aged about two or three years. It might be about three quarters of an hour after we had finished dinner that Michael Kelly and Matthew Hopkins came in. On coming in Michael Kelly spoke first, he said he came for apples and syrup for the show. I do not know if Francis Donaghue took apples and syrup with him to the show. I did not see him start from the door in his cart. It was before supper and a good while after dinner, it was pretty near supper, which we took at candle light. I was in the door; a strange man said Corrigan was beat by a strange man whom he did not know; this man was in a cart.

Christopher Keenan, of St. Agathe, farmer:

I was at the cattle show at St. Sylvester on the 17th October last. I saw the commencement of the row. Prisoner McCaffrey was not content with being allowed the second prize for his sheep, he said he was little obliged to them for their judgment or something like that. Here Corrigan turned round and swore he would judge no more for no man that day. A young looking man came up to him, laid his hand on his shoulder and asked why he could not judge the man's sheep; upon this Corrigan struck the young man with his left hand. The boy as soon as he could struck Corrigan with his fist on the side of the head. Corrigan and the young man got hold of each other and both fell down. The crowd closed between me and them and I did not see what was then done. McCaffrey was then further from this crowd than I was; he was near the sheep. I then saw a good many people coming down from where the horses and cattle were. When

they came forward I saw Richard Kelly, prisoner, come into the crowd. The crowd then opened a little and I saw Corrigan lying down, prisoner Kelly came forward, took Corrigan by the collar and the arm and lifted him up. At first one man came up to assist Kelly then a second came up. I did not take notice who these men were. They went away with Corrigan towards Machell's house and barn. The young man who struck Corrigan, as I have stated, is not one of the prisoners at the bar. I saw Kelly from the time he arrived till he took up Corrigan and went away with him. I did not see Kelly strike a blow; if he had I would have seen him. I did not see any of the prisoners strike a blow on the occasion.

[*Cross-examine'd.*] I was about three yards from where the row commenced and that is the place where they were judging the sheep. They were judging the horses in a field up from that to the bush, the distance from one place to the other might be two acres and a little more. I arrived on the ground about 11 a.m. Before the row I did not see any of the prisoners to my knowledge. During the row I saw prisoners McCaffrey and Kelly as above stated. I do not remember to have seen any other from the time Corrigan and the young man laid hold of each other to the time Corrigan was brought away, it might be three or four minutes. I saw no other blow given to Corrigan than that given by the young man. I did not see sticks raised in the crowd as if to strike a blow, nor did I see any body in the crowd with sticks to my knowledge. I cannot tell what the crowd were doing round about Corrigan. I had never seen the young man before nor have I seen him since. He seemed to me to have no beard, he was not very stout looking. I did not know Corrigan, he seemed middle aged and middle sized. Kelly merely walked into the crowd and come out bringing Corrigan away with him.

James Donaghue, of Leeds, farmer :

I saw Thomas Adams, a witness examined on behalf of the Crown on this trial. Adams told me he did not see prisoner Kelly strike the deceased Corrigan, and that he would not, nor could not, prove against him. To the best of my knowledge this was told me about the twenty-fifth of January last.

Cross-examined. It was opposite Kelly's tavern in Quebec, that Adams told me this. Patrick Donaghue is my nephew. Francis Donaghue's brother is married to my niece. There was no one present. Adams and I came down from St. Patrick's Mills in the same sleigh, we slept in the same house in Pointe Levi, we crossed over to Quebec together on Friday about breakfast time. We took our breakfast at Barrett's, consable. We separated at Kelly's tavern. Edward Fitzgerald came down with us in the sleigh. I got my first subpoena about five or six days ago. I was in Court every day until the day Adams was examined. I was in the grand jury box when Adam's examination was commenced. I was ordered out of Court. Adams told me positively what I have above stated.

Patrick Donaghue, of St. Sylvester, farmer :

I know Richard Stewart, examined as a witness. The Sunday after Corrigan died I was at the house of Richard Stewart's father. Richard Stewart came in and said, I hope that every one of their necks will be stretched for this deed, and they will if we can or if I can. I understood Richard Stewart to be speaking of the persons accused of the murder of Corrigan. John Hagan, of Saint Paul's, James Monaghan, Patrick Barrett, and one Wade were present and heard this.

[*Cross-examined.*]

He, Richard Stewart, did not name any one, but the persons accused had been named before he came in. All the men I have named as present, left the house with me. Richard Stewart remained. I believe Richard Stewart's father was in the room with us. There were two women and some others unknown to me. It appears to me this occurred about twelve or a little after, but I am not sure of this. Richard Stewart had not been long in the house when he said this.

John Hagan, of St. Sylvester, farmer.

In Richard Stewart's house the Sunday after Corrigan died, Richard Stewart said he hoped to see their necks stretched for this yet, and he would if he could.

[*Cross-examined.*]

Stewart named no one; I cannot say to whom he alluded. It was about 11 or 12. I saw them getting dinner ready. Patrick Donaghue, James Monaghan, Patrick Barrett and James Wade were present, also old Mr. Stewart and some women. I did not hear old Mr. Stewart make any remark upon this. We left the house shortly after this. (Here Richard Stewart, a witness, came into Court, and John Hagan said he was the Richard Stewart of whom he had spoken.)

John Kelly, of St. Nicholas, farmer.

I was at the Church door of St. Nicholas two Sundays after Christmas. John Monaghan was also there. Monaghan and I were standing together. Jean Baptiste Nopper passed us. John Monaghan asked him if he had sworn against his (Monaghan's) brother, that is, Patrick Monaghan, one of the prisoners at the bar. Nopper said he had not, fetch him to the Court and he could clear his brother.— John Monaghan said very good, and we both walked away. John Monaghan made use of no threat against Nopper.

[*Cross-examined by Solicitor General.*]

I have been switchman of the Richmond Railway Station at the Craig Station. There were French Canadians and old country people. I am brother of prisoner Kelly.

[*Witnesses called by Solicitor General.*]

Mary McKee, wife of Richard Stewart.

I live with my father-in-law, John Stewart. I have seen Patrick Donaghue, known him by the name of Yankee Pat. I do not know John Hagan of St. Paul's. I remember five men in Mr. Stewart's house on the Sunday after Corrigan's death, some time between eleven and two. During my presence the only conversation was about buying of a horse. Patrick Donaghue, Montgomery and four men whom I do not know were present when there was a talk about the horse. There was no talk of anything about Corrigan. The men were not more than three-quarters of an hour after I went in. The conversation about the horse did not last long.— The persons all left together.

John Stewart, of St. Sylvester, weaver.

I know the witness Patrick Donaghue. I saw Robert Corrigan once. Patrick Donaghue and three others not known to me, came to my house it might be on Friday; it was before Corrigan was buried. It is the only time these three persons were in my house together with Patrick Donaghue. They remained about half an hour. I do not recollect hearing any persons making observations with regard to the murder of Corrigan. During the time they were in my house, Donaghue said it was a pity it had happened in the country among neighbors; he was then speaking of Corrigan's beating. I cannot say if my son Richard was present or not. I heard no one speaking of stringing the necks of the persons. If anything had been said on the subject I should have heard it, I think. I cannot say if I saw Montgomery there.

[*Cross-examined.*]—I have not said that until some of the Kellys and McCaffreys were hanged there would be no peace in the country; I never said this in the presence of Madden nor in court.

Richard Stewart.

I saw, in my father's house on Sunday morning, the Sunday after Corrigan's death Patrick Donaghue and four or five others; it was about 10 or 11 a.m. Patrick Donaghue came to my father's house to buy a colt.

Jean Baptiste Nopper.

I am acquainted with John Kelly, the prisoner's brother. I have met him.

[*Objection maintained.*]

(*End of Judge's Notes.*)

T O R O N T O :

PRINTED BY JOHN LOVELL, CORNER OF YONGE AND MELINDA STREETS.

R E T U R N

To an Address from the Legislative Assembly to His Excellency the Governor General, dated the 29th ultimo; praying His Excellency to cause to be laid before the House "a Copy of the Instructions given by the Government to James West, Esq., Provincial Land Surveyor, relating to the survey of a certain portion of the Concession Line between the 5th and 6th Concessions of the Township of Cornwall; and also, of the Report made by the said James West to the Crown Land Department in reference to the survey in question."

By command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 6th May, 1857.

CROWN LANDS DEPARTMENT,

Toronto, 4th May, 1857.

Sir,—In compliance with the request conveyed in your letter of the 29th ultimo, copies of the instructions given by the Government to James West, Esquire, Provincial Land Surveyor, relative to the survey of a certain portion of the Concession line, between the 5th and 6th Concessions of the Township of Cornwall, and also the report made by the said James West to the Crown Lands Department in reference to the survey in question, are enclosed herewith.

Mr. West's survey has not been established by this Department.

I have the honor to be, Sir,

Your most obedient Servant.

E. P. TACHÉ,

Acting Commissioner of Crown Lands.

The Honorable T. LEE TERRILL,
Provincial Secretary,
&c., &c., &c.

(Copy.)

Instructions to Provincial Land Surveyor James West, to survey and mark, by permanent Stone Boundaries, the Line between the 3rd and 4th Concessions, or 5th and 6th ranges of the Township of Cornwall, from the centre of Lot No. 20, to the Western limit of Lot No. 30.

Sir,—His Excellency the Governor General having been pleased, on the application of the Municipality of the said Township of Cornwall, to order the above-mentioned survey to be performed in accordance with the provisions of the Provincial Statute 12th Vic. cap. 35, I have to instruct you to proceed to the performance thereof without unnecessary delay.

Copies of the plans, field notes, and other documents, having reference to the boundary line, are enclosed herewith for your information and guidance.

Make diligent search for, and adhere to, the lines drawn and posts planted in the original survey, or by the Boundary Commissioners.

Ascertain the bearings of the boundary line by Astronomical observations, and note the variation of the Magnetic needle at the places of observation. Enter the details of your Astronomical observations in your field book, *i.e.* the place, day, hour, altitude, azimuth, &c., methods of working and results.

Verify the length of your chain previous to commencing your survey, and pay particular attention to accuracy in your measurements.

From the permanent stone monuments you place, take where practicable, the angular bearings from the true meridian of certain remarkable fixed objects, in order that the exact position of the monuments may, at any future period, be ascertained, should they happen to be displaced.

On completing your operations in the field, you will prepare plans thereof, on a scale of 40 chains to an inch, showing the positions of the permanent stone monuments you have placed, the Astronomical courses of the line, and its length, with the position and extent of any improvements or possessions affected by your survey, and state in your report of survey the length of time such possessions have been held; also field notes and copies of the evidence of any witnesses you have examined touching the positions of the original lines or posts, or of those established by the Boundary Commissioners, with a report of survey, all in duplicate, and transmit one copy of each to this Department, and the other to the Municipality of the said Township.

Your field notes must be duly attested on oath.

In your contract with the Municipality, the sum to be paid you for the performance of the survey, must be stated, and a copy of the contract, your account, and a certificate from the Township Reeve or Clerk, that you have furnished the Municipality with copies of your plan, field notes, evidence of witnesses, and report of survey, must be forwarded to this Department with your returns of survey.

Mount your drawing-paper on thin linen or cotton previous to drawing your plans.

Neither the establishment of road allowances nor the subdivision of the concession line into lots, forms part of your survey under these instructions.

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

(Signed,) A. N. MORIN,
Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Quebec, 8th August, 1854.

Certified, a true copy.

(Signed,) E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 4th May, 1857.

(Copy.)

TOWNSHIP OF CORNWALL,
6th September, 1856.

Sir,—I have the honor to inform you, that I have just completed the survey of the line between the 3rd and 4th concessions, 5th and 6th range, of this township, in compliance with instructions from your office, dated at Quebec, 8th August, 1854. I have been employed in it during the last two months.

In my investigations for evidence I find by the patent made to William Branan, dated 23rd June, 1809, for 150 acres more or less, being the southerly end of lot No. 20 and the east half of lot No. 21 on the south side of the River aux Raisins, the following description occurs:—“Thence south 66° west 19 chains more or less to the limits between lots No. 20 and 21; then north 24° west 80 chains more or less to within one chain of the lands granted to Alexander Bruce, &c.” Alexander Bruce was granted the east half of lot No. 21 from River aux Raisins front, and the line I am establishing is its rear limit; on the south of it from this description I felt myself bound to allow this one chain for road, and so all through on this concession line.

Yesterday I presented my report and map to the Municipal Council of this Township, with the road allowance left this width. The Council stated that the concession line roads all through the Township were only 40 feet wide each, and wished me to make my returns of this line so. The inhabitants on both sides do not wish it wider, and as it is not a front for any lots I do not see any necessity for its being wider, but I of myself dare not alter it. I therefore beg that you will direct me in the matter.

I think that forty feet wide will be all that is necessary, and as it is the general wish that it should be no more, and that all other such roads within the Township are so, it would be better that my returns should be made at that width.

I beg that you will send me instructions with as little delay as possible, as I delay my returns until I receive them. Please send to my own post office, South Mountain.

I have the honor to be, Sir,
Your most obedient humble Servant,

(Signed,) JAMES WEST,
Provincial Land Surveyor.

Honorable JOSEPH CAUCHON,
Commissioner of Crown Lands, &c., &c., &c.

—
Certified, a true copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LAND DEPARTMENT,
Toronto, 4th May, 1857.

(Copy.)

CROWN LANDS DEPARTMENT,
Toronto, 3rd October, 1856.

Sir,—In reply to your letter of the 6th ultimo, respecting your Municipal survey in the Township of Cornwall, I have to refer you to the last clause of your instructions. "Neither the establishment of road allowances, nor the sub-division of the Concession line into Lots forms part of your instructions."

I have, &c.,

(Signed,) JOSEPH CAUCHON,
Commissioner of Crown Lands,

JAMES WEST, Esquire,
Provincial Land Surveyor;
South Mountain P. O.,
Upper Canada.

—
Certified, a true copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 4th May, 1857.

Report of the Survey of the Line between the 3rd and 4th Concessions, or 5th and 6th Ranges of the Township of Cornwall.

CORNWALL, TOWNSHIP, 22nd November, 1856.

Sir,—In compliance with instructions from your Department dated at Quebec, the 8th day of August, 1854, “to survey and mark by permanent stone boundaries the line between the 3rd and 4th Concessions, or 5th or 6th Ranges, of the Township of Cornwall, from the centre of Lot No. 20, to the Western limit of Lot No. 30.”

I commenced on the 30th June last to perform the survey. For a year after receiving the instructions, continued ill-health prevented my entering on the survey; after that time, a conversation with the Township Reeve, in which he informed me, (through mistake), that the question had been settled, led me to suppose the survey was not required.

The beginning of last spring, the subject was renewed in the Council. The Township Clerk wrote me; when I at once proceeded to the next meeting of the Council, and arranged with that body for the performance of the survey.

The application for the survey was made by the residents and land-owners in the 4th Concession 6th Range, under the impression that no original line had been surveyed, and that the owners and residents in the concession in front which was first settled had in their several surveys taken more than their patents covered. My first step therefore was to examine all the original patents in the two concessions that I could find; in order to this, I visited every house in the 4th concession, especially where I hoped to find an old patent; I found a few in both concessions, from these I obtained a pretty clear idea of the intentions of the government when the grants were made.

My next step was to “make diligent search for the lines drawn and the posts planted in the original survey.” This was no very easy task, as the whole line, or place where the line should have been, is woods, the greater part of which had been hacked over for more than forty years; the part in swamp had been burned over; the whole nearly was an undergrowth of the thickest brushwood that I had ever found, with only a few of the original trees standing.

Having examined the ground fully I next proceeded to examine witnesses; the survey if made at all must have been made between the years 1784 and 1790, that is, about seventy years ago; no post would be now standing that had been then planted, so that blazes would be the only original marks that now could be hoped to be found.

Some were pointed out to me in several places, but the only ones that had sufficient age, were a few near the east end of the line, shown to me by Mr. Donald McDonald and Mr. John Johnstone, and sworn to by both. They are near to where the stone boundary is planted, in rear of lot No. 22 in the 4th and number 21 in the 3rd concession, and are those referred to in Mr. Johnstone's affidavit, a copy of which I send with the others.

Mr. Donald McDonald swore to them, as being always taken to be the original blazes made by Patrick McNiff, and he had, he stated, known them for about fifty years; he was born and brought up on lot No. 21 in the 4th concession, on the bank of the River aux Raisins, and therefore had every opportunity of knowing them well.

At the west end I found some old blazes, that are evidently original; they are at the rear of lots Nos. 29 and 30; the stump of the beach tree sworn to, is still standing, and is evidently an original blazed tree; it is it which the McGuires swore to.

I took the evidence of a Mr. John Tykes to the place of posts between Lots Nos. 32-33 and 33-34, and these correspond with the place where I planted the large stone boundary between Lot No. 30, and the side road at the end of the line. I likewise took the affidavit of Mr. George Anable as to blazes a little to the east of the Beach tree: having so many others, I thought it unnecessary to write these now mentioned. These men went over the ground with me, pointed out the place of each post, and swore to it. I then marked new posts, and put them in. Where the old blazes were sworn to, I renewed them.

It appears that the parties who applied for the survey of this line are now greatly disappointed because that it has not gone according to their expectations and wishes, which were, that all the old blazes and original marks should be ignored and abandoned, and a new line so run as to divide the two concessions equally within the limits stated.

From the Beach tree standing near the limit between Lots Nos. 29 and 30, which is so pointedly sworn to as an original monument, up westward, the old line is evidently well defined, the allowance of road on it is opened up, and part of it used and travelled on. John Fykes, who swore to two posts on this part of the line, and who stated that he had known them to exist—being renewed from time to time, for about fifty years—stated that from the Beach tree up the line has never been disputed. I found the old blazes very plain on it in many parts, so that there can be no doubt of their accuracy.

On this account it was requisite to correct and establish the line only to west side of Lot No. 30, from that point westward being undisputed. Were the two concessions to be equalized at this point, it would make a jog or offset of more than five chains, which is a thing not to be thought of, as the concession line is, and was always taken to be, one continuous line intended to be straight, which it is, as near as a line run with a compass can be on such ground.

At the east end likewise the blazes are plain, and their originality clearly proved, as it possibly can be at this day. I therefore pursued the only course that I could be justified in, to connect the two points, as established by evidence, by a straight line, which is what I have done.

All of which is most respectfully submitted.

(Signed,) JAMES WEST,
Provincial Land Surveyor.

To the Honorable JOSEPH CAUCHON,
Commissioner of Crown Lands,
&c., &c., &c.

Certified, a true copy.

(Signed,) E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 4th May, 1857.

EMIGRATION REPORT, 1856.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to
Canada, Quebec, 31st December, 1856.

MAY IT PLEASE YOUR EXCELLENCY:

At the close of another year, I have again the honor to submit to your Excellency, for the information of Her Majesty's Government, my annual Report of the Emigration to this Province, during the season of 1856:

The whole number of Emigrants landed at this Port was 22,439, against 21,274 in 1855—increase 1,165, or equal to 5.47 per cent. The following is a comparative statement of the Emigration of the last two years from each country:—

	Year 1856.	Year 1855.
England	10858	6754
Ireland	1688	4106
Scotland	2794	4859
Germany	4587	3597
Norway	2806	1267
New Brunswick, Nova Scotia, &c	261	691
Total	22439	21274

Of the Emigration from England, 7,262 sailed from the Port of Liverpool, 1,052 Cabin, and 6,210 Steerage, being over one-half of the whole emigration from that country, and equal to one-third of the whole emigration of the season. They are classed in the ships' lists as follows:—

English	3,022
Irish	2,702
Scotch	1,195
Foreigners	343
	7,262

FROM EUROPE.—The Emigration from Europe during the past season, may therefore be classed as follows:—

Natives of England	5,555
do Ireland	4,357
do Scotland	3,872
do Norway	2,806

Carried over

16,590

	<i>Brought over</i>	16,590
Natives of Prussia.....		3,136
do Germany.....		1,249
do Belgium.....		823
do Switzerland.....		260
do Hanover.....		9
do Italy.....		91
do France.....		20
		22,178

From this statement it will appear that the Foreign Emigration, when compared with that of 1855, shows an increase of 3,047 souls, while the numbers from the United Kingdom show a falling off of 1,452 persons.

TABLE No. 1.—At paper No. 1 of the Appendix, will be found the usual statistical table, which presents a review of the season's emigration, showing the arrivals from each country, the number embarked, births, and deaths on the passage, and in Quarantine; distinguishing the males and females, adults, and children. From this table it will be seen that the number of vessels engaged in the conveyance of emigrants from Europe was 201, with a tonnage capacity equal to 121,715 tons, and navigated by 4,754 seamen, with an average passage of 41½ days. Of this number, 103 vessels came under the regulations of the Passenger Act, and 98 were exempt. The number from each country was as follows:—

Vessels under the Act, 1856.

WHENCE.	No.	Tonnage.	Seamen.	Cabin.	Steerage.
England, Steamers	14	15871	1015	1033	1669
do, Sailing vessels	26	20290	685	55	7193
Ireland, do do	10	5093	189	2	1563
Scotland, do do	17	9861	384	34	2616
Germany, do do	22	9433	337	22	4578
Norway, do do	14	5103	196	2	2823
Total	103	65651	2806	1148	20442

Vessels not under the Act, 1856.

WHENCE.	No.	Tonnage.	Seamen.	Cabin.	Steerage.
England	59	36049	1221	62	366
Ireland	16	7317	285	8	120
Scotland	20	11623	401	45	103
Germany	3	1075	41	.....	3
Total	98	56064	1948	115	592

From this statement it will be seen, that the vessels which came under the regulations of the Passenger Act, could, under their tonnage check, have carried fully one-third more passengers than they had on board.

The total number of souls embarked on board these vessels, including 38 births on the passage, was 22,297, viz., 21,034 steerage, and 1,263 cabin. The deaths during the passage were 98, equal to 0.43 per cent., and in Quarantine 21, or equal to 0.09 per cent., giving a total mortality of 119, or equal to 0.52 per cent. on the number embarked, leaving the number of emigrants landed from the United Kingdom 13,596 steerage, and 1,239 cabin passengers; from the continent of Europe 7,319 steerage, and 24 cabin; and from New Brunswick, Nova Scotia, Cape Breton, and Newfoundland 261 steerage, and 9 cabin, giving the total number of persons landed in the colony 22,439 souls.

SAILING VESSELS.—Of the passenger ships from the United Kingdom, 162 in number, 148 were performed by sailing vessels, and 14 by steamers; 32 of the ships made two passages, during the season, and of the steamers, two made four passages each, and two, three passages.

STEAMERS.—The successful, and satisfactory manner in which the "Montreal Ocean Steamship Company" have carried out their contract with the Provincial Government, has called forth a spontaneous feeling of approbation, from one end of the Province to the other. These vessels have proved themselves admirably adapted for this trade; combining together not only safety, and comfort, but securing a more rapid diffusion of the benefits of commerce; and I am happy to observe, that these are greatly enhanced by the high testimonials which the passengers have at all times borne, with regard to the kindness and attention of the officers, added to the excellence of the accommodations, as well as the treatment and fare they received, while on board of these steamers.

The successful establishment of this line cannot fail of exercising an important and beneficial influence on the Province generally, by attracting a large number of the better and more wealthy class of emigrants by this route; who in the absence of such facilities have heretofore been obliged to take that by Boston or New York.

These ships made 14 voyages between April and November, bringing out 1033 cabin, and 1669 steerage passengers, and performing the passage out in an average of 12 days. On their return passages, they carried 824 cabin, and 900 steerage passengers.

TABLE No. 2, of the Appendix, presents a return of the ships and passengers arrived from each port and country during the years 1854, 1855, and 1856, with the number of deaths during the latter season, on the passage and in quarantine, from each port respectively. The whole number of deaths among 10,378 persons from England was but 25, equal to 0.24 per cent., 19 of which occurred among the emigrants from the Port of Liverpool, being equal to 0.26 per cent. The deaths from all the other English Ports were but 6 souls.

From Ireland, the deaths among 1693, persons were but 5,—1 adult, and 4 children.

From Scotland, the deaths among 2,798 persons, were but 4.

The greatest mortality (66) occurred among the German emigrants, out of an emigration of 4,603, being equal to 1.43 per cent.; and from Norway 19 on an emigration of 2825 souls, equal to 0.67 per cent.

The 261 persons who arrived from the Lower Provinces, consisted of traders, fishermen, and a few old-settlers, who sold their farms, and were emigrating to Western Canada and the United States.

The numbers were, from Nova Scotia, 35; New Brunswick, 120; Prince Ed-

ward's Island, 42; Cape Breton, 30; Newfoundland, 23; United States and West Indies, 11.

TABLE NO. 3.—HOSPITAL RETURN.—Table No. 3 presents the usual general Hospital Return, and shows the number of patients admitted for medical relief, with the results at the Quarantine Establishment, up to its close, on the 31st October, at the Marine and Emigrant Hospital in this city, and at the General Hospital in Montreal, from the 1st May to this date. From which it appears that the total number of cases treated at these several Institutions, was 362, and the deaths, 25; 21 of which occurred, as before stated, at Grosse Isle; 3 in this city, and one in Montreal. This return, when compared with that of 1855, shows a decrease of 598, on the admissions, and 37 in the number of deaths: which evidences fully to the remarkably healthy condition of the season's emigration.

TABLE NO. 4.—TRADES, &c.—Table No. 4 furnishes a return of the adult male emigration, distinguishing trades, &c., as specified on the passenger lists. The total number of Males embarked was 8,781. Of these, there appears to have been 1,065 Artizans; Farmers and Farm Servants, 2,342; Clerks, 104; Servants, 32; and Laborers, 4,338.

TABLE NO. 5.—EMIGRANTS ARRIVED SINCE 1829.—Table No. 5 shows a comparative statement of the number of Emigrants landed at Quebec, since the year 1829, to the present time, a period of 28 years, amounting in the aggregate to 868,908 souls, affording an average of 31,036 per annum.

SHIPWRECKS.—I have also to record, with regret, the loss of an Emigrant ship, bound to this Port; which has been attended with a melancholy destruction of life. The barque "Pallas," from Cork, with 136 passengers, was wrecked on the Island of St. Paul's, on the night of the 10th May, when 79 of her passengers, with 3 of her crew, were unfortunately drowned. The survivors reached this port on the 16th of June, where they received every assistance from this Department, and were forwarded to their friends.

While on this subject, I would respectfully beg leave to draw your Excellency's attention to a letter which I lately received from Mr. Fox, Her Majesty's Collector of Customs at the Magdalen Islands, as to the necessity of providing some place of shelter and protection to shipwrecked Emigrants, a copy of which will be found in the Appendix. Mr. Fox, who has resided on these Islands since 1846, bears testimony to the great sufferings which have been experienced by the unfortunate Emigrants wrecked on those and the adjacent islands, and suggests the appointment of a person to act as Emigrant Agent, and that a suitable building should be erected for the accommodation of shipwrecked persons. These suggestions appear to me as deserving of particular notice; and therefore respectfully submit them for your Excellency's consideration. I have written to Mr. Fox, and requested him to submit an estimate of the probable expense which would attend the erection of the building and fittings he proposed.

In my Report to your Excellency of last season, I had the honor to suggest that the Collectors of Customs should be empowered to act, in virtue of their office, for the protection of all emigrants and their property, which may by shipwreck or otherwise be brought within their jurisdiction.

The result of the past few years would appear to necessitate such an appointment; as by having such an officer to enforce the law, and see that Masters carried out the obligations under the Imperial Passenger Act, much suffering would doubtless have been prevented, and valuable property saved.

TABLE NO. 6.—Table No. 6; furnishes a return of the number of persons sent out by the Poor Law Unions, or through the assistance of Parochial Authorities, or by their landlords. From this return it will appear that 183 persons received

assistance in money, in addition to a free passage to this port. The number from England was 38, among whom there were 21 boys from the London Reformatory Schools, they appear to be quiet and well conducted lads; 12 proceeded to Toronto, and 9 to Ottawa City, where they all found immediate employment; of the remaining persons, 13 were from the Chatham Union, and 4 from other Parishes; these parties all received equal to 20s Sterling, each adult, on landing here.

FROM IRELAND.—The number aided in their emigration from Ireland, was 139, all the females, 96 in number, who were sent out by the Poor Law Union, received their money on landing here; 62 sent out by the Wexford Union, were paid it previous to embarkation.

SCOTLAND.—Eight persons were sent out by their landlord Mr. McNeill, who appears to have provided them with a free passage only.

FOREIGNERS.—The Foreigners were 102; 52 Germans, and 50 Norwegians by the ship Orion from Stavanger, the former received four dollars each on arrival here; but the Norwegians appear to have been provided with but a free passage, they proceeded to the Western States with the rest of the passengers by the same vessel. The Germans went to Western Canada, where they all readily obtained employment.

PASSENGER ACT.—The Imperial Passenger Act of 1855, came into operation this season. This Act is more stringent in its provisions than the Act of 1852.

The principal alterations effected by this Act are, firstly, to bring more ships within the operation of the Law; 2nd, reducing the number of passengers which a ship can carry; and 3rd, to increase the amount of nutriment in the dietary scale to be used on the voyage. All these changes have tended materially to add to the comfort, and promote the health of the Emigrant, during the present season, and but one complaint was brought under my notice, that of the passengers of the ship "Chieftain," Scott, Master, from Glasgow, a report of which will be found in the Appendix. In this case the Master, who was in bad health, and fearing a long voyage, placed his passengers on a reduced allowance of provisions; he, however, died, and the charge of the ship having devolved on the Mate, he at once ordered the full rations to be issued. On their arrival here, the passengers made up their claim for the value of the shortness of provisions issued, which was estimated at 8s. 9d. Sterling, each, which demand having at once been acceded to and paid, I did not consider myself authorized to interfere further in the matter.

I find that the 36th clause, which enacts, that, the provisions requiring cooking, should be issued in a cooked state, has not generally been carried out, in this particular, and it may be necessary to remark, that in every instance, which has come under my notice, the deviation from the law has originated in the request, or with the approval and sanction, of the passengers themselves, preferring to draw their rations in an uncooked state, and prepare them according to their own taste or pleasure; and although this deviation would appear in violation of the clause above referred to, yet, as the passengers would not prefer a complaint, I did not take any steps to enforce the law; the more particularly, as my legal adviser entertained the opinion, that in the absence of any complaint on the part of the passengers, a conviction could not be obtained.

The result of the working of this Act, so far, has, on the whole, been satisfactory, and would appear to have fulfilled the object of its framers; but it is also evident that it has operated unfavorably on the emigration to this Province, and especially, from the Irish ports, by enhancing the price of passage, which formerly ranged from £3 10s. to £4 and £5; and I ought not to omit to observe that the masters of several vessels, who have always heretofore brought out a full com-

plement of passengers, have informed me, that their owners preferred to send them out in ballast, rather than subject them to the increased liability imposed by the Act.

The effect of this may be seen by a reference to table No. 5 in the Appendix, where it will appear, that the emigration from Ireland, which, during the past twenty-six years, afforded an average of 17,473, was reduced in 1855 to 4,105 persons, and during the season of 1856 to 1,688 souls. This decrease doubtless may be attributed in a great measure to the improved condition of the laboring classes in that country, but other causes must also have operated to produce so great a change, as the same decrease does not appear to have affected the Irish emigration to the United States; which in 1855 numbered 43,043, and have during the past year shown a small increase, the numbers being returned at 44,276, or equal to an advance of 3 per cent., while the direct emigration from Ireland to this port, has fallen off nearly 59 per cent.

PROVINCIAL ACT.—The Provincial Act would appear to require some amendment, in order to afford protection to the emigrants arriving here from foreign ports, and who have not the benefit of the protection which has been secured to emigrants from the United Kingdom, under the Imperial Passenger Act. In fact it may be remarked, that, the laws regulating emigration from foreign ports which annually arrive by this route, are not cognizable by the judicial tribunals of this country, the absence of which cannot fail of proving prejudicial to the interests of foreign emigration. It would therefore be desirable, that such provisions should be enacted, as would protect the foreign emigrant on his reaching our shores, and thereby place him on an equal legislative position with the British emigrant. It is true that our courts of law are always open to the foreigner, as to every other of Her Majesty's subjects, but owing to delays, and the impossibility of this class of persons remaining to prosecute, the application of any other than summary jurisdiction must prove unavailable. I would beg to submit that the Provincial Law should be so amended, as to afford Emigrants, arriving in this country from Foreign Ports, the same protection as to Emigrants from the United Kingdom; this might be effected by giving power to the Magistrates here to enquire into all infringements of the Emigrant laws of the country and from which the complainant may have sailed, and to exercise summary jurisdiction therein. It would also be desirable that the production of the party's contract tickets should be admitted as *prima facie* evidence of the contract by the Court, and that the computation in children and adults should be made the same in the Provincial as in the Imperial Act.

The 12th clause which requires the ship to give bonds, in certain cases, would also appear to require modification, as the provision therein made, has in some instances, from the legal construction given operated in a manner extremely onerous to Masters of Passenger Vessels. This, more especially in cases when the Emigrant, after passing Medical Inspection at the Port of embarkation, has taken passage in perfect health, but during the voyage may have contracted disease or infirmity from accident or otherwise, as to render him incapable of obtaining a livelihood after landing on our shores, in this case the Master has been obliged to give a bond for £75, thus making him liable for the occurrence of disease or infirmity over which he has no control. In view of these circumstances I would respectfully suggest that the Act be so amended as to relieve the ship from the obligation of giving bonds in cases where it could be satisfactorily proved that the Emigrant was healthy, and free from any mental or physical disease on embarkation; but had become infirm from disease, or accident while on the passage; in which case, power might be granted to this Department to send back the party to the Port from whence they sailed.

The expenditure of the Emigration Department, including the Quarantine establishment, and the charges connected with the care of the sick, amount to £8,815 16s. 10d., of this sum there was disbursed under the direct superintendence of this office £7,222 4s. 4d., constituted as follows, viz:—

For Quarantine Establishments	£2415	2	6
“ Emigration Department	4807	1	10
	<u>£7222</u>	<u>4</u>	<u>4</u>
Cost of Steamboat service for the Quarantine Station during the season, disbursed by the Board of Works	1350	0	0
Amount of expenses incurred for the Medical treatment of Emigrants admitted into the Marine Emigrant Hospital during the year ending 31st December	243	12	6
	<u>£8815</u>	<u>16</u>	<u>10</u>

The several heads of expenditure, on account of the Quarantine Establishment during the season of 1856, above referred to, was as follows:—

Pay of Officers, Staff, &c.,	£1962	14	9
Hospital Supplies	107	9	0
Washing	14	7	11
Cartage	57	0	0
Drugs	37	12	11
Coffins, Boards, &c.,	16	0	6
Printing, Advertising and Stationery	42	7	0
Sundry supplies for the use of the station	102	10	5
Advance to Wintering party	75	0	0
	<u>£2415</u>	<u>2</u>	<u>6</u>

There has been a small decrease in the expenditure of this establishment when compared with that of 1855 viz:—On the Hospital Supplies &c., £224 6s. 10d., on contract for steamboat service, £150, but this has been counterbalanced in some measure by the increase of pay to the Staff of £112 5s. 4d., leaving the nett amount saved equal to £262 1s. 6d.

The expenditure of the Emigration Department, to the 31st December, has been as follows:—

	£	s.	d.	£	s.	d.
Quebec Agency—						
Transport	1432	18	9			
Provisions	15	9	8			
Agency Expenses	101	13	4			
Salaries	394	9	0	1944	10	9
Montreal Agency—						
Transport	547	14	2			
Provisions	26	1	8			
Agency Charges	58	6	9			
Salaries	350	0	0	6077	10	37
Carried over				£8221	13	34

The expenditure of the Emigration Department, &c.—(Continued.)

	£	s.	d.	£	s.	d.
<i>Brought over</i>				2921	13	4
Kingston Agency—						
Transport	3	7	1			
Salaries	75	0	0	78	7	1
Toronto Agency—						
Transport	245	3	1			
Provisions	26	8	4			
Agency Charges	110	18	11			
Salaries	668	0	0	1050	10	4
Hamilton Agency—						
Transport	252	2	5			
Provisions	17	14	4			
Agency Charges	86	14	4			
Salaries	400	0	0	756	11	1
Total			£	4807	1	10

From this statement it will be seen that the total direct relief extended to destitute Emigrants, at the several agencies throughout the Province, was:—

For Transport	£2481	5	6
Provisions	85	14	0
Agency charges	352	13	4
Salaries	1887	9	0
	£4807	1	10

Under the head of Agency charges is included rents of Offices, Emigrant Sheds, Postages, Printing, Stationery, Fuel, &c. &c. This expenditure, when compared with that of 1855, shows a decrease of £501 6s. 9d., constituted as follows:—On Transport there has been a decrease, equal to £670 19s. 2d. On Provisions, £151 10s. 4d.; but there has been an increase under the charge for Salaries, of £321 2s. 9d., in consequence of the re-opening of the Kingston Agency, and the addition of a quarter's salary to the Agents at Hamilton and Montreal, which did not appear in the accounts of 1855.

ASSISTANCE.—The number of persons assisted at the Quebec Agency was 3,560 souls, equal to 2,700 adult persons, at an average cost of 10s. 7d. each. Of this number there were:

Adult Males, over 12 years	841
do Females do	1294
Children from 3 to 12 years	1130
do under 3 years	265

They were forwarded to—

	No.	Average Cost.		
		£	s.	d.
Montreal	1842	0	2	7
Western Canada	1115	0	16	9
Ottawa District	23	0	9	8
Eastern States	88	1	2	11
Western States	182	1	11	7

At Montreal, the number assisted were 1,240 souls, equal to 808 adults, at an average cost of 13s 6½d. each, viz:—

Adult Males, over 12 years	125
do Females do	410
Children from 3 to 12 years.....	549
do under 3 years.....	156

They were forwarded to—

	No.	Average Cost.		
		£	s.	d.
Western Canada.....	564	0	13	6
Ottawa District.....	52	0	6	0
United States.....	102	0	17	3½

The number of persons assisted at the Agencies in Western Canada, are not stated in the returns which have reached me; but the amount of relief afforded has not been very great, amounting altogether to £541 8s. 2d., viz., £497 5s. 6d. for Transport, and £44 2s. 8d. for Provisions.

On reference to the returns of this and the Montreal Agency, I find the number of our Foreign Emigration who received assistance during the season, appears to have been 914 persons, equal to 682 adults. They were forwarded to different parts of the Province, for employment, and a few large families were assisted to reach their friends in the Western States. Their number, when compared with those assisted during the season of 1855, show a decrease of 28 per cent. on an increased emigration, equal to 57 per cent.

At page 43 I beg to submit copy of the report received from Mr. Hawke, as to the result of the past season's emigration to Western Canada, and to which I would respectfully refer your Excellency. From this report it will appear that that section of the Province continues to receive annually a large number of Emigrants by the route of the United States, and which during the past season Mr. Hawke estimates at 10,729. This number, in addition to those received by this route (22,439) will give a total of 33,168 persons who have entered Canada during the season of 1856. It may be assumed that the whole of those who have reached the Province by the route of the United States, have remained as permanent settlers. Of those received by this route, a considerable number merely passed through the country, in their route to the Western States.

I estimate the whole of our Norwegian emigration—one-half the Germans and Irish—and about one-sixth of those from England and Scotland, have proceeded to the United States: this would make the number at 9,352, or equal to 41½ per cent., leaving the number of actual settlers remaining in the Province, at 24,816 souls.

EMIGRANT TAX.—The amount of Emigrant Tax realized in course of the past season, was as follows:—

At Quebec, 15,071 adults, at 5s.....	£3,767	15	0
do 5,353 children at 3s. 9d.....	1,003	13	9
do 34 children at 47s. 6d.....	80	15	0
	£4,852	3	9
At Montreal, 74 children, at 5s.....	£18	10	0
do 19 children, at 3s. 9d.....	3	11	3
	£22	1	3
	£4,874	5	0

The shipwrecked emigrants by the ship "Pallas," 56 in number, and the disbanded soldiers of the British Foreign Legion, numbering 693 persons, were exempted from the payment of duty, which would have realized, in addition to the above, the sum of £186 1s. 3d. currency.

ARRIVALS AT NEW YORK.—From the return of the arrival of foreign emigrants at the port of New York, I find that they show an increase of 6,109 over that of 1855, the total number being 142,342, against 136,233 in 1855. Of this number 74,162 came from the United Kingdom, viz., England, 25,163; Ireland, 44,276; Scotland, 4,723; giving an increase of 2,823 over that of 1855.

REVIEW OF SEASON.—On a review of the emigration of the past season, it will on the whole be considered very satisfactory; the emigrants were uniformly healthy, and landed free from complaint. A large proportion of the English and Scotch were farmers and mechanics—the former were generally in comfortable circumstances. The amount of capital brought into the country has been large; but there exists no means of ascertaining the exact amount. I am however aware, that considerable sums have been paid to different individuals, who brought out drafts, but this would only represent a small portion, as the greater number usually prefer to bring it out in gold. The amount paid the Norwegian emigrants in this city, from actual returns received, was upwards of \$75,000. A large number of the Germans were in the possession of a very considerable amount of money, and from the various sources from which I have been able to obtain information, it is estimated at not less than \$250,000. The disbanded soldiers of the British Foreign Legion, received from the Commissariat on landing here, their arrears of pay, and gratuity, amounting to upwards of £12,000, and to this must be added the amount brought by the emigrants from the United Kingdom, which may be estimated at £50,000; consequently, the capital brought into the country, by the emigration of the past season, may be fairly estimated at not less than £140,000.

The amount paid for their inland transit to our steamboat proprietors, and railway companies, has not been less than £20,000; and if the cost of provisions, and other necessaries on the route, be stated at the low estimate of 5s. each, it will bring their entire expenditure, before reaching their respective destinations, at £26,000.

It would, however, appear that but few of the emigrants of the past season, have emigrated without having in view a fixed destination; and I have never known in any previous season, so small a number of emigrants in search of employment; thus presenting a marked contrast to the emigration of former years. They all appeared to have emigrated on the recommendation of, and in many cases through the pecuniary assistance which they received from their friends in this country.

SCARCITY OF LABOR.—The demand and inquiry for labor in Western Canada, throughout the season, has been considerably in advance of the supply; and continued applications were received from almost every section of the Province, complaining of the scarcity of labor, and the difficulty as well as impossibility of procuring domestic servants, and requesting that emigrants might be directed to them. This it was found impossible to accomplish, for the reasons previously stated, viz., that all those suitable for such purposes had already their destination fixed; and if they delayed, it arose solely from want of means to carry them forward; in which case they would merely accept employment until they had acquired a sufficient sum to enable them to carry their original intention into effect. This state of things is very gratifying, and it is, moreover, satisfactory to know that, from accounts recently received from the several agencies, no cases of distress or destitution have been reported among the emigration of the past season.

MONEY LETTERS.—The number of letters for emigrants, addressed to this Agency during the season, was 213; 99 of which contained remittances, amounting to £268 Os. 4d., all of which were delivered, and the amount paid over to the parties.

PROSPECTS FOR 1857.—With reference to the prospects of the year 1857, I am happy to observe that the reports from all quarters would indicate a general growing prosperity, and active business employment, both as regards commerce and agriculture. An interest is now being felt throughout the United Kingdom with respect to this country, from which the most beneficial results may be confidently anticipated.

The excellent and judicious system now introduced by your Excellency's Government, for opening and settling the wild lands of the Crown, by means of free grants to actual settlers, has already attracted very general public attention, not only in the Mother Country, but on the Continent of Europe. A large portion of these lands are represented to be of good quality, and some tracts even equal to those which, in other parts of the Province, have so richly rewarded the toil and industry of the husbandman.

It may also be worthy of remark, that the efficient and speedy direct communication now so successfully established by steam, bringing the chief points of Western Canada within 15 days of England; the completion of the Grand Trunk Railway, from Quebec to Stratford, forming an extension of 600 miles, and offering an easy and rapid access through some of the wealthiest and most fertile portions of the Province, thereby permitting a wider and more general development of its resources. These advantages, combined with a salubrious climate, productive soil, land cheap, and so easily attainable that every industrious person may become a freeholder; unsurpassed means of internal communication through its Rivers, Lakes, and Railways; ample security for life and property; and happily within the reach of all, the means of obtaining a cheap, sound, moral, and religious education, for the rising generation; cannot, assuredly, fail of exercising a most important influence upon our future emigration: and I am of opinion that, during the ensuing season, we shall receive a large accession to our population; and with it a share of the wealth, intelligence, and industry of the Mother Country.

The increased advantage, as well as the superiority of the route by the St. Lawrence, to emigrants whose destination may be, either to Western Canada, or the more Westerly States of the American Union, cannot, I may be permitted to observe, be too prominently brought before the notice of intending emigrants from the United Kingdom, or continent of Europe. These facilities and advantages are now so great, that during the ensuing season, the journey from Quebec to Chicago, the great emporium of the West, may be performed over the Grand Trunk Railway, in connexion with the Great Western, and Michigan Central Railway in 40 hours, and to Toronto or Hamilton in about 16 running time. The usual speed of the emigrant train will be somewhat slower than this, but they can always be sure of being carried through either by steamboats or railways, as they may desire, within a reasonable time, and at a moderate charge.

FARES.—The rates of 1856 do not vary from those of 1855, and may be stated as follows:—

From Quebec to Montreal	3s. or \$0.75
do do Kingston	11s. or 2.75
do do Toronto or Hamilton	19s. or 4.75
do do Chicago, via Great Western Railway	38s. or 9.50
If by the Collingwood Route	32s. or 8.00

These rates include the free carriage of all luggage. The rates for 1857 will, most likely, undergo some slight modification, on such parts of the route as the steam-

boats are brought into competition with the railways, but the saving in time effected by the Rail should always command the preference, with the better class of emigrants, and more than compensate for the small increased rate of fare.

The Collingwood route will be found the best and most direct route for emigrants proceeding to the Mineral Districts on Lake Superior, or to any of the Western Ports of Lake Michigan.

These circumstances, duly appreciated, with the absence of imposition, which even the more experienced are subject to by the route of the Atlantic Cities, points out the St. Lawrence as the best and most economical route to the Great West. I would only further desire to impress upon the emigrants the importance and advantage of arriving in this country early in Spring, and they should, if possible, make such arrangements as not to retard it beyond the month of June.

In the Appendix I submit copy of the Notes appended to the periodical reports made to your Excellency during the past season, in which I have had occasion to notice the condition, and more immediate prospects of the emigrants as they arrived in the country, and to which I respectfully refer.

CONCLUSION.—In conclusion, I may be permitted to remark, that the prospects of employment for the working classes, or those who may be likely to arrive during the ensuing season, are on the whole favorable, more particularly in Western Canada, and I do not anticipate any difficulty in providing employment for all the industriously disposed emigrant laborers, who may seek a home in this highly favored portion of the British empire.

Submitting this report to Your Excellency's favorable consideration,

I have the honor to be,

Your Excellency's

Most obedient humble Servant,

A. C. BUCHANAN,

Chief Agent.

N. B.—Since the close of this Report, I find from the return published by the Emigration Commissioners at New York, that, during the year 1856, there landed at that port 8,526 emigrants, whose destination was Canada, who are stated to have possessed cash means amounting to \$652,328.35, or equal to \$68.50 per head.

(Copy.)

EMIGRANT OFFICE,

Toronto, 29th December, 1856.

Sir,—In consequence of the multiplied routes and modes of conveyance by which emigrants find their way into Upper Canada, it is an extremely difficult matter to obtain reliable data on which to found a report. I shall therefore endeavor to come as near the mark as possible.

It appears from your return, that 22,178 emigrants landed at Quebec during the year 1856.

To this number must be added those who landed at New York, and other ports in the United States, and who came to this section of the Province. Mr. Dixon states, that 4,229 of this class came to Hamilton by the Suspension Bridge, and, as nearly as I can ascertain, about 6,500 entered by way of Rochester, Oswego, and other ports, making a total of 32,907. From this must be deducted the number who proceeded to the Western States, chiefly by the Great Western, and Northern Railways, which, according to Mr. Dixon's report, and my own observation, may be fairly stated at one-fourth of the whole, viz., 8,227, leaving the number of actual settlers 24,680.

At least three-fourths of these were British subjects; the remaining fourth consisted of Germans, French, Belgians, and Norwegians

Mr. Dixon, the Agent at Hamilton, in remarking upon the emigrants who proceeded through Canada to the Western States, says:—

“It would appear that the number of emigrants who were induced to take the United States route, is nearly equal to those who have left Canada for the Western States. We may therefore infer, that the final determination of settling in the Western States, has been principally secured by the information they have received, and the influence produced in Great Britain. The prejudice of these pre-conceived opinions is the more apparent, from the fact, that in England, intercourse with the United States is more extensive than in any other European nation.”

Mr. Dixon is of opinion that the employment of an Agent at Liverpool, under the supervision of the Government, is very desirable; but I do not consider such an appointment advisable at the present time. A great change has recently taken place in our transport facilities. The establishment of the line of steamers between Quebec, Montreal, and Liverpool, in summer, and Portland in winter, has been eminently successful, and will, no doubt, be followed by other steamers.

The Grand Trunk is also now open from Portland to Montreal and Quebec, connecting with other lines of Railroad to the extremities of the settled part of Upper Canada; and I understand that it is intended to establish a system of through tickets, so that Emigrants from the chief Ports in the United Kingdom and Germany can be conveyed from the Port of embarkation to the Railroad Stations nearest their place of destination. Such a system, properly carried out by the shipper and Railroad agents will, in my opinion, be far more effective than any other that can be adopted.

The season has been healthy, and employment, at good wages, abundant; and there is every prospect that the inducement to settlers will not be less in 1857 than during the past year.

I am, Sir,

Your most obedient Servant,

(Signed,)

A. B. HAWKE,
Chief Emigrant Agent
for Upper Canada.

A. C. BUCHANAN, Esquire,
Chief Emigrant Agent, Quebec.

APPENDIX TO EMIGRATION REPORT, 1856.

No. 1.

CANADA.

RETURN of the number of Emigrants embarked, with the number of Births and Deaths during the voyage and in Quarantine; the total number landed at Quebec, distinguishing Males from Females, and adults from children, with the number of Souls from each Country; also, the number of Vessels, Tonnage, and Seamen employed, and the average length of the Passage, during the Season of 1856.

WHENCE.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	NUMBER EMBARKED.						Total Souls on Board.	DEATHS ON THE PASSAGE.							
					Cabin Passengers.	Adults.	Children, 1 to 14 years.	Infants.	Total Steerage.	Births.		Adults.	Children 1 to 14 years.	Infants.	Total.				
					M.	F.	M.	F.		M.	F.	M.	F.	M.	F.				
England	99	12½	72210	2921	1150	42302517	1135	966	371	9219	5	4	3	4	10	20	20	98	
Steam Ships																			14
Sail do	26	41	12410	474	10	629 648	188	180	42	1692	1	1	2	1	2	5	2	2	98
Scotland																				85
Ireland	37	40½	21484	735	79	1086 885	826	300	118	2715	2	2	1	1	2	2	2	2	98
Germany																				25
Norway	14	54	10508	378	22	1654 1336	691	611	269	4561	9	11	12	12	27	58	18	18	98
New Brunswick, Nova Scotia, &c.																				34
Total	285	41½	138182	5082	1272	8781 6276	2811	2440	940	21248	16	22	11	19	19	46	98	98	98

No. 1.—RETURN of the Number of Emigrants embarked, with the Number of Births and Deaths during the Voyage, &c.—(Continued.)

W H E N C E .	DEATHS IN QUARANTINE.						TOTAL LANDED IN THE COLONY.						Grand Total landed in the Colony.				
	Adults.		Children 1 to 14 years.		Infants.		Adults.		Children 1 to 14 years.		Total.			Infants.	Total Storage.	Cabin Passengers.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.					
	Total Deaths.						Total.		Total Deaths.		Total.			Total.			
England	1	3	.....	.....	1	5	25	4227	2516	1129	962	5356	3478	869	9203	1150	10953
Ireland.....	.....	.....	.....	.....	.....	.....	5	628	648	181	180	809	898	41	1678	10	1688
Scotland.....	.....	.....	.....	.....	.....	.....	4	1085	884	326	298	1411	1182	122	2715	79	2794
Germany.....	1	.....	.....	.....	.....	.....	66	1648	1384	677	596	2325	1930	260	4515	22	4337
Norway.....	.....	.....	.....	.....	.....	.....	19	1053	829	442	347	1495	1176	133	2804	2	2806
New Brunswick, Nova Scotia, &c.....	.....	.....	.....	.....	.....	.....	.....	128	60	29	31	157	91	4	252	9	261
Total.....	1	2	8	7	3	21	119	8769	6271	2784	2414	11563	8686	929	21167	1272	22439

Deaths on Passage, 0.43 per cent; Deaths in Quarantine, 0.09 per cent. Total Deaths on the number embarked, 0.52 per cent.

A. C. BUCHANAN, Chief Agent.

EMIGRATION DEPARTMENT,
Quebec, December, 1856.

No. 2.

ABSTRACT Statement of the number of Emigrants embarked, Births on the passage, with the number died at sea and at Quarantine, and total landed in the Colony, distinguishing the Countries and Ports whence they sailed, during the Season of 1856.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.			
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.	
ENGLAND AND WALES.											
Aberystwith										4	
Bideford										33	
Bristol	5	39	2		41			41	36	85	
Cardiff	3	13			13			13		50	
Carlisle									49	146	
Falmouth	2	25	7		32			32		58	
Fowey									131	391	
Grangemouth	1	4			4			4		6	
Hull	4	336	10		346	2		344	557	1060	
Harrington	1	3			3			3			
Ipswich										6	
Liverpool	45	6224	1052	5	7281	15	4	7262	3812	13225	
London	14	386	9		395			395	267	313	
Maryport	2	12			12			12		17	
Milford	1	6			6			6	6		
Newcastle	1	1			1			1		16	
Newport										14	
Plymouth	12	1625	47	4	1676	3		1673	1750	2683	
Poole	2	5	19		24			24	19	22	
Portsmouth	1	371			371			371	13		
Shields									17	13	
Sunderland										5	
St. Ives										3	
Swansea										1	
Teignmouth										10	
Torquay										14	
Truro	3	156	4		160		1	159	50		
Padstow	2	18			18			18			
Whitehaven										19	
Workington									10	18	
Total	99	9219	1150	9	10378	20	5	10853	6754	18176	

No. 2.—ABSTRACT Statement of the number of Emigrants embarked, Births on the passage, with the number died at sea, &c.—(Continued.)

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.			
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.	
IRELAND.											
Belfast										180	935
Cork	4	60	4		64			64		189	2558
Donegal	2	6			6			6		4	
Dublin	1	9	2		11			11			1528
Galway	1	15			15			15			263
Limerick	8	107	2		109			109	1050		4934
Londonderry	1	186	1	1	188			188	285		265
Newry	1	12			12			12	29		24
New Ross	5	671	1		672	1		671	1156		2492
Skibbereen									10		
Sligo									198		396
Tralee	2	439			439	4		435	724		1417
Waterford	1	177			177			177	206		1056
Westport									125		
Wexford											147
Youghall											153
Total	26	1682	10	1	1693	5	.....	1688	4106	16168	
SCOTLAND.											
Aberdeen	8	818	27	1	846			846	1414		1606
Alloa									8		2
Annan											
Arbroath											46
Ardrossan											98
Bamff											152
Dumfries	2	9			9			9	13		56
Dundee									19		28
Fraserburgh											113
Glasgow	19	1215	47	8	1265	1	2	1262	2499		2114
Greenock	2	329	3		332			332	268		1786
Leith	3	4			4			4	10		48
Lewis (Isle)									831		
Montrose	3	340	2		342	1		341	281		358
Stromness									16		
Troon											44
Total	37	2715	79	4	2798	2	2	2794	4859	6446	

No. 2.—ABSTRACT Statement of the number of Emigrants embarked, Births on the passage, with the number died at sea, &c.—(Continued.)

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.
GERMANY, &c.										
Antwerp	7	929	6	6	941	18	1	927	438	388
Bremen	2	441	.....	1	442	4	.....	438	1584	776
Bordeaux	1	1	.....	.....	1	.....	.....	1	.....	.....
Gibraltar	1	1	.....	.....	1	.....	.....	1	.....	.....
Hamburg	13	3188	16	13	3217	41	7	3169	1575	4524
Havre	1	1	.....	.....	1	.....	.....	1	.....	.....
Total	25	4561	22	20	4608	58	8	4537	3597	5688
NORWAY.										
Arendal .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	188
Bergen	6	1197	.....	1	1198	3	2	1193	220	1452
Christiania	2	346	.....	2	348	1	.....	347	380	1741
Drammen	1	210	.....	1	211	2	2	207	214	319
Gothenburg .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	233
Kragerøe .....	.....	.....	.....	.....	.....	.....	.....	.....	17	523
Larvey .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	7
Oster-Risoer .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	60
Porsgrund	1	248	.....	.....	248	1	.....	247	239	500
Stavanger	3	592	2	.....	594	4	2	588	188	620
Sandfjörd	1	226	.....	.....	226	2	.....	224	.....	.....
Walø Salvack .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	176
Total	14	2819	2	4	2825	13	6	2806	1267	5849
Lower Ports	34	252	9	.....	261	.....	.....	261	691	857
RECAPITULATION.										
England	99	9219	1150	9	10378	20	5	10353	6754	18176
Ireland	26	1682	10	1	1693	5	.....	1688	4106	16168
Scotland	37	2715	79	4	2798	2	2	2794	4859	6446
Germany, &c	25	4561	22	20	4603	58	8	4537	3597	5688
Norway	14	2819	2	4	2825	13	6	2806	1267	5849
Lower Ports	34	252	9	.....	261	.....	.....	261	691	857
Total	235	21248	1272	38	22558	98	21	22439	21274	53184

A. C. BUCHANAN,
Chief Agent.

No. 3.

RETURN of the number of admissions into Hospital, discharges, and deaths of Emigrants, during the season of 1856.

	Admitted.	Discharged.	Died.	Remain.
Grosse Isle Hospital.....	263	242	21	.....
Marine and Emigrant Hospital, Quebec.....	88	81	3	4
General Hospital, Montreal.....	11	10	1	.....
Total	362	333	25	4

A. C. BUCHANAN,
Chief Agent.

EMIGRATION DEPARTMENT,
Quebec, December, 1856.

No. 4.

RETURN of Trades and Callings of Emigrants who arrived at the Ports of Quebec and Montreal, during the year 1856.

Bakers	65	<i>Brought up</i>	1060
Butchers	35	Ropemakers	5
Braziers, Plumbers, and Tinsmiths	18	Saddlers and Harnessmakers	11
Book-binders and Printers	14	Sailmakers	2
Bricklayers and Stone-masons	115	Sawyers	9
Cabinetmakers and Turners	10	Ship-builders	11
Carpenters and Joiners	308	Shoemakers	227
Cart and Wheelwrights	50	Smiths	216
Coachmakers	7	Stone-cutters	13
Coopers	27	Tailors	206
Curriers and Tanners	4	Watch and Clockmakers	51
Dyers	19	Wool and Flax-dressers	4
Engineers	35	Weavers	65
Gardeners	49	Servants	32
Hatters	12	Unenumerated Callings	189
Millers and Millwrights	83	Farm Labourers	2342
Miners	61	Common Labourers	4338
Merchants and Clerks	104	Deaths of Male Adults:—	8781
Moulders and Foundrymen	9	At Sea	11
Painters and Glaziers	20	At Quarantine	1
Papermakers	2		12
Plasterers	13		
<i>Carried up</i>	1060	Total	8769

A. C. BUCHANAN,
Chief Agent.

EMIGRATION DEPARTMENT,
Quebec, December, 1856.

No. 5.

COMPARATIVE STATEMENT of the NUMBER of EMIGRANTS arrived at the PORT of QUEBEC, since the year 1829, inclusive.

COUNTRY.	5 Years from 1829-1833.	5 Years from 1834-1838.	5 Years from 1839-1843.	5 Years from 1844-1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	Total.
England.....	43386	28561	30791	60453	8980	9887	9677	9276	9585	18175	6754	10353	245878
Ireland.....	102266	54904	74981	112192	23126	17976	22381	15983	14417	16168	4106	1688	460188
Scotland.....	20143	11061	16311	12767	4984	2379	7042	5477	4745	6446	4859	2794	99508
Continent of Europe.....	15	485	.....	9728	436	849	870	7256	7456	11537	4864	7348	50839
Lower Ports.....	1889	1346	1777	1219	968	701	1106	1184	496	857	691	261	12495
Total.....	167699	96357	123860	196959	38494	32392	41076	39176	36699	53183	21274	22439	868908

A. C. BUCHANAN,

Chief Agent.

EMIGRATION DEPARTMENT,
Quebec, December, 1856.

No. 6.

RETURN of the Number of Persons who received Assistance to emigrate from the United Kingdom and the Continent of Europe, with the Amount paid them on landing, during 1856.

DATE.	SHIP.	WHENCE.	NUMBER OF PERSONS.	BY WHOM SENT OUT.	AMOUNT PAID BY			REMARKS.
					EMIGRANT DEPARTMENT.	OTHER AGENTS.	\$ cts.	
					£	s.	d.	
June 14, 1856.	Emma	Liverpool	15	Emisorthy Union	15	0	0	On embarking.
do do	do	do	6	Wexford	11	0	0	
do do	do	do	13	Chatham	12	0	0	
do do	Shepherdess	do	12	Reformatory School	66	0	0	
July 12, do	do	do	63	Mulligar Union	7	0	0	On embarking.
do do	Culloden	do	56	Wexford	4	0	0	
do do	do	do	14	Dunfanaghy	9	0	0	Free passage only.
August 5, do	Martin Luther	do	4	Emisorthy	2	0	0	
do 11, do	Admiral Boxer	do	4	Duncan McNeil	2	0	0	
do 28, do	Inkerman	Greenock	8	Reformatory School	2	0	0	
September 19, do	Wisconsin	Liverpool	9	Newbury, Hants	2	0	0	
do do	Steamer Canadian	do	2	Falkham Union	2	0	0	
November 8, do	Pearl	London	2		128	0	0	
do 4, do			264		£			
CONTINENT.								
June 14, 1856	Herschel	Hamburg	8	By Baron Von Schreck				Besides free passage.
do 24, do	Gaston	Bremen	4	Government of Hesse Elect.			32	0
do 2, do	Gessner	do	4	do Saxe Meiningen			18	0
do do	Kong Sverre	do	24	do Wurttemberg			16	0
do 25, do	Ithona	Antwerp	4	do do			76	0
do do	Orion	do	4	do Swiss (Berne)			30	0
do 28, do	do	Stavanger	50	Norway				
do 4, do	Europe	Hamburg	8	Saxe Meiningen			32	0
do do			102				\$	204

No. 6.—RETURN of the Number of Persons who received Assistance to emigrate from the United Kingdom, &c.—
(Continued.)

	FROM ENGLAND.			FROM IRELAND.			FROM SCOTLAND.			CONTINENT.			
	No.	Amount.		No.	Amount.		No.	Amount.		No.	Amount.		
		£	s.		d.	£		s.	d.			£	s.	d.
Parish Funds	38	86	0	0	158	92	0	0			44	172	0
Private do											8	32	0
Free passage only											50		
Total	38	£ 36	0	0	158	£ 92	0	0			102	£ 204	0

A. C. BUCHANAN,
Chief Agent.

EMIGRATION DEPARTMENT,
Quebec, December, 1856.

No 7.

Extracts from the Notes appended to the periodical Reports of Arrivals of Passenger Ships at the Ports of Quebec and Montreal, in the season of 1856.**RETURN No. 1.**

FROM THE 30TH APRIL TO THE 22ND MAY.

Two thousand one hundred and forty-three emigrants have landed at this port since the opening of the navigation to this date, all in good health, two-thirds of whom are from England and Scotland, and consist of farmers and agricultural laborers; many of the former have brought out a considerable amount of capital with them, and, with a very few exceptions, have all proceeded to settle in Western Canada, where all appear to have friends or relations already settled.

The emigrants from Aberdeen and Montrose are a highly respectable and intelligent class of emigrants, and cannot fail to prove a valuable addition to the western section of the Province. Those from Plymouth and Truro have chiefly proceeded to friends in the Newcastle and Home Districts.

The Irish emigrants per Dunbrody from New Ross, have, with the exception of a few families, proceeded to friends in the Western States; they were respectable in appearance, and all appeared in comfortable circumstances.

The Germans by the "Washington," from Hamburg, are chiefly Prussians, about one-half have proceeded to the German settlement, in the Gore and Wellington Districts; they brought out a considerable amount of property with them; a few families had drafts amounting to over \$2,000 on a firm in this city, but which were refused acceptance from want of advice; the drafts were protested, and placed in the hands of the Consul, and the parties, about 20 in number, proceeded to their friends in Guelph, Canada West, where they intend to reside.

The vessels included in this return are the first which have arrived under the regulations of the amended Passenger Act of 1855. The passengers all reported favorably of the kindness and good treatment they received from the Masters of the several ships during the passage.

The rates of passage by the vessels from Scotland range from £4 10s. to £6, each adult. From English Ports, from £4 10s. to £5 10s.; and by the steamers the charge was 8 guineas.

The Steamer "North America" is the first arrival of the Ocean Steamers, under the recent contract entered into between the Government and Mr. Allan, of Montreal; and it is gratifying to find that the Passengers, both Cabin as well as Steerage, report most favorably of her sea qualities, and also of the excellence of her arrangements and accommodation.

The regular establishment of this line cannot but prove highly beneficial to the interest of the Province, and be the means of inducing a larger number of the more respectable class of emigrants to select this route, which heretofore were obliged to proceed by the United States.

The demand for labor in Western Canada is favorable; and applications have been received for a considerable number of men on the Grand Trunk Railway

work, at Darlington; wages 5s. 6d. per day. Also, from farmers and others in Western Canada, for agricultural labor; wages \$12 per month, with board. And for good handy men, and mechanics to work with machinery and in saw mills; wages from \$26 to \$33 dollars per month, according to capability.

The inquiries in this direction are extremely limited, and do not at present offer much field for emigrant labor.

RETURN No. 2.

FROM THE 22ND MAY TO THE 7TH JUNE.

Two thousand eight hundred and eighty-six Emigrants have landed at this Port during the period embraced in this return, all in good health.

The greater part are English and Scotch; their place of nativity, taken from the ships' lists, appears as follows:—

English.....	1,452
Irish.....	512
Scotch.....	390
Foreigners.....	532
	2,886

The small proportion of natives of Ireland in this return, presents a marked contrast with the number from that country in previous years, and of this number but 208 persons came in vessels direct from Waterford and Limerick; the remainder 304 came *via* Liverpool.

They are chiefly of the laboring classes, and coming out to friends, the greater part of whom reside in the United States.

The English and Scotch emigrants consist of respectable farmers and agricultural laborers, two-thirds of whom intend settling in Western Canada, where they have friends; they generally appear to possess capital, and were desirous of purchasing land.

On board the "John Howell" there were a few German families who, having no particular destination in view, were directed to Trenton, Bay of Quinte, where they have all obtained employment.

The emigrants by the "Fedres Minde," and "Midas," from Antwerp, were Belgians, Prussians, and Swiss, and have all proceeded to the Western States; those by the "Eliza," from Hamburg, were chiefly Prussians, and have, with the exception of three persons, proceeded to the State of Illinois and Wisconsin.

153 passengers arrived on board of 20 vessels, but as they did not come within the regulations of the Passenger Act, the names are not enumerated.

On board the "Margaret," "John Howell," "Roslin Castle," and "Clio," there were a few destitute families, who were assisted, to enable them to proceed to their friends; they are chiefly women and children, numbering 281 souls; viz., 135 adults, 118 children, and 28 infants.

The enquiry for laborers in this section continues limited, but the accounts from Western Canada are more favorable, and parties desiring work, can obtain it without difficulty on the public works, or with the farmers.

RETURN No. 3.

FROM THE 7TH TO THE 26TH OF JUNE.

Three thousand eight hundred Emigrants have landed at this Port during the period embraced in this return, all in good health; 2,310 of whom were foreigners, 1,485 from the United Kingdom, and 5 from the Lower Provinces. Of those which sailed from Ports in the United Kingdom, 456 were natives of England, 963 Irish, and 23 Scotch.

The Emigrants per "Ann Thompson," from Tralee, were all of the laboring class, and were generally poor, the greater part of whom emigrated to join relations, chiefly in the United States. Those by the "Arabian" and "Emma," from Liverpool, were chiefly Irish. In the latter vessel there were 15 paupers sent out by the Enniscorthy Union—13 girls and 2 boys. Their appearance was favorable, and they seemed well-disposed to work. They proceeded on to Montreal, where they found immediate employment.

The portion sent out by the Chatham Union were chiefly females; but they were healthy, and are likely to do well.

The schooner "Nazaire," Blais, Master, brought up to this Port 57 passengers saved from the wreck of the "Pallas," of Cork, lost on the Island of St. Pauls, on the night of the 30th May.

The vessel sailed from Cork on the 25th of April, with 136 passengers—52 men, 46 women, and 38 children; 23 men, 18 women, and 6 children were saved. They were chiefly going to their friends in the United States; and having landed here destitute, were supplied with some provisions, and sent forward to their several destinations.

The passengers per "Argentinus," from Londonderry, were respectable farmers and laborers. They proceeded to Western Canada, to join friends.

The Norwegian emigrants have all proceeded to Illinois and Wisconsin.

Of the Germans a considerable number proceeded to the German settlements in the Gore and Wellington District; they generally bring money with them.

The whole number of free passages granted among the several ships included in this return, including the wrecked passengers by the Pallas, was 384, and this assistance was confined to large families, or women and children, 195 were Adults, and 189 were children under 12 years of age.

RETURN No. 4.

FROM 26TH JUNE, TO 5TH JULY.

The emigrants arrived during the week ending 5th instant, are chiefly Foreigners, one half of whom are Norwegians. A few cases of fever occurred on board the "Apollo," from Bergen, all the others were healthy.

The Norwegians have all proceeded direct to the Western States, chiefly to Green Bay, Wisconsin; a considerable number of the Germans will remain in Western

Canada, where they have relations. A number of the young men who had no particular destination have been sent to Belleville, Bay of Quinte, from which place applications have been received offering them employment.

It would be desirable if a Norwegian settlement could be opened up the Ottawa, as from their steady industrious habits they could not but prove a valuable addition to that fine section of the Country, but to induce them to settle in this Province, it will be necessary to make its advantages and wants known previous to their leaving their homes, as all those who come out here appear to have their destination fixed, and are invariably either proceeding to join friends or relations who have preceded them, or to settle in that neighborhood.

The services of a judicious Agent to visit Europe under the authority of Government, would appear to be the most effective way by which a portion of the valuable Foreign Emigration now taking the St. Lawrence route could be induced to remain in Canada; if a few families could be once introduced into the Ottawa section of the country they would soon draw others around them.

Of the Germans a considerable number, possessing means, have proceeded to the Western Section of the Province, to friends already settled there, but the German population is now becoming so generally interspersed throughout Western Canada, that the emigrant is almost certain to find a friendly voice to guide and direct him on his first arrival, and he is enabled soon to establish himself advantageously.

Two vessels from Antwerp brought 249 Belgians, respectable farmers and mechanics, chiefly from Brabant, and Hainault; they appear generally in good circumstances and were all proceeding to Chicago and Green Bay to friends.

The Emigration from the United Kingdom number but 627 souls. They came by the steamer "Anglo-Saxon," and "North America" from Liverpool and the "Grampian," from Glasgow, nearly the whole of the steerage passengers by the steamers were Scotch farmers and mechanics and proceeded chiefly to Western Canada; the Grampian's passengers were respectable farmers and agriculturalists, destination Hamilton and Toronto.

The demand for labor in Western Canada is very general, and complaints have been received from several quarters of the scarcity of laborers, wages range from 3s. 9d., to a dollar per day.

RETURN No. 5.

FROM THE 5TH, TO THE 19TH JULY.

Three thousand and sixty-eight Emigrants arrived at this Port from the 5th to the 19th instant, two-thirds of whom sailed from England, principally from Liverpool, of whom there were:—

Natives of England.....	562
do Scotland.....	217
do Ireland.....	1116
do Foreigners.....	54

1949

1782 of whom came by sailing vessels, and 167 by steamer, of the latter, 51 were Cabin, and 116 Steerage passengers. Those by sailing vessels were respectable farmers and Agricultural laborers.

The Irish portion were chiefly families coming out to their relations in different parts of Canada and the United States, and it was found necessary to grant assistance to 382 souls, chiefly of this class, to enable them to meet their friends.

On board the "Culloden," there were 63 females, sent out by the guardians of the Mullingar Union, they received 20s sterling each, paid them through this office; 56 females from the Wexford Union, who received their money before sailing. A number of these young women obtained immediate employment in this neighborhood and about Montreal, and but 16 could be induced to proceed up the country, where their services are much desired, and where they would eventually succeed much better than by remaining about the Cities.

The passengers per "Woodstock" from New Ross, were principally of the labouring class, and a few farmers, they all appear to have emigrated to join friends and relations. A large proportion consisting of females and children, required assistance to enable them to proceed, which was granted to the extent of 168 souls.

The Germans, 464 in number, were generally in good circumstances, a few families possessing considerable capital, stated their intention of settling in Western Canada, but the chief part proceeded direct to the Western States.

The Norwegians all left direct for Wisconsin.

The demand for laborers in Western Canada is very good, and both farmers and Contractors of Public Works, complain of the difficulty of procuring hands.

Wages offer 5s. 7½d., to 6s. 3d., currency, per day, equal to 4s. 6d., to 5s, Sterling.

RETURN No. 6.

FROM THE 19TH, TO THE 31ST, JULY.

The Emigrants arrived from the 19th to the 31st ultimo, number thirteen hundred and fifty-three persons; three-fourths of whom were foreigners, they have all landed in good health, and are classed as follows:—

Natives of England	122	
do Scotland	244	
do Ireland	24	
		390
Foreigners, viz:—		
Germans	73	
Prussians	652	
Swiss	4	
Belgians	29	
		758
Norwegians	205	
		1353

The Scotch and English are respectable farmers and agricultural laborers and mechanics, and a few fishermen from Fife, whose object is to try their craft in our Lakes, and if successful will be followed by others.

The foreigners have generally proceeded to the Western States.

A number of Prussians, whose means were limited, and had no particular destination in view, have been directed to Western Canada for employment, and some, who were very destitute, have been provided with a free passage as far as Hamilton.

The whole number assisted was 109 souls : 88 Prussians, and Belgians, and 21 Norwegians. A party of 50 paupers were sent out by the "Orion," from Stavanger, they were all desirous of proceeding to the Western States, but being without means ; the above number were sent to the Buffalo and Lake Huron Railway for employment, and where laborers are much needed, but will doubtless proceed after their friends so soon as they acquire sufficient means.

RETURN No. 7.

FROM 30TH JULY, TO 16TH AUGUST.

Eighteen hundred and thirty-seven steerage, and one hundred and five cabin passengers, arrived at this Port between the 1st and 16th instant, all in good health.

Of the Steerage passengers from Liverpool 960 in number ; 186 were English, 210 Scotch, 367 Irish, and 197 Foreigners, of the latter 177 were discharged soldiers from the Foreign Legion.

The Scotch Emigrants by the ships "Chieftain," and "St. Lawrence," from Glasgow, were respectable farmers and agriculturalists, generally in comfortable circumstances, and all emigrated to join friends. They all landed in excellent health notwithstanding their long passage of upwards of 60 days.

The passengers per "Chieftain" complained that they were put on short allowance of provisions, two weeks at half rations, and one week at three-quarter rations, they had made up their claim against the ship at 6d per day, for the period they were on half rations, and 3d per day, for the seven days they were on three-quarter rations, which amounted to 8s. 9d., sterling, for each passenger, which the acting Master at once paid. Captain Scott died on the passage, and some time previous to his death, finding he was likely to make a long passage, ordered the rations to be reduced, but after his death, the Mate who took charge of the ship, ordered a full allowance to be issued again.

The Emigrants from Hamburg, 443 in number, are chiefly Prussians ; about 90 remain in Western Canada, the chief part proceeded to the Western States.

RETURN No. 8.

FROM THE 16TH TO THE 31ST AUGUST.

The Emigrants arrived during the period embraced in this Return, have landed in excellent health.

The Norwegians per "Gifion" all proceeded to the State of Wisconsin, where they have friends. A party of 60, who stated they were without means and unable to proceed, were offered a free passage to Ottawa City; with a promise of employment during the Winter, if they would proceed to that locality; they, however, declined the offer, and as afterward informed, with the assistance of their fellow passengers, succeeded in obtaining sufficient money to enable them to reach Chicago.

The Emigrants per "Transit" from Hamburg, are chiefly Bavarians and Prussians; the former consisting of a party of 37 persons, have proceeded to Maria Town, Eastern District, to join a party of their countrymen who were sent there in the fall of 1853, and who obtained employment on the Williamsburg Canal, where they have since remained. These parties have come out on their representations, they possess considerable capital, and express their intention of purchasing land.

The passengers per "Eliza Morrison," from Tralee, 238 in number, are all very poor, two-thirds of whom are females and children, coming out to join friends and relations; a large number of whom required assistance to enable them to proceed.

The Scotch and English Emigrants are generally respectable farmers and agricultural laborers; all have proceeded to Western Canada.

Employment continues abundant in Western Canada, and daily applications are received for farm and domestic servants, which it is most difficult to supply, as but few of the Emigrants arriving this season are seeking employment, having chiefly come out to join relations, who, in many instances, have assisted them with the necessary means.

RETURN No. 9.

FROM THE 31ST AUGUST TO 20TH SEPTEMBER.

The arrivals, during the past fortnight, number but thirteen hundred and twenty two souls; they are classed as follows:—English, 661; Irish, 210; Scotch, 364; Foreign, 63; Canadian, 24.

They have all landed in good health, and with but few exceptions, have all emigrated to join friends.

A large proportion of the passengers by the "Wisconsin," from Liverpool, consist of females and children, coming out to their parents and husbands, chiefly settled in Western Canada, the proportion of Irish among them were all very poor, and in many instances had received the means from their friends in this country to enable them to come out. It was found necessary to assist upwards of 150 persons from this vessel, with free passages to enable them to reach their friends. Nine boys sent out from the London Ragged School applied, stating that they were to have received a sovereign each on landing, but no advice had reached this office respecting them, they were forwarded up the Ottawa, with letters of recommendation, and as they are active stout lads they will readily find employment.

The Scotch and English Emigrants are respectable farmers and mechanics, and agricultural laborers, and generally in good circumstances.

A few families by the "Oriental" required assistance to enable them to reach their friends in Western Canada.

RETURN No. 10.

FROM THE 20TH TO THE 30TH SEPTEMBER.

The Emigrants, per "Gipsey Queen," landed in good health, and all speak favorably of the kindness of Captain Gill, and the accommodation and treatment they received while on board his ship. They consist chiefly of females and children, proceeding to join their husbands and parents already settled in this Province.

11 families, 45 persons were forwarded free to Darlington, Hamilton, and London.

But one more vessel remains to arrive, of those officially reported, viz :—"The Lady Peel" from Plymouth, with 68 passengers, sailed 30th August.

RETURN No. 11.

FROM THE 30TH SEPTEMBER TO THE 25TH NOVEMBER.

This Return closes the season's Emigration by the route of the St. Lawrence, it has on the whole, been satisfactory. They have been unusually healthy, and generally in good circumstances, and not a single complaint has reached me requiring legal investigation. The Masters have been uniformly kind, and attentive to their charge.

The total numbers show a small increase on the season of 1855.

The numbers embarked in each year appear as follows:—

	Year 1855.	Year 1856.
From England	6810	10869
do Ireland	4110	1692
do Scotland	4869	2794
do Germany	8616	4583
do Norway	1275	2821
do Lower Provinces	691	261
Total	24871	22520

The numbers embarked in each year, &c.—(Continued.)

	Year 1855.	Year 1856.
United Kingdom	15789	14855
Foreigners	4891	7404
Lower Provinces	691	261
Total	21371	22520

(Copy.)

MAGDALEN ISLANDS,

17th November, 1856.

Sir,—Previous to the close of the Navigation, I beg to offer a few remarks, which I deem of some importance to the Emigration Department, of which you have the honor of being the Chief Agent.

The position of these Islands, being in the track of vessels bound from Europe to Quebec, and from the frequent occurrence of wrecks, no doubt can exist of their being very dangerous.

Since my residence here in 1846, no less than four Emigrant ships have struck the ground here, and all, with one exception, became total wrecks, and the lives of many unfortunate creatures sacrificed. You are not aware perhaps that should an emigrant ship be unfortunately lost here to-day, there is not a building to be obtained wherein could be placed 20 persons, and consequently her living freight must either remain exposed to the inclemency of the weather, or seek such shelter as an old sail, or a few spruce bushes could render or afford, as was the case, in the year 1846, to the passengers of the ill-fated ship "Miracle," from Liverpool for Quebec, and which struck upon the East end of the Island, in the beginning of May. She had upwards of 600 passengers on board; and after the ship struck, the masts were cut away, causing the loss of the sails. Those unfortunate creatures, who reached the shore alive, wandered in the spruce bushes and amongst the sand hills, in hopes of finding shelter, (many having the ship fever,) where they fell down and died, the snow being still upon the ground, and no person taking the least interest in them. I myself, with four others, whom I entreated to assist me, buried, near and about the spot where the ship was wrecked, upwards of 200 of them; those who were found alive were, at last, brought up to the House Isle, and for want of a suitable building to contain them, were placed in an old shed, without a floor and only sea grass to cover them, where they died by dozens, so that by the time vessels could be obtained to send them to Picton, only about 200 remained.

As it is the policy of our Government to encourage Emigration to Canada, and to render every assistance in their power to Emigrants; I beg to suggest to you the necessity of your mentioning the fact in your annual report, that a person empowered to act as emigration Agent, and a suitable building to accommodate Emigrants, who may have the misfortune of being cast away here, is much required to serve in emergency.

The building need not be more than a wooden one, with two floors, no extra work is required, but stoves should be sent down ready for putting into use, the same would serve as a Customs Warehouse, and General Depot, and then should

an accident occur, passengers could at once be brought up, and sheltered, until vessels were got ready to remove them to their port of destination, and in many cases a vast saving would be made to the Government in consequence.

I have been induced to make these remarks in consequence of seeing such bad management exercised in all cases of the kind which would be remedied by a Government building, and an Agent under you to see the Act carried into execution, and assist on the part of the Department; and trusting you will not think it presumption in me for so doing,

I am, Sir,

Your most obedient Servant,

(Signed,) JNO. J. FOX,
C.H.M.C.

A. C. BUCHANAN, Esquire,
Chief Emigration Agent,
Quebec.

REPORT

OF THE

SPECIAL COMMITTEE ON EMIGRATION.

Special Committee on Emigration, composed of:

MR. DUFRESNE,
MR. THOMAS FORTIER,
MR. CONGER,
MR. CHAPAIS,
MR. MACKENZIE,
MR. LABERGE,
MR. RANKIN,
MR. HUOT,
MR. BUREAU,
MR. POLETTE, and
HON. MR. MERRITT.

The Special Committee appointed to enquire,

- 1st. Whether or not any emigration from Canada to the United States of America or elsewhere, has taken place during the last two years ?
- 2nd. If such emigration has taken place, to what extent ?
- 3rd. To investigate the causes which have occasioned it ?
- 4th. To ascertain the most efficient means to adopt, to put a stop to such emigration.

Have the honour to make their first report to Your Honorable House as follows :

When an ancient people become, by a redundant increase of their numbers, as compared with the extent of territory which they inhabit, confined and ill at ease in their native land, the emigration of a portion becomes a blessing to all, and not only to the country which the emigrants leave behind, but also to that new land, to which they bend their steps, and to the species in general.

But when a people still in the early youth of their national existence, weak in numbers, though distinguished for sobriety and hardihood, inhabiting a vast territory of an extent and fertility sufficient for the residence and abundant support of fifty times their number, abandon their homes, emigration is an evil, a public calamity to be deplored, and, if possible, averted. An exodus like this, without legitimate cause, must of necessity be the consequence of a radical social defect, which it is the business of society, to detect, and, if possible, to cure, by the application of timely remedies.

For the purpose of obtaining all the information befitting the importance of the subject referred to them, Your Committee considered it their duty, to place themselves in communication with those persons in the country who were best qualified by education, experience, and social position, to furnish the most correct and rational details on the subject which could be procured. With this intent they resolved to draw up a series of questions, to be addressed in the form of a circular letter, through members of Your Honorable House to the principal persons in each locality. They, furthermore, thought it incumbent on them to add a few questions of a particular nature relating to mines, minerals, trade, and the tariff of duties to certain persons, whose practical information and experience qualified them to throw great light on the questions submitted to them. These last mentioned questions may appear at first sight, rather foreign to the duties assigned to Your Committee, but, in view of the evils of emigration, and of the deep interest which society must feel in its prevention, Your Committee thought all questions justifiable which, however apparently beside the subject, might serve to throw light upon it, by the information which they might educe.

The answers and the details which your Committee have received are very numerous, very various, and truly instructive. Some of them are elaborate. (*Vide* the answers of Messrs. T. Bouthillier, Esq., of St. Hyacinthe, of G. Benjamin, Esq., M.P.P., of Jacob DeWitt Esq., M.P.P., of Messire Marquis, Priest and Curé, and of Messire Dupuis, Priest and Curé of St. Athanase.

Most of them are plainly and perspicuously written; all are characterized by good will and sincerity.

Your Committee have been unable to procure the degree of information necessary to enable them to make a positive statement of the proportion which the numbers leaving the country bear to the population.

Emigration has perceptibly been more extensive in the Lower than in the Upper Province. The following table contains the heads of the information which is most to be depended on, and shews the relative proportion in the different localities mentioned, and the number of men, of eighteen years of age and upwards, who do not possess land and who might therefore be tempted to emigrate, in the absence of prompt, energetic and efficient measures to keep them at home.

PROXIMATE Statement of persons who have emigrated, or may emigrate.

Names of persons furnishing information.	Names of places.	Proximate number of Emigrants.	Men of 18 and upwards who have no land.
E. Rouleau.....	St. Gervais.....	1 or 2 per cent.	100 to 120.
Jos. Hudon, Mayor.....	St. Paschal.....	$\frac{1}{15}$	250 to 300.
H. Paquin.....	St. Raphaël.....	15 in 1000.	120
M. Granger.....	Township of Chertsey.....	10 per 100. p. an. <i>ferè</i> .	500 <i>ferè</i> ,
Léon Thibodeau.....	Stanford.....	6 per cent.	120 to 130.
J. B. Dupuis.....	St. Roch-des-Aunais.....	4 families.	One-half.
N. Gauthier.....	Déschambault.....	$\frac{1}{15}$	200 to 250.
N. Nadeau, Mayor.....	Cap St. Ignace.....	1 in 30.	450 to 500.
J. B. Carrier.....	St. Henry.....	1 per cent.	2 in 3 families.
Jos. Doucet, Senr.....	Ste. Hélène.....	10 young persons.	100
Pierre Prince.....	Stanford.....	Large emigration.	.....
J. B. Boucher.....	St. Rémi-de-Lasalle.....	Anglo Saxon.	1000 to 1500.
G. Chagnon.....	St. Polycarpe.....	60	150
P. Paquin.....	Ste. Geneviève.....	1 in 100.	200
C. H. Bégin, Ptre.....	Rivière-Ouelle.....	2 per cent.	200
H. Beauchemin, M. D.....	Yamachiche.....	50 per annum.	150 to 200.
J. P. Bédard, Ptre.....	St. Raymond.....	.....	Very few.
K. G. A. Vaillant.....	Ste. Hélène-de-Bagot.....	42 families.	64 to 220 heads of families.
F. E. Milot.....	Yamachiche.....	50 persons.	200
P. Paradis.....	St. Henry.....	200	A large number.
Frs. G. Lajoie.....	Yamachiche.....	50	200
Frs. Bellemare.....	Yamachiche.....	50 per annum.	200
J. Verrette, Mayor.....	St. Alban.....	.....	150
F. H. Duchéneau.....	St. Cyrille.....	$\frac{1}{30}$	100
Michel Guindon.....	St. Polycarpe.....	.....	150
Thos. Launière.....	St. Gervais.....	.....	A great many.
Jos. Mailloux.....	St. Arsène.....	$\frac{1}{10}$	400
D. S. Bellefeuille.....	Yamachiche.....	.....	1200
V. Garon.....	Ste. Anne-La-Pocatière.....	10	300
C. S. Dubé.....	Trois-Pistoles.....	5 per cent.	200
M. Poirier.....	Assomption.....	1 per cent.	Many.
F. Tome, N. P.....	Kakouna.....	1 per cent.	200
G. Tanguay.....	St. Gervais.....	50	100
D. H. Tétu, Ptre.....	St. Roch-des-Aunais.....	13	300
C. S. Langelier.....	Ste. Rosalie.....	1 in 25.	150 to 200.
L. Bernier.....	Notre Dame-de-Lévi.....	25 per cent.	One-half.
Julien Grégoire.....	Napierville.....	50 per cent.	1000 to 1200.
Jos. Coté.....	St. Valier.....	A large number.	100
Rév. M. Désiel, Ptre.....	Pointe-Lévi.....	.....	By hundreds.
Hubert Roy, Mayor.....	St. Valier.....	.....	150
Modeste Richer.....	St. Maurice.....	.....	1200
John Health.....	Ile-Verte.....	.....	500
Etienne Baillargeon.....	St. Nicholas.....	.....	$\frac{1}{2}$
F. S. Verrault.....	Pointe-Lévi.....	.....	Considerable.
D. S. Ballantyne.....	Islet.....	3 per cent.	400
V. H. Tourgis.....	St. Etienne.....	8 to 10 per cent.	Considerable.
A. D. Hébert, Ptre.....	Kamouraska.....	30 or 40.	75 to 100.
C. H. Bégin, Ptre.....	Rivière-Ouelle.....	A few.	200
P. G. Franz.....	Beauport.....	Numerous.	7 out of 10.
L. Lacoste, Mayor.....	Boucherville.....	3 to 4 per cent.	75 to 100.
Jos. Barlier, Laperle.....	St. Valentin.....	Very considerable.	Considerable.
Timoléon Ducharme.....	Montréal.....	50 families.	.....
G. Sirois, Ptre.....	St. Pierre, Rivière-du-Sud.....	10 families.	120
John Jeffries.....	Rawdon.....	200 to 300.	.....
J. E. Barry.....	Rivière-du-Loup.....	5 per cent.	Two-thirds.
John Gerety.....	Cross-Point.....	.....	20
M. C. Marquis, Ptre.....	St. Célestin.....	$\frac{1}{2}$	200
R. J. McNaughton.....	Staffville.....	1 per cent.	150
J. Horan, N. P.....	Rawdon.....	10 per cent.	Two-thirds.

PROXIMATE Statement of persons who have emigrated, or may emigrate.

Names of persons furnishing the information.	Names of places.	Proximate number of Emigrants.	Men of 18 and upwards who have no land.
W. McGinnis.....	Christeiville.....	5 per cent.	100
Ph. V. De Boucherville.....	St. Athanase.....	1 in 11.	$\frac{1}{2}$
D. McOwan.....	Métis.....	250	50
D. Grant.....	Yamachiche.....	1 in 18.	800
W. Phelan.....	Port Daniel.....	$7\frac{1}{2}$ per cent.	110
James Finn.....	South Dorchester.....	1 in 50.	1 in 5.
Robert Michael.....	Yarmouth.....	1 per cent.	1 in a family.
Robert Rickaby.....	Inverness.....	$\frac{1}{2}$	47
W. Elvidge.....	St. Rémi.....	7 families.	5
Daniel Lawlor.....	Township of Ristigouche.....	$\frac{1}{2}$	55 to 60.
J. Barth. Vésina.....	St. Esprit.....	$\frac{2}{5}$	100 or more.
Henry Godie.....	Matapedia.....	$\frac{1}{5}$	All the single persons.
Joseph Lemay.....	St. Sévère.....	50	50
W. Willets.....	Chambly.....	$\frac{1}{2}$	.....
G. B. M. Ball.....	Township Louth.....	1 in 40.	100
Ab. Morse, P. M.....	Smithville.....	$\frac{2}{5}$ to $\frac{1}{15}$.	200 or more.
J. S. Kelly.....	Rawdon.....	10 per cent.	A great many.
Joseph Malony.....	Ste. Catherine.....	$\frac{1}{5}$	100 to 150.
D. P. Sullivan.....	Ste. Catherine.....	$\frac{1}{5}$	100 to 150.
James Hogan.....	Dunro.....	.....	250
Geo. Read.....	Otonabee.....	Few.	A great many.
W. Sueirs.....	Mayfield.....	.....	20
J. O. Beaubien.....	St. Thomas.....	.....	700
Robert Trudel.....	Ste. Geneviève.....	48	64
J. Johnston.....	T. Halifax.....	Considerable.	Few.
J. B. Morin.....	St. François.....	$\frac{1}{5}$	$\frac{1}{5}$
Conseil.....	St. Luc.....	$\frac{1}{5}$	$\frac{1}{2}$
F. X. Roy.....	Kingsey.....	800	60
B. Guay, M. D.....	Notre Dame de la Victoire.....	Several hundreds.	500
Dr. Courteau.....	St. Roch L'Achigan.....	4 per cent.	200
G. L. Marceau, Ptre.....	St. Silvestre.....	.....	200.
P. S. Silvestre.....	St. Marcel.....	$\frac{1}{5}$	50 to 60.
A. Frazer.....	Temiscouata.....	$\frac{2}{5}$	500
Messire Bourret, Ptre.....	Ste. Anne La Pocatière.....	5	300
W. Berszy.....	Daillebout.....	Most of the young people	75
Louis Lefèbvre.....	Ste. Geneviève.....	.....	300
T. L. Poudrier.....	Plessisville.....	50	64
T. S. Walker.....	West Beamsville.....	2 per 50.	100
G. Joly.....	Lotbinière.....	50	.....
M. W. Graham.....	South Monaghan.....	1 in 40.	All.
Marcel Gouin.....	Champlain.....	30	60
J. B. Dupuis.....	St. Athanase.....	$\frac{1}{5}$	300 to 400.

ORIGIN OF EMIGRATION.

Although previously to 1837 and 1838, some individuals had moved from Canada to the United States, they were so few in number, that the movement was rather such an exchange as takes place between all neighbouring countries in the civilized world, than emigration, properly so termed, inasmuch, as we received nearly as many as we lost. But the unfortunate occurrences of those two years, induced a great number of Canadians, who, were either concerned in the political troubles of the day, or feared the imputation of political delinquency, to move into the United States. The regular employment, supplied by extensive public works, canals, railroads, &c., the rapid improvement and increase of all manufactures in the Eastern States; the reputed richness of the soil of Michigan, Illinois and other

Western States, on the one hand, and on the other, the terror arising from such a political condition of the country, and the depreciation of property and loss of credit immediately ensuing, became strong reasons to induce many of them to change their temporary into a permanent residence there. The origin of this current of emigration is found therefore in that sad period of our political history, and is the effect of the events of the time. The movement was at that time more important and extensive in the district of Montreal, than in any other part of the country. For a few years past, it has become difficult to ascertain the ratio of its progress in the different districts of Lower Canada; as, the causes being more general than local, it seems to have proceeded with great uniformity, in all places alike with few exceptions.

CLASS AND NATIONAL ORIGIN OF EMIGRANTS.

The emigrants from Lower Canada belong mostly to the farming class, and to the Franco-Canadian race. In some localities, however, the emigration from the Anglo-Saxon race, is nearly equal to that of persons of the other origin. (*Vide* answer of Mr. Granger, of Chertsey.) Notwithstanding the statements of a certain number of families having emigrated, there is positive and indisputable proof, that the great body of emigrants consists of the sons of farmers. These individuals compose, from their laborious habits, their vigor, their youth, and their hardihood, the most useful class of society, and are, indeed, the hope of the country. If, in the execution of their duty, Your Committee have the painful task of stating a disagreeable truth, ascertaining a fact fatal to the prosperity of our favoured fair country, they have at least the satisfaction of pointing out to Your Honorable House, the probable means of preventing its continuance or recurrence.

THE DIRECTION TAKEN BY EMIGRANTS; SITUATION OF THE EMIGRANT ABROAD.

The course taken by the current of emigration is generally towards the United States. The small number of individuals who have proceeded to California and Australia form an exception.

The numbers proceeding to the Eastern States, and those taking the Western route, are nearly equal. The Western emigrant generally devotes himself at once to agricultural pursuits. He acquires land at a cheap rate, (particularly in Illinois,) on easy terms, and with an indisputable title.

A few of these emigrants find employment in the lumbering establishments and saw-mills, in preparing wood for exportation.

Nearly all of them contract dangerous diseases which gradually cut them off. Remittent and intermittent fevers, to which they are liable and which are the scourge of the western country, reduce them to a state of pitiable prostration of mind and body.

Those who have directed their steps to the Eastern States, are mostly engaged in the manufactories. A few find employment as day labourers in farming occupations, and on the rivers. In all cases the heaviest task is appointed for them, the hardest work and the lowest wages. All continue there only for the purpose of accumulating a little money, with which they may return home. The fate of all is the same, and shameful and painful deceptions.

THE CAUSES OF EMIGRATION.

Your Committee undertook their task with a full conviction that an inquiry concerning the causes of emigration was the most important part of their labors; for in our knowledge of the causes of the evil must necessarily depend our invention of the remedy.

Acting under this conviction, Your Committee neglected no means of ascertaining those causes. In Lower Canada, they appear to be uniformly the same, and in the Upper Province, though not precisely the same, they are nevertheless somewhat similar.

These causes may be divided into two categories. 1st. The principal. 2nd. The incidental or secondary.

The principal in Lower Canada are: 1st. The want of roads and bridges as a means of communication between the old settlements and the unconceded lands of the Crown. The unanimous opinion of all the persons consulted by Your Committee on this subject, assigns this as the main cause. A considerable number of the sons of farmers, at this moment unprovided with land, would be ready to settle on lands of the Crown, if access to them were made easy. How is it to be expected of young people, or fathers of families, all, or nearly all of whom have but scanty means, perhaps none, that they can resolve to plunge into the recesses of a boundless forest, made aware as they are by the experience of those who have gone before, that they must give up all hope of intercourse in their new locations with their relatives and friends, otherwise than on the hard condition of traversing miles of trackless swamps and mountains intersected by rivers and streamlets, and a thousand obstacles which defy human courage and energy to surmount them.

If the settler has a family, he must in the first place make the necessary purchases for their subsistence, until his own land shall yield its increase, and not only must he purchase these articles, but he must likewise convey them, and the seed of his first crop, on his back to the scene of his future labors.

To overcome such obstacles, he must possess, not only heroic courage, but an iron constitution; he must have a degree of strength which does not fall to the lot of all men. If he have no family added to the drawbacks we have mentioned, he has moreover the desolate feeling of isolation. 2nd. Another of the main causes of emigration is the concession, in other days, of vast tracts of land to individuals or to companies. Such individuals or companies almost invariably neglect their lands until the Government have opened roads and built bridges in the neighborhood, or until the lands are occupied by settlers who, for the most part, suppose them to form part of the Crown domain.

As soon as the great proprietor is assured that his land is occupied and improved, he generally addresses to the occupier a summons to quit at once, the alternative being the payment of a sum exceeding its real value. The settler having no shelter for his family, but the house which with their aid he has erected, at first declines to obey the summons, and declares his inability to pay the sum demanded. The proprietor threatens an action at law, and the poor settler, who with all the improvidence and the simplicity of his character and habits, relies on the justice and the laws of his country, awaits nevertheless with some uneasiness the solution of a difficulty which is eventually to blast his hopes, and generate in his breast deep hatred of the laws and land of his birth place. All actions of this kind have ended ill for the poor settler;—have entailed costs which he was unable to pay, and having ruined him, have driven him into exile.

It is easy to understand how these large grants of land, made for the most part during the prevalence of a system of favoritism, which now fortunately no longer exists, have retarded the settlement of the country.

The poor settler having before his eyes the catastrophe in which his relative

or his friend has borne so sad a part, in the gloom of the forest, does not pause to define the cause, sees only the result, hopefully sets forward with his friend on a road which favors his escape from a land abounding for him with images of terror and aversion.

One fact is well worthy of remark; it is that nearly all these large grants were made conditional on the performance by the grantees of certain duties which have never been performed, and of which they have made no more account than if they had never made a part of the bargain. They derive a profit not only from the bounty of the Crown, but from the sweat of the labour and the liberality of the Legislature. The latter vote an annual grant of money for the encouragement of colonization, which, being laid out in the neighborhood of these large possessions, renders access to them easy, and entices the unsuspecting settler to make his pitch upon them, heedless of the destiny which awaits him. Such things ought not to be, in a country whose inhabitants boast their descent from the wisest, the most enlightened, and the most liberal nations of the earth. 3rd. The want of employment for a large portion of the population during our long winters, arising from the absence of manufactures. 4th. Insufficient organization.

Such are the principal causes of emigration.

The secondary or incidental causes are these :

1st. The suits instituted by the large proprietors against the settlers. This cause seems to exist only in the Eastern Townships. If such suits have arisen in other parts of the country, they have been so rare as to have excited no notice. In the Townships they are considered to be a great source of misfortune.

All who have been consulted in the Townships agree in this. Some of these authorities have given the details of actions of this nature, which will be found in the appendix to this report.

2nd. The exemption from compulsory registration which the law accords to proprietors holding under a grant from the Crown.

3rd. The encouragement given by some who have emigrated to the United States in past years, to their relatives and friends to join them there, by attractive and seducing descriptions of their new position.

4th. The higher rates of wages which are paid to handicraftsmen in that country.

5th. The deficiency of the harvest for several years past, arising from the ravages of the Hessian fly, the rust in wheat, and the potatoe rot, as well as from the system of culture followed by our farmers. Your Committee are happy, however, in being able to remark that the passing of the law in the last session of Parliament for the encouragement of Agricultural Societies will soon have the effect of changing that system for one of progress, which will no doubt have a powerful effect in preventing emigration.

7th. The redundancy of the population in the older settlements.

8th. The neglect or maladministration of the local agents of the Crown Lands in certain districts, combined with the conditions of settlement imposed upon the settler.

9th. The right which is accorded to the lessee of timber limits, to strip the land belonging to the settler, when he is in possession and improving it.

There may be other causes less tangible, and less controllable by any provision of law; for instance, a love of adventure, a taste for travel, the hope of realizing a fortune without the exertion of labor, a wish to escape from paternal authority, mere chimeras in short have had sufficient influence, in some cases, to stimulate persons to leave their country.

MEANS TO BE ADOPTED TO ARREST EMIGRATION.

It is no easy task to prescribe the fittest means to prevent emigration. The *movement* may, moreover, result from causes now so far removed from the control of the Government that no remedy remains. We are not, however, to lose heart.

It is a misfortune for which no one in particular is to be censured, but it is the business of every man to direct his efforts, his best energies, to end it. Let all authorities, both ecclesiastics and laymen, all persons of influence in every place, all newspapers of whatever shade of politics, unite to discourage emigration, and use all moral means in their several spheres of action to keep our population in their native land. In aid of those means which are already at work in the hands of the clergy let us at once bring to bear material agency. In vain shall we show that our climate is healthful, that our soil is fertile, and our country beautiful, and contains all the materials of a happy existence; if our forests remain impenetrable, if our older settlements afford no constant and profitable employment for our population to enable them to secure the means of comfortable subsistence, if, in short, our people are unhappy, the instinct which leads mankind to such happiness and competency will move them to seek a happier existence in another land.

Your Committee propose that the following means be adopted:—The first is a measure which is indispensable even for the encouragement of immigration from Europe to this country, one which Your Honorable House, the Government, in a word, the whole community have long admitted to be necessary,—it is the settlement of our public lands. This work of settlement can take place only on certain conditions, the most important of which is imperative,—the opening of public roads and the erection of bridges, wherever they are needed to give access to the lands.

At present the annual grant does not suffice for this end. Your Committee are of opinion that they do not overpass the strict line of the duty assigned to them in recommending, always with due regard to the state of the Government finances, that this grant should be increased, so as to meet the exigencies of the case.

The plan which has been sometimes followed of commencing new roads, not at the old settlements, but at a distance of several miles within the woods, because there chance to be a few settlers there, and of carrying them on deeper still, so as to form a species of blind-road, has retarded the progress of colonization.

The fact that there are already some settlers in a place should be a reason first for making a road to it, and next for continuing it into the interior. Nothing encourages the settler more than the feeling that he is not cut off, during his noviciate as a pioneer, from intercourse with his fellow creatures. When the inhabitants of a township are too feeble in numbers and in resources, to open a road and construct bridges, the work of colonization moves heavily. Though blessed with a fertile soil, a wholesome climate, the finest of timber, such a place will remain many years a stumbling block, an insurmountable impediment to the march of colonization.

Your Committee are happy in being able to acknowledge the intelligence and zealous energy of the Inspector of Agencies, which have directed the attention of that gentleman to this particular subject, and the evil alluded to will, under his auspices, speedily disappear.

We must ever keep in mind that the brave man who plunges into the forest for the purpose of creating for himself fields and a homestead, has before him many weary days of labor and many disappointments, under which no legislation nor aid from the state can afford him solace; but society needs his services,

and in return for them should by every means smooth the way before him, should afford him the consoling consciousness that he is not forgotten, and statesmen should put forth a hand to lighten his toil and render his position as endurable as they can. Your Committee can find no better terms to express their opinion on this head, than the words used by Mr. Marquis, descriptive of the requisites for promoting the settlement of the country. "Without roads no colonization is profitable. The most magnificent speeches of distinguished orators at Montreal and Quebec, and the pompous reports of meetings at which active presidents, honorary presidents, vice-presidents, corresponding committees, and treasurers, (save the mark!) who have no funds to manage, are appointed, are buried out of sight in the first mud-hole which the settler falls in with on his way; all the finest words in the language of eloquence are then of less importance to him than one poor acre of corduroy road."

The second measure is, the establishment and encouragement of manufactures.

At the festival which was held at Montreal in the month of November last, on the inauguration of the Grand Trunk Railroad, the true friends of the people beheld with great and allowable pleasure the numerous artisans plying their several trades and handicrafts in that fine city. If that part of the show was well contrived to catch the eye of the spectator, it was not less worthy of the especial and gracious attention of the Executive Authorities of the country.

The various articles of native production there exhibited gave birth to the hope that the day is not far distant when Canada will be a self-supplying power, in respect of many articles now imported from foreign lands. This was the first step, avowedly the most difficult. It ought not to be the last.

Canada is emphatically agricultural, why should it not be also a manufacturing country? Has it not the finest and the most numerous water-powers in the world? Does it not possess the richest mines ever yet discovered? Our iron mines of St. Maurice and Marmora, and on the banks of the Ottawa, are as rich in ore, and the ore is at least as good in quality, as are the mines of the most favored countries of Europe, if indeed they are not superior. (*Vide* Mr. Benjamin's answer.) Our copper mines on the shores of Lake Superior are also well worthy of attention.

Far from operating injuriously to each other, these two pursuits of agriculture and the manufacturing arts should afford mutual aid, encouragement and sustenance to each other. The British Islands are countries essentially devoted to manufactures, and yet there are few countries in which the science of agriculture is better understood, and its principles more successfully applied in practice.

Your Committee are fully aware of the great diversity of opinion prevailing in the country with respect to this point of political economy, and are not desirous of engaging in the discussion of the question, but they would fail in the fulfilment of their duty if they did not invite the attention of Your Honorable House and of the Government to the state of the tariff, as compared with that of our neighbours, in respect at least to those articles which we might readily produce. We are bound to bear in mind that all ironware may be imported into this Province on payment of a duty of $12\frac{1}{2}$ per cent., while such articles cannot be carried into the United States without payment of a duty of 30 per cent.

The opinion of the majority of politicians at the present day appears to be strongly in favor of free trade, that any demonstration of a contrary tendency may appear unjustifiable and inimical to the prosperity of the country. England having nurtured her manufacturing system by a protective policy, through whole centuries, and then led the way over the unexplored ground of free trade, is cited as a decisive illustration of the merits of this policy, but if the influence of a political principle has produced beneficial results in one country, it does not follow

that it will be equally advantageous in another, unless that other should be in an exactly similar position, in respect of trade and manufactures. Accordingly, before we admit the principle to be applicable to our own country, we are bound to assure ourselves that our condition is akin to that of the mother country.

The manufactures of England are not excelled by those of any other country in respect of amount, variety, or perfection of workmanship, and that country may therefore very consistently preach the doctrine of free trade, since the principle is all in all to her. She may well desire its universal adoption, since she can compete with all nations, and come out of the contest with certain gain. The principle opens to her every market. Her immense navy shares in its benefits. But let us consider the means by which she has attained this pre-eminence for her manufactures: it was by levying high import duties on all foreign manufactured goods.

The United States have made use of the same system with some degree of success. It is established beyond dispute that a new manufacturing establishment can neither work as well nor produce with as much celerity, as a long established one; that the former can never compete with the latter without defeat and loss. Canada is not in the same position as England, nor even as the United States. It has but few manufactures, and they are yet in their infancy. In their embryo state they are altogether unfit to maintain a rivalry with those of the countries mentioned. If, therefore, they do not receive here the benefit of that encouragement which was accorded to them, no doubt wisely, in those countries, and which the laws of the United States still accords to them, they will perish in their infancy, our resources will become of no avail, capital will be banished from our country, and the energies of our countrymen will be paralyzed by the want of that occupation which they need. Thus we drive them to a foreign land in search of what our foresight might have found for them at home; that labor, namely, which is a condition of their subsistence. These things being so, it will be in vain that we open roads, that we give the readiest access to our wild lands, although, no doubt, such works exercise a powerful influence in arresting emigration, they are not sufficient of themselves. Not all men are disposed to agricultural pursuits, neither have all men the moral courage, the physical strength, the spirit of enterprise, and the habits of economy which are necessary qualities of the settler. Many prefer to labor under the guidance of other men, to earn their daily bread by their daily toil, saving themselves the trouble of thinking, and, while engaged in manufactures, rendering available even the services of their children, who are so frequently a burthen on a farm during their childhood.

Where is the capital which was invested in the glass-works at Vaudreuil?

Where is that also, which was employed to establish the magnificent factory of woodenware at St. Athanase?

Both those fine establishments are closed, and the capitalists who erected them, together with their workmen, have crossed the frontier and, influenced by the protecting duties there levied, are now engaged in manufacturing *for us*, as well as for the Americans, what they might have continued to fabricate at home.

In what condition are the iron works of St. Maurice, Radnor, &c.? In a most precarious state, in spite of the order and good management with which these noble establishments are conducted, and the advantage of having fuel and other appliances at their doors. They sink beneath the competition of the American manufacturer. He is protected through a wise policy, by a tariff of duties, which is virtually almost prohibitory, while the spirited and enterprising Canadian manufacturer is left to his own resources, and seems to be considered unworthy of the care of the Legislature of his country.

Consistently with these views, Your Committee consider it to be of the highest importance to the prosperity of the country that reciprocity in duties as well as in Free Trade should exist between this Province and the United States,

that the same duties should be charged upon every article imported from the United States, as charged upon the same article when sent from any port of Canada; that, in short, the tariff should be so modified as to ensure to the manufacturer such protection as other Governments have accorded, and still accord, in those countries where his condition, in other respects, analagous to what it would be here, is thought to require such encouragement.

And here, it is proper to show by a short statement the value of certain articles which we import from foreign States, and which we might more readily manufacture for ourselves, that we not only possess the raw material in great abundance, but that in some branches we have already made a beginning. We shall limit it to the last year, 1856.

Articles.	£	s.	d.
Iron and Ironware.....	648,853	16	9
Porcelain and Earthenware.....	71,024	2	2
Glass and Glassware	76,706	10	11
Combs and Brushes	13,077	0	6
Hats and Caps.....	62,038	16	2
Boots and Shoes	93,690	12	11
Paper	18,053	2	11
Soap	34,439	16	4
	£1,014,883	18	8

Upwards of a million, without reckoning an infinite variety of other articles, which we are quite competent to make for ourselves.

We have not included in the list:

Bar Iron,
Wheels and Axles of Locomotives,
Connecting Rods,
Boiler Plate,
Sheet Iron,
Chains,
Hoop Iron,
Cranks,
Iron Machinery of all kinds.

Before closing their remarks on this head, Your Committee think it right to add a few words on our commerce for the purpose of comparing our exports with our imports.

When a country has no coinage of its own, and the amount in circulation must depend on the result of commercial transactions in the export of its productions to foreign countries, it is very important that the amount of its imports should be so regulated as to establish a balance in its favor, in order that the amount of coin in circulation may increase in proportion to the wants of an increasing population.

Although the principles of this theory are not applicable to these countries which have a coinage of their own, there is no doubt that in a country like ours, a different policy must be attended with baneful and ruinous effects.

We will illustrate this proposition:

Since the union of the two Provinces, capital, to a very large amount, has been brought into the country, for the purpose of carrying on our great public works in canals, railroads, and colonization: yet the rate of interest has been constantly increasing, and money is now worth from 12 to 15 per cent. The reason of this is, that the greater part of this capital has already left the country; the channel through which it has left us being the import trade. The proof of this

is easy ; a glance at the following table, shewing the imports and exports during the last four years, will suffice :

Exports.				Imports.					
1853	£5,950,325	15	4	.....	£7,995,359	1	1	
1854	5,754,797	10	9	.....	10,132,331	6	9	
1855	7,047,115	5	3	.....	9,021,542	7	3	
1856	8,011,754	4	5	.....	10,896,096	16	2	
	<u>£26,763,992</u>	<u>15</u>	<u>9</u>	.....	<u>£38,045,329</u>	<u>11</u>	<u>3</u>	
						<u>26,763,992</u>	<u>15</u>	<u>9</u>	
							<u>£11,281,336</u>	<u>15</u>	<u>6</u>

By the above table it is shewn that, in the last four years only, we have purchased from foreigners more than we have sold to them, to the amount of £11,281,336 15s. 6d.

This amount, extracted from the official reports of the Customs duties is certainly below the truth ; not that the Custom-house authorities have purposely exaggerated, or underrated any of the sums mentioned, but that experience has shewn, that their reports of official value cannot be made correctly.

Thus, allowing something for smuggled goods and deducting somewhat for the frauds of commerce, &c., Your Committee are not conscious of over-rating the excess of imports over exports at twelve millions of pounds, in the above period of four years only. If this state of things, considered in relation to our population, is not alarming, it must at least claim the serious attention of our political rulers, whose duty it is to watch over the interests of the country. If the system, which has prevailed till now, be continued for 25 years longer, what will be the fate of Canada at that period? What man of sense and sober mind, having reflected for a moment on these figures, will not be painfully affected by this state of our commercial transactions? Who is the Canadian, in heart and name, that would not offer a prayer that such a system may be changed?

Between countries which have commercial relations with each other, and means at their disposal which place them nearly on a par, we can understand that the system of keeping the balance of trade altogether in favor of one, is among the things that have been, and that it is regarded by some at least, as an absurdity.

The fact that one has purchased from another more in value than he has sold to him, that is to say, that, in order to equalize the exchange of commodities, the one has had to pay to the other a certain sum of money, does not necessarily point to the impoverishment of the one and the enrichment of the other ; it merely shews that, if the one has parted with a certain portion of his specie, he has received from the other articles to the same value, which were more necessary to him, and which, therefore, better satisfied his wants. One has paid away cash ; but he is not made poorer because he has means at his disposal of getting more. Moreover, the prosperity of nations is not measured by the amount of specie which they severally have in circulation, and, again, having other means of re-establishing the equilibrium, they do not fail to use them, so as to restore the balance which had been disturbed. For us, Canadians, whose only means of providing a supply of specie is the sale of our productions, or our credit—excepting always the small supply brought hither by emigrants—such a system must result in inevitable ruin. It is apparent, therefore, that we cannot be too prudent, and that we should be especially careful not to abuse our credit.

While expressing their opinions on this topic, Your Committee do not flatter themselves that they will escape the sneers of a class of persons who are both respectable and respected in society. They know that silence would have saved

them from much criticism; but, if a guarded reserve is becoming to them, it is equally becoming and no less a duty, in others. In choosing between open candor and a politic suppression of their belief, they have preferred the useful to the agreeable, and have obeyed the dictates of duty.

THIRD MEANS.

Provision should be made, by law, for the protection of the poor settler against the grasping ambition and the covetousness of the great land owners. Your Committee cannot but express their regret that the Bill passed by Your Honorable House in the present session, providing for the protection of both parties, in their respective rights of the latter as proprietors, of the former as *de facto* possessors and *bona fide* occupiers, has not received the sanction of another branch of the Legislature. It is by no means their intention to make any remarks which may be construed as a censure of any, but they are bound to declare that that a law which justifies one man in enriching himself at the expense of another is bad in principle, unjust and vexatious in operation, and behind the times in policy. The unanimous votes of the representatives from Lower Canada, and a large majority of those from Upper Canada in Your Honorable House, had permitted the mover of that bill to hope that it would have received more favorable consideration in the other House. But although the action of one branch of the Legislature, in the exercise of an undoubted right, has deprived the country, for a time, of a measure of reform which is required, it does not follow, that the friends of such a measure are to consider themselves defeated.

Your Committee are of opinion, therefore, that it is expedient, that Your Honorable House should pass another Bill of the same tenor in the next ensuing session, and entertain a hope, that the principles of justice and liberality which have hitherto borne sway in other matters, in that other branch of the Legislature, will finally ensure the success of the measure, the want of which has been so long felt.

Your Committee consider that it is very desirable that the Government should institute an enquiry, as speedily as possible, relative to the conditions inserted in the various deeds of concession to all those large proprietors or companies who hold lands of the Crown with a view to enforcing the fulfilment thereof, and in case of neglect or refusal by them, in order to the reconveyance of such lands to the Crown domain, or to the adoption of other legal measures, to abate the evil which, it were to be wished for the advancement of the country had been sooner adopted.

The Registration Act, which did not appear at first applicable to the various privileged claims was for that reason considered as defective in operation and insufficient for the purpose intended when it was introduced. It was afterwards amended so as to secure the rights of all parties, by placing the claims of all on the same footing in respect to the registration thereof. Your Committee are of opinion that there still exists a defect in that law, inasmuch as it does not compel a non-occupying proprietor to register his title. If the title deeds of a proprietor in virtue of the bare fact of their existence, confer legal rights of property to the holder, such rights can, if not sustained by actual possession, only constitute a bare interest of property. Now, while the holder of such deeds remains unknown, who is the ostensible proprietor? Undoubtedly it is the person in actual possession. This individual frequently enters into a covenant with a third party, who having no means of ascertaining the real proprietor, is generally the victim of this defect in the law.

Why should the law be so indulgent, why extend its especial protection to the *secret* proprietor? Is it feared that the publication of his title might, in some

cases, produce a blush on his countenance? The secret proprietors ought to be bound to keep an agent in the country, in which his title should be enregistered if he himself is not a resident, and be bound to declare the name and additions of such agent, in order that the neighborhood, the school-commissioners and the Road Officers may be able to make application to him in case of need.

The law should make provision for the forced sale of his lands for school-taxes, as well as for any other charge. The local Municipality ought to have authority to bring them to sale even for the non-fulfilment of the duty of *découvert* and of other works, in which their owners are bound to take a part. (*mitoyens*.)

Another means not to be longer neglected, is a regular system of colonization, under careful supervision. The department of Crown Lands, which is more especially charged with the superintendence of this movement, has not hitherto appeared to have any decided plan for the attainment of the object. That frank, willing, and disinterested assistance which was to be expected at the hands of the local agents has not hitherto been afforded by them. Many of those agents are no doubt very respectable, and are, in the opinion of Your Committee, open to no censure, no imputation of blame, but the whole institution is radically wrong, and calls for complete and immediate reformation.

The Honorable Mr. Cauchon, late Commissioner of Crown Lands, has described with a skilful hand, in his report of the department for 1856, all the vices of the present system and the abuses to which it has given birth. Your Committee are of opinion, therefore, that his successor in the administration of that important office, ought to lose no time in introducing the measures of reform which that gentleman had proposed to make, and that, under a new system we shall have not only a better organization of the Department as a source of revenue to the Province, but also as the motive power and principal agent in the work of colonization. The first impulse must proceed from the Executive authorities.

One means which Your Committee hold to be well calculated to encourage colonization, and therefore to diminish the amount of emigration, is the grant to every man of 17 years of age or upwards of a certain quantity of land, not exceeding 100 acres, on his demanding the same from the Crown Land Agent, who might also be designated the Agent of Colonization. That functionary might be authorized to give him a location ticket in writing, free of charge, for, if he is allowed to demand a single shilling from the poor settler, a pretext will generally be found for claiming five or more, and we should soon fall back into the system of fraud and deception now sought to be avoided.

The settler should be enabled to obtain his title deeds as soon as he shall have opened a road along the front of his farm, cleared six acres of land, of which not less than two should be in meadow, and erected a habitable house, and another building for the reception of his crop. These conditions which are easy of performance, are perfectly sufficient to ensure actual occupation, and this is all that we require in colonization.

It would be expedient to place all settlers on an equal footing, that is to say, that the person who now occupies land, by virtue of a location ticket, should enjoy the same advantages as he will who receives his ticket under the new regulations. In lieu of a payment of purchase money the settler should be required to pay yearly to the municipality, towards the opening and maintenance of by-roads, a contribution of fifteen shillings, commutable for labor at his option, over and above the labor which he is bound to apply to the maintenance of his own front road.

As soon as the settler shall have obtained his location ticket, all right of the lessee of the timber limits should cease in respect of that lot. Nothing vexes and disheartens a settler more than the depredations committed on his property by these bush hunters. When the possessor of land is desirous of converting it into a farm, prudence will lead him to cut down the wood on that part only which he

intends to cultivate, and to preserve the timber on the best wooded parts as essentially necessary and even indispensable for his future purposes. This is what the settler would do, if he were certain of his ability to preserve it. But when he knows on the contrary that the fruit of his provident care and his forbearance will surely become an occasion of the pillage of his property, what can we expect from his apprehensions? His position is easy to be understood, as the consequence may be clearly foreseen:—to avoid a visit which would be so great an annoyance from men whom he does not know, but whom he has learned to hate, he hastens to cut down and destroy the finest timber, which is at once the ornament and most valuable part of his property.

Such a system is too repugnant to the prosperity of the country, as it is to common sense, to be longer tolerated. In all cases the settler should have the right of selling and disposing of the timber of his clearing. Why deny him the right of selling it? Is it in order that he may have more to burn? From the moment when he becomes resident, he should be no more subject to restriction.

If Your Committee were not apprehensive of overstepping the just bounds of their mission, if they did not fear to be accused of having encroached on the privileges of the Government itself and of Your Honorable House, they would have ventured to recommend on behalf of the cause of colonization, and as one of the most powerful means of checking emigration, that the annual grant for the opening of roads and the construction of bridges, should be increased to the sum of £60,000.

The whole, nevertheless, humbly submitted.

J. DUFRESNE,
Chairman.

(CIRCULAR.)

LEGISLATIVE ASSEMBLY,

COMMITTEE ROOM,

Toronto, 14th, March 1857.

SIR,—I am instructed by the Committee appointed to enquire, “Whether or not any emigration from Canada to the United States of America, or elsewhere, has taken place during the last five years? If such Emigration has taken place, to what extent? To investigate the causes which have occasioned it. To ascertain the most efficient means to adopt to put a stop to such Emigration;” to submit to you the series of questions hereto annexed, and to request that you will be pleased to transmit to me your answers thereto with all convenient despatch, as well as any suggestions which you may desire to offer on the subject.

I have the honor to be,

Sir,

Your very obedient servant,

J. P. LEPROHON,

Clerk of Committee.

QUESTIONS.

- 1st. Do you know whether any emigration from Lower Canada to foreign countries has taken place within the last five years?
- 2nd. Does such emigration take the direction of agricultural or manufacturing countries?
- 3rd. If you cannot furnish an answer respecting emigration in general, can you give any information relative to that emigration which has taken place from your neighborhood, during the above period?
- 4th. What proportion do the number of persons emigrating from your locality bear to the whole population?
- 5th. Can you state the proportion of persons of each origin, French or Anglo-Saxon, and the class to which they belong?
- 6th. Of the persons who have so emigrated have any returned to your neighborhood? In what condition, physical and moral? and with what pecuniary means?

-
- 7th. Can you state the principal causes of such emigration ?
- 8th. Do you think that the causes are the same in all localities, and what are they in yours ?
- 9th. Do the persons so emigrating evince any wish to settle on Crown Lands, or on unconceded lands in the Seigniories ? and why do they not so settle ?
- 10th. Have the suits instituted by the great land-owners against those persons who had settled on their lands in the Townships been a cause why those persons and several of their friends and relatives, have emigrated to other countries ?
- 11th. Is it your opinion that, if all the lands granted to individuals who have failed to fulfil the conditions of these patents, were re-annexed to the domain of the Crown, it would be a means of arresting emigration, by opening out such lands to settlers ?
- 12th. What is the number of the men of eighteen years of age and upwards in your locality who have no land ?
- 13th. How many of them would be disposed to take lands in the Public Domain if they were conceded gratuitously ?
- 14th. In what part of Canada do they wish to settle ? and state, if you can, in what district or township ?
- 15th. If free grants of lands had been offered in the several Districts of Canada, would the emigration of Canadians to the United States have diminished or ceased ?
- 16th. Is the want of communication by roads, in different parts of the country, where there are lands to be conceded, an obstacle to the settlement of them and therefore a cause of emigration ?
- 17th. Do you recommend free grants of lands, or that lands be sold at very low or moderate rates ? Give your reasons for that opinion ?
- 18th. Do you consider that the fixing of one uniform price on high-lands, low-lands, swamps, and lands from which the timber has been sold and carried away for trading purposes, is an obstacle to colonisation ?
- 19th. Has not the impossibility of discovering the true proprietors of lands in the Townships, from default of the registration of titles, been one of the main causes which have impeded the settlement of the Townships ?
- 20th. Has not the practice followed by the Government, of granting extensive timber limits on Crown lands to one house or individual, been also detrimental to the settlement of wild lands ?

-
- 21st. Would the establishment of different branches of manufactures, in the part of the country where you reside, have the effect of arresting the emigration thence to foreign countries?
- 22nd. What effect are the present customs duties in Canada, and those in the United States, likely to produce on the manufacturer of this Province?
- 23rd. Is any considerable tract of land, in your county, owned by absentees or large land-owners, and how did such land fall into their hands?
- 24th. Are those lands improved, occupied, or wild lands?

ANSWERS AND EXTRACTS FROM THE ANSWERS

OF

T. Boutillier, Esq., ex-M. P. P., of St. Hyacinthe, Physician.

- 1st. For five years past, the emigration of the inhabitants of Lower Canada to the United States has certainly been very considerable.
- 2nd. It has taken the direction of the United States when the rapid development of manufactures and agriculture has created a constant and increasing demand for labor.
- 3rd. I have no means of determining the proportion between the emigration from Lower Canada and the population; I can only assert that it has become very considerable.
- 4th. The emigration from this place (the County of St. Hyacinthe) has been, I think, less than that from other parts of the country, in consequence perhaps of the employment afforded by the Railroad Company to the working class.
- 5th. The inhabitants of the County are nearly all of French origin; accordingly very few persons of any other origin have emigrated. From information on which I can rely, it appears that a considerable number of persons of British or American origin have left the eastern Townships; they have generally gone to the west. A few French Canadians have gone to California, but the greater number have scattered themselves over the eastern and western States.
- 6th. A certain number of French Canadian emigrants return every year, generally as poor as they left their homes. Those returning with some pecuniary means are rare exceptions: few even of these bring back wherewith to purchase real property.

The physical condition of Canadian emigrants returning from the United States, after a residence of a few years, is inferior to that of those who have remained at home. South of latitude 45° it is admitted that the climate is less salubrious than it is north of that parallel. In the southern States febrile disorders and others are more various and more frequent; while in the west, remittents and intermittents are highly dangerous. Within my own knowledge, persons who left Canada in robust health, have returned, after two years' residence there, with dangerous disorders, the result of long suffering from intermittent fever.

In the northern and eastern States, where such diseases are not endemic, emigrants from Canada have other causes of suffering. The food of the Americans generally is far from nutritious and suitable to promote bodily strength. It is even believed to be the cause of that physical degeneracy

into which the descendants of the European races who have gone thither have fallen. The American of the present day is not marked by that muscular power, that appearance of strength, which distinguished his European progenitors. Using but little animal food, the American renders his diet, mostly vegetable, more stimulating and appetizing by the addition of substances which are injurious to the digestive functions, as carbonate of soda, potash, (saleratus,) ginger, vinegar, and sour milk. These articles are used as commonly as salt in their kitchens. Under the influence of an innutritious but highly stimulating diet, it is easy to understand why the strength of the American decays early. In youth not particularly robust; at forty he frequently shews symptoms of old age. A Canadian reduced to this way of living for two or three years, loses his vigor, and returning home, is no longer able to perform the same amount of labor as he could, without an effort, before his departure. It frequently happens that, unconscious of having lost that constitutional strength which characterises his countrymen, and fancying that he has lost his taste for country occupations, he seeks other employment requiring less bodily exertion, and, as Canada does not afford occupation in manufactures suitable to his powers, he emigrates again.

With respect to the moral condition of those Canadians who return from the United States, there can be but one opinion. Those who are not sophisticated, are assuredly not the most numerous; generally speaking, they have learnt nothing of religious matters, and in secular knowledge, it is not often that we find them improved by their travels.

7th. There are, in my opinion, two principal causes which induce the Lower Canadians to emigrate—1st. The difficulty of acquiring uncleared land; 2nd. The inadequate remuneration for labor.

1st. The Government has done much within a few years past to alleviate the disastrous effects of the first of these causes, and the efforts made have been attended with very encouraging effects, although the remedy has not yet effected a complete cure. Success will, no doubt, be the result of perseverance and renewed action. Since 1854, 755½ miles of new road have been opened, and 224½ miles of old road have been repaired, by means of the Colonization Fund voted by Parliament (see my Reports for 1855-56-57); but as it was necessary to apply the expenditure of this fund in many localities at the same time, not all the roads are completed. The results have, however, been very important by giving access to magnificent tracts of land most valuable to the farmer.

My several reports, above alluded to, furnish a statement of the progress of colonization since 1854, as exact as I could make it, without converting it into a census.

Main lines of road, such as those of St. Francis, Megantic, Lambton, Kinogami, and others, which either have been opened, or are intended to be opened, were not marked out for the purpose of giving access to any one point. The principal intention of them was, that they should serve as leading lines, from which lateral roads, leading to localities favorable for settlement, might be set off, at various angles of inclination. Colonization will attain its just proportion adapted to the exigency of circumstances only when these lateral roads shall have been made.

I take the liberty of referring the Committee to what I have already

stated in my official reports, relative to the necessity of providing, by special enactment, for the maintenance of the roads in the Townships generally, and of those particularly which have been opened by the Government in the eastern Townships. It is well known that the best constructed roads, even in the old Parishes, require frequent repairs in all seasons, in order to be passable. Such repairs are still more necessary on new roads; and if speedy and efficient provision is not made to that effect, the settlement of the country will be retarded by the out-lying roads again becoming more or less inaccessible. It is not difficult to understand that the roads opened in 1854, and not repaired since that time, will soon become impassable.

The construction of roads by the Government in the eastern Townships and the absence of stringent laws compelling the proprietors of lands to open others, and maintain those already made, become causes to influence the great speculators on lands, in view of the rapid increase in the value of their lands, to refuse to sell them at moderate rates, which, if they were compelled to contribute to local improvements, as in the seigniories, they would be very glad to accept. This immunity of the great land-owners will, if it continues, become one of the greatest impediments to the settlement of the eastern Townships. The obligation of contributing to necessary, but numerous and expensive improvements, would compel these great proprietors to bring their lands into the market. A law so just as that which would bind the land-owners to the making of main and by-roads, would virtually supersede that which has long been agitated, that, namely, under which the squatters will often be tempted to take possession of lands, which will become occasionally the subject of ruinous litigation between himself and the proprietor.

I cannot insist too strenuously on the absolute, the urgent necessity of a law providing in the fullest manner for the maintenance of existing roads, if it is intended that the settlement of the country shall continue to be advanced by the sums voted and expended since 1854.

I take the liberty of referring the Committee to the appendix V. of the 2nd Report of the Committee appointed in the Session of 1851, "to inquire into the causes which retard the settlement of the eastern Townships." In that appendix will be found a plan for constructing and maintaining roads, which I laid before that Committee in 1851.

I have already remarked, in my official capacity, that some of the conditions on which lands were conceded to settlers were excessively burthensome, and injurious to the progress of colonisation; these among others, which require immediate residence, and the clearing, during five consecutive years, of five acres yearly out of every hundred. Such conditions are adapted only to those who have not either house or land elsewhere, or who have in their possession the funds required to carry out a scheme of settlement which must inevitably be most expensive.

To the young man who is utterly destitute of ready money, or the father of a family whose means are exhausted, such conditions are absolutely prohibitory. It is not difficult to imagine that to the father of four or five children, when he wishes to settle in the townships, the immediate erection of four or five houses of eighteen feet by twenty-six, the annual clearing of twenty or twenty-five acres of land, and the payment of the annual instalments on his land are conditions far beyond his ability to fulfil, unless he chance to possess considerable property.

A grant of land on such conditions is no boon therefore to the poor man, or to him who depends on his daily labor.

If land were granted subject to the simple obligation of performing statute labor, *travaux publics et mitoyens*, (and it seems to me that this is amply sufficient to be required by the Government,) many heads of families would take lands for their children, open and maintain roads, yield ready compliance with the demands of their neighbors, and in due time conduct their children to their place of settlement. By such a plan, as simple as it is easy to be executed, roads might be opened, the first settlers would not be subjected to the privation of social life, and the young, for whom their fathers would have provided a home, would no longer think of seeking a resting place elsewhere, or if they left their country, it would be only for a time, with the intention of returning to improve their land with the fruit of their savings. The certain prospect of a settlement surrounded by neighbors would prove, to the young Canadian among strangers, a powerful incentive to return to his country.

A free grant of lands bordering on the roads opened by the Government as well as elsewhere, will no doubt greatly encourage settlers, but I beg the Committee to keep in mind that this measure alone will not prove, in all cases, a sufficient provision for the opening and maintenance of roads.

I shall remark, in conclusion, that it is an object of the most urgent necessity, with a view to render the more remote lands accessible, and to put an end, once for all, to the emigration from our country, that the main high roads commenced, as well as those projected, should be completed as speedily as possible, that branches from them to the sites most favorable for settlement should then be made without delay, and that, in order to give to the cause of home colonisation the full advantage of these works, the maintenance of them should be provided for by a special enactment, summary and effectual in its provisions.

2nd. The second cause of emigration, namely, *the inadequate remuneration for labor*, requires a remedy, evidently of a more complicated kind. In the face of the opinion generally prevailing among the class of persons who exercise the largest influence in the management of the political business of the country, on the best means of promoting the welfare of the Canadian people, it would seem at the first glance nothing less than political heresy, to venture any suggestion at variance with the doctrines of free trade. Yet the experience of a few past years, in which an immense amount of capital has been brought into Canada, and expended in building railroads, should serve to convince us that the present laws which regulate our commercial relations are expressly calculated to drain our country of every thing in the shape of capital. Notwithstanding the immense sums imported and applied to the construction of our railroads, and the repeal or modification of the Usury laws, a measure of financial reform from which great wonders were expected to result, money is now worth in Canada from 10 to 20 per cent. What can be the cause of this extreme scarcity of coin, if it is not the facility with which it escapes from the country? Can it be otherwise, while nearly all the articles manufactured which we purchase come from foreign countries? Under our present commercial system, our traders are merely the *agents* who serve the English, American, and other manufacturers to drain the country of its capital.

The means of giving employment to our laboring classes is the increase of

our home manufactures, but they require protection from the ruinous competition of foreigners, to be enabled to afford remunerating wages to their workmen.

The great step to the establishment of manufactures in the country would be the adoption of a fiscal means of rendering them certainly profitable. It is assuredly not by encouraging the importation of foreign productions that we shall succeed in giving an impulse to our own power of producing. Competition is said to excite emulation, and it is true; but it should be premised that the competitors stand on equal ground; that the manufacturers, for it is their case which we illustrate, should be placed, in respect of their means of producing and selling, in exactly similar circumstances. The infant manufactures of Canada could not compete with those of the United States, any more than the latter were able at the outset to compete with those of England. At their commencement, the American manufactures required protection, and they were indebted to it for that vigor and improved skill which now enable them to keep the field with advantage against the experience and energy of their European rivals. Reciprocity in fiscal matters between two nations whose manufactures are equal, may be productive of mutual advantages; but to maintain that reciprocity between Canada and the United States, or any other manufacturing country, between a nation of consumers and a nation of producers, between a nation of buyers and a nation of sellers, can ever raise the two countries to an equality of prosperity, is, in my opinion, to maintain a paradox.

The establishment of manufactures in this country would have the double effect of keeping that capital in our own hands which is now leaving us so rapidly, and of keeping our population at home. This would be attended with an increase of the body of consumers of agricultural products, to the great encouragement of the farmer; it would likewise enable both the farmer and the manufacturer to give better wages to their work people.

If an adequate degree of protection were afforded to the manufacturer to guard him from the certain loss resulting from foreign competition, which has been the lot of nearly all who have engaged in any industrial enterprise to this day, there is good reason to believe that manufactures would succeed as well here as they do in other countries.

We must recollect that in order to become the manufacturing country which they are, the United States required, during more than half a century, protective duties, which amounted almost to a prohibition to import articles manufactured abroad.

No country in the world possesses greater water power, or more happily distributed, than Upper Canada; there is no where to be found any extent of land, fit for settlement, which has not its water power, capable of becoming, if our commercial relations with other countries permitted it, a source of vitality for trade and agriculture, even in the depths of our Canadian forests.

10th. I do not think that the actions at law instituted by great land-owners against squatters have been numerous enough to have retarded colonization generally; no doubt they have produced discontent and depression in the minds of the persons against whom they were brought.

11th. I believe that if the wild lands which still remain wooded, were made accessi-

ble by good roads, passable at all seasons, they would meet the present demand, particularly if the great land-owners were compelled to contribute to the opening and maintenance of the roads, because in that case they would of themselves bring their lands into the market at reasonable rates.

12th. I cannot answer this question.

13th. I am also unable to give any answer to this.

14th. The inhabitants of all parts of the country have a great desire to obtain new land; and the good timber land, lying north or south of the St. Lawrence, from below as high as Montreal, is occupied, or taken to be occupied, as soon as it is made accessible, by young people or heads of families from the neighboring Parishes.

15th. If free grants of land had been made, no doubt many people who have emigrated would have remained, provided always that roads had been opened to such land.

16th. The want of roads, in different parts of the country, where there are unconceded lands, is no doubt one cause of emigration.

17th. I should recommend a free grant of public lands, or a sale thereof at a very low rate, wherever there are roads to be opened or kept in order, and particularly in cases where there are no persons to be otherwise charged with those works under the award of a *procès-verbal*. I should also recommend such grants to be made, in certain cases, in order to form the nucleus of a settlement in localities suitable for settlement, and distant from other settlements.

18th. The uniform price of lands, without regard to quality, cannot in new settlements be a very important consideration, where the general price is low, and there is good land to be had; for in no case will a settler purchase bad land when he can have good land at a price which he is able to pay. It is only when land is scarce, that that the bad or inferior land finds a purchaser. As to low swampy lands, they may, in my opinion, be occasionally very valuable, if the Government, before selling them, drained them sufficiently to render them fit for cultivation. But this drainage of low swampy land can be of real utility only in cases where the accidents of the surface render it easy to be done, at a cheap rate, and where the soil is very fertile.

There are, moreover, lands in many parts of the country (as in all countries) which are of such a quality that no body would take them on any consideration; and over such lands it is very important to provide for the making and maintenance of roads.

19th. The impossibility of discovering the real owners of lands in the Townships, by reason of their absence, has produced much difficulty, and required great sacrifices from the settlers. But the difficulties are now much lessened, and might even still be more diminished, if the Municipal Councils thought fit to avail themselves more generally of the existing law enabling them to levy taxes for purposes of general improvement, and to sell, after summary process, lands, the owners of which have not paid their taxes. In the municipalities where this has been done, the proprietors who have not come forward to pay their liabilities have been very few.

20th. The custom followed by the Government of selling the merchantable timber on vast tracts of land, which is suitable or intended to be settled hereafter is, in the highest degree, prejudicial to the cause of colonization. Such sales sweep away the most valuable of the timber just when it is most necessary to the settler. Instead of selling this timber and hastening its destruction in Lower Canada, in places suitable for colonization, the Government ought to take the most energetic measures to preserve it, and to induce the settlers themselves to refrain from heedlessly destroying it. In the Eastern Townships, which now promise to be settled with great rapidity, the distance and scarcity of prime timber are already felt, and the inhabitants and the friends of colonization deeply regret that the Government has sold to speculators, for inconsiderable sums, timber which will soon be much needed for local purposes. Such sales are besides very displeasing to the settlers. They are always extremely angry at the sight of these speculators entering on their lands and carrying off the timber which they are desirous of preserving for their present and future occasions, and they impute to the Government injustice towards themselves, and a want of foresight respecting the wants of the population now sought to be established.

The natural consequence of these sales of timber to speculators to the dissatisfaction of the settlers, is that both, to their material loss, hasten to sweep off the timber which could not remain two winters without risk from the cupidity of one or the other, who could first dispose of it.

21st and 22nd. With respect to these two questions, I take the liberty of referring the Committee to the second part of my answer to the 7th question.

23rd and 24th. The County of St. Hyacinthe contains only Seigniories long settled ; and it does not, I think, afford any of the conditions contemplated by the Committee in their views for the promotion of colonization.

G. BENJAMIN, M. P. P.

1st. Have you any Iron ore beds in your County ?

We have ; the two most important are Marmora and Madoc. The latter is not at work, and I shall therefore confine my observations to the former.

2nd. Are the beds extensive ?

They are very extensive, and in my opinion may be said to contain several million tons of ore above the level of the water. Some have computed the quantity of ore above the level of the water at 50,000,000 of tons. It is a magnetic ore. We have also large quantities of Bog ore. The magnetic ore yields from 75 to 85 per cent.

3rd. What is its quality ?

The iron produced at the Marmora works is similar in quality, and certainly equal to the best Swedish and Russian irons. The Marmora Iron Company can certainly, with perfect confidence, recommend it to those requiring a superior article, and the facilities they expect to obtain, will enable them to offer their productions at prices competing with imported articles. The Mar-

mora Iron Company are now prepared to execute orders for *Railway Axles, Connecting Rods, Mill Shafts, Piston Rods, Cross Heads, Engine Shafts,* at their works, from *Cord Blast Charcoal Pig Metal*; and they are constantly manufacturing *superior Charcoal Bar Iron.*

At the World's Fair in England, this iron, which was exhibited both in the *ore* and *pig* by Sir William Logan, the Canadian Geologist, was declared to be the best ever seen or produced for the manufacture of machinery. I have frequently conversed with American Iron Masters, upon the quality of the Iron Ore at Marmora, and they informed me, that no such Iron can be found in their mines for the purposes of machinery.

4th. Do you propose to extend the present works?

It is proposed to erect additional Blast Furnaces at a cost exceeding £15,000, and these will enable the Company to produce 25,000 tons of Pig Iron, which may be computed to be worth \$30 a ton, or a sum equal to \$750,000 annually. It is also proposed to erect Rolling Mills at a cost of £15,000, these will turn out 25,000 tons of Railway Iron yearly. In addition to this, if you add £7,000 further expenditure, which will be made, we shall be able to make all descriptions and sizes of Bar Iron, Nail Rods, and Nail plates, to the extent of \$800,000 yearly. So that if encouraged and conducted upon only a moderate scale, this establishment will retain in the country \$2,050,000 annually, now sent to other countries for the articles we can produce ourselves. You will perceive that my calculations are here confined to the operations of the Marmora Iron Company alone, and when you take into consideration the valuable iron mines to be found in other sections of the Province, the reflecting mind can see no bounds to the wealth of this country, if energy, industry, and public attention are given to the developement of the resources of our mineral wealth.

5. Should Parliament legislate as we have done, exclusively for agriculture, or should we be prepared to encourage manufactures?

Beyond all doubt this country makes a great mistake in legislating exclusively as we do, as if we were only an agricultural country. We forget that our mineral wealth is such as to induce and lead to the support of industrious habits and if properly fostered can only produce wealth. We shut our eyes to the fact, that our minerals are more precious than gold, for they afford employment, healthy, honest employment to the labourer and the artizan, and create and encourage an honest and industrious population, such as the working of mines of precious metals can never produce. So far from Canada being essentially and entirely an agricultural country, we have been longer wedded to the one opinion than is good for us. Ignorant economists have failed to examine the country and have never thought of our climate. The climate is suited to manufactures, for in many localities the duration of the harder seasons renders agriculture precarious. Whereas if due consideration is given to our capability, Canada will become a large and prosperous manufacturing country, and therefore, in my opinion we are bound to encourage this branch of economical industry. Can we doubt that we have the material? Certainly not. For we are daily exporting the raw material to other states, and then bring it back into our own country manufactured, pay a large additional charge for foreign labour, art and industry, and profits on each, and duty in our own; and all because no encouragement is given to the young manufactories in our

own country. When we could produce articles, at least as cheap and probably of better quality; if our economists had the same desire to protect their own, as they have to appear magnanimous in the light of foreigners.

6th. What effect has the free trade or reciprocity system as it now exists upon the manufacturing of iron?

The American free trade or reciprocity system we now have, pretends to open its doors to all articles, while in fact we are excluded from their markets. Her gates of commerce are closed against us, while we fling ours wide open for them to enter by. Take for example the article of iron to which your question directly refers. If we enter their ports with any of our manufactures we are met by a duty of 30 per cent., and in some instances of peculiar make even higher, while they can enter Canada and compete with our awakening and growing enterprize at 15 per cent. The United States by their policy forbid their people to consume or use our products, while we say to our people throw aside your desire to keep up your own country and your wish to produce a national system, here is a foreign article produced cheaper than yours, buy it, and save your money. Thus appealing to the penuriousness of the people: and in this manner our manufactures are kept down, and consequently excite no alarm in the minds of any, as to any evil consequences that may ensue. I could enter very fully into the question but it would not subserve the purpose you have in view. I am anxious to present as succinct an answer to your questions as I can possibly give, but I desire to show the practical and prospective bearing of what we call reciprocity, on the welfare and advancement of our own country, and it is folly to suppose we can rear a manufacturing trade of our own if we permit our neighbours to come into our markets at reduced rates of duties, while we are excluded from theirs by duties in many instances more than double upon the corresponding duties in ours. And you ask what effect would it have upon expatriation were we to encourage our own manufactures? The answer to such a question must be obvious to all. Had we the manufactories we should retain our own artizan population to work in our own factories. They would not desert their homes if we called into existence these lines of industry which we compel them to seek in other lands, because we fail in duty to our own. And were the duties under our reciprocity treaty the same in both countries upon the same articles, it would be sufficient for us to encourage our own, and retain amongst us our youthful and rising population. And, not only should we retain them amongst us, but we should attract to the lines of our industry the artizans and manufacturing population of other and more densely populated countries.

7th. What in your opinion induces the United States to keep up its high protective duties on iron, and what is the consequence to us?

There is no doubt that the high productive duty in the United States is put on to meet the English manufacturer, who from having been so long protected and nursed is now enabled by his great wealth, arbitrarily, and not from any other cause but to monopolize if possible, to reduce the value of the article of iron for the purpose of exporting it to the States, in order to operate so powerfully upon the market as to supply the wants of the country alone, and at such low prices as will compel the United States manufacturers to keep their establishments closed. A combination of iron masters in England reduces the price say £2 duty, or ten dollars. They agree to share the loss and consequently break down the business of their opponents in the States; who, if the

desire to come into the market must reduce their prices to the level of those made by the English importer. This they cannot do and live, and prices reduced upon this system affect us also, and not only is the English iron thus brought into our market to drive out our own manufactures, but we are excluded from a foreign market by the high rate of duty thus put on to enable the old establishments to monopolize. Therefore there can be no doubt that the subject is one of great importance to this country, and demands the close and prompt attention of any government that considers that Canada as a country, must hereafter look as much to manufactures as to agriculture for its growth and prosperity. It will be observed that with reference to this article of iron, it is a production and manufacture common alike to both countries, and therefore requires to be dealt with by both alike, if both are to enjoy the same advantages, and this fact is a strong ingredient in the necessity for that particular action, which the emergency of the case calls for. That is a reciprocity in fact as well as name.

8th. What is the value of the reciprocity system to the manufactures in a young country?

The value of a system can only be properly estimated by its results, more or less immediate. But for the too unreflecting praises bestowed upon our present reciprocity treaty, by men in high positions, bought and unbought, it would have been left to be tested by the lessons of experience alone, instead of its being decided upon by its wild theory. Practice would have tested the theory, and an independent opinion would have been given, but men have committed themselves for expressing opinions, and be the consequences what they may, these opinions will be maintained, with all the firmness of questions upon which in reality no doubt existed. Such a state of things cannot produce a sound system, either of legislation or cheque. It is too frequently the case, that able statesmen become enamoured with certain theories, and seek too frequently to apply them to all sorts and conditions of society, without regard to the age, wealth, or position of the nation. They do so, probably, in the best of faith, being blinded by their single view of the case.

This is the case whether the question is commerce, law, the arts or the sciences, and, therefore, while we disapprove we are unable to censure. Hence the argument, that because England has free trade and reciprocity, Canada must have it. But these doctors of political economy forget that England enjoyed protection for ages, and that this very protection has placed her in such a position, in the hour of need, to stand out and meet the world upon the question of trade. The United States not only followed the same plan, but they still follow it, and have grown and are still growing wealthy under its operations. While we in Canada are forced into the position of England and Scotland, obliged to take up the arguments of older nations, without having had the nourishment to bring us into vigour, to enable us to compete with the giants of the World. And, I say further, give us reciprocity in fact, and we will yet do it, but we must not be asked to rear large and valuable manufactories in the land merely because we have the material, nor must we be told to compete with our neighbours who meet us in their country with double the amount of duty we impose on ours. In justice we should do one of two things: either their duties should be lowered to ours, or ours should be put up to theirs.

C. Marquis, Priest and Curé of St. Celestin.

- 1st. For some years past a rather considerable emigration has been going on from Canada to the United States, principally Illinois, New York, and Maine.
- 2nd. Emigration takes the direction of manufacturing and farming countries alike.
- 3rd. In my neighborhood emigration has proceeded on a larger scale than in many other parts of Canada, on account of the facility of communication with the United States by the Grand Trunk Railroad.
- 4th. The proportion of emigrants from this neighborhood is a full eighth of the population.
- 5th. All our emigrants are French Canadians.
- 6th. Several of them have returned to this place. About a fifth have brought back money; a twentieth have saved considerable sums; the rest came back as they went. A few had spent the few dollars which they had carried with them.

Recently a father of a family received from one of his sons, who left the parish three years ago to seek his fortune in the Western States, a letter begging him to send him money to return home.

A young emigrant came back a fortnight since, and talking to me said, in his simple way, "Look ye, Sir, since I went away I have worked *out of all reason*, twice as hard as ever I did for my father. If people worked here as hard as the Yankees do, they would be quite as rich. We earn our money there." This poor creature, after working "*out of all reason*," had lined his purse with thirty dollars in all! People are very much mistaken who think that the bread falls ready baked into men's mouths, in the United States. Those who do prosper attain fortune by the road of constant and painful labor, helped on by a good stock of boldness and intelligence, and often at the expense of their honesty. At St. Louis, at New York, at Boston, and a few other places, we meet with Canadians who by their talents and their good principles have succeeded in making a fortune and a reputation; but unfortunately they are few in number.

In personal respects, I think that those who go to the state of New York, or to New England, are as well off as they are in Canada. This is not the case with those who go to the West or South. They do not bear the climate well; yellow fever and intermittents make sad havoc among them.

It is generally agreed that laborers among the Americans are well fed, with wholesome, abundant, and well-dressed food.

In a moral point of view, we cannot draw too dark a picture of the deplorable condition of most of the Canadian emigrants to the United States. When they have once passed *the Line*, they consider themselves to be freed from the restraint of all laws human and divine; and most readily fall into the vices of the people among whom they live. They soon lose all that honesty and upright principle which are the most creditable characteristic of our young country people. They become the slaves of intemperance, and forget the worship of their Creator among a people who make their God out of matter; they assemble on Sunday in the tavern to waste in their orgies

the price of the week's toil, and recreate themselves with amusements more befitting beasts than Christians. They become knaves, and take as their motto the proverb which is so well understood in those parts, "*Catch all you can.*"

Travelling a few years since in the United States I entered by chance a barber's shop. The individual was no other than the noted mulatto, celebrated in the annals of the South Shore, who was formerly in the service of Mr. Panet, when his lordship lived at River Ouelle, and also in that of Rev. M. Painchaud, who founded the College of St. Anne. As I found that the good fellow had known Canada in former times, I asked him a few questions. He readily let me into his history. In return I gave him all the news of the parishes where he had lived so long and so happily. I soon found that I had touched the tender cord of a good and affectionate heart. He felt deeply and could not conceal his feelings. He was obliged to give vent to them. My words had evidently brought him to a confessing mood. He unfolded to me the sad record of the miserable and degraded life led by most of the Canadians who have emigrated to the United States, and, having held me a long time on the subject, he ended, summing up the whole in two words as energetic as they are humorous: "*In short, Sir, it is not God but the Devil who reigns in this place.*"

At Richmond, in Virginia, I happened to be at dinner with a person filling a distinguished position in the city. He had seen a few specimens of our Canadian emigrants, apparently not the choicest, for some of them were *apostates*. The cordial openness which had been established between us, permitted him to ask the significant question, "But what then are the Canadians of the middle class?" ("*Mais que sont donc les Canadiens parmi la classe du peuple?*")

In several places I observed that the name of a Canadian was so much a term of disgrace that, being myself often taken for a German, I was not sorry to pass for one.

I must state, however, for the honor of our nationality, that there are honorable exceptions. I should be happy to assert, with truth, that they are numerous.

7th and 8th. The principal causes of emigration here as elsewhere are bad harvests, want of employment, want of roads to direct the surplus of the population from the old parishes to the new settlements, and, more especially, the obstacles of all kinds thrown in the way of colonisation by the great land owners, the most deadly of the seven sores of Canada.

It is impossible to form an idea of the miseries which new settlers endure from the absence or ill state of roads. As I exercised the ministry in the *hard wood* lands at a time when travellers went through the forests and swamps on foot, I am qualified to give an opinion on the subject. Never shall I forget the terrible swamp in Stanfold where I was compelled, in order to avoid the horrors of interment in the bog, to leave *an interesting memorial* upon a stump. Who can ever forget the sorrowful night of 29th November 1845, during which a young missionary falling a sacrifice to his devotion after hours of cruel suffering, expired from fatigue with one of his fellow travellers, in the painful prosecution of his duty? Not to dwell longer on such sad reminiscences, I shall mention a fact which will be more forcible than any argument.

The Township of Bulstrode, intersected by the river Nicolet, has been inhabited 25 years; that is to say, there were some few settlers in Bulstrode when as yet there was not a soul in Stanfold, Somerset, Nelson, Arthabaska, Chester, or Warwick; the latter are now inhabited by a dense and flourishing population, while the 400 or 500 souls in Bulstrode vegetate miserably, and starve upon the head waters of the river Nicolet, that is to say, upon the best lands in Canada. Why this difference? Simply for this reason, the former townships are intersected in all directions by roads on which the Government has generously and judiciously laid out thousands of dollars, while the inhabitants of Bulstrode are cooped up in hopeless isolation.

Without roads, colonisation becomes impossible. The brilliant speeches of the most distinguished orators of Montreal and Quebec, the pompous reports of meetings at which managing chairmen (more or less) are honorary chairmen, (rather more than less,) vice-chairmen, committees, correspondents, and even treasurers (without business) are appointed, all—all are swallowed up and perish out of the settlers' memory, in the first mud-hole which he falls in with. All the fine speeches in the world become then of less use to him than a single arpent of road made of solid corduroy.

It is a waste of words to dilate on the necessity of opening communications through the townships intended to be settled. Good sense and experience assert it in terms too plain to be misunderstood.

Accordingly, in the United States, when the Government opens a township for settlement, the first thing done after the survey is the opening of a safe road which divides it into two nearly equal parts. This is beginning at the right end. The cost of this road is soon repaid by the sale of the lands in the township. I have mentioned the great land owners as one of the immediate causes militating against the settlement of the wild lands in the townships. This will appear sufficiently clear by a remark or two respecting Acton, my place of residence.

The township was erected in 1806. It was surveyed and divided into lots of 200 acres. Of these every seventh was reserved for the Crown, another seventh for the clergy, and the five others were distributed among the minions of power and their children, subject to the express conditions plainly inscribed in the patent that the grantees should, in a specified time, clear seven acres for every hundred so granted, and that, in default of the due performance of that condition, the lots so granted should revert to the Crown Domain in full and undiminished sight, and the patent should become void. Now, this was 51 years ago, and not a square inch of land has been cleared by these lucky mortals. Several of them have sold their lands at tolerably good prices; others have refused to sell, and ask exorbitant prices; several are unknown or exist in the state of spirits and are intangible; and in the meantime an immense tract land remains in a state of nature, just adjacent to the old settled parishes which annually send the excess of their population to the different parts of the United States. Several young persons from those parishes have made efforts to take up lands in the neighborhood of Lake Aylmer; but a large number deterred by the fatigue of a journey of 90 or 100 miles through woods or swamps have given up their country and gone to the United States. Who can blame them?

If an imprudent settler sits down on land, ignorant of the proprietor, not only does he risk the loss of all his labor, but he is held to be let off easily if he is allowed to walk away a free man.

Under such a system, how can we be surprised that the youth of Canada emigrate to other lands.

Let us open roads to the lands sought to be settled, let us find a speedy and effectual way to compel the great land owners to clear or sell their lands, and then we shall find the work of settlement proceed with suitable celerity.

- 9th. The majority of young Canadians who emigrate would gladly settle on Crown lands or on those in the hands of great proprietors. They are deterred from this by the want of roads, the vexatious proceedings of these proprietors, by the deprivation during a certain time, of religious comforts, and by the expense at the outset of necessary buildings for the purpose of worship and for the maintenance of the ministers of religion. These things press heavily on a few.
- 10th. There is no doubt, that the suits instituted by the great land owners, against persons who have settled on their lands, have contributed to dishearten the settlers and disposed them to emigrate. All know the commotion made by the Wilson affair lately in the township of Stanfold.
- 11th. The Government ought long since to have resumed the lands granted to individuals on condition of their performance of the settlement duty, a condition which has remained a dead letter. This Act of resumption would have been one of justice to the children of the soil, who leave it by thousands, the victims of the cupidity of the great land owners. Instead of being surrounded by a dense forest, as we are this day, we should stand in the midst of a cultivated country, swarming with a numerous and intelligent population. Our nationality would then have been sustained, and our sons would then have remained with us, heirs of the precious faith and the morals of their ancestors.
- 12th. I am of opinion that my Parish contains about 200 young men, about 18 years of age, who do not possess land.
- 13th. With few exceptions, they would all be glad to settle on Crown lands granted to them without payment.
- 14th. They would prefer to settle in the township of Acton, in the county of Arthabaska, and district of Three Rivers; this township is contiguous to the parish of St. Celestin, and that of Ste. Monique, and lies only twelve miles from Three Rivers and Nicolet.
- 15th. That is evident.
- 16th. No greater obstacles to the settlement of the country, and therefore stimulus to emigration exists, than the want of ready access to the different parts of the country, where there are lands to be conceded. The cause of emigration is no mystery to the person who is acquainted with the incredible sufferings endured by settlers, in districts where no roads have been opened. I go further and declare that emigration is an inevitable result of that cause.
- 17th. I should recommend free grants to be made of those public lands which are situate in swamps difficult to be drained. The settler who has brought a lot of such land into cultivation, has paid a good price for it, with the sweat of his brow. As to other lands, I should recommend 2s. per acre to be taken for them, payable in five equal yearly instalments, subject also to the condition of

- clearing $\frac{1}{50}$ of the whole yearly. I am of opinion that the clearing of those lands would be promoted, in a singular degree, by the reimbursement of one half the purchase money or even more to any settler who should have cleared $\frac{1}{10}$ of his land within the first year.
- 18th. I think that the fixing of one uniform price to be paid for all lands would be a means of avoiding much trouble. At any rate 2s. per acre is not a price to dispute about. The first comers would be the best served, and this advantage would be the first fruits of their courage and energy.
- 19th. The impossibility of knowing the real owners of wild lands in the Townships, from the non-registration of their titles, has undoubtedly been one main obstacle to the settlement of the country. The Municipal and Road Act of Lower Canada of 1855, has, however, proved, in some degree, a remedy for the evil. The sales in February have had wonderful efficacy in bringing to light that pestilential tribe—the great proprietors.
- 20th. The monopoly of the “timber limits” may have had an injurious effect on colonization.
- 21st. The establishment of manufactures in different parts of the country would have the effect of arresting emigration to foreign countries, inasmuch as it would afford employment and a subsistence to a numerous class of persons who are now often unemployed.
- 22nd and 23rd. I am not qualified to answer these questions. There are in my cure about 200 lots of land, the property of large holders. Most of them were granted fifty years ago, subject to conditions, (of clearing, &c.) which have never been fulfilled.
- 24th. They are wild lands. Several of the owners refuse to sell them, awaiting the time when they shall have become of greater value. Meantime the youth of Canada take their way to the United States by thousands.

A plan of Colonization.

Before closing my remark, I shall take the liberty, with all deference, to submit a plan of colonization which is adapted to this locality.

And, first, I shall lay down a principle which no one, I think, will dispute: “That in every undertaking it is necessary to have a leader.” Without other preamble I proceed.

The Township of Acton, which, as before observed, is situated near the Parishes of St. Grégoire, Nicolet and St. Monique, contains an extent of wild land sufficient to form two large parishes of 450 farms each. An equal number of young men, eighteen years old and upwards, might be found in those Parishes who possess no land, and who would be disposed to accept it. That these young people would find an immense advantage in settling on lands in their own neighborhood, may easily be understood.

The first step is to make a survey of the tract intended to form the two parishes, an easy matter, inasmuch as part of that business was got through

last summer and the previous year. After this preliminary, front and line roads should be laid out in the two new settlements; and it would not be altogether out of place, in my opinion, to proceed in the next place to the civil and canonical erection of the new Parishes, and the laying out of a site or sites for a church or churches in a central position. These operations should be effected under the auspices of a leader or chief appointed by the Government. Now, in all this, the main point is in choosing the leader—to make a good choice. This leader or chief should fix his residence on the spot—a very essential thing, in my opinion. It is easy to perceive that Crown Land Agents, and even Inspectors of Agencies, resident at a distance, would be nearly useless parties in such an undertaking. Such a person should, in a certain degree, identify himself with the cause in hand—make it his own.

I have remarked before that one of the causes which tend to create a dislike of a new settlement in the minds of young Canadians, is the deprivation of the comforts of religion to which they must submit during many years. This is not the least of the obstacles which impede colonization.

Well, why then should not the leader or chief of the settlement be a priest?—who, besides the qualities requisite for the performance of the duties of his sacred ministry, should likewise possess the talents necessary to insure the success of a work which, although a temporal one in itself, nevertheless destined to produce the happiest effects, in a religious point of view, as it will in the material condition of the settlers.

“Oh,” I hear the good friends of these poor people exclaim, “your kingdom is not of this world.” Admirable; gentlemen, your remark is just; and I hasten to inform you that such a kingdom is established but for a short period. Indeed, a kingdom which presents no greater attraction than the burying one’s self in a forest for the best years of a man’s life—an immense amount of vexation and difficulty inseparable from the formation of a new settlement—and here below a reward of murmurings, vexation, and calumny, is no great matter to excite envy; and a man must have a fair stock of devoted patriotism to allow his head to be encircled with such a diadem; kings of such a kind would not be numerous enough nor terrible enough to create uneasiness in the mother country.

Although such an appointment is a contravention of the rules of the church, I think I may venture to assert, though unauthorized, that the ecclesiastical authorities would consent to the temporary suspension of the canons in this respect, in view of the immense advantages likely to accrue to society, and to the cause of religion. The encouragement which their lordships, the bishops, have, both orally and in writing, given to the great work of colonization, seems to justify such a belief.

The evident advantage of this measure would be the combination in a single person of functions which are indispensable for the speedy and certain success of an establishment of this kind, and consequently a great diminution of expense.

The leader of the settlement being selected, that functionary should at once establish his residence in the scene of his operations. These already mentioned being accomplished, he would proceed to the opening of front and side lines of road. At the same time he would attend to the erection, in a modest style, of a chapel, a parsonage-house, and a cemetery. He would next,

in the first year, cause a saw-mill to be built; and the next a grist-mill; at a subsequent period a carding-mill and a fulling-mill: all moved by water-power.

An estimate of the probable cost of these establishments would run as follows:

Chapel.....	£300
Parsonage	150
Cemetery.....	25
Various matters.....	25
Grist-mill	300
Saw-mill, Carding and Fulling-mill.....	200
	£1000
Total	£1000

The leader of the settlement would receive for five years an annual salary of £150, and during those five years not be entitled to receive tithes, nor burial nor marriage fees. After the first year he would be entitled to the ecclesiastical dues authorized to be paid in old parishes, and his yearly stipend would be diminished £25 per annum until it should entirely cease.

The sum of £1,000 necessary to defray the first establishment might be obtained from the Municipal Loan Fund of Lower Canada, re-imbursable in twenty-five years. The Government, like a fostering parent, would undertake to pay back one moiety with the interest, and the other would be a debt of the settlement which would raise annually the amount required to pay the interest, and would be in a condition to repay the capital at the end of the 25 years without difficulty.

The stipend of the leader of the settlement would be paid by the Government.

The cost of surveying and opening the roads would devolve on the great land owners, and the Government being assessed in proportion to the lands which belong to them respectively.

At as early a period as possible four persons should be joined in authority with the leader of the settlement, to form with him a "Board of Directors," who should for a certain time have the functions and the powers of a Municipal Council; and in the meantime the leader of the settlement should superintend and manage its affairs under the direction of the Department of Crown Lands.

And now it is time to devise a means of paying the necessary expenses incurred in the working of the colonial machine, it is this:

An annual tax of two pence per superficial acre may be assessed upon the wild land in the settlement.

The following should be exempt from the tax:

- 1st. Maple Groves, which ought to be most carefully preserved.
- 2nd. Lands belonging to resident proprietors not containing more than 100 acres in superficies.
- 3rd. All lands of which one-half is in cultivation.

-
- 4th. Lands forming part of a property on which a mill has been erected.
- 5th. Land belonging to the Church (100 acres.)
-

A. Fraser, Municipal Council Office, Temiscouata.

- 1st. Yes ; an extensive emigration has taken place from Lower Canada to foreign countries, during the last five years, and it has produced marked results.
- 2nd. It is for the most part directed to the United States, either to the State of Maine, or to the State of Illinois, by way of Detroit and Chicago.
- 3rd. Those emigrating to the State of Maine are generally employed by the Americans in the lumber business ; those going to Illinois cultivate the lands, which, it is said, are very fertile thereabouts.
- 4th. Emigration has taken place to the extent of about one twentieth of the population of Isle Verte, which is estimated to number about 2,000.
- 5th. Of Canadian origin, day-laborers and the poorer class.
- 6th. Yes ; some of those who emigrated from our neighbourhood have returned. Generally they bring back money with them, with which they purchase lands in the seigniories. The object of the absence of these latter had been to earn money to purchase land, and they have succeeded ; they returned with morals unstained. These I class first. The second class left only to earn money, and have come back degraded and without it.
- 7th. The chief causes which have occasioned this emigration have been : 1st. The want of land in the seigniories, to provide settlements for these emigrants, inasmuch as for twenty-five years past there has no longer been any land to concede in the seignior of Isle Verte. 2nd. Because the Crown lands in the rear of these seigniories not having been surveyed, there being no means of communication, the absence of capital, the refusal on the part of the Government Agents to grant licenses of occupation without money, the Canadians, young and old, were under the painful necessity of expatriating themselves, and going to a strange land, in order to procure a living with greater ease.
- 8th. The same causes, to the best of my knowledge, prevail in all the localities with which I am acquainted, but more particularly in my own. For fuller information I refer to my 7th answer.
- 9th. There being no land to concede, either in this or the neighbouring seigniories, I reply that all the persons who have left this locality, and indeed the County generally, have all been desirous of settling on Crown lands ; the causes which prevented them so doing are given in my 7th answer, to which I refer.
- 10th. None of these prosecutions occur here ; they cannot therefore affect either this locality or this County.
- 11th. It would be an excellent means of preventing emigration to open all the public lands for settlement, and to grant them to settlers either gratis, or for a nominal price.

-
- 12th. The number of men who are not proprietors, in the Parish and seigniorie of Isle Verte, is upwards of 500.
- 13th. All, without exception, would take lands if granted gratis.
- 14th. They desire to settle in the District of Kamouraska, in rear of the seigniories of Isle Verte and Trois Pistoles, in the Townships of Denonville and Demers.
- 15th. If the public lands had been offered or given gratuitously to the settlers, not one of these latter would, I believe, have left the Province, either for the neighbouring States or elsewhere. Canadian emigration would therefore have certainly ceased.
- 16th. The want of the means of communication, in the Townships forming part of the District of Kamouraska, is the real obstacle to settlement, and therefore one of the chief causes of emigration.
- 17th. I would suggest the granting of Crown lands at a very low price, such sums to be expended in the opening and maintenance of roads, to afford access to the public lands, and that front roads should be opened and kept up by the settler on these lands. But the class of settlers who are disposed to settle on the Crown lands being poor, and without pecuniary resources, thus being almost without means of completing the first necessary works of settlement, I would recommend to your honorable Committee to advise the competent authorities to advance the first appropriations required to open roads to communicate with these lands, for without these roads it would be impossible to settle on these lands. These monies would, in a reasonable period, be repaid by the settlers, by means of a small price imposed by the Government upon these lands.
- 18th. Undoubtedly the uniform price for high and low lands, meadow lands, and lands from which the wood has been sold and removed, is an obstacle to settlement.
- 19th. Not in this part of the District of Kamouraska.
- 20th. It is an established fact that the system pursued by Government of granting to one firm or individual vast timber limits, on Crown lands, has been one of the chief obstacles to the settlement of wild lands.
- 21st. It is my opinion that the establishment of different manufactures in this part of the country would have the effect of preventing emigration to foreign lands, for the reason that persons otherwise out of employment would always find work in the factories, would be able to earn money, and buy at a much lower price.
- 22nd. I decline to answer this question, having no information on the subject alluded to.
- 23rd and 24th. There is nothing in the vicinity of this County having reference to these two questions.

J. Bte. Dupuis, Priest, Curé of St. Athanase.

- 1st. Yes.
- 2nd. Part eastward to engage in manufacturing occupations, part westward to engage in agriculture.
- 3rd. The emigration is the effect of poverty.
- 4th. One-tenth.
- 5th. In equal proportions.
- 6th. Scarcely any, they are poor.
- 7th. There are many ; principally the want of land, and a desire for manufacturing employment.
- 8th. The same nearly every where.
- 9th. Those who go west do seem to have this desire, but are apprehensive of being turned out for want of a title.
- 10th. Yes.
- 11th. Yes.
- 12th. Three or four hundred.
- 13th. Nine out of ten.
- 14th. In the adjacent county, eastward.
- 15th. Yes.
- 16th. Yes.
- 17th. Free grants.
- 19th. Yes.
- 20th. Yes.
- 21st. Yes, among the class of mechanics.
- 22nd. That of paralysing our timber manufactures.
- 23rd. No.

NOTE.

In order to give pertinent answers to the third and several other questions, it appears necessary that I should specify the real and lamentable causes of emigration, and distinguish them from the apparent, the chimerical, the accidental and the temporary. For I consider it a great delusion to set down all emigration to the account of real and permanent causes, admitting of a remedy, I believe that I have found some which are chimerical, accidental and irremediable. Moreover the evil resides perhaps as much in men's minds as in real circumstances. You find in all places a considerable number of persons, laborers and others, who pass a large portion of their time in loitering about

villages, or in racking their brains to hit upon a plan of getting rich without work. Visionary alchymists! Yet it is not uncommon to find instances of such emigration in pursuit of that chimera. This is one of the greatest plagues of the age. Men would live, and live well, without toil. At any rate they must live like gentlemen. This taste for luxury is one of the ordinary causes of emigration from this neighborhood, particularly among the young. It is generally said that misery and the poverty of the country is the cause of emigration. There is some truth, but there is also much falsehood in this. As to what there is of truth in it, it is susceptible of a remedy in some degree, by facilitating the settlement of the country and encouraging agriculture; but this is not all. Without the establishment of manufactures we remedy only half the evil. Not all men are disposed to engage in farming. Many are unfit for that occupation. And this is often a reason why farmers sell their property, that they may betake them to manufacturing employments. The establishment of manufactures is even a necessary provision for the future support of our country. In truth its climate is too severe to supply all our wants by its natural powers of production. But this severity of the climate far from being an obstacle to manufacturing occupations is precisely the circumstance that is most favorable to their success; for if manufactures are almost unknown in hot countries, the reason is generally that handicraft labor is insupportable by all but negroes. Providence, wise in all its arrangements, has ordained that the countries which have the greatest wants and are the least productive should also be best adapted to render bodily fatigue endurable, and most favorable for the establishment of manufactures. The encouragement of agriculture and manufactures are therefore the real antidotes to the real causes of emigration, or to that cause of the evil at least which is most baneful to the country, which can be arrested, and which is most to be regretted. For while we acknowledge real and permanent causes of emigration, we must also admit that there are some among them which are merely accidental and temporary. Independently of all other causes the developement and the wonderful progress of the immense wild tracts in the western States were sure to produce an almost continual fluctuation in our population. Add to this irresistible reaction of a prosperity heightened by imagination in the fertile regions I have mentioned, the manufacturing speculations and new discoveries which have removed the land marks of population, and you find another powerful but adventitious cause of emigration.

Every body has listened to the fabulous wonders, related with every figure of speech, of the superiority of our neighbors. Every body knows too how certain speculating adventurers have used and abused the confiding honesty of our countrymen to make a profit of their industry. All this had necessarily its effect in producing the emigrating epidemic which has prevailed in late years, but which will, it is to be hoped, prove to be transitory. It is to be supposed that a considerable number of our people have been deceived and misled by these tales and speculations, and it is also true that they have had great influence in producing the emigration which we deplore. It may indeed be asserted that the impression made by these is the main cause of the large amount of emigration now under consideration. It is true, also, that a sense of the deception which has been practised has already diminished this amount; but to arrest it entirely, no part of our population must be allowed to remain unprovided with the means of subsistence, and in a state as destitute of comfort and as unendurable as that which has made our countrymen emigrants. Without the remedy indicated, the causes of emigration stated as in some degree temporary and adventitious, will become real, and may become strong as necessity.

It must also be admitted, that certain persons, aiming at making the present an era of transition, have merely succeeded in producing an agitation, and that this is the cause of the emigration which I term irremediable, at least for the present. Every thing pertaining to the past was wrong. Its institutions, its doctrines, even its experience go for nothing. Everything is to be demolished in order that all may be built up anew, on foundations hitherto unknown, and calculated to produce great things differing widely from our old fashioned ways. This commotion and fluctuation of opinion in men's minds must necessarily be attended with corresponding effects in their conduct and actions. With this agitation in their heads, produced by listening to the Utopian theories of liberty, equality, fraternity, and even communism, used for the purpose of propping up the most visionary schemes, there will always be a certain number of weak persons, ready to believe what is constantly repeated in their ears, that they are unhappy. Under the influence of such an imagination, they become disgusted with their present position, form splendid visions of fortune, drawn from the stories of fortunate adventurers, whose fabulous success is trumpeted abroad, and from that moment all hope of happiness ceases in this "cursed" country. There is no possibility of enduring it. They must absolutely escape from misery and tyranny. No happiness but in the land of liberty and dollars, and they rush headlong in the pursuit of the double-headed chimera. For such it is plain that the remedy has yet to be discovered. It is equally vain to seek to check the emigration of those who, seeking to escape the effects of malversation, ill-conduct, debauchery, a vagabond life, or indolence, hope to hide their shame, their vices and their degradation in a foreign land. The number of these is not small. Their retirement is far from being a misfortune, and it would perhaps be well for those who remain, if the number of such emigrants were greater. Heaven grant that our neighbors may not pay us back in kind, *with interest*. Finally, the encouragement of colonisation, the establishment of manufactures, and a crusade against ambition, luxury, and false theories of Government, such are in my opinion the most essential remedies to arrest the progress of emigration.

With reference to the 12th question, it is very probable that under a system of granting lands without purchase, all the idle, the worthless, and the dissolute would, in the hope of some medium of profit, be the foremost in getting possession of them. Moreover, it is as clear that with such settlers colonisation would suffer more than it would be benefitted. It is much to be feared that others might aim at carrying out on a large scale what the incapables I have just mentioned have attempted on a small one. The imposition of a reasonable rate of payment for lands, with conditions of settlement favorable to applicants and within their ability to fulfil, appears to be the most prudent plan of colonisation: it should be our aim to encourage all good, the rest is not only labor thrown away, but productive of evil.

Joseph Lemay, of St. Severe.

- 1st. Emigration from Lower Canada to foreign countries has been going on for the last five years.
- 2nd. It has taken the direction of Upper Canada and the United States.
- 3rd I am able to furnish some information relative to the emigration which has

- taken place in St. Sevère within the period mentioned, if not with perfect correctness, at least by approximation.
- 4th. About ten persons have emigrated from St. Sevère yearly in the above period.
 - 5th. All of French Canadian origin, and belonging to the agricultural class.
 - 6th. About seven return, four of them with pecuniary means, but with their morals more or less deteriorated. Physically, they are well.
 - 7th. I am able to state the causes of this emigration.
 - 8th. The causes are nearly the same in all localities. In St. Sevère they are :
1st. The want of employment. 2nd. Too low wages. 3rd. And finally, a desire to save sufficient money to settle with.
 - 9th. A great number of persons who emigrate have expressed a wish to settle on Crown lands, without attaining their wish, in consequence of their insufficient means, and the unfavorable conditions on which such lands are to be had.
 - 10th. The suits at law instituted by the great proprietors have been the reason why many who had settled on their lands have left the country, together with several of their friends and relations.
 - 11th. Yes, it would be a means of arresting emigration by opening out such lands to settlers.
 - 12th. I believe the number of eighteen years of age and upwards who have no lands is at least fifty in St. Sevère.
 - 13th. I think that of the above number twenty-five at least would be disposed to take lands in the Public Domain, if they were conceded gratuitously.
 - 14th. They would wish to settle in the Township of Caxton and its augmentation, Shawenegan and St. Maurice.
 - 15th. I believe that if free grants of land, or lands at low rates, had been offered in the several districts of Lower Canada, emigration would have diminished considerably.
 - 16th. The want of communication by roads, in different parts of the country, where there are lands to be conceded, is an obstacle to the settlement of them, and therefore a cause of emigration.
 - 17th. I should recommend free grants of public lands, as such lands ought to be granted to the poorer classes.
 - 18th. Yes, that is my opinion.
 - 19th. Yes, it has been one of the main causes which have impeded the settlement of wild lands.
 - 20th. Yes, it has also been detrimental to the settlement of wild lands.
 - 21st. Yes, it would have the effect of arresting emigration to foreign countries.
 - 22nd. I think that the present tariff of Canada, and that of the neighboring States,

on goods produced by the Canadian manufacturer is not calculated to encourage manufactures. It ought to be fixed so as to protect them ; and this would be one principal means of arresting emigration.

23rd. I am inclined to believe that there is a tract of such lands in the Townships of St. Maurice, Shawenegan, Caxton, and its augmentation, but I am unable to state how they were obtained.

24th. I think these lands are not improved.

J. Bte. Dupuis, of St. Roch-des-Aunais.

1st, 2nd, 3rd, 4th, 5th, and 6th. In the last five years, four families of French origin have emigrated from this Parish to Illinois ; those families consisted of twenty-seven persons. Three other heads of families, also from this Parish, having gone to Illinois on a visit, one only purchased a property at Bourbonnais, which he afterwards sold. Thus the last three returned, and never went away again. Many young men go away every year to work in the factories of the United States, whence one-half of them do not return.

7th. The main cause of the emigration of families is the favorable reports brought by Canadians from the United States, such as the fertility of the soil, the excellent crops, and the ease with which lands bought at low rates can be brought into cultivation. Moreover, the excellent railroads which the Government build unasked, induce Canadian families, who have at home no such advantages, to emigrate to a country which enables them to settle their children near them.

As to the cause of young men emigrating : the absence of manufactures in Canada, and the high wages given in factories in the States, are the natural causes of that emigration which would cease if lands were offered to them for nothing.

8th. The same causes as in the District of Quebec.

12th. I cannot state exactly the number of the population ; but I can state very positively that one-half of them have no land.

13th. Our youthful population, strong and industrious, reared by laborious parents, whose strongest attachment is to the paternal roof, having been habituated to field-labor from their infancy, would be ready to take good land a few miles in rear of the seigniorie on the Crown domain ; provided the grant of such lands were gratuitous, and provided the road commenced from this Parish and the Parish of St. Jean Port Joli were completed. This road is indispensable ; it is already in an advanced state, by means of the trifling sum granted for the purpose. I do not know how much is required to complete it, that is to say, to carry it to the heart of the good land belonging to the Crown, but I believe that a sum equal to that already granted would be sufficient for the present. For information on this point, I refer to the estimate of the representative of the County, who has taken great interest in this road, and with good effect.

14th. No body that I know of, in this locality, thinks of settling elsewhere than

on the lands mentioned, except indeed those who, receiving no encouragement from the Canadian Government, are quite resolved, if there is more delay, on accepting the encouragement offered by the American Government. As a proof how much every one is attached to his native home, I may observe that notwithstanding the bad quality of the lands abutting the above mentioned road, several persons have already, in the hope of its completion and and the gratuitous concession of the lands near it, began to clear and some to build.

15th. The emigration to the United States for agricultural purposes, would never have taken place had more practical steps been taken by voting more money for the opening of roads in all those localities where there are good lands in the public domain. The explorations made of the Crown Lands in rear of the Seigniories of this district, a few miles distant from the river, have clearly proved that those lands are excellent. The difficulty is want of access to them; and yet the removal of it is a trifle to the Government, seeing that one road would be sufficient for the front of two Seigniories, except where there are mountains or rivers, and there are none in this locality. I make a point, therefore of letting all the friends of colonization know, that if emigration is not put an end to, it is not for want of good lands, but because the gratuitous concession of them has been denied, as well as the necessary expenditure in making roads. The responsibility is great which rests on those persons whose business it is to look to these things. I, for my part, should fail in performing my duty as a citizen, if I failed to make them known while there is yet time to apply a remedy to the evil.

17th and 18th. I humbly recommend that in making gratuitous concessions of Crown Lands, no more than 70 or 100 arpents should be granted in a lot to one person; that such person should be bound to cut down from two to four arpents of wood in the first year; in the second, the same quantity, besides sowing the land of the first year's clearing, and so on for three or five years, at the end of which time he should build a small house. In default or fulfilling these conditions, or of good reasons for non-fulfilment, the land should revert to the Crown. A person desirous of possessing more than a single lot might be permitted to purchase the surplus. With reference to the reasons for making free grants of land, I think that I have shewn sufficiently. I shall merely add that lands in Canada are hard to clear, and that the free grant of them is a poor compensation for the absence of the advantages of Illinois, where the land is encumbered neither with timber, stump, nor stone. These advantages have not hitherto been sufficiently weighed; the consideration of them should furnish a lesson; we should place Canada (that is to say, the advantages which it offers to settlers) on a level with the United States, in order that we may hold the field against that country with a reasonable chance of success. Should the means which I recommend prove insufficient, let the revenue of the country be used more sparingly, in order that it may be applied, together with other sacrifices, to the preservation of its sons. I think that the interests of the country would be better consulted by ascertaining the truth of the advantages to settlers offered in Illinois, in order that we may rival them here, than by employing our time in underrating them, often erroneously.

19th and 20th. Those causes have also contributed to impede the settlement of the country.

21st. Manufactures would greatly contribute to keep at home those young Canadians who are averse to the labor of agriculture.

23rd and 24th. There is a considerable tract of land belonging to the Painguet estate. I do not know how acquired. It is unimproved, only a small portion of it is occupied, and the settlers on that part of it are threatened with ejection.

M. Granger, Township of Chertsey.

- 1st. Emigration has been going on during the last five years.
- 2nd. It takes the direction of the agricultural countries.
- 3rd. In any locality, to the difficulty of procuring land and the want of manufactures.
- 4th. About ten per cent. per annum.
- 5th. Six Canadians and five Anglo-Saxons.
- 6th. Few have returned, and they without money.
- 7th. The want of roads through the Crown lands.
- 8th. The advantages found in foreign countries, in railroads and other roads.
- 9th. Many of them to my knowledge. Several have gone to work in the United States, and have returned to settle on Crown lands.
- 12th. About five hundred.
- 13th. Nearly all of them.
- 14th. In the district of Montreal, in the townships of Chertsey, Wexford, Chilton; and in rear of those townships where there is a large extent of excellent land for settlement.
- 15th. It would have nearly ceased.
- 16th. It is the greatest. For two years, we have had a few miles of road made by the Government, and in the township of Chertsey there are more than two hundred families settled.
- 17th. These lands ought to be conceded gratuitously, for the true interests of the country.
- 18th. I do not perceive any difference in this part of the township.
- 20th. The sale of timber limits has been a great injury to the Crown Lands.

There is much excellent land in the County of Montcalm which I visited in 1852, and which is well deserving of more exact exploration; although I found some in several counties of virgin soil, rich in timber, fish, and a fine climate, several lakes and several small rivers.

E. Rouleau, St. Gervais.

- 1st. Not only within the last five years, but ever since the population of Lower Canada has been increasing with the rapidity common in large colonies, our young men have turned their eyes to those countries in which progress and intellectual advancement offer the best field for industry.
- 2nd. And it is particularly by its manufacturing establishments of various kinds that America attracts our young men. Go to the States of Maine and Vermont, it is there that they expend their strength and their talents for very slight remuneration.
- 3rd. I might state, without fear of mistake, that the number of those who leave their homes in this parish may be estimated as one or two per cent. Whole families (that is the young men of the families) have been known to abandon the spot where they have been reared with paternal care to seek their bread under a foreign sky. For such, would it not have been more creditable to expend their labor on the virgin soil bordering on the St. Lawrence, deserted by all but the birds of passage which settle but not to remain, so much do they fear the deep silence which prevails there? It is not they, however, who are most to be blamed. Who then? it might be asked. We shall soon find an answer.
- 5th. They are all French Canadians.
- 6th. Imbued with all the false principles taught by false liberty, denying all the religious doctrines which they had learned in their childhood, a few return home jingling a few dollars, dressed, powdered, frizzled, but displaying no sentiments of patriotism or true honor. They acknowledge not that law of nature which reminds the exile of the genial sun of his native land. Neither do they stay long with us. Some of them turn Americans by marrying in the States.
- 7th. If, however, we had become sooner aware that the sale of our birth-right for gold, would have the effect of cramping and paralysing our means of progress, till we are left on the very verge of misery and destitution,—if we had become sooner aware that a promise of encouragement, and better circumstances to young men, to be realized by grants of lands which they are to clear, without giving them access by a road to the forest, to enable them to penetrate its recesses to build a shanty,—if we had, I say, become sooner aware of all this, we should have kept with us several hundreds of young men who have now left us, to waste their strength in forwarding the progress and enhancing the glory of foreigners. Forgetfulness or ignorance of these truths seems to have been the primary cause of emigration.
- 8th. And it is my belief that the cause has been the same every where.
- 9th. There is no doubt that if, as I have just observed, roads or any other means of communication were opened to give access to the several unpeopled tracts which now form the wealth and the boast of our country, a considerable number of families would proceed to pitch their tents in those deserts. But is it encouraging to a young man to go and cut down the first tree on the land which he has had so much trouble to find, without knowing the way out of the labyrinth of forest which he has penetrated? He retreats disheartened, for the echo of the valley which reverberates the blows of his axe, the vast silence

and deep gloom which surround him, make him sensible of the life of misery and exile on which he has entered. Will he ever have the heart to carry thither a wife and children to live among no other neighbours than the wild beasts, to have no other teaching than the croaking of crows, and the howling of wolves. These are the terrors which affright our young Canadians; these things induce them to become desirous of foreign lands.

- 10th. One other cause of emigration, which is entitled to no less attention than those already enumerated, are the suits at law, instituted by the great land owners, against persons who have cleared their lands. Many such persons have chosen to give up the fruits of several years' arduous persevering toil, rather than to be crushed by a despotic power as hateful as unjust. Would it not have been more legal to have compelled those great seigniors to conform to the fair prices required by the Department of Crown lands, than to banish so many generous hearts, just gladdened by the first glimpse of prosperity for their children? The effect of a different proceeding is that we find them leaving their country without a sigh, but cursing the hour when they sowed the first handful on a soil which they truly considered to be their own.
- 11th. But justice cannot fail to make her voice heard: all those lands must be re-annexed to the Domain of the Crown. We must open our ears to her behests, and root out a system as unreasonable as it is detrimental to the interests of our country. At any cost, we must prevent those devoted parents from going into banishment, to a land deserving only to be visited by the convict, or the curious traveller. Then, and then only, can we say that we are free, when the genius of our country can expiate without being subjected to the most cruel deception.
- 12th. In my opinion there are perhaps from one hundred to one hundred and twenty young men in this locality who have no land.
- 13th. They would, I think, be all disposed to take lands, but, as I observed before, they must have roads, otherwise you will see them take the road to the States.
- 14th. Every body knows how important the mountains now are which enclose our beautiful plains. The townships of Mailloux, Buckland, Armagh and others afford a prospect of cultivation which will become a source of wealth to our cities by their fruits. This fine prospect will vanish if our Government does not interfere to preserve it.
- 15th. My answer to this question will be found in the preceding answers.
- 16th. The same.
- 17th. The rate of purchase appointed by the Department of Crown Lands is not heavy: that is to say, two shillings per acre. It will be a trifling matter for a young man, provided only he receives the necessary guarantees and assured possession of the land he purchases.
- 18th. The uniform price affixed to high, low, and swampy land, is a thing of necessity. If the price varied, as the quality of the soil varied, the expense and trouble incurred in ascertaining the good or ill qualities of every acre would very likely exceed the profit accruing to the provincial treasury.
- 19th. The answer to this is in the tenth.

20th. Comprised in the above.

21st. The establishment of manufactures of various kinds would be one of the surest means of arresting emigration, for there is no part of America richer in rivers, brooks, and cascades of all kinds than Lower Canada. Liberty has had one good effect among our neighbors, namely, that it has enabled all (poor and rich) to profit by the natural wealth which is spread over that vast portion of the earth. This is the key to the great progress made by the Americans among nations. Let us likewise open the field to industry, and we shall see Canada also assume a new aspect, and young men of genius will spring up in its field, and become skilful mechanics. The true way to this result is the employment to be afforded to a thousand now useless hands which we shall keep at home.

Joseph Hudon, Mayor of St. Paschal.

- 4th. About a fourteenth part of our young men of eighteen and upwards have emigrated within the last five years, out of a population of seven hundred of that class.
- 6th. Few return, and these in some degree demoralised and destitute. The few who have returned with money have thought fit to go back to the States, finding greater advantages there than in Canada, on account of the high price of Crown Lands, and the want of means of access to them.
- 8th. The principal causes are the want of means of communication on the Crown Lands and the high prices affixed to them.
- 12th. In our locality there are from two hundred and fifty to three hundred men of eighteen and upwards who are not possessed of farms.
- 15th. If land had been offered gratuitously in each of the districts of Lower Canada, with roads and means of communication to reach it, there is no doubt that the emigration of the Canadians would have diminished considerably, if not altogether ceased.
- 16th. The want of communication in different parts of the country where there are lands to be granted, is certainly an obstacle to colonisation, and also one of the causes of emigration.
- 17th. We should recommend free grants of public lands everywhere ; but particularly in the townships of Woodbridge and those adjoining it, where all the forests of any value have been sold for the benefit of Government. Another reason in favor of the gratuitous grant of these lands is the poverty of the generality of the settlers who could not find the means of opening up these lands and of paying for them at the same time, if not assisted by Government for the clearing thereof. We take this opportunity to suggest to the Government that assistance should be afforded to the colonists to enable them to open up these lands during the first three years, on condition that the work was done in an efficient manner ; and, if it should suit the views of the Government, on condition of returning the money which should have been thus advanced to them, if the Government thought fit to require repayment ; otherwise colonisation will continue to languish as in times past. In the present condition of affairs the settlers can derive no advantage from the wood, which has all been sold to speculators for the benefit of the Government, to the great

injury of colonisation. Should the settler receive a part of the sums which have been paid to the Government for the sale of these woods to enable them to open up the lands, that would suffice to aid them considerably; it being always understood that the lots already granted under a permit of occupation shall partake of the same advantages and be granted free, as these lots were the first to be stripped of their wood before their occupation by the settlers.

18th. The uniform price of these lands is an obstacle to colonisation, especially those in the township of Woodbridge, from which the more valuable wood has been removed and sold under license from the Government. If these lands had been granted thirty years ago at four shillings an acre when they were covered with all kinds of wood they would have been more profitable to the settlers than they would be at present with a free title, owing to the removal of the wood. We consider the Government derived more than four shillings an acre from the sale of the wood.

H. Paquin, Mayor of St. Raphaël.

4th. Fifteen in one thousand.

7th. The principal causes of emigration are: 1st. The superabundance of population in the older parishes. 2nd. The improverishment caused by the seigniorial dues. 3rd. A bad system of agriculture in some places. 4th. A want of manufactures.

17th. I would advise the free granting of public lands, or at the most the sale of them at a very low price; for a great number of young people are willing to settle on new lands, but have not the means to make the first payments.

Jacob DeWitt, Esq., M. P. P.

Ques. 1. Their commencement.

Ans. Previous to 1812 properly speaking, the Americans had no manufactures, their coarse woollen cloths were all, with great expense, made by manual labour.

Ques. 2. The means adopted for their protection, (say their establishment.)

Ans. The war of 1812 checked their importations, and to a considerable extent obliged them to begin to manufacture; the expenses of the war increased their public debt, which required more revenue, hence a higher tariff. This protection induced the investment of capital in building mill dams, machinery, mills, &c., &c., indispensable in using water power, whereby goods can be manufactured at the least cost. This gave a stimulant to ingenuity, whereby inventions have displayed more improved and perfect machinery, the use of which enables the manufacturers to give constant employment to otherwise idle hands: they even invite our youth of both sexes to leave their native Canada and fix their homes in the States. By these means their manufactures compete with foreign manufactures: and also domestic manufactures, competing among themselves reduce the price to the consumer, at the same time affording the farmer a double market, domestic and foreign, and keep their cash at home.

Ques. 3. Their rate of increase.

Ans. I cannot state the rate of increase, but it is known that the increase of the inhabitants in the New England States is confined to their manufacturing districts: villages and cities having grown up wherever water power could be obtained, in some places at great expense, concentrating the inhabitants in those places by creating a home cash market for the produce of the garden and the farm, thereby affording profitable employment to all the men, women and children, increasing the value of the lands in that region to an incalculable amount.

Ques. 4. The number of hands therein employed.

Ans. I cannot state their number, but it is known to be very great.

Ques. 5. The capital invested in their manufactories.

Ans. I cannot say what is the amount, but I know that for more than forty years, as new inventions have been discovered, many manufacturers have emigrated from the British Isles and other European countries with their capital, and established themselves in the United States, and as the native manufacturers are continuing to increase and perfect their establishments as far as they are able, the aggregate capital invested in manufactories in the United States must be very great. In my opinion benefitting more the agricultural and commercial interest than those who invest their capital in manufactures, because other investments might produce as good a revenue with less risk.

Ques. 6. The effect of our tariff compared with theirs.

Ans. The free introduction of the raw materials and other articles used in manufactories, I believe are somewhat similar in the United States and Canada. But the American tariff admitting tea from the place of growth in American vessels, coffee, sugar, and molasses, all the first necessities of life free from duty, a large proportion of them being consumed by the industrious classes, thereby encouraging manufactures by inducing our industrial people to emigrate to the United States, that they may obtain a greater reward for their labour, as they can live cheaper and save more money with the same wages than they can if they remain in Canada.

Again the American tariff levies duties on the articles which they can produce or manufacture with advantage in the country, by which means they afford incidental protection to their industrious people; their tariff being higher than ours gives their workmen an advantage over the workmen of other countries and induces manufacturers to leave other countries and enrich the United States with their labour, skill and capital, often obliging foreign manufacturers to pay the United States duty in order to introduce their goods into the American markets; on the other hand our tariff levies duties on tea, coffee, sugar, molasses, &c., being articles of the first necessities of life, entering largely into the means of the living of the operatives, increasing the expenses of supporting their families; consequently they cannot manufacture goods while they remain in Canada as cheap as they can by emigrating into and working in the United States. Therefore, while the American tariff encourages and invites immigrants to come into and settle in the United States, and enrich that country with their labor, skill and capital, at the same time our tariff levies less duties on the goods manufactured in the United States than the American tariff levies on

the same kinds of goods made in Canada; with this state of matters the two tariffs secure to the Americans the exclusive supplying of their market with their manufactures, and at the same time they can come into our market on favorable terms with any surplus which may remain on their hands.

Ques. 7. What is the clear profit arising from the working of a single water wheel.

Ans. Water wheels are so various in their breadth and diameter, the quantity of water and its fall, the quality, fineness and value of the goods they are employed to manufacture, makes it impossible to fix the precise amount of clear profit on each. But a few months since I saw a water wheel working, the clear profit of which I estimated to be equal to the interest on half-a-million of dollars, or equal to the net profit of fifty good cultivated farms.

8th. With reference to any other information relating to the manufactures in the United States, they enjoy an advantage over ours in having their tea free from duty, while our tariff levies the duty on the specific principle, so that our operatives pay as much duty as the man of fortune; as our manufactures come more into competition with those of the United States than with those of Great Britain, I think that the principle of reciprocity might with advantage be extended to those articles mostly manufactured in the United States and Canada.

If that cannot be obtained, then I think our government ought to exact or charge the same duty on the American manufactures when imported into Canada, that the Americans levy on Canadian manufactures, when introduced into the United States; if this rule were adopted, it would tend to secure our markets for our manufactures, thereby induce our population to remain at home, at least to some extent. Another reason is, that by enabling our people to supply our markets with similar articles as the American manufacturers, which we now send them our cash to purchase, being to some extent of a coarser and cheaper quality than British fabrics, we may expect to enable our operatives to buy and pay for the richer and more expensive British goods, which would increase our trade, and the Provincial revenue.

I believe that, if our tariff was so apportioned as to afford incidental encouragement to such articles as we could produce or manufacture with advantage in Canada, it would benefit the agricultural and commercial interest, tend to restrain our inhabitants from emigrating to the United States, and in some measure keep our capital at home, and advance the general prosperity, satisfaction, and happiness of the people of Canada.

Jos. Côté, M.D., St. Vallier.

- 11st. For some years past a considerable number of young people have left this locality for the United States, and many others purpose leaving this spring, as they say, to earn money. Most of them go as day-laborers, or as brickmakers,
- 6th. Few return, and most of those, poor, demoralised, and with broken health.
- 7th. The principal cause of this emigration is the bad state of our roads, both in summer and winter. The misery of those who have established themselves in the seigniorie at a distance of twelve miles during the last fifteen or twenty

years, frightens the young people. There are still some farms unconceded in this seigniory, but no attention is paid to them, nothing is thought of but the crown lands. The heavy annual rents are probably the cause of this.

12th. There are about 100 men of more than eighteen years of age in my locality who have no farms, of whom fifty at least would take farms if the Government granted them gratuitously, and caused good roads to be made to them. These young people would wish to establish themselves as near their native spot as possible in the Townships of Armagh and Mailloux. As to going to a distance, it is very probable that, sooner than remove to another district, they would prefer leaving the country for a warmer climate.

16th. The want of communication in different parts of the country where, there are lands to be conceded, is certainly the greatest obstacle to colonization, and the principal cause of emigration.

I consider that a man who has the courage to separate himself from his relations and friends, and to give up civilization for a nearly savage life, deserves well enough of his country to receive his land free.

The removal of the wood from the land is another obstacle to colonization.

The establishment of different manufactures in my part of the country would prevent the expatriation of a great number of young people, but it would, I believe, be too expensive for the government.

In my opinion, the best way to prevent the expatriation of those who refuse to take farms, would be to employ them in the grading and macadamizing of the roads, so as to make them good at all seasons of the year, so that journeys might be made safely, promptly, and pleasantly, not only in the townships but also in our localities. Let them make what roads they will on the crown lands, if we have none in our localities to reach them, it will be money and trouble thrown away.

At two miles from my house, there are still great boulders and firs in the middle of the road.

Twelve miles off in the seigniory, it is almost impossible to pass with a very small load without damage to the vehicle, and considerable loss of time. Government should not hesitate to spend millions on the roads.

J. D. Déziel, priest, curé of Notre Dame de la Victoire; J. Bte. Côté, priest; J. Bte. Beaubien, and L. F. Chaperon, M.D.

1st. Unfortunately it is but too easy to affirm the constant emigration of Lower Canadians to the United States. The public journals show it periodically by figures which demonstrate but too clearly that the emigration proceeds to an alarming extent.

If we were not convinced of the sad reality and the causes which induce it, we should be the more surprised from knowing the influence of the paternal roof on the morals and customs of Lower Canada. Those who know the Lower Canadians are aware of the religious attachment which they bear to their native land, the most sincere respect and the strongest attachment to its

institutions, that they would hardly consent without the most bitter grief to abandon their paternal hearth and lose sight of the steeple of their village unless the icy hand of adversity had torn from them every hope of the least prosperity.

- 2nd. The emigration is chiefly towards Illinois, for agricultural purposes.
- 5th. Principally Canadians of French origin, belonging to the farming class.
- 6th. Our countrymen never return. If any of them occasionally do so, it is to bid it an eternal adieu, always expressing regret that it does not possess the advantages which are offered them in a foreign land.
- 7th. The causes which induce this emigration are, first, the want of the necessary advances to enable them to settle in their native land; secondly, the hope of being able to establish themselves better elsewhere.
- 8th. The causes are always throughout Lower Canada very nearly the same.
- 9th. These persons certainly manifest a desire to settle on the Crown lands or on the unconceded lands of the seigniories, but they also declare the causes which most frequently prevent them, namely, the want of roads; they could not obtain what is absolutely necessary for their subsistence during the first year, which they would employ in clearing preparatory to their first sowing; they cannot even obtain seed; and thus they lose all hope of obtaining farms.

As to the unconceded seigniorial lands, they are even less accessible, owing to their high price.
- 10th. The suits instituted by the great proprietors also increase emigration. The unfortunate man, persecuted and ill-treated, soon, rather than submit to unjust demands, most frequently prefers abandoning the fruit of his labor and going to a strange land to obtain a farm on more advantageous conditions.
- 11th. We think if all the lands which have been conceded to individuals who have not fulfilled the conditions of their titles were, after reasonable delay, re-annexed to the domain of the Crown, it would be an act of justice and a means of diminishing the emigration to a certain extent, although of itself it would not be sufficient to arrest it entirely.
- 12th and 13th. There are hundreds of young people here who have no farms, they are disposed and wish to take farms on the Crown Lands if assisted in the manner already indicated in the answer to the ninth question.
- 14th. They wish to settle in the District of Quebec, behind St. Henri, St. Gervais, St. François, St. Pierre, South River, St. Thomas, and even beyond the limits of the District.
- 15th. If lands had been offered free in each of the districts of Lower Canada, especially before the failure of the wheat harvest, the emigration would never have taken place; for the settler would have gathered in an abundant supply of a profitable product which he could easily have sold at his own door.
- 16th. The want of roads in the different parts of the country where there is unconceded land, is, without doubt, a serious obstacle to colonisation, and in that way one of the accessory causes of emigration.

- 17th. We would recommend free grants of land, or sales at very low rates on the easiest terms, if payment be exacted.
- 18th. The price should at least vary according to the quality of the land, and those lands which have been stripped of their wood should be granted freely, as they have already yielded a profit to the Government, and are moreover deprived of the merchantable timber from which the settler might have derived considerable profit.
- 19th. The impossibility of discovering the proprietors is undoubtedly one of the greatest obstacles. As a remedy the proprietors should be compelled to furnish a printed list of the lots which they possess, and to cause it to be posted up in the offices of the Municipal Councils, and in those of the principal storekeepers and professional men of each county, where the lands are situated.

The Government should follow the same plan to make known the unoccupied lots in the different townships, and appoint efficient agents in each township, who could give the necessary information, distribute the lots, and keep a register.

- 20th. The cutting of the wood on the Crown lands, which has been carried on for a number of years, is very prejudicial to colonisation, as we have already said in reply to the eighteenth question.
- 21st. The establishment of manufactures of different kinds in the country would effectually contribute to diminish the emigration to foreign lands, for while they would give employment to those who are not disposed to farming, such employment would be distributed advantageously for both sexes, and would be better remunerated; industry would be encouraged during the whole year; our seven months of winter in all its rigor would pass without misery. Heaven grant that this project may be realised as soon as possible.
- 22nd. Although unable to bring forward facts to support our conviction, we are compelled to think that the tariff of Canada and that of the neighbouring United States offers no protection to the manufacturer in this province; this point it seems to us, cannot be attained, except by a protecting duty on articles of the same kind as those manufactured in Canada. We consider that by wise regulations, those articles would not become more expensive, and would not in any way affect the revenue.
- 23rd. In the Seigniory of Lauzon there is still a great extent of land belonging to the Government. It is wild and unconceded.

GENERAL OBSERVATIONS.

The most serious obstacle to colonisation, especially for families, is the want of means to commence a settlement: Government alone can supply this deficiency.

The emigrant who leaves Europe to settle in Upper Canada finds himself in a much more advantageous position. The public works which have been carried on there for a number of years, and the high price which labor commands, at all times, furnish him with employment sufficiently profitable to procure him the means of clearing the land which he finds on the spot, and generally on the shore of one of the great lakes. There also he meets with sympathy.

The Lower Canadian settler is deprived of all these advantages.

What does not Norway do for her emigrating subjects?

Government should at least follow the example of foreigners, and come to the aid of the Lower Canadian settlers.

Let them then establish depots of provisions and cereals, under the care of responsible agents, furnished with authority and necessary instructions, so as to prevent fraud and ensure repayment by instalments.

Without this assistance the settler can never establish himself; clearing can only be effected by a class in easy circumstances, who, with but few exceptions, care but little about it. Without this no system will furnish anything but vain theories which can never be reduced to practice. There is no want of facts to prove this.

The small colonization societies, although established with an essentially philanthropic view, on a well organised system, can only be favorable to a class who can easily submit to sacrifices.

And yet, the poor settler disposed to work, accustomed to privations of all kinds, hardened to misery, in a given time will do a greater amount of work. Without this class of men colonization would languish, and consequently the country would be deprived of great agricultural resources; and moreover, we should have the pain of seeing the man, who under more favorable circumstances would have become a rich farmer, remaining the mercenary hireling of him who was born under more favorable circumstances.

Let the roads be opened; let depots of provisions and cereals be established; let missionaries be sent to the settlers, and then emigration will cease; settlers will abound on all the uncultivated lands, the forests will shortly be replaced by fertile fields, the climate will be improved by the clearing, whilst to the noise of our streams and waterfalls some hands will prepare a cheap clothing for the industrious settler, as well as the utensils he may require.

Generally the spinning wheel and domestic trades will give way to manufactures.

“Let us take possession of the soil:” very well; but since this fine idea is susceptible of much developement, let it also be the motto of a theory which may be reduced to practice. This patriotic cry ought to proceed from the Government, the national protector of the descendants of the intrepid founders of the colony.

In conclusion, let us be permitted to express an ardent prayer, which is indeed but the echo of that of the mass of our countrymen, namely, that at no distant period Government may give us occasion to add to this device. “Success to agriculture, industry, and commerce,” the safeguards of our institutions, our language, and our laws!

Unfortunately, since the conquest nothing has been done for colonization in Lower Canada. Ever since that period, as at present, it contends against insurmountable difficulties. Everything militates against the Lower Canadian settler.

Now a prosperous future seems at present to be approaching for our fine country, let us hope that Government will inaugurate a new era worthy of its gigantic destiny. "This is no fiction, for government can do it."

N.B. To encourage clearing we would humbly suggest that the government should offer prizes; let them, for example, give the half of the seed for the land cleared during the season.

Hubert Roy, Mayor of St. Vallier.

- 1st. We know that such an emigration has taken place, without however being able to determine the quantity.
- 2nd. Those who go away direct their steps to the manufacturing States.
- 7th. The causes are, the want of liberality in the Government, and its carelessness with regard to the settlers.
- 8th. The causes of this emigration arise from the difficulty of settling on the Crown lands, where Government has constantly neglected to make roads, which would have contributed to induce all the poor emigrants to the United States to remain at home.
- 9th. The price of farms is too high for the means of each individual.
- 12th. There are about 150.
- 13th. All of them, and immediately, if the roads were opened.
- 14th. In the townships adjacent to this municipality.
- 15th. It would certainly have ceased.
- 16th. We advise free grants of public lands.
- 21st. Yes, undoubtedly.
- 22nd. The present tariff is such that at present it discourages native manufactures.

Modeste Richer, St. Maurice.

- 1st. Yes, in a manner to be regretted.
- 7th. Want of sufficient means.
- 1th. Yes.
- 12th. About 1200.
- 13th. Nearly all.

- 14th. In the townships of St. Maurice and Shawenegan, and higher up on the St. Maurice.
- 15th. Yes, certainly.
- 16th. Very much so.
- 21st. Yes, certainly.
- 23rd. Yes, the township of St. Maurice; but little accessible to the settler.
- 24th. Partly occupied, partly wild. The people or settlers who buy the land pay too dear for it, get into debt, and are obliged to abandon their farms and emigrate, with the loss of their labor and outlay. The townships of St. Maurice and Shawenegan are well peopled, but the inhabitants are poor. The higher Crown lands on the St. Maurice would soon be overspread with settlers, if Government favored and encouraged the people who are desirous of settling there.

—

Frs. Morin, Am. Laliberté, Dr. Maurault, of St. Simon.

As to knowing whether, during the last five years, there has been emigration to foreign countries, it is only necessary to examine the public journals to be convinced that far from decreasing, it has augmented to an alarming extent.

Now as to the principal causes of this emigration, in our opinion they are as follows:

- 1st. Want of protection of agriculture by the Government. We would wish to see agriculture on the same footing as commerce; agriculture paying indirectly the greater part of the taxes, should in justice enjoy at least the same protection.
- 2nd. The want of manufactures of all kinds throughout the country.
- 3rd. Want of protection for the poorer class. Let us diminish the tariff on articles which are strictly necessary, and increase it on articles of luxury, or abolish all duties between Canada and the United States.
- 4th. The excessive price of land not yet conceded by the seigniors.
- 5th. The suits instituted by the great proprietors against those who have settled on their lands in the Townships, and the impossibility of discovering those proprietors.

We think that if the lands of those persons who have not fulfilled the condition of their titles, were re-annexed to the domain of the Crown, to be subsequently conceded gratuitously, the colonization of the country would thereby be encouraged, and emigration would by this means be prevented.

- 6th. The licenses granted by Government to certain individuals to cut timber for commerce on large tracts of land, deprives the settler thereby of a means of

subsistence until his land shall be in condition to produce sufficient for his support.

We are persuaded that all the young people of our locality would most readily accept lands, if offered to them gratuitously, in the Townships of Acton, Upton, and Roxton, and would settle there. This would be an infallible means of arresting emigration.

L. Lacoste, Mayor of Boucherville.

- 1st. I know that for five years past, emigration has been going on from Canada to foreign lands.
- 2nd. This emigration takes the direction partly of the manufacturing countries, but principally of the agricultural districts.
- 3rd. In my locality emigration is chiefly confined to young persons.
- 4th. In the proportion of 3 or 4 per cent. on the entire population.
- 5th. The people of this locality are of French origin; three-fourths of the emigrants consist of the agricultural class, and one-fourth of mechanics.
- 6th. Of the emigrants, a certain number have returned pretty well off, as to their physical condition, but generally with very loose morals, and without pecuniary means.
- 7th. The principal causes are, I believe, the difficulty which has hitherto existed of procuring farms to settle on, and the higher prices paid by our neighbors, both to farm-laborers and mechanics.
- 8th. I think the causes are very nearly the same in all localities; at any rate, I believe these to be the causes in my locality.
- 9th. The persons who emigrate have generally evinced a desire to obtain land in this Province, either from the Crown or from the Seigniors; as to obtaining it from the Crown, the formalities to be followed out, the expense, the isolation of the lots not permitting the formation of communities, the want of easy communication, and the difficulty of obtaining *mitoyen*, and other works to be performed by absent or unknown proprietors, are, I think, the reasons which compelled many to renounce the idea of applying for them. As to the unconceded lands in the Seigniories, the high rents and other extraordinary conditions, have made people give up the idea of settling on them.
- 10th. The suits in question have been, I believe, from certain information which I have received, the cause that those so treated have emigrated, with many of their relatives and friends.
- 11th. I think so, especially if the qualities of the soil were advertised, clear and precise conditions for colonization were made known, and arrangements made which would permit a certain number of families from the same locality to settle in one place, or to send their children thither.
- 12th. From seventy-five to a hundred, I believe.

-
- 13th. Half of them at least, if the land were of a suitable quality; and granted to them in the same locality.
- 14th. The south-east part of the District of Montreal, or that neighborhood, would I think, be one of the Townships which they would prefer.
- 15th. Admitting that lands had been offered gratuitously in the different districts of Canada, emigration would perhaps have diminished, but not ceased.
- 16th. I think that the want of means of communication has been one of the obstacles to colonization, and one of the causes of emigration.
- 17th. A low price would be no obstacle, provided it were not for land difficult to bring under cultivation, or on which the wood has been cut.
- 22nd. It has the effect of retarding the progress of the province, and often of discouraging the manufacturer.

Jos. Barbier Laperle, of St. Valentin.

A very considerable emigration has taken place during the last five years from Lower Canada to foreign countries; it is directed chiefly to agricultural districts. There is no doubt, that the cause of this emigration arises from the want of manufactures, from crushing penury, and from the impossibility of obtaining lands and settling on them, owing to the want of pecuniary means.

The numbers of men of eighteen, and over, not possessed of land, is considerable. Fathers being unable to give advantages to their children, these latter seek their fortune elsewhere. It is quite natural, a father (and there are many of them) with but fifty-six arpents of land in extent cannot settle four or five children; and he cannot even bring them up without great difficulty.

The establishment of manufactures of different kinds, the gratuitous distribution of land, without seigniors, a free circulation of money for works which should be multiplied, will encourage labor, and put an end to emigration.

M. Poirier, of l'Assomption.

- 4th. The proportion is not greater than one per cent.
- 5th. The proportion of those of English and Anglo-Saxon origin is more considerable than those of French origin, and they belong almost entirely to the agricultural class.
- 6th. Of those persons who emigrated to the United States, a few have returned, nearly all without money, and the greater part in a lamentable state of demoralization.
- 7th. I think that the principal cause of this emigration are the exaggerated accounts of advantages which are given of certain territories of the United States, and in some degree to the difficulty of obtaining lands in this country.

-
- 14th. Many seem disposed to settle in the Townships of Kilkenny, Wexford, Chertsey, Cathcart, and even on the Ottawa.
- 16th. The want of communication is, in my opinion, one of the greatest obstacles to colonization.
- 17th. I think that with good roads, the public lands might be conceded with advantage, even for a moderate price.
- 20th. Yes, certainly.
- 21st. Yes.

I would strongly recommend your Committee to cause as many roads to be opened as possible, in all the townships in which there are lands susceptible of cultivation, as being the most powerful means of encouraging colonization.

F. Torr , N.P., of Kakouna.

- 1st. I know that emigration has taken place from Lower Canada to foreign countries during the last five years.
- 4th. The emigration in my locality may be in the proportion of one per cent. on the entire population.
- 5th. This proportion refers only to the agricultural class of French origin.
- 6th. A certain number of the persons who have thus emigrated, have returned in a physical and moral condition which gives but little encouragement to them to go back, and in a similar state as to their pecuniary means.
- 8th. The cause of emigration is generally want of means to open up uncultivated lands in this country.
- 9th. The emigrants often evince a desire to settle on the Crown lands, which, however, they cannot clear nor open up in consequence of their want of means as before said.
- 11th. I think that if all the lands which have been conceded to individuals who have not fulfilled the conditions of their patents, were annexed to the domain of the crown, it would assist in arresting emigration by opening all those lands to colonization.
- 12th. The number of men of eighteen and over who have no land may be at the least two hundred.
- 13th. I sincerely believe that seven-eighths of them, if not all, would be disposed to take land on the public domain, if conceded to them gratuitously.
- 15th. I am perfectly convinced that if lands had been offered gratuitously in each of the districts of Canada, the emigration of the Canadians to the United States would have been extremely small.
- 16th. The want of means of communication in different parts of the country, where there are lands to concede, is an invincible obstacle to colonization, and moreover is one of the principal causes of emigration.

-
- 17th. I would advise free grants of public lands, because it would tend to encourage and facilitate the settlement of a very great number of Canadians, who otherwise could never succeed in attaining that object.
- 18th. Without any doubt the uniform price of high, low, and swampy lands, and lands from which the wood has been removed, is a great obstacle to colonization.
- 20th. The practice followed by Government of granting large tracts of land to a single house, or to a single individual, to cut timber on the Crown lands, has also been indubitably prejudicial to the colonization of wild lands.
- 21st. The establishment of manufactures in this part of the country, would also serve as a check to arrest the progress of emigration to foreign lands, inasmuch as it would have the effect of employing usefully those who might be inclined to emigrate.

Charles LeTellier, J.P., of Beaumont.

- 1st. A considerable emigration has gone on from Canada to the United States during the last five years.
- 2nd. It is directed towards agricultural districts.
- 7th. One of the principal causes of emigration is the difficulty which exists in opening up a farm. 1st. The terms exacted for a title to lands are too exorbitant. 2nd. The want of easy communication. 3rd. Most frequently, also, the want of pecuniary means to erect the necessary buildings and make the needful clearing.
- 15th. It is quite certain that if lands had been ceded gratuitously in the different districts of Canada the emigration would not have been so considerable.
- 16th. The want of means of communication in the different parts of the country, where there are lands to concede, is one of the great obstacles to colonization, and therefore one of the causes of emigration.
- 18th. It is quite certain that, if a uniform price is affixed to high, low, and swampy land, it will impede colonization; swampy land, and land from which the wood has been removed for commerce, should be conceded gratuitously.
- 19th. The impossibility of knowing the true proprietors, owing to the non-registration of titles to land in the township is very hurtful, and is probably an obstacle to colonization.
- 20th. The practice followed by Government of conceding to a single house or a single individual, vast tracts, for the purpose of cutting timber on the Crown lands, is, I am persuaded, one of the principal causes which prevent the colonization of those regions, for these lands are stripped of their wood, and the settlers who might have profited by the advantages which the good wood might have yielded them, are deprived of it, and will not settle there. No large tracts should be conceded for the purpose of removing the wood, unless it be in places where advantages for colonization do not exist.
- 21st. I am of opinion that the establishment of manufactures of different sorts would

have the effect of retaining a certain number of young people, who are willing to be employed at this description of work.

23rd. I am not aware of the existence of any great tract of land in our county, in the possession of absent or great proprietors, but in many other places there are some of these great proprietors, and I think I may say that their great number is the principal cause which retards colonization, and has often the effect of causing the settlers adjacent to those great proprietors to abandon their lands because many of them are unknown, and leave them in a state of nature. Others, who are well known, refuse to perform the work which should be done for the public good.

G. Tanguay, St. Gervais.

- 1st. There is no doubt that emigration from Canada to the United States has gone on during the last two years.
- 2nd. The emigration is directed especially towards manufacturing districts; some emigrants have gone to California. The greater number hire themselves out in workshops, yards, and saw-mills, and generally devote themselves to the hardest description of labor, in the hope of receiving better wages, and of returning soon to this country with the means of settling.
- 3rd. I calculate that about fifty young men have left the parish during the last five years; these are all youths in the flower of life, full of courage and vigor, who leave their country, their eyes overflowing with tears, with the hope of returning, after some years, with the means of settling in their native parish. This parish is one from which the greatest amount of emigration has taken place; I estimate at about 200 the total number of those who have left the county, in the space of five years, to emigrate to the United States or elsewhere.
- 4th. One in 200 annually in the Parish of St. Gervais, and one in 400 very nearly in the whole extent of the County of Bellechasse.
- 5th. All of French origin, and nearly all sons of farmers; at least 90 per cent. belong to that class.
- 6th. A very small proportion return, hardly $\frac{1}{2}$ per cent. of the latter. Those who have preserved their morals, have brought back with them some hundreds of dollars, a spirit of enterprise, a taste for speculation and industry. Others, the greater number, have settled in the United States, have married there, and seem to have lost all recollection of their native land. The moral and pecuniary condition of two-thirds of our poor emigrated countrymen is deplorable.
- 7th. 1st. The want of remunerative employment, and, consequently, the impossibility of settling with their savings.
 2nd. The want, in many places, of means of communication to reach the new lands, and, in some cases, the want of that indomitable energy which is necessary to bury oneself some leagues in the woods, to cut down the first tree of a great forest, pitch a tent in the midst of solitude, to give up all family joys and all society, in the certain but distant hope of living in an ordinary manner after years of hard and incessant labor.

-
- 3rd. The comparatively high price of the public lands; the hard conditions of clearing and residence imposed by the department of Crown Lands.
- 4th. The want of education, and of the knowledge necessary to appreciate the relative advantages of their native land, which they have seen really and positively, and of the foreign land, which is presented to them with all the promise of an unknown land.
- 5th. The want of an available career to satisfy the taste of an active and novelty-seeking race, the overcrowded condition of the liberal professions, &c.
- 8th. The causes are very nearly the same everywhere. In this county it is, above all, the want of a means of communication with the new lands, and the low wages of the mechanic, which cause the emigration of our young people.
- 9th. Easy access to the new lands, and less onerous conditions of clearing, would certainly have prevented a great number from carrying elsewhere the fruit of their labor.
- 10th. In the eastern Townships, annoyances on the part of great unknown proprietors has discouraged many hearts, and the fear of similar treatment has caused the abandonment of many cleared lands. A measure which would insure to the possessor of a farm belonging to a proprietor of this description the peaceable enjoyment of the fruit of his labor, on payment to the proprietor of a sum similar to that exacted by the department of Crown Lands, and with the same terms of payment, would, in my opinion, be justified by the public advantages which would result from it. I think it a duty to recommend this sort of protection for the squatters.
- 11th. This method, or the one I have first suggested, ought to be adopted: great good would result from it. The very nearly useless attempts which the legislature has made during a considerable number of years to compel these great proprietors to make themselves known, to contribute to the means of communication, and to a certain degree to prevent them from being an obstacle to the advancement of colonization, would fully justify the Government in adopting this rigorous proceeding.
- 12th. In the parish of Saint Gervais, of which the population is about 3500 souls, I think about 100 young men have no prospect of an establishment.
- 13th. At least three-quarters, or seventy-five, according to my estimate.
- 14th. There is no doubt but that all these young men would prefer settling as near as possible to their paternal hearth, their relations and acquaintances. Now winter emigration has been directed in this county, especially for a certain number of years to the townships of Lambton, Forsyth, Somerset, Halifax, &c. &c.; and for four or five years to the new colony in rear of Bellechasse, or the townships of Armagh, Mailloux, Buckland, &c. It is therefore to those places that they will go in crowds as soon as more certain and commodious means of communication are opened. Already more than 200 families reside in these three townships, and at least an equal number are waiting for better roads, or for any roads at all, to go and join these pioneers. These townships and those of Standon, Ware, Broughton, Daaquam, Roux, Montminy, and that portion still in common, forming the south-east part of the county, compose a considerable tract of magnificent lands, which if rendered more accessible by good roads would be opened to colonization with inconceivable rapidity, and might give bread, and even wealth, to a population of more than 50,000 souls.

15th. I think it would have been almost completely arrested, if we had not been satisfied with making free grants of those lands, but had further opened good roads to communicate with them.

Roads and easy terms of payment are more advantageous than free grants of land without means of communication. I do not think that the actual price of the public lands in this part of the country is an obstacle to an advancement of colonization.

17th. I have never been of opinion that the actual price of the public lands (1s. 6d.) was an obstacle, if conditions of clearing and residence, and too onerous terms of payment, were not imposed. I have never heard a person complain of the price, but much of the difficulty of reaching those lands, of procuring seed, of clearing the number of acres exacted annually by the regulation of the Department of Crown Lands. The free granting of these lands would not be an advantage if it resulted in the still greater reduction of the fund destined for the opening of roads and making surveys. I wish to see the annual grant in favor of colonization doubled, and even trebled.

18th. In my opinion this obstacle is comparatively of no importance ; and, moreover, who is to decide ? It would be opening a door for a tempest of recrimination, and multiplying the cost of agency.

20th. Yes ; for the timber is to many settlers a means of subsistence during winter, and of obtaining seed grain for the spring. The proceeds of the sales of these limits do not make amends for the injury done to the purchasers of such lands, and then we are not to be unmindful of the future. This timber, now of small value, which is sacrificed for a few pence for each tree, will one day bear the same value as it now does in the old parishes. Let us act in public matters as a good farmer does for himself, he does not cut down one tree needlessly.

21st. Yes ; if wages are as high as elsewhere, a better result would in my opinion be obtained by the encouragement of colonization in our fine and immense forests, by aiding in realizing the treasures of the St. Lawrence, and by granting bounties to the fisheries and shipping. But let us not hereafter leave this business in the hands of some five or six houses, and above all let us not flatter ourselves that we have done everything for colonization when we have voted fifteen or twenty thousand pounds while we are granting millions for commerce and railroads. What is commerce without agriculture ? or what avails it where the soil does not yield food for the inhabitants of a country ?

22nd. I consider that they do not afford sufficient protection to the manufacturer to enable him to compete advantageously with the neighbouring States, where facilities of transport and the use of machinery must diminish the cost of production.

23rd. There are no such proprietors in this county, at least to my knowledge.

D. H. Tétu, Priest, Curé of St. Roch-des-Aulnais.

1st. Three families, consisting of thirteen persons have left this parish and gone abroad, to my knowledge, within the last five years.

- 2nd. They directed their steps to Illinois in the United States to engage in farming.
- 5th. They were French Canadians.
- 6th. None of the number have returned.
- 7th. Their motives for emigration were a desire to obtain lands at cheaper rates, of better quality and in a better climate than those in this parish.
- 12th. I cannot exactly state the number of men in this parish of more than eighteen years of age who are not proprietors. I think there are three hundred.
- 15th. I hold it to be quite certain, that if lands had been offered to settlers for nothing in each district of Canada, the emigration to the United States would have been greatly diminished, and I think it probable that it would have altogether ceased.
- 16th. The want of communication by roads in different parts of the country where there are lands to be settled, has no doubt been an impediment to colonization, and therefore a great cause of emigration.
- 17th. I should recommend in the first instance, free grants of public lands, and in case this were thought impracticable on account of the expenses of surveys, and the opening of roads; I should next advise that lands be granted *à titre de rente constituée*, leaving the settler free to dispose of his property as he may think fit. If he were disinclined to clear, his neighbour might oblige him to clear his front and side lines (*donner du découvert*) in pursuance of the "Act to remedy abuses prejudicial to agriculture;" and if he allowed it to be sold by the Municipal Council, whatever work he might have done would fall with the property itself into the hands of another settler. I recommend this plan of granting lands *à titre de rente constituée* only provided they cannot be conceded gratuitously, because I have seen it in the seigniories, where all the lands were conceded *à titre de cens et rentes perpétuelles*, although such lands were burthened with the payment of *lods et ventes* and many other burthen-some charges, yet the poor settler had to pay, in order to become a proprietor, only the deed of his property, and in some seigniories only, the cost of the *procès-verbal* and of the measuring of their land. All the lands or seigniories from *Trois Pistoles* to *Pointe Lévi* on the North side of the River were conceded in this manner, and a very large number of young men who had nothing but their hands when the lands were so granted, are now rich proprietors, living well and bringing up their families at the superior schools, the township lands remaining uninhabited as long as any remained unconceded in the seigniories. I think it right to inform your Committee that the several methods of making grants of Crown Lands, from the surrender of the country till a few years since, as for instance, that of reserving one lot in seven for the Crown, and one for supporting the Protestant clergy, and of choosing such reserves among the lots conceded, so that every reserved lot had two lots for settlers on one side, and three lots on the other, is pernicious. I assert positively, that this method of granting Crown Lands has caused them to continue ungranted in this neighbourhood, and to remain in a state of nature; and that when no more land was to be had in the seigniories, then began the emigration to the United States. These people were unwilling to receive the offices of religion from a body of clergy who were strangers to their creed, and to perform statute labor for two lots of land in every seven, while two lots were to remain waste. Subsequently the principle of granting lands at too high rates was adopted, together with a system of confiscation in cases where the

second or subsequent payment was not punctually made, and the obligation furthermore of clearing so much land and erecting a house. This was unsatisfactory: the road for emigration to the United States being already traced by the first method, became well beaten under the second. The plan adopted, within these few years, of granting lands in this neighbourhood for 1s. 6d. per acre would be less objectionable, if it did not include the principle of confiscation in case of failure to pay a few instalments of the price, to clear a certain extent of land, and to put up buildings. Under this system, a man must be a capitalist before he can be a proprietor, that he may risk the forfeiture of his property, and the loss of the labor done, and the instalments paid upon it. This new system has not closed the road to the United States, which still remains wide and well-travelled. To narrow its limits, lands, if not granted gratuitously, must be conceded *à titre de rente constituée* and at no higher rate than 1d. per acre, payable yearly, two or three years from the date of the grant, and redeemable at the will of the settler. The latter should be allowed to clear his land according to his own pleasure, neighbours being enabled to insist mutually on a certain line or point clearing, preliminary to a final clearing. The Government, as *baillieur de fond* would have the first mortgage on each lot of land granted, to the amount of the capital and arrears of *rente constituée*. It would be necessary to compel the settler to become resident (*à tenir et faire tenir feu et lieu*) on the property.

- 18th. The swampy lands in this neighbourhood ought to be given, not sold.
- 19th. The lands in the township ought to be numbered, and it should be compulsory to mention the number of the lot in the deed of concession, as also in all obligations affecting real property. An office should be opened in which an extract of every transferable title to real estate should be enrolled, and a sufficient index be kept, in which all concerned may find out the number of each lot belonging to a proprietor.
- 20th. The system followed by the Government, of granting to a single individual large tracts as timber limits on the public lands has been extremely prejudicial to the settlement of wild lands. The settler finds himself deprived of the benefit which he might have derived from the timber, had any existed on his land; commerce would have derived as much profit from it through the settler as through the parties who have laid bare large tracts of forest land; and the settler himself, moreover, would have been greatly aided, in the risk of clearing and building, by the sale of his timber.
- 21st. The establishment of various branches of manufacture in this locality would give employment to a large number of young people, who betake themselves in search of it during a part of the year, and during several years, to the factories in foreign countries, and would effect incalculable good in our locality in many other respects.

V. H. Tournis, of St. Etienne.

With respect to the emigration of the inhabitants of this district, within the last five years, I have no knowledge that it has been worthy of notice. I have, however, known some instances of it. The reports sent by most of those who have gone to the United States are so favorable that it is much to be feared the movement will greatly increase. With respect to any change in

those who have come back to their Canadian homes, I have observed nothing in their physical condition that struck me particularly. In a moral point of view, I think I have noticed a certain degree of improvement. They seem to me more sociable and less prejudiced against those who differ from them in creed and religious faith. As to the proportion which their numbers bear to the entire population, it may be 8 or 10 per cent., exclusive of a hundred families who are said to have left us lately. For some years past I have had much intercourse with persons of the farming class. This has given me many opportunities of studying and becoming acquainted with the incredible distress and misery which prevail in these poor families. The principal cause of their calamities proceeds from the vicious management of the large and rich land-owners in the neighborhood. It is much to be feared that, if speedy and effectual measures are not adopted, these poor people will be at length weary of soliciting the aid of their own Government, and will bend their steps to the United States. My conviction, strengthened by the experience of several years, enables me to assert that the conduct and the proceedings of the rich proprietors towards the squatters who have settled on their lands are the special cause of their emigration to foreign countries.

- 11th. Yes. This is the favor which our people have long and ardently prayed for. It is the earnest desire of all hearts. It is almost certain that the thousands of acres which now lie waste would be at once settled and cultivated. The obstacles to the settlement of these lands have been highly detrimental to the progress of agriculture. Some who had settled on them five or six years ago lost heart, and went away to other parts. A few years since a man came from the United States to settle in this parish, but seeing the state of things he returned to his own country after a residence of two years in Canada. Another case, nearly resembling this, is likely soon to take place.
- 12th. I cannot exactly state the number of men of eighteen and upwards who would wish to settle, but I know that it is very great.
- 13th. Everybody.
- 16th. The want of good means of communication is the occasion of many difficulties. It prevents the settlement of many districts, and may indirectly be a cause of emigration.
- 20th. I do not think so. On the contrary, I am happy to state, that those gentlemen who furnish employment to our young people are the cause of many remaining at home.
- 21st. Doubtless, the establishment of manufactures here would have the effect of arresting emigration in a considerable degree. And not only that, but I believe that it would have the double effect of recalling those young Canadians who have gone to the neighboring States.

A. D. Hébert, Priest, of Kamouraska.

- 1st. Ten families have quitted the parish for Chicago, and four or five have returned, very poor.
- 2nd. Thirty or forty young men have left the parish for the United States within these five years. The same number have settled in Saguenay, or in the Townships, in the rear of Kamouraska.

I believe there is an opinion prevalent that the want of means of communication with the uncleared lands is the main cause of emigration.

If the Government were to open the roads required and complete those which have been commenced in Saguenay and elsewhere, I think that the emigration to foreign countries would be arrested, and that we should soon see the colonisation of our fine and excellent lands proceed with great advantage to the country.

Philippe J. Franz, of Beauport.

- 1st, 2nd, 3rd. Every one knows that for a long time before, and especially within the last five years, a large emigration takes place annually from all parts of Lower Canada to the United States, chiefly to the manufacturing districts, the mines of Lake Superior, (Michigan and Wisconsin,) and California. This emigration increases daily.
- 4th. We may venture to estimate the emigration from all Lower Canada at one person from three families.
- 5th. Four out of five of the emigrants are of French origin, of the middling class as to fortune, the remainder nearly all Irish, of the laboring class. The number of individuals of Anglo-Saxon origin who emigrate to the United States is imperceptible.
- 6th. Instances of emigrants returning are rare. Occasionally a young man returns, who, having saved a certain sum in a manufacturing place or at the mines, comes back to release his relations from the distress into which they have fallen through bad pursuits, want of employment or successful traffic at home. Sometimes a sluggard or a drunkard, who has been found to be useless abroad, and who thus again becomes burthensome to his family. Families seldom return.
- 7th. The principal, perhaps the only cause of emigration is, the too frequent want of employment, and the rate of wages being so low as to be insufficient to afford sustenance, pay the debt incurred in the frequent bad years, and provide a child with land and the requisites for settlement.
- 8th. The cause is identically the same in all Lower Canada; sustenance during the clearing of the land and the growth of the crops.
- 9th. Many persons who emigrate would gladly settle on Crown lands, or on the vacant unconceded lands in the seignories, but the best of the former in Lower Canada (those in the valleys of the St. Maurice and of Lake St. John) are neither surveyed nor provided with those means of communication which are indispensable conditions of settlement; and as to the vacant and unconceded lands in the seignories, the proprietors demand prices too exorbitant for them. Moreover, the profits of labor in the country are not sufficient to enable a settler to build and purchase the requisites for settling and sustenance, to last until his land is cleared and yields a crop.
- 10th. Those cruel and unreasonable suits have certainly driven many persons from the country.

-
- 11th. There are still uncultivated lands enough in Lower Canada for settlers during many years, to render it unnecessary to turn out the poor settler who has not been able to fulfil the conditions of his grant, perhaps through no fault of his own, but through bad seasons, sickness, or other misfortunes, so frequently the lot of settlers in wild countries. These acts of ejectment must necessarily increase the amount of emigration.
- 12th. Throughout the country, of ten persons of eighteen years of age and upwards, seven at least have no land, and no prospect of acquiring any at home. The custom of dividing farms does not now prevail, as they are already barely sufficient for the support of a family, and the vacant lands in the seigniories, and those in the hands of jobbers and land companies, are held at prices too high to permit farmers or farmers' sons to purchase and settle on them. Employment is too scarce, and wages too low, to admit of that in Canada.
- 13th. Nearly all would be glad to settle on Crown lands, if they could select and secure them on favourable terms, and good roads were made.
- 15th. The emigration would no doubt have diminished, if lands had been offered on favorable terms in the several districts of Canada, but with good roads. No person would wish to go away if he could settle near his native place and his relatives, and find the means of settling comfortably.
- 16th. The want of good roads is evidently one chief obstacle to colonization. The very making of roads would have the immediate effect of arresting emigration among the country people, for they would find permanent employment and good wages at home.
- 17th. Grants of public land ought to be made at moderate prices, payable in ten annual instalments, without interest, and to commence two years after the date of possession. The whole of the purchase money should be expended in the making and maintenance of roads. These should be opened at once and everywhere, by means of an advance from the Government, or of a loan, to be repaid with the instalments on the lands sold.
- 18th. This uniformity can be no impediment to colonization, the price being too low for each and every class of lands.
- 19th. This impossibility has been no slight impediment to the settlement of the Townships, as some of the most fertile parts were necessarily left uncultivated, through the fear of ejectment and ruinous law suits.
- 20th. This custom cannot fail to be prejudicial to colonization, without yielding any considerable revenue to the provincial chest. It serves only to enrich a few favored individuals, to the great injury of the settlers, who thus lose the opportunity enjoyed by settlers in the States of attaining at once a certain degree of independence, by the sale of their large timber. This they effect at once, as soon as their property is provided with good roads.
- 21st. The establishment of manufactures of different kinds in different parts of the country, together with the organization of a good system of colonization, and of immigration from foreign countries, would have the immediate effect, not only of arresting at once and for ever all emigration to the United States, but very probably also of recalling to their country nearly all the Canadians now there.
- 22nd. Many persons very competent to judge, are of opinion that a free exchange

of all articles of industrial and agricultural production would be more beneficial to both countries than any fiscal restrictions. The actual tariffs are not burdensome to the Canadian manufacturer.

23rd. In this, as in almost every county in Lower Canada, there are considerable tracts of land the property of absentees, nameless companies, large jobbing proprietors, or seigniories, and obtained with indisputable titles.

24th. Generally such lands lie waste, and are to be purchased only at very high rates at which they are held. Some of them lie in the midst of the most flourishing and highly cultivated of our settlements, and contrast painfully with the fine productive lands adjacent.

As a conclusion to the answers above given, I think I may venture to state, that the most effectual measures to arrest emigration from Canada to the United States would be the following, or something of the same kind :

1st. To cause all the Crown Lands in Lower Canada, particularly those in the valleys of St. Maurice and Lake St. John to be surveyed and laid out in lots forthwith.

2nd. To cause good roads to be made at the same time in all directions through the surveyed lands, thus giving permanent employment to those needing it and opening an access to lands for settlers.

3rd. If it is feasible, to enjoin the large jobbing proprietors, seigniors and land companies to cause their vacant and wild lands to be surveyed and laid out in lots of the same extent as the lots on the Crown Lands, and to intersect them also with roads in every direction.

4th. To put up no more Crown Lands for sale by auction, but to fix a moderate rate at which they may be granted to persons of either sex on their demand, either for themselves or for their children, of all ages and both sexes, provided such grants are made to the individuals by name ; that is to say, received in the name of the person soliciting the grant, or in whose behalf it is solicited. To grant no more than 100 acres to each person ; to grant two lots to husband and wife, to stipulate that each lot granted shall be immediately built upon, and the proprietor reside thereon five years either in person or by his bailiff ; to allow only one house to be built on several lots when the same, being the property of one family, are adjacent ; to stipulate that at the end of five years at least five acres of land shall have been cleared ; to require the grantee to keep in order the roads passing through or by his property ; to make the purchase money payable in ten yearly instalments, the first in two years after the erection of the house, without interest, and the whole of the said of the said money to be expended in defraying the expense of surveying the lands, making and maintaining roads, in liquidating the advances made by the Government, or in repaying any loan effected to meet the above items of outlay.

5th. To oblige the large proprietors, seigniors, and land companies, within three or five years, if possible, to sell their vacant and uncleared lands to settlers who will reside on them immediately ; and, after such delay, to compel them to grant them to settlers claiming them, at the price and on the conditions on which Crown Lands are granted in the same district.

6th. To procure, if consistent with the laws, by-laws to be passed by corporate bodies, at least in large towns ; to establish a minimum rate of wages for

every class of workmen, and a heavy penalty to be paid by masters convicted of paying a lower rate (ship-builders often paying their men in winter no more than 1s. per day.

7th. To enact a law in virtue of which five years more should be granted to actual settlers, to fulfil the previously unexecuted conditions of these grants, to induce them to give up any idea of emigrating and to devote their energies to the cultivation of their lands.

8th. To grant no more licenses to cut timber over vast tracts of Crown lands, but rather to sell the land itself to jobbers at the average rate above mentioned, payable at once, and to expend the proceeds immediately in surveys and the making of roads, stipulating with the purchasers that they shall re-sell the lands in lots to settlers applying for them at the ordinary price of Crown lands in the same district.

9th. To make efforts to introduce every where the cultivation of flax, hemp, hops, and beet, productions which succeed so well and so generally in this country, and to encourage the establishment of manufactures, particularly of linen and hemp, tobacco and beet-sugar, the raw material for which may be supplied by the country. No slight advantage!

10th. To encourage the formation of colonisation societies in each county, in order to the establishment of settlements of individuals from one neighborhood, at some spot on Government lands. Into these associations all persons, of both sexes, and of any age, might be admitted and take shares, either personally, if of mature age, or by their representatives, if minors, and so acquire, in the course of a few years, by the payment of a slight monthly contribution, a farm nearly cleared and therefore yielding profitable returns from the date of possession.

11th. Finally, not to delay an instant those measures which are necessary in order to attract and retain the stream of emigration from the continent of Europe, especially from France, Germany, Switzerland, and the northern countries. The emigrants of that class, by the capital which they introduce, and their persevering industry and intelligence, would enrich Canada, and be the means of a progress as rapid as that which through them distinguishes the prosperity of the United States of America. Immigration from abroad would assuredly put a stop to the emigration movement to the south. Many of our countrymen would in fact find permanent employment and liberal wages in the numerous factories and farming establishments which these strangers would establish. Many of them too, stimulated by the example and assisted by the experience of the German settlers, would find profitable modes of employing their time on their own land, in effecting the improvements introduced by the foreigners, and so reforming their present vicious system of agriculture. As I devoted my attention for many years in the United States to the subject of emigration and colonisation, I venture to affirm, that I believe myself more competent than any other to point out the true measures to be employed to attract foreign emigrants and advance colonisation in Canada. I left the United States chiefly on account of the obstacles thrown in the way of foreigners, but also that I might draw as far as I could the stream of Swiss and German emigration to Canada. I am conscious of the immense advantages which it affords to the emigrant from the continent of Europe, and I made them public in a long address to the Government of Switzerland, in which I advised them to direct their countrymen to proceed to Canada rather than to the United States. I also communicated my ideas on this subject to

Colonel Prince and Mr. Rankin, the representatives for Essex, in a personal interview at their residences at Sandwich in 1855, when I was on the point of departure for Quebec; and when I learned that Mr. Rankin was appointed a member of the Committee of Emigration and Colonization, I took the liberty of writing to him to remind him of our conversation in 1855, recommending to his notice some of the measures which I consider to be advisable, and requesting him to lay them before the Committee.

A. H. de Caussin, N. P. of St. Julienne.

- 1st. I must admit that I do not know whether any emigration has taken place from Lower Canada within the last five years, but I am very sure that there are in the United States a great many Canadian families, mostly employed in agriculture, who might greatly contribute to the prosperity of their native country.
- 3rd, 4th, 5th and 6th. I have been too short a time resident in the neighbourhood to be able to answer these questions.
- 7th. The principal causes of emigration, in my opinion, are, the difficulty of acquiring new lands, the necessity of families separating, and, more than all, the little trouble taken to educate the farming class.
- 8th. I am inclined to believe that these are the general causes of emigration in all parts of the country.
- 9th. There is much to be said; but it will easily be seen that those who emigrate are indifferent whether they settle on Crown lands or on unconceded lands in the seigniories. Everything depends on the proximity of the family and the quality of the land. The principal objections to settling are, the despotic conduct of the agents, the want of roads, the great facility with which land-jobbers obtain considerable grants of the best lands, and the difficulty of ascertaining the names of the large land-owners.
- 11th. I am convinced that if all the lands granted to individuals who have failed to fulfil, and never thought of fulfilling, the conditions of their tenure, were re-annexed to the domain of the Crown, it would, by opening such lands to settlers, be one means of diminishing emigration.
- 13th. A large number would be disposed to take lands of the public domain, if they were conceded, not gratuitously, but with a certain assurance of roads, and the prospect of easy conveyance of their produce to market.
- 14th. They would settle in the District of Montreal.
- 15th. See my answer to the 13th question.
- 16th. I am convinced that emigration would be considerably diminished by the sale of land on easy terms, and, I may be permitted to add, including good roads.
- 17th. I should advise the grants to be made at a moderate rate, because we attach more importance to things which cost us a sacrifice than we do to things which anybody can have for nothing, and without an effort. But the rate, whatever it may be, must be proportioned to the value of the lots, the

quality of the land, the quantity and quality of the timber fit for market, and the facilities for turning it to account.

- 18th. As a consequence of what I have just remarked, uniformity in price would be a great obstacle to colonization.
- 19th. I am able to assert, positively, that the impossibility of ascertaining the real owners, for want of a registration of titles to lands in the Townships, has been one of the principal causes which has retarded the settlement of the country. The grantees should, under penalty of forfeiture, be compelled to register their titles within a limited time.
- 20th. The practise followed by the Government of granting extensive timber limits on Crown lands to one house or individual has been very detrimental to the settlement of wild lands, as it despoiled the land of the very article which was convertible to immediate profit by the settler.
- 21st. I must remark that the establishment of manufactures of various sorts, as it would turn to account the numerous waterfalls and hydraulic power in this country, would certainly have the effect of arresting emigration to foreign countries; but it is chiefly indispensable that the North Shore Railroad should be made, and that it should pass as nearly as possible by the southern slope of the Laurentides.
- 23rd. There are, in the County of Montcalm, lands belonging to great proprietors, and a large number of lots formerly granted to militiamen, who have never taken possession of them.
- 24th. They are generally occupied and improved.

To recapitulate, in order to encourage settlers, it is necessary to have humane agents, good roads, the immediate registration of titles, model farms in all the counties, and manufactures where they are practicable.

D. H. Sirois, St. Barnabé (District of Three Rivers.)

Since the new settlements in the Townships of Shawanegan and St. Maurice have been allotted for colonization, the emigration from this place has been very small. Canadians are generally, more than others, attached to home, and being desirous of settling near their birth-place, people had long wished for the opening out of that tract. At length the Legislature consented, and now, where there was, only six years ago, a dense forest, there are two parishes, with well-built houses, and a church in each. But if the honest, hardy men who now inhabit those new settlements have succeeded, thanks to the most persevering industry, in acquiring a certain degree of comfort, they had first to overcome the greatest difficulty in reaching their location. To accomplish this, they must have possessed courage and zeal unparalleled, for there was, at that time, no road, and the distance of five or six leagues was to be traversed, over a mountainous country, by these persons, loaded with provisions and agricultural implements.

The foregoing account shows that the French Canadian is not disposed to emigrate. Let lands be granted to him, on advantageous terms, under the superintendence of honest and intelligent agents; let roads be opened at the cost of the Province; let the Government make no more large grants of

land to individuals or commercial houses ; let the lands granted to persons who have not yet fulfilled the conditions of their patents be resumed, and reconceded in lots to settlers, on easy terms ; let the poor settler be protected against unjust and vexatious suits, brought by absent proprietors, most of whom appear or declare themselves only at the call of their own interests, and we shall soon see the scourge of emigration abate or wholly cease, and the Canadian people satisfied to live at home.

There is another cause, as prejudicial, in our opinion, to the cause of colonization, ruinous to the settler, and of trivial advantage to the Government. It is the practice followed by the Government, up to the present time, of granting to a single commercial house, or to one individual, timber limits of vast extent, on the Crown lands. The soil, though rich in various kinds of timber, not being intrinsically very fertile, will yield scarcely anything to the settler in the first years after clearing, if the timber is allowed to be carried away by the great commercial houses. This was practised on a large scale in the new settlements above mentioned, and it has been a frequent cause of new settlers leaving their lands, after having made improvements thereon. We have witnessed this with pain in our settlements, and particularly in the Township of St. Maurice, where the soil is inferior, and from which thirteen families are said to have recently emigrated to the United States.

It is therefore highly necessary to put an end to a practice which we consider to be prejudicial to the cause of colonization. Within the last five years the emigration from this place has been very inconsiderable, those who have gone are Canadians, and they have directed their steps to the United States. Very few have returned, most of them in poor circumstances, and with a broken constitution. We do not recommend gratuitous grants of public lands, but the sale of them at moderate rates, with a reasonable time for payment. The impossibility of discovering the true proprietors of lands from default of the registration of titles to lands in the townships, is, in our opinion, one cause which has tended to retard the settlement of them.

We are of opinion that if free grants of lands, or lands at low rates, with provision for the opening and maintenance of roads in each township of Canada, had been offered to intending emigrants, the emigration of Canadians to United States would have diminished. We are aware that one uniform price affixed to high lands, low lands and swamp, or lands from which the wood has been sold and carried away, is an obstacle to the settlement of the country. There are in this county, and particularly in the Townships of Easton, Shawanegan, and St. Maurice, various tracts of land in the possession of great owners who are mostly absent. We do not know under what title they hold these lands, the greater part are unimproved and unoccupied.

Messire Bourret, priest, curé ; D. Malone, Jos. Desaulniers, Jos. Dionne, and Alex. Gagnon of St. Anne de la Pocatière.

3rd. We have the pleasure to state that during the last five years, no more than five persons have emigrated.

5th. These young persons are French Canadians, and belong to the agricultural class.

- 7th. The principal causes are, that some desire to obtain lands easy to cultivate ; with others the hope of living at ease without much labor in climate favorable to every branch of farming ; but they have been generally deceived by the flattering accounts sent home by friends or relations already settled in the United States.
- 12th. The number of men aged eighteen and upwards who have no land in our locality, is nearly three hundred.
- 13th. Most of them would be disposed to take lands in the public domain if they were granted to them gratuitously.
- 14th. Several are desirous of settling on clergy lots adjoining the Township of Ixworth, behind St. Anne's, and have already commenced proceedings ; they have commenced a small house under a promise of the Government that they would open a road in that direction, and they have great hopes that the Government will be faithful to their promises, and that the road will be made in a few months.

The Colonization Society of the Counties of Kamouraska and L'Islet, has already forwarded them a great number of farmers from Lake St. John and the Saguenay ; the want of roads over the wild lands on this side of the river having determined the stockholders to form their settlement on the northern shore because it seemed to present fewer obstacles, and enabled the Society to clear land on a larger scale. We are, nevertheless, certain that the land above mentioned should not be neglected, seeing that a good number of the laboring class find their advantage in occupying and clearing them.

- 15th. We are of opinion that if the Government had offered gratuitous grants of land in each district of Canada, the emigration of the Canadians to the United States would have ceased.
- 16th. The want of roads where there are lands to be conceded is an obstacle to colonization, and one of the causes of emigration.
- 17th. We believe that the Government would attain the end in view with greater certainty by selling the public lands at moderate prices, and granting aids to poor settlers to enable them to clear a part of their land : the settlers, so assisted, would soon be able to live on the produce of their land, and their returns would enable them to pay to the Government, on easy terms, the price of their land. It is a fact, that the vigorous men who are now compelled by necessity to work at day labor for low wages have not the means of leaving their families and working for themselves, to clear a farm. They have not now, as formerly, to go to a short distance from home to find new land, and work on it for a few days, at different periods of the year when their home labours were least pressing. In the present day it is necessary, if we would meet the wants of our population, to colonise on a large scale, and accordingly, to leave the old settlements far behind us. Now, it is clear, that in forming a new settlement in the heart of the forest, the poor settler cannot readily receive assistance. But if the Government should not think fit to adopt this method to encourage that class, we would recommend the gratuitous concession of land, and the Government should in all cases assume the duty of opening the settlement roads requisite for the occupation of the new lands, and indispensable to keep the communication open with the old settlements.

- 18th. We answer in the affirmative.

20th. We do not hesitate to affirm that the practice followed by the Government of granting extensive timber limits on Crown Lands to one house or individual has been extremely prejudicial to the settlement of the wild lands. It is an indisputable fact, that the country will long feel the effects of these grants; for with the view of benefitting a few individuals and creating a temporary revenue to the Government, the means of settlement have not only not been granted but absolutely denied, to our Canadian youth, who might have done so much to promote the prosperity of the country. Many of the lands, thus despoiled of their merchantable timber, now no longer offer the same advantages as heretofore to the settler. In his hands the timber would have become a ready resource to assist him in clearing the land, the residue hardly supplies him with the material for building.

We think it right to apprise Your Committee that certain regulations, under which, no doubt, well meant when they were made, the Crown land sales are now made, are now in some cases an obstacle to colonisation, and we should be glad to see them amended; the obligation to clear a certain number of acres per annum, and that of building a house within a given time, are of this class, and are so many impediments to intending settlers on such lands.

It has been said above that the want of roads is an obstacle to colonisation, and we are anxious of directing the attention of your Committee to this important fact: it is this very absence of the means of free intercourse which has in fact paralyzed the zeal of our colonisation societies. It is plain, that if the Government had herebefore given to the colonisation of the wild lands the encouragement which it now seems disposed to accord to the movement, the new settlements on the Saguenay would be in a much more prosperous condition, and our Canadians, who are so loath to lose sight of their village steeple, would have had no reason to leave their country.

Wm. Berczy, Daillebout.

- 1st. I do know this, and I have been informed, that a considerable emigration from this Province takes place yearly.
- 2nd. It takes the direction, I believe, principally of the United States. The greater number of the emigrants go to find work as day laborers, some to work in the factories, a few to settle permanently. A considerable number have, however, gone to Illinois, and have there formed a French Canadian colony under the auspices of the Reverend Messire Chiniquy. Many have gone to Wisconsin and the Territory of Minnesota; others to California and Australia, or other places. A few individuals proceed to Upper Canada to work in the lumbering establishments or as laborers, and a small number of them to settle.
- 3rd and 4th. I cannot state the exact number of those who have gone from this place; but it is certain that most of the young men, as soon as they are strong enough, leave their parents to seek their fortune, and that this causes a scarcity of hands for field labor, and creates a serious deficiency throughout the country.
- 5th. I am unable to state the several proportions of the different races emigrating from the province. As, however, most of the people are of French origin, I think I may assert that they compose the main body of emigrants.

-
- 6th. A few of those who have left return every year, but generally worse off, in all respects, than when they left.
- 7th. It would be very difficult to specify all the causes of this emigration. I think, however, that in youth, it is an adventurous and restless spirit, a desire to escape from the paternal control, and to see the world. Perhaps this is the essential motive in all. The severity of our climate may induce others to seek a milder one. The hope of gain is, however, the ostensible reason with most of them for going away. But as experience has proved how rarely they accumulate property in the land to which they go, and how seldom on their return, if they do return, they bring back any thing worth having, I rather think their notions must be as stated above. Considering the facility of obtaining lands in Lower Canada up to the present time, I have no doubt that they might have settled to their greater advantage at home, in most cases, than they could in other distant places.
- 8th. The causes which I have enumerated in my answer to No. 7 may be affirmed of all localities.
- 9th. It is very probable that those who emigrate have no desire to settle either on Crown lands or on unconceded lands in the seigniories, because if they had really desired to do so, I know of nothing to prevent them. They cannot hope to obtain land elsewhere on terms as easy.
- 11th. I do not believe that any disposition of the lands as premised, if re-annexed to the Crown domain would prevent emigration, because there is no lack of land for all who wish to have it.
- 12th. There are about seventy-five persons of eighteen and upwards, including mechanics, in this parish, who have no land.
- 13th. Half, perhaps of the above mentioned persons would take lands if they were given to them for nothing, particularly if they were well timbered with hard wood fit to make potash, and after having cleared off the wood, ten to one most of them would sell or even give away their lands and make off to the country where they flatter themselves they will succeed better.
- 14th. Probably such persons would prefer to settle near home; others would doubtless prefer the Southern Townships.
- 15th. I can easily believe that if lands had been offered for nothing in each district of the Province, such a measure would to a certain extent have diminished emigration, but it would not have altogether arrested it, for the reasons which I have assigned. For that matter, land was sufficiently easy to be obtained before the abolition of the seigniorial tenure to induce people to remain if they had desired to settle in their native country.
- 16th. Judging by my own experience, the want of roads in the country has been no cause of emigration, on the contrary, the facility afforded by roads to proceed to foreign lands has increased the tendency in our people to travel.
- 17th and 18th. I do not think that the high price of land, or its uniform rate, regard being had to locality, has proved an obstacle to colonization. I have already observed that in no country can land be obtained as cheaply as in this Province. What may perhaps in some measure have prevented the settlement of lands in Lower Canada is the very inferior quality of many of them.
- 19th. The monopoly of large tracts of land in the townships may have prevented

people from settling on them, although this is doubtful, for it appears that much of that land has been, and still is inhabited by squatters, so that colonization cannot have been retarded by that cause.

- 20th. The practice of granting timber limits cannot it seems to me have had the effect predicated in this question, since the limits being generally situated in remote parts far distant from population, the lands contained in them would hardly have been in demand before other settlements were formed in the neighborhood.
- 21st. The establishment of manufactures in the country would no doubt have the effect of keeping at home those who now go away really for the purpose of seeking employment elsewhere.
- 22nd. I can give no answer to this question for want of sufficient information. I have always considered that reciprocity as now established between us and the United States must in the sequel be more beneficial to that country than to us. I must no doubt be mistaken, as so many persons who are better informed think differently but I think that the States have been greatly benefitted by the trade which Upper Canada formerly carried on with us before reciprocity was established.
-

L. S. Langelier and others, St. Rosalie.

- 1st. We are certain that emigration from Lower Canada to foreign countries has been going on to an alarming extent within the last five years.
- 2nd. It takes the direction of agricultural and manufacturing countries.
- 3rd. It is difficult to give an answer relative to emigration from Lower Canada in general, but we can affirm that we deplore every week the departure of some families or young men to the United States for want of lands on which they may settle, or rather for want of means to undertake the opening and clearing of new land.
- 4th. In our locality emigration has gone on in the proportion of 1 in 25, and yet we must acknowledge that fewer emigrants have left us than those who have left many other places within our knowledge.
- 5th. Of French Canadian origin exclusively.
- 6th. Of the whole number of persons who have emigrated, about one-third have returned, to set off again some months after, well enough as regards bodily health, but for the most part degraded in morals.
- 7th. In our opinion the principal causes of emigration, in all places, are as follows: the farms, which are not extensive enough to admit of any further division; the want of roads conducting to the eastern Townships; the fear people have of establishing themselves on lots belonging to unknown proprietors, and the conditions imposed of clearing four acres a year on lots belonging to the Crown, which appears to be a condition and a charge beyond the means of a poor man having a family to support.
- 9th. Persons emigrating express, for the most part, their desire of settling on lands belonging to the Crown, and do not settle there for reasons mentioned in the preceding paragraph.

-
- 10th. The suits instituted by the great landed proprietors against those who have settled on their lands, in the Townships, have been one cause of many persons emigrating to foreign parts, or not daring to settle in those Townships.
 - 11th. Our firm conviction is, that if the lands which have been granted to persons who have not fulfilled the terms of their patent were re-united to the Crown lands, it would prove one means of arresting the tide of emigration, by opening up those lands for settlers.
 - 12th. The number of men, of the age of eighteen and upwards, who have no land, in our place, ranges from one hundred and fifty to two hundred.
 - 13th. Seven-eighths of these men would be willing to take land on the public domains, if farms were given them gratuitously.
 - 14th. In the eastern Townships, in the District of St. Francis, and in the Townships of Weedon, Ham, and Wotton.
 - 15th. If lands were offered gratuitously in each of the Districts of Canada, Canadian emigration into the United States would cease entirely; at least such is our firm conviction.
 - 16th. The want of communication where there are lands to grant is one obstacle to settling, and consequently one of the causes of emigration.
 - 17th. We should advise free grants of public lands; that the Government should cause roads to be made, and that it should charge the cost of them on each farm, payable by instalments, and in such a manner as to encourage the settler.
 - 18th. The uniform price of high lands, low lands, swamp lands, and lands from which the wood has been sold and carried away for purposes of trade, has been one obstacle to settling.
 - 19th. It is certain that the impossibility of ascertaining the real proprietors, which is caused by the non-registering of titles to lands in the Townships, has been one of the principal causes which have retarded the settling of these Townships.
 - 20th. This practice has been very prejudicial to the settlement of uncultivated lands, and has been exceedingly injurious to settlers residing near those lands so granted to one house or to a single individual.
 - 21st. The establishment of all kinds of manufactures would stop the emigration.
 - 22rd. There are large tracts of land in our County belonging to persons who are absent, principally in the Townships of Acton and Upton, and in the Parishes of St. Liboire and St. Helen. We do not know how those lands have been obtained in the Townships; in the Seigniories they have been conceded in large tracts, by the Seigneurs, to friends, who offer them for sale at very high prices, to benefit the Seigneurs who have granted them to them, by a tacit understanding that they are to be sharers in the proceeds of the sale; these lands are uncultivated and unoccupied, and their neglected state injures and retards the clearing of occupied farms situated within the same limits.

John Heath, of Isle Verte.

- 1st. There was considerable emigration from the part of Lower Canada in which I live to the United States, in 1852 and 1853; since then it has diminished considerably.
- 2nd. Emigration was directed at that period to the Western States, namely, Illinois and Wisconsin, but chiefly to Illinois. Mr. Chiniquy, for several years curé of Kamouraska, wrote long letters from Illinois, his new abode; they were published in the papers and spread throughout the country; no one would explain to our countrymen the errors they contained, and so emigration from that period (1852 and 1853) increased until 1854; now we no longer see heads of families emigrating to Illinois and other parts of the Union. A certain number of young men still go annually to the States, on the plea that wages are higher there than here.
- 3rd. I refer to my last answer; I will only add, that last year I remarked that the emigration of young people was not so great as the year before. I heard it said that many of those who had been lumbering in the State of Maine had not been paid by their employers, many of these latter having failed.
- 4th. I cannot say in what proportion emigration has taken place in my locality. It is, however, very difficult and expensive to procure laborers, for many of our young Canadians prefer going to the States.
- 5th. The emigration I speak of is entirely French Canadian.
- 6th. Many emigrants have returned, after great losses in the sale of their property and considerable outlay. With the residue of their property they have purchased in this and the neighbouring Parishes. Many died in Chicago, Illinois, and elsewhere; others, who lived comfortably enough in Canada, have refused to return, and it is easily understood for what reason they have been forced to condemn themselves to live and die at a distance from their native country.
- 7th. The emigration has been caused for some years back by the representations made to Canadians (and they have seldom been contradicted) that it is much easier to gain a living in the United States than in Canada; that the farmer there is everywhere more happy than he is here. I will add that it is a general complaint that it is difficult, indeed impossible, to open a land on the public domain in Lower Canada, from the fact that in many localities there are no means of communication with the places in which it would be desirable to make clearings.
- 8th. Many of those who have emigrated would never have done so if they had the right of settling upon the lands of the Crown. Still more would they be induced to settle, if roads were made, at certain distances, in the Townships in rear of the Seigniories. I am of opinion that the Executive ought to appoint a person in each locality in Lower Canada in which there are Townships not settled, with power to grant tracts of land to such persons as he shall deem capable, and who are possessed of certain means. I am informed that the local Crown Lands' Agents have no power to grant a license of occupation, and I am aware that many families who were desirous of settling in the Townships have relinquished their intentions rather than be exposed to the roguery and proceedings of squatters more turbulent than themselves.

-
- 12th. There are more than 500 men above 18 years of age in my locality who have no lands.
- 13th. They would all be disposed to take lands in the public domain if they were given gratuitously. If the authorities adopted that system I would suggest that the Government should authorise in each locality a person well acquainted with the topography of the country, conjointly with the curé, to grant to applicants a suitable tract of land to form a settlement. First of all the lands should be surveyed and roads made, I mean by-roads; a public road which should penetrate through each Township. These roads should be made at certain distances.
- 14th. The persons before alluded to desire to settle in Canada East, in the Townships of Viger and Begon, and on the lands bordering on Lake Temiscouata.
- 15th. I have no doubt that if lands were offered to the Canadians on the above system that emigration would cease.
- 17th. The granting of public lands at a low price, to cover expenses of management, would, I consider, be an excellent means of advancing colonization in Lower Canada.
- 21st. The establishment of manufactures in this part of the country would cause emigration to cease. There are numerous water powers.

Etienne Baillargeon, priest, St. Nicholas.

- 1st. On this subject I know nothing but what is stated by the newspapers.
- 2nd. Until last autumn, to my knowledge, only one family and some young persons, about five or six, from this Parish, were all who emigrated to the United States; the first, to St. Paul's, in Minesota, the latter to different States of the Union. But last autumn another family, and twelve or fifteen young persons, deceived by false accounts, emigrated to this same town of St. Paul's.
- 4th. The population of the Parish of St. Nicholas is about 2,800 souls. Knowing this, the proportion of this emigration to the whole population may be very nearly calculated.
- 5th. With the exception of seven or eight families, all the population of St. Nicholas are French-Canadians, therefore it is persons of this origin who emigrate to foreign parts, but, as before shewn, to a very limited extent.
- 6th. Among young persons who have returned from the United States, within the space of from fifteen to eighteen years, I know of only two who have brought home sufficient money to buy a farm. The others have brought home little or nothing. Had they remained here it is quite certain they would have earned more. But what is more to be lamented for some of their number, their emigration to the United States has proved fatal to their morals. This above all is what Christian parents have good reason to dread for their children, when they wish to go to countries where vice and immorality prevail to an alarming extent.
- 7th. The hope of higher wages, and by that means of establishing themselves sooner in life, appears to be if not the only at any rate the principal cause which induces so many young persons to emigrate to the United States.

-
- 8th. With the exception of a very small number, who emigrate, or rather who travel in the United States, to see the world, as they say, they all emigrate for no other reason than the one I have just mentioned.
- 9th. I have never heard those who have emigrated express any wish to settle on the Crown lands, or on the ungranted lands belonging to the Seigniories, but I am convinced that the greater number of them, by going to seek in foreign parts higher wages than they can get here, hope to obtain sooner the means of settling on farms on their return, and principally on those belonging to the Crown.
- 11th. Yes, in my opinion it would be an excellent plan.
- 12th. I am not able to answer that question exactly; all I can say is that more than one-third of the inhabitants of the Parish have no farms.
- 13th. I do not know the number, but I am convinced that by far the greater number would be glad to take farms if they were granted to them gratuitously.
- 14th. In the Townships of Somerset, Halifax, Stanfold and Ham.
- 15th. I consider that emigration, at least in this Parish, would have been much less if that measure had been adopted some years ago.
- 16th. Certainly the want of means of communication in different parts of the country, principally in the Townships, has been a great impediment to settling, and consequently one of the causes of emigration.
- 17th. I should advise the gratuitous grant of Crown lands to all respectable persons who have not sufficient pecuniary means to purchase them. A recommendation, signed by the Priest of the Parish, and by one or two Magistrates, ought to suffice to procure them this advantage. As for those who do possess pecuniary means, it seems to me right that they should pay something so that they may not occupy too large a tract of land. But I am of opinion that the price of Crown lands should be very moderate; this, together with the opening of good roads, being the only means of advancing the settlement of the country, of arresting as much as possible the tide of emigration of young persons, and of rapidly increasing the prosperity and the revenues of the Province.
- 18th. I do not think that the uniform price of lands of different value has hitherto been an obstacle to colonisation, because up to the present time people have been able to choose and take good lands, but I am well persuaded that this absurd and unjust system cannot be longer continued without doing serious injury to colonisation.
- 19th. It is no doubt one of the causes, but in my opinion I do not believe it is one of the principal causes.
- 20th. Up to the present time this practice has not been conducive to the settling of uncultivated lands, but it would be very favorable to it if the grantees were obliged to cut the timber in succession, that is to say, by commencing at one extremity of their limits and going on regularly to the other end, so as to deliver up without delay for settlement those parts of their limits from

which the timber has been removed. If such a measure is not adopted the grantees will clear off the timber without any regularity, and cannot or will not permit any settling within their limits until they have cleared off all the timber.

21st. No; for there are only saw-mills, which employ but a small number of men.

23rd. No.

Frs. E. Verrault, Point Levi.

- 1st. The number of persons emigrating is very large.
- 2nd. The greater number of persons who emigrate from Quebec or its environs, are chiefly journeymen cabinet-makers and ship-carpenters; they bend their course to the cities of New-York, Boston, Albany, Troy, etc., and to the Lake shores, as Buffalo, Oswego, Detroit, and Chicago.
- 4th. The greater number of persons who have emigrated are French Canadians.
- 5th. The majority of those who have returned were, to my knowledge, in a most wretched condition; their health shattered, their morals depraved, and in fact much poorer than they were when they went away.
- 7th. I can state, with regard to the mechanics, that the uncertainty of mercantile occupations, and more particularly of ship-building, the depressed state of which in the English market is very sensibly felt in Canada, has been one cause why many mechanics have gone to seek employment with our neighbors, the Americans. I may state here with certainty, that not less than 800 men, several of whom took their families with them, have left Quebec within the last three years only, and all were mechanics—either carpenters or cabinet-makers.

As to the farmers, I must say that the imperfect system they have adopted in the cultivation of their farms, is the reason why they do not gather in as much as our fathers did from the yet virgin soil of our country. And, moreover, I am sorry to say that there is a great deal of indifference among them, and even among educated persons who have devoted themselves to agriculture. The greater number of young persons either go into our dock-yards, or else emigrate, and a few devote themselves to agriculture, but it is the smaller number; and the want of necessary information concerning places fit for settling, and of roads to get to such places, is the cause that those who might be disposed to settle on public lands, have not sufficient information to encourage them to do so. Generally speaking, European emigrants are better informed when they arrive here than our own country people are. We saw last year the pompous advertisements of the Hon. Minister of Agriculture, setting forth the new roads opened in different parts of Upper Canada, with exact descriptions of the nature of these lands, inviting emigrants to settle there, and giving them such lands gratuitously. Why not have done as much for Lower Canada? Here, then, is one cause of the emigration to the United States.

8th. They are the same everywhere.

- 9th. It is extremely difficult under the present system to obtain sure information of the nature of the soil, etc. ; even where it can be obtained, it belongs to the Crown. I am of opinion myself that if there were persons appointed in each of our old Parishes, with the rank of sub-agents for such and such a place, it would have the effect of diffusing information throughout the community with respect to lands adapted for settlement, and conduce very much to encourage it.
- 11th. It ought to be so ; it would be one means of arresting the tide of emigration, even in several Townships.
- 12th and 13th. The number of young persons is very great, and many would be willing to settle upon Crown lands, the want of roads being the only obstacle.
- 14th. In my locality, many of them are desirous of settling in the Townships in rear of the Counties of Bellechasse and Montmagny.
- 15th. If roads had been opened to the public lands, the emigration from the District of Quebec would have been almost nothing.
- 16th. The want of communication in different parts of the country, where there are lands to grant, has always been, and still is, an obstacle to colonisation, and consequently one of the principal causes of emigration.
- 17th. It is my opinion that lands should be granted at moderate rates, and that roads should be opened in all cases ; and as to the roads, I should advise the opening, first of all, of a road forty feet wide, and of making a carriage-way of only fifteen feet wide ; by this means the Government may open a greater length, and gain the end desired sooner ; the settler afterwards widening the road at his own expense.
- 20th. Timber-limits ought not to be granted on places fit for immediate colonisation.
- 22nd. Encourage the youth of this country as much as possible to settle on the Crown lands. Manufactures of various sorts have always caused more misery than comfort ; take, for instance, the manufacturing towns of the United States, and of other foreign countries, and nine-tenths of our poor fellow-countrymen in the United States.
- 23rd and 24th. There are beyond the Counties of Bellechasse and Montmagny many very fine lands fit for settling, which are still excluded from colonisation, seeing there is no road to reach them. In my opinion, we should immediately open a main road, at least, through each County, up to the Province line, on the south side of the river St. Lawrence. By this means, the domain of the Crown would be known throughout its whole extent ; the clearing of land would be proceeded with on a large scale ; and finally, colonisation would advance, and the emigration of the Canadians would almost or altogether cease.

D. S. Ballantyne, L'Islet.

1st. Yes, and to a considerable extent.

2nd. The emigration is generally directed towards agricultural countries.

-
- 3rd. The principal cause of emigration is in general want of means ; families increasing necessitate the sub-division of properties ; the lands thus divided not always sufficing to supply the wants of a family, compel their owners to sell them, to go and seek their fortunes in a foreign land.
- 4th. In this locality emigration takes place to the extent of three per cent.
- 5th. The emigration from hence is French-Canadian.
- 6th. None have returned.
- 8th. Yes.
- 9th. There are no more lands to be conceded in this Seigniorie. Many industrious young men would have desired to settle on the Crown lands, if those lands had been for sale, and if roads communicating with them had been opened.
- 10th. There are no great proprietors in this locality ; this cannot, therefore, be a cause of emigration.
- 12th. There are at least 400.
- 13th. All.
- 14th. Those from this locality would establish themselves in the Townships of Arago and Leverrier, in rear of L'Islet.
- 15th. It would have diminished greatly, if not totally ceased.
- 16th. The want of means of communication is one of the greatest obstacles to the establishment of the settlers, and one of the greatest causes of emigration.
- 17th. I would advise free grants on the roads, and a very low price for the Crown lands, for persons wishing to settle there have not the means of paying a high price for those lands.
- 18th. I am of opinion that the price of lands ought not to be uniform ; the high lands are worth more than the low lands, and the swamps are worth nothing.
- 20th. The removal of the timber diminishes the value of the land, but is not an obstacle to colonisation.
- 21st. I think manufactures would have the effect of facilitating the settlement of the land.

Municipal Council of St. Luc.

- 1st. Emigration to a considerable extent has taken place during the last five years.
- 2nd. The emigration, which still continues, is directed towards manufacturing and agricultural districts.
- 3rd and 6th. A great number of emigrants, who had sold their lands in the hope of doing better, have returned, reduced to a much worse condition.

-
- 4th. A tenth of the population.
- 5th. All of French-Canadian origin.
- 7th. The want of means, indigence.
- 8th. The causes of emigration, in our opinion, are the same everywhere—the want of means.
- 9th. The persons who emigrate evince a desire to settle on the Crown lands, and also on the unconceded lands of the seigniories, provided the proprietorship of these lands were assured them by valid titles.
- 10th. To the 10th and 11th questions we answer, yes.
- 12th. The number of men of eighteen and upwards who have no land is estimated at two-thirds of the whole.
- 13th. We should say the greater number.
- 15th. It is quite probable that if land had been offered gratuitously in each of the Districts of Canada, the emigration of the Canadians to the United States would have ceased.
- 16th. The want of means of communication in different parts of the country is certainly an obstacle to colonisation, and thereby one of the causes of emigration.
- 17th. We advise the concession of public lands, and moreover Government should help each individual by advancing him, as a loan, a certain sum to enable him to commence the cultivation of the land, on condition that the amount of such loan, secured on the land, should be repaid (at a fixed period) by the proprietor.
- 21st. The establishment of different kinds of manufactures in this part of our country would, we believe, have the effect of arresting emigration.
- 23rd and 24th. There is no land in our County in the hands of great or absent proprietors.

Frs. X. Roy, of Kingsey.

- 1st. Most certainly.
- 2nd. It is directed towards both.
- 3rd. About forty families have gone away.
- 4th. About eight per cent.
- 5th. As to origin, the emigration is very nearly similar, but the greater part is of the lower class.
- 6th. Yes, about five per cent. As to their morals, they have lost much; as to their families, they return in a more impoverished condition.

-
- 8th. Want of manufactures and means of communication.
- 9th. Because there are no means of communication.
- 10th. Yes, certainly; relations or friends, finding they occupied similar lands, fearing prosecution, have got rid of their farms at a low price.
- 11th. Most certainly, and all the advantage would be on the side of the poorer class.
- 12th. About sixty.
- 13th. All would be willing to take lands.
- 14th. As near their relations as possible, but especially in the eastern Townships.
- 15th. It would certainly have ceased.
- 16th. Yes, it is an obstacle to colonisation and one of the causes of emigration.
- 17th. I would advise free grants, or sales at a very low price, but of not more than one hundred acres to each individual.
- 18th. Throughout the greater part of the Townships the difference of high, low, and swamp lands is so great that the uniform price is not possible or practicable.
- 19th. Certainly, for in general we see none but persons without means who have risked anything, and those who had pecuniary means do not venture, for fear of losing their time and their money.
- 20th. It has not been prejudicial to the poorer class, but it has undoubtedly been so to the middle class, who, having sufficient means to take lots, cannot give the ordinary price, and seek elsewhere lands on which they can find useful wood, turn it to account, and not fail in the performance of the conditions of purchase.
- 21st. As to stopping it completely, that I consider impossible, but it is certain that a surprising effect would follow such an experiment. I know many places where mills are wanted, or if there are any they have no roads to them, or belong to rich proprietors, who will not take the trouble to repair them, or to add to the necessary machinery to grind the grain sown in this locality. As to manufactures, they are for the most part wanting, although their necessity is severely felt.
- 23rd. There are certainly such.
- 24th. They are for the most part uncultivated.

J. O. Beaubien, St. Thomas.

- 1st. The emigration which has taken place from this County, without being very considerable, is nevertheless important, but I cannot tell in what proportion to the population it has taken place during the last five years.
- 2nd 3rd 4th and 5th. This emigration is altogether of persons of French origin; it is for the most part of young men, sons of farmers who go to manufacturing districts. It consists also of farmers, fathers of families who sell their lands to go and settle in Ohio, or in other agricultural districts in the United States, carrying away large sums with them.

- 6th. Of these emigrants, only a few young men without means have returned.
- 7th. The principle causes of emigration have been the impossibility for the inhabitants of our old Parishes to re-subdivide their lands to settle their children; the want of manufactures, and the absence of roads to reach the Crown lands, with a view of settling there.
- 8th. The greatest part of those who emigrate, evince a desire to settle on the public lands. The lands of the Seigniories, in this County, have long been conceded.
- 12th. I consider it certain that, in the two Parishes of St. Thomas and Cape St. Ignace, there are at least seven hundred persons who have no land, and who wish to possess it; I know that there is also a great number in the other Parishes of this County.
- 14th, 15th, and 16th. We have in rear of this County, at a distance of five leagues from the river St. Lawrence, townships of great extent, and very rich soil; I need not say that that is the place to which persons desirous of settling wish to go.

Last year the Government, after having ordered the townships of which I have spoken to be explored, directed the opening of a road opposite the Church of St. Thomas to reach them. The promise of this route sufficed to induce two hundred persons of this Parish to go and take land there; thirty of these settlers are already residents there, and the remainder are only waiting for the completion of the road, to go and establish themselves there, but they also have begun the clearing of the land which they have chosen. Moreover, three or four hundred lots have been taken there by as many members of a colonisation society formed last year. This society has also caused the clearing to be commenced. Finally, the promise of a road opposite St. Pierre to reach the township Montmagny, has caused the establishment of a little settlement in this township, in which there are already one hundred residents.

The statement of these few facts is, I think, the best answer that can be made to the fourteenth and sixteenth questions; that is to say, in what part of Canada, persons in this County who have no land wish to settle, and shows also the necessity of speedily completing the roads already commenced, and opening others from the Parishes which border on the townships fit for cultivation.

The Committee will understand, of course, that the rapid and even extraordinary colonization of which I have spoken, is owing to circumstances peculiar to this County; namely, the existence, as clearly mentioned to townships fit for cultivation in the neighbourhood of our old Parishes. The Legislature, therefore, cannot pay too much attention to places in similar circumstances; for it is only in places thus favored that colonization will advance thus rapidly. The greater part of young Canadian settlers require the aid of their families during the first year of clearing, and this help becomes too onerous, and therefore impossible, if such settlers are obliged to go to distant parts of the country, to obtain lands. It is only by giving liberal encouragement to colonization societies, that the government will succeed in the colonization of places distant from old settlements.

I am certain that the Committee will not lose sight of all the difficulties which our young settlers have to surmount during the first year of clearing;

they will remember the length of our winters, the dangers of frost to which the crops of a new colony are exposed, so long as the clearing has not advanced, and above all, the poverty of the new settler in Lower Canada.

- 17th. I would not advise the free granting of Crown lands, if this abandonment of a considerable revenue deprived government of the means of removing the true obstacle to colonisation, which is the want of communication to reach the public lands. The free gift of these lands would have no effect on colonisation if the government were not in condition to give also roads to reach them. It is useless to think that the settlers could of themselves make the necessary roads.

I do not think that the present price of public lands is too high, or that it is a serious obstacle to colonisation, but the conditions of payment and clearing must be rendered more easy.

Finally, I shall tell the Committee what every one who knows the importance of the thing will tell them; get the Legislature to abandon every new enterprise, and if necessary to increase tenfold, the sum already granted to forward colonization. If you are attended to, the greatest cause of the emigration of the Canadians will have disappeared, and you will have deserved the gratitude of your countrymen.

- 21st. The establishment of manufactures in the part of the country in which I reside, would contribute greatly towards arresting emigration to foreign countries.
- 22nd. To cause the establishment of manufactures to succeed, I think that direct encouragement from the government would be necessary, and moreover, a more protective system of customs than we possess at present.

Robert Trudel, of Ste. Geneviève de Batiscan.

- 1st. Emigration has taken place during the last five years from Lower Canada to the United States of America, and to Upper Canada.
- 2nd. It is directed towards agricultural and towards manufacturing districts.
- 3rd. I cannot answer concerning the emigration from Canada in general.
- 4th. In my locality, the emigration has not been considerable, and I do not think that during the last five years it has exceeded the number of forty-eight.
- 5th. The greater part of the emigrants are of French origin.
- 6th. More than half those who have emigrated, did so with the intention of going to earn money in the manufacturing districts of the United States of America; many have returned in a good physical and moral condition, and with some money.
- 7th. The principal causes of this emigration are, in my opinion, 1st. The long and rigorous winters to which Lower Canada is subject, which prevent the farmer from raising as much stock as he could wish, and which often carry off a part of his animals, after having kept them during six long winter months. 2nd. The bad harvests of each year, and above all, the failure of the wheat and potato crops, which has been felt for many years, are causes more than sufficient to discourage the farmer. 3rd. Finally, the little fertility of much of the land in Lower Canada.

-
- 8th. These causes are very nearly the same in almost all places.
- 12th. In my locality, the number of men of eighteen who have no land is about sixty-four.
- 13th. I think more than three-fourths would be disposed to take lands in the public domain, if granted gratuitously.
- 14th. They would prefer settling in the District of Three Rivers.
- 15th. I am of opinion that if land was offered gratuitously in each of the Districts of Canada, the emigration would diminish. I think also that the want of roads communicating with the lands to be cleared, impedes the colonisation of these lands, and encourages emigration. There is no doubt if means of communication were opened through the forests, that young men would thereby be encouraged to take lands, and to clear them.
-

Zéphirin Sirois, priest, and others, St. Pierre, South River.

- 1st. Yes.
- 2nd. Towards both.
- 3rd. Ten families and about seven or eight young men have emigrated to the United States during the last five years.
- 5th. All of French origin, and all farmers.
- 6th. Of the number who emigrated, three have returned in very nearly the same physical and moral condition.
- 7th. The principal cause of emigration is, the want of roads to communicate with the uncultivated Crown lands.
- 8th. Yes; we think the cause exists everywhere; at any rate, it is the cause in our locality.
- 9th. Yes; the persons who emigrate evince a desire to settle on the Crown lands, and if they do not so settle, it is for the reason mentioned in the 7th answer.
- 10th. Yes.
- 11th. Yes, we believe so.
- 12th. The number of men of eighteen and upwards, in our locality, who have no farms, is about 120.
- 13th. Mostly all, if the lands were conceded gratuitously.
- 14th. In the District of Quebec, in the Townships behind Montmagny, where there is a quantity of excellent land hitherto unsurveyed.
- 15th. Yes, if lands were offered gratuitously in each of the Districts of Canada, the emigration would diminish considerably, especially if more easy means of communication with them were provided.

16th. Yes.

17th. We advise free grants of lands, on condition that the settler shall, within a certain time, clear and bring into cultivation a certain number of arpents of land, failing which, he shall be compelled to pay the price required by the Department of Crown Lands. The conditions at present insisted on are positively beyond the power of the settlers.

20th. Yes.

19th. Yes, very much.

23rd. No.

J. L. Marceau, priest, Curé of Isle-verte.

I think we may estimate at two hundred the number of young men and other persons of a certain age, who have no land in the Parish of L'Isle-verte. Those persons would be willing to go and settle on the magnificent land which we have in rear of our Parish, if they could reach them with ease.

I consider that the want of communication in this part of the country, where there are so many lands to concede, is a very great obstacle, I may say the only obstacle to colonisation, and therefore one of the greatest causes of emigration to the United States of America.

Our young men wish to engage in agriculture; they like this path of life, and if we see them regretfully removing to a distance, it is in the hope of finding elsewhere lands which they may settle upon more advantageously than in the mother country; and this with regard, not to the quality of the soil, but to the great advantages which the local authorities afford to them. Let the same persons find here the same advantages, namely, easy access to the unsettled lands, security given them that they shall enjoy the fruit of their labor, protection against certain speculators who, with the agents' permission, remove building timber and wood of other descriptions, which is of the greatest importance to the young settler. Let them, I say, enjoy these advantages, and we shall soon see emigration diminish. If to these advantages we add free grants of land, I think it would cause the cessation of emigration. I am of opinion that the income derived by the Government from the removal of the wood from these lands is sufficiently considerable to entitle our young men to claim this favor; the more so, because the considerable sacrifice will soon be compensated by the advantages which commerce will derive from the opening up of these lands.

The Government should, without delay, cause to be divided into lots the Township of Demers, in rear of the Township of Viger; the land, which is excellent, would not fail to draw thither a great number of settlers.

In recapitulation, the only means of arresting emigration is to facilitate as much as possible, the colonisation of uncultivated lands, by opening great lines of road in the rear of each Parish.

P. A. Silvestre, Priest, St. Marcel.

It has been said that the causes are those promulgated by the twelve missionaries in 1851, which will be found in the "Courrier du Canada," No. 71, of the 27th April.

At present, and during the last five years, a tenth part of the inhabitants of St. Marcel have emigrated.

I have asked them whether they would take lots gratis; the answer is in the affirmative. They ask for 150, as well for the establishment of children, who are still young, as for about 50 or 60 young persons, over 18 years of age. A great number have left this spring, desiring me to let them know if Government should grant lands free. They wish to settle in the eastern Townships, as near Upton as possible; also in Wickham, Ely, and Acton. Give these lands freely, and you will quickly see the Canadian population flock thither. At the beginning they will change masters, but the lands will continually be improving. A great number, especially those who are ready to settle, wait impatiently for good tidings.

M. Duguay, Priest, Ste. Flavie.

The population of this part of the Province would have advanced rapidly if we had had roads leading to the Townships of Fleuriot and Cabot, which are in rear of the Township of Ste. Flavie. There are already nearly three ranges of land in those Townships settled; but the colonisation is retarded by the want of roads and means of communication, to gain access to those lands, which offer great advantages. The soil is very good. We want roads to get to and from these lands. The Government lands, if conceded gratuitously to the young people, would also be an encouraging means of preventing them from frequenting the work-yards, and causing them to settle here on the lands.

I look with horror at the cutting of timber for commercial purposes, permitted by the Government on these lands; and already, in Parishes which are but beginning to be settled, building timber is very scarce; and this because the Seigniors and the Government have permitted the cutting of the wood, of which a large exportation takes place in this locality.

N. Gauthier, of Dechambault.

- 1st. I am certain that emigration of our young men, the best hands in Lower Canada, to foreign lands, has taken place during the last five years.
- 2nd. This emigration has taken the direction of different parts of the American Union; some have gone to agricultural districts, in the hope of settling there more advantageously than in Canada; others to manufacturing places, with the intention of earning money, to return subsequently to settle in Canada.
- 3rd. I can only answer for the emigration which has taken place in the County of Portneuf, where I reside.

-
- 4th. I think the proportion of this emigration, during the last five years, to the whole population, is about a fifteenth, or at least a twentieth of our young and vigorous hands.
- 5th. The young men are nearly all French Canadians, and sons of farmers.
- 6th. To the best of my knowledge the greater number of Canadians, who have returned to their families after passing from five to ten years in the United States of America, have come back as poor as they went; moreover their strength much exhausted and some of them very much demoralized.
- 7th. The causes of this emigration are I think. 1st For a great part the want of education. 2nd The difficulty which has existed for many years of obtaining lands in the old seigniories at reasonable prices. 3rd The want of roads to communicate with the townships. 4th The condition imposed on the settler of clearing twelve acres of land in the first four years. 5th The want of manufactures.
- 8th. I think the causes are very nearly the same in the greater part of Lower Canada.
- 9th. The persons who emigrate thus are destitute of the pecuniary means of settling on the unconceded lands of the seigniories or on those of the Crown.
- 10th. The suits instituted by the great proprietors, against those persons who have settled on their lands in the townships, have been the cause why many of these persons have emigrated to foreign lands and have induced many of their relations and friends to follow them, but this has not occurred in the county of Portneuf.
- 11th. Although all the lands, which has been conceded to individuals who have not fulfilled the conditions of their titles, were re-united to the Crown Lands, I do not think this would be a means of arresting emigration by opening those lands to colonisation; for many hard working men, without pecuniary means have been unable to fulfil the conditions which were imposed upon them, and so finding themselves deceived have gone to a foreign land.
- 12th. I think there are at least from two hundred to two hundred and fifty men of eighteen and over in the county of Portneuf who have no lands.
- 13th. In the above number I have included those men only who have no land and who would be disposed to take it, if it were granted gratuitously and on conditions easy to be complied with by the poor.
- 14th. These young men nearly always desire to settle in the townships nearest to their families.
- 15th. If land had been offered gratuitously in each of the districts of Lower Canada the emigration of the Canadians to the United States would have greatly diminished.
- 16th. The want of means of communication in different parts of Lower Canada, where there are lands to be conceded is an obstacle to colonisation and one of the causes of emigration.

- 17th. I think that free grants of public lands, to a certain extent for the opening of each township and with easier conditions than those exacted by the Crown, until they have better means of communication, would have the effect of encouraging colonisation, and if not of arresting at least of diminishing the emigration considerably; if the settler were not compelled to build on his land and to reside there, unless after two or three years' possession and were not compelled to clear more than six acres in the first four years, instead of twelve, poor young men would find means of living and fulfilling the conditions; many would try the experiment before going to a foreign land.
- 18th. I think that the uniform price of high low and swamp lands and land from which the good has been removed and sold by the Crown, is an obstacle to colonization; for some lands are worth three and four times as much as others are; moreover on swamp lands it is utterly impossible for the settler to fulfil the terms of his title; for swamp lands can only be put in cultivation six or seven years after the wood has been removed and in some places eight years are necessary, otherwise the clearing of them is impossible for the poor settlers consequently, it is impossible for the settlers who takes such lands to clear twelve acres in the first five years as it is insisted on and expressed in their titles of allocation. I have myself seen in the township of Watton some years since, vigorous and courageous young men lose their land from the impossibility of fulfilling the conditions insisted on by their allocation tickets.
- 19th. The impossibility of discovering the real proprietors resulting from the non-registration of titles of lands in the townships is one of the principal causes which has retarded the colonization of these townships.
- 20th. I think that the practice followed by government of granting to a single house or to a single individual extensive timber limits on the Crown Lands, has been prejudicial to the settlement of wild lands.
- 21st. The establishment of different kinds of manufactures in our locality would have the effect of arresting emigration to foreign countries for the young men would there obtain the wages which they now go to seek elsewhere, intending to return and settle subsequently; moreover these young people being employed in the neighbourhood or near the neighbourhood of their families, and being often overlooked by their relations would not be so easily demoralized as in a foreign land.
- 23rd. I do not know of more than seven or eight lots in the Township of Alton, which are possessed by absent proprietors, or those whose names are unknown, besides a certain fief or seigniory, which has for many years been called "the American's seigniory," on which there is not a single farm in a state of cultivation, or even conceded. It is said that the proprietor is an American subject, and lives in his native land. I do not know how these lands were obtained.
- 24th. These lands are not occupied nor improved; they are uncultivated, and they are of good quality for cultivation, if they were improved.

—————

Benj. Guay, M. D., and others, of Notre Dame de la Victoire.

- 1st. I know a great number of persons who have left Canada to emigrate to the United States during the last five years.
- 2nd. This emigration has taken the direction chiefly of the agricultural districts of the west, such as Missouri, Illinois, and California.

- 3rd. In the same space of time, many persons from the Counties of Levi, Dorchester, and Bellechasse have departed for the United States.
- 4th. We cannot state the number with precision, but we may estimate at several hundreds the number of persons who thus emigrate each year.
- 5th. The mass of emigrants from this place are French-Canadians.
- 6th. Few persons have returned from the places to which they had emigrated, except a few from California, and these last with considerable sums.
- 7th. Among the educated class, it is a thirst for gold ; for they always direct their steps towards the auriferous countries. Among the uneducated, it is want of encouragement to settlers. Another reason why the educated class do not settle on lands of Canada, is a want of agricultural knowledge. Young men leaving college, without having received any notion of agriculture, cannot have any great taste for an occupation, of which it has not been thought expedient to speak to them, still less to prepare them to embrace it, and finding the professions so overcrowded, and commerce languishing, they naturally emigrate to countries that are continually lauded by the press, and the prosperity and good fortune of which is constantly vaunted.
- 8th. We think that the causes above enumerated are generally the same in all parts of the Province.
- 9th. Many persons have attempted to settle on the Crown lands ; many more now wish to do so, but in consequence of the little encouragement given to settlers, do not carry out their views.
- 10th. The suits instituted by the great proprietors have been the cause why many settlers have abandoned the Townships, and why many others will not go thither.
- 11th. It certainly would be the means of re-assuring the settlers, and in that way of encouraging colonisation.
- 12th. There are over 500.
- 13th. A great number of persons would take lands if granted free ; but a much greater number would take them at the present price, or even at a higher price, if the Government would oversee the making of roads and bridges.
- 14th. As to those in this place who think of settling, they have cast their eyes on the Townships of Ham, in the County of Drummond, and of Montmagny, in the County of Montmagny. Unfortunately difficulties are presented to the colonisation of these two Townships. In the Township of Ham a part is already sold to great proprietors, and the remainder is not yet surveyed. In the Township of Montmagny, the distance between St. Pierre and South River presents an almost insurmountable obstacle, on account of the bad state of the roads ; the distance is about five leagues, besides a league and a half of good road already made by the Government. The settlers are unable to meet the expense entailed by such a road. Finally, this Township, if it could be easily reached, would offer a vast field for settlers from the Parishes of St. Pierre, St. Thomas, St. Francis, and all those of the Counties of Montmagny, Bellechasse, and Levi. A road by St. Pierre would be the shortest route to reach

the Townships of Armagh, Ashburton, Mailloux, Montmagny, and Patton. Notwithstanding all the difficulties of penetrating to the Township of Montmagny, there are more than 100 families who have settled there during the last six years.

- 15th. We do not think emigration would be stopped by offering lands gratuitously to the settlers, without making roads and bridges; nor do we think that colonisation would thereby be favored in any way.
- 16th. Yes.
- 17th. We do not advise free grants of public lands, but we would have them left at their present price, and have sufficient sums granted to make roads and bridges.
- 18th. In localities where Government has sold off the timber, the low lands might be granted free—1st. Because they are more expensive to open up, owing to the necessary drainage. 2nd. Because those are the lands on which generally the timber has been cut.
- 19th. This has been a great obstacle to colonisation.
- 20th. We think this has perhaps impeded the progress of colonisation in certain localities; but the same order of things has certainly helped it on in many cases, because a great number of persons employed by these great proprietors to cut wood, have established themselves on the land when the wood has been removed, and have formed nuclei of colonisation; witness the Saguenay, Ottawa, Rimouski, and Metis.
- 21st. We think that the establishment of manufactures in this Parish on a good footing would prosper, and would have the effect of arresting emigration to foreign lands.
- 23rd. In the Seigniorship of Lauzon, belonging to the Government, all the unceded lands belong to it.
- 24th. Those lands are generally covered with timber fit for building.

Having answered the questions which you have proposed to us, to the best of our power, let us be permitted to make the following suggestions to the Committee:

1st. We cannot sufficiently insist on the necessity of opening roads for colonisation in the different Townships of the country, and of making bridges over the rivers which these roads must cross. Saw and grist-mills ought also to be encouraged wherever the settlers may establish themselves.

2nd. The public lands should be divided into districts, and in each district a suitable person should be appointed to act as agent so soon as settlers begin to go thither. This agent ought then to live in his district, have the title of Magistrate, and his duties should be to oversee the surveying of the land; to sell it to the settlers, to oversee the cutting of the wood, hunting and fishing in his district; to see that the regulations of the Department of Crown Lands were carried out, and keep watch assiduously and constantly over the maintenance of peace and order among the settlers. This agent should also be

charged with the superintendence of all Government works in his district; should make reports, and give security, and should possess no land for his own proper use in his district. In the districts not as yet open to colonisation, the agent should not be compelled to reside on the spot; but he should visit the district carefully throughout its whole extent; should make a circumstantial report thereon, pointing out the water-courses, the mountains, their height, the lakes, the rivers, as to both depth and breadth, the extent of land fit for cultivation, the kinds of wood, the facilities for clearing; the nature of the land, and its mineral productions; the places where colonisation should first be commenced. This agent should be a medium of communication between the settler and the Government; he should be charged to attend to all their applications at all times.

3rd. Another reason which has impeded colonisation on the part of the instructed class, is the want of agricultural knowledge in young people, who frequent our educational establishments, and therefore the little taste which they show for a profession which has never been mentioned to them. The Government should, in all schools where superior education is given, and which receive grants from the funds for superior schools, open a class of agriculture, and those of such establishments as have land should be compelled to have an experimental farm for the use of the pupils, and should procure professors to teach the art, if they have not already got them.

By this means, the young men who leave our educational establishments will have theoretical and practical knowledge of agriculture, and a taste already formed for this occupation. Then finding land at a low price, and having learned at school that this pursuit is as honorable as many others, if not more so, that with the aid of education and economy it is possible, in following it, to realise a competency in a few years. Such young men will remain in their native land, and will settle in our country; they will be such citizens as we require, and their example will retain the mass of our countrymen at home, who now follow them to seek their fortune in a foreign land.

J. Johnston, Township of Halifax.

I may state that, within the last five years, considerable emigration has taken place from this locality to the United States. I cannot say what proportion this emigration bears to the whole population. The greater number of the emigrants from here start with the view of settling in the State of Illinois, and do not return. Our young people go each spring into Vermont, where they generally engage themselves to farmers, some few in manufactories, and return in the autumn with a little money, which serves to pay an instalment on their lands. Some go to the lumbering establishments of Upper Canada, and the Canadians of British origin leaving here generally go to the farming lands of Upper Canada. There are but few of these latter here, and very few consequently have left during the last five years. Some of them go to the manufacturing districts in the United States.

All that I have been able to remark as regards our young Canadians, who, after passing a certain time in the States, return, as I have said, every autumn, is a freedom and independence of bearing, but their morals seem in no way affected by a temporary residence amongst our neighbours; it must be admitted, however, that there are some exceptions, and that this freedom of manner has in a few instances degenerated into grossness.

The principal cause of emigration is the want of means of making money, at least that is the cause in this locality.

I think that if the lands conceded to individuals were re-united to the Crown domain, and thrown open to colonisation, by granting them at low prices, emigration would be diminished; and speaking of Lower Canada, I refer particularly to the Townships, for here all the lands almost are sold and occupied.

Few young men of eighteen and upwards are without lands.

Undoubtedly the want of means of communication in the different parts of the country is a grave obstacle to settlement, and consequently a main cause of emigration.

In reply to the 18th question, it is to my knowledge that settlers prefer high to low lands, owing to the water running off. Swampy lands are hardly worth having.

The impossibility of knowing the proprietors of lands in the Townships has also tended to retard their settlement.

Unquestionably the establishment of manufactories would tend to put a stop to emigration, as our young people would then have a means of earning money which now they have not.

Much land in this country is in the hands of absent proprietors; not in this Township however.

Of these lands about one-fourth is occupied and improved by squatters; the rest is wild.

Jean-Baptiste Morin, of St. François.

1st. Yes.

2nd. A part take the direction of the manufacturing districts, and others seek agricultural employment, a third part go to the mines and the fisheries.

3rd. I am able to furnish some details on the emigration which has gone on in my locality.

4th. One fifteenth.

5th. All French Canadians, and of the agricultural class.

6th. Of the persons who emigrated, some have returned in the same condition in which they went away, some with money, and others with nothing, or nearly nothing, according to their good or bad moral, physical or economical conduct.

8th. The causes of emigration are nearly the same in all Lower Canada.

9th. All the emigrants have evinced a desire to settle on the Crown lands, and not

on the lands in the seigniories, inasmuch as the seigniorial tenure is as yet only deliberated upon, and the result is still much to be feared.

- 10th. It is certain that the settler, after having obtained an establishment at the expense of his little patrimony, and his labour, finding himself compelled to yield up possession again with costs, is discouraged to a degree sufficient to prevent him from ever attempting again to settle in his native land; their relations also, seeing their brothers treated in so atrocious a manner by the Act of a bad government, give up all idea of settling here, from the fear of undergoing the same treatment. Thus, the poor people are compelled to seek, in foreign lands, what they cannot find in their own country.
- 11th. It would be a means of diminishing emigration, to cause the lands to be cultivated, by granting them to settlers
- 12th. About a fifteenth of the population.
- 13th. All those who have no land would be disposed to take it on that condition; they would live on the land which gave them birth, and would give subjects to the country.
- 14th. In my locality, and the surrounding Parishes, those who have no land would be disposed to settle in the townships of Armagh, Mailloux, Montmagny, Patton and Bourdages.
- 15th. Free grants of land would have facilitated colonisation, and would have diminished emigration, but would not be the principal means of arresting it.
- 16th. Want of means of communication is the principal cause of emigration. In the township of Montmagny, at a distance of about seven leagues from any habitation, there are about one hundred and fifty families who have no means of communication, or nearly none, except in winter; those who are obliged to carry their provisions thither in summer, pay ten shillings a hundredweight; those who have no money, which is nearly always the case, have no other means of conveyance than their shoulders; many petitions to the three branches of the Legislature have represented the inconvenience resulting from the want of roads, and the Executive have granted trifling sums of money, too insignificant in amount, to open so considerable a length of road. All these inconveniences have retarded colonisation in this part of the country. Had it been otherwise, instead of one hundred and fifty families as there are at present, the number would certainly exceed five hundred, if travelling were practicable at all seasons of the year. Great courage was necessary to enable the large number now there, to encounter so many difficulties.
- 17th. It is well known that free grants of public lands would greatly facilitate colonization, but it is not the price so much as the want of communication which alarms the settler.
- 18th. It is certain that the uniform price of different descriptions of land is not just, since there is a difference in the value of the soil.
- 19th. The impossibility of ascertaining who are the true proprietors of lands in the townships, is certainly one of the causes of emigration; the settler who, with others, is forced to decamp, prefers to emigrate, rather than again undergo the same treatment.
- 20th. We may consider this question in two different points of view; on the one

hand, the removal of the timber from the Crown lands diminishes the value of the land, from which the settler can derive no profit; but on the other hand, great numbers of workmen employed in the lumbering establishments are on the spot, to discover fine land in the interior, on which they would be anxious to settle if there were means of communication.

- 21st. No doubt, the establishment of manufactures in this locality would retain many mechanics, but none of the agricultural class.
- 22nd. A very bad effect.
- 23rd. There is a certain extent of land belonging to the clergy, which offers a considerable impediment to colonisation.
- 24th. The land remaining uncultivated, the settler can have neither drainage, nor side-clearing (*découvert*) nor roads; he is as it were in bondage. If he desire to obtain the land the price is exorbitant.

L. Bernier, Trader, Notre-Dame-de-Levi.

- 1st. I know perfectly well that a numerous emigration of the population of Lower Canada to foreign lands has taken place.
- 2nd. It is directed towards manufacturing, mining and agricultural districts.
- 3rd. The details which I can give concerning emigration from the Counties of Levi, Bellechasse, Dorchester, and Beauce are, that young men generally proceed to the manufacturing and mining districts, and families to agricultural localities, except in the upper valley of the Chaudière, from which place they generally go to the State of Maine, where the high price of labor in the factories is an attraction for them.
- 4th. The proportion of emigration in this locality is, for families, about ten per cent.; for young men it is at least twenty-five per cent., especially in the County of Beauce.
- 5th. The population of the above-mentioned Counties being, in general, nearly all of French origin, it follows that the emigration is generally French, and of the agricultural class.
- 6th. Of the daily emigration a certain number return every year, of whom about one-tenth, having preserved their morals uninjured, have saved something, while the remaining nine-tenths return pests to society, the shame of their families, and the scandal of their brethren.
- 7th. It would be very easy to point out the principal causes of this emigration.
- 8th. I think the causes are the same in all localities, at least they are in the district of Quebec, except perhaps in some industrial or manufacturing districts. These causes are, in my opinion, the want of pecuniary means to buy improved lands, and the difficulty of obtaining wild lands with a sufficient quantity of hard wood to enable them to obtain necessaries and things requisite for the completion of their undertaking. This is one reason why a certain number of persons who detest emigration are forced to settle on low and swampy lands, and drag out a miserable existence for the rest of their lives; this has

reference to the mountainous parts of Bellechasse and Dorchester. The low price of labor here compared with wages in the neighbouring States, the alluring picture which the latter present to their eyes, the inconstancy of some individuals, and the want of education and patriotism, are, in my opinion, the principal cause of emigration in this locality.

- 9th. Generally speaking, the persons who go to the neighbouring countries do so with regret, especially the young; they would greatly prefer to settle on land, if it were at their disposal, rather than to take service in a foreign land. As to settling on the Government lands, I must say that it is not an easy thing, since there is always, between the occupied lands of the Seigniories and the wild lands of the Government, a certain interval of low or swampy land, which it is very difficult to pass over without any means of communication.
- 11th. As to large grants which have been made to individuals who have not fulfilled the conditions of their titles, it is quite certain, that if those lands were open to colonisation it would be a very likely means of arresting emigration.
- 12th. With very few exceptions, at least a full half of the young men of eighteen and upwards have no land.
- 13th. Generally speaking all would be disposed to settle on the Crown lands or elsewhere, provided it were on land which would repay the settler for his labor, and enable him to obtain a moderate independence.
- 14th. As to the part of Canada where they would desire to settle, it is generally as near as possible to the paternal hearth, but failing this, if there was a certainty that any part of the country was good and capable of profitable cultivation, a great number would not mind going to a distance, as may be seen along the road to Lambton, where most of the settlers come from St. Charles, St. Gervais, and St. Anselme. These have gone to a distance of from 70 to 75 miles from home; moreover we see a great number in the Townships of Halifax, Inverness, Stanfold and Somerset.
- 15th. If there had always been good land to supply the demand of settlers in each of the districts of Canada, the emigration of Canadians to the United States would not have taken place in the district of Quebec, or at least with the exception of a few individuals.
- 16th. The want of means of communication in the different parts of the Province is an obstacle to colonisation and one of the causes of emigration. Moreover, it is easy to be satisfied of this, for since Government, in conjunction with the Canadian clergy, has interested itself in this matter, we have seen tracts of land, previously uninhabited, covered with settlers as fast as the roads were made; as the Saguenay, the eastern Townships, and those situated in rear of the Counties of Bellechasse and Montmagny. All these regions, though extensive, are far from sufficing for the wants of the rural population.
- 17th. Free grants of land would be greatly preferable, considering the great number of persons who possess no pecuniary means.
- 18th. I think that the uniform price of land is an obstacle to colonisation. The settlers are obliged to make roads through low and swampy lands, which are not sold, since they are considered unproductive; if these were granted free, they would be occupied, as well as the high lands, for the sake of the timber, as the only expense would then be the keeping up of the roads.

- 20th. The practice followed by the Government of granting to a single house or to a single individual extensive timber limits, on the Crown lands, has not been in any way prejudicial to the interests of those localities.
- 21st. The establishment of manufactures of different kinds in these localities would have the effect of diminishing emigration, for when good land is wanting, or where it is too far off, those who preferred this description of work, would be certain to find employment in them.
- 23rd. There are large tracts of land in these Counties in the possession of great absent proprietors, but I cannot specify on what conditions the few settlers on these lands obtained their titles of occupation.
- 24th. In general these lands are in an uncultivated state, or very nearly so.

In my opinion, the question of colonisation is one of life or death to the French-Canadian nationality. On this account I shall take the liberty of quoting the words of a celebrated man, who has said, "that to encourage agriculture was to produce men who knew how to acquire independence, whilst to encourage great towns exclusively was to produce men for a revolution." Therefore I do not hesitate to say, that if Government had done for the agricultural class what it has done for manufactures and commerce, we should not now have to deplore the crying evil of Canadian emigration. To remedy the evil, I should be happy to see formed and incorporated, concurrently with Government, numerous colonisation societies, like railroad, telegraph, and mining companies, with aids from Government, in the manner of a loan, repayable like a municipal loan, parts of which sums should be expended for the settlement of particular communities, and each part should be constituted a common debt, and should be guaranteed by the public property of the community receiving it. This would be a very proper way to habituate the people to municipal government.

Julien Gregoire, Mayor of Napierville.

- 1st. Yes.
- 2nd. Towards agricultural districts.
- 4th. About fifty per cent. of the young men, and about one hundred and fifty families.
- 5th. About the same.
- 6th. Yes; some young men have returned, but no families.
- 7th. Want of land for the settlement of young men.
- 9th. As much one as the other; they do not settle on them, because there are no more to take.
- 10th. It is the principal cause.
- 11th. Yes.

-
- 12th. Between one thousand and twelve hundred.
- 13th. Nearly all.
- 14th. Nowhere in particular; but chiefly in the eastern Townships of Lower Canada.
- 15th. Most certainly it would have diminished, if not totally ceased.
- 16th. Yes.
- 17th. Gratuitously.
- 18th. Yes.
- 19th. Yes.
- 20th. Yes.
- 21st. Very little.
- 23rd. Yes; but very little.
- 24th. Some are improved; but the want of good titles prevents their improvement.
-

Louis Lefebvre, St. Geneviève.

- 1st. Emigration has unfortunately been but too considerable.
- 2nd. I think it is equally towards both.
- 4th. There is no emigration from hence.
- 7th. The Government does not give sufficient aid to the settlement of the Townships.
- 8th. I think they are the same everywhere.
- 11th. I think so.
- 12th. About 300.
- 13th. One-half, I think.
- 14th. I think they wish to go and settle in the southern Townships, in rear of St. Clement.
- 15th. Very probably; a great number of persons have settled in the northern Townships; but they have not succeeded well, on account of the time necessary to reach a market with their produce.
- 16th. Most certainly.
- 17th. Free grants of public lands would induce many to go, because they would have no fear of losing their property.

18th. I think so.

19th. It is certainly one of the causes.

20th. I think so, because the people are deprived of the means of making money to obtain necessary.

F. L. Poudrier, Plessisville, Somerset.

1st. Emigration to foreign lands has taken place during the last five years ; this emigration consists chiefly of young men from Lower Canada.

2nd. A part of this emigration is directed towards manufacturing districts, and a part towards agricultural countries.

3rd and 4th. In our locality, this emigration has never been considerable ; and we do not think that more than fifty persons have emigrated during the last five years.

5th. In our locality, this emigration has consisted almost entirely of French-Canadians.

6th. Of the number who have thus emigrated, several have returned to our locality, nearly all in good physical and moral condition ; some with a little money, and others without any.

7th. The most influential causes of this emigration are, in our opinion—1st. The little fertility of many of our lands, combined with our long and rigorous winter, which plunges us into snow and ice for more than six months of each year. 2nd. The very bad harvests to which we have been subject for many years past, especially the total failure of the wheat and potato crops. 3rd. The character of the French-Canadian, which is much addicted to travelling into strange lands.

8th. We think those causes are very nearly the same in many other localities.

9th. Many of those who emigrate would settle on the Crown lands, or on uncondced lands of the Seigniories, if they were granted them on more advantageous terms than at present, and above all, if these lands were granted free, and roads were opened to communicate with them.

10th. There are in our locality no more suits, such as mentioned in the tenth question.

11th, 12th, 13th, 14th, 15th, 16th, and 17th. We are altogether of opinion that if in all parts where there are lands to concede, there were good roads opened to communicate with theff, and if free grants were made of public lanks, it would have the effect of greatly diminishing emigration, and we would advise these two means of diminishing it. The number of persons of eighteen years of age not possessed of property in this locality, is about sixty-four.

18th. We think that the uniform price of high, low, and swampy lands, and of land from which the wood is to be sold and removed for commercial purposes, is an obstacle to colonisation.

-
- 19th. It would appear that the impossibility of ascertaining who are the true proprietors, has greatly retarded the colonisation of the Townships.
- 20th. The practice followed by Government of granting extensive timber-limits, has been to a certain degree, we think, prejudicial to the settlement of wild lands, inasmuch as settlers do not like to take land despoiled of the wood.
- 21st. The establishment of manufactures in the country which we inhabit, would greatly arrest emigration.
- 23rd. In our County, there is in the hands of the Seigniors a great extent of land, which they have neglected or refused to concede for at least ten years past. This has completely prevented the opening up of these lands, and has occasioned emigration.
- 24th. These lands are almost entirely wild and uncultivated.
-

Narcisse Beaudot, of St Pierre les Becquet.

I am of opinion that if the lands which have been conceded to individuals who have not fulfilled the conditions of their patents or permits, were re-annexed to the domain of the Crown, and offered to actual settlers, it would be a means of considerably diminishing emigration.

If lands had been offered gratuitously, or at a moderate price, in each of the Districts of Lower Canada, and thrown open by good roads communicating with the places most suitable for agriculture, emigration would have been almost a nullity. The want of communication and the high price of land, are the permanent causes of emigration.

It is impossible to conceal from ourselves that owing to the difference of soil and climate, an acre of ground in most districts now offered for settlement in Lower Canada, is dearer at one shilling and six pence, than an acre of land at five shillings an acre in Upper Canada.

The granting of land at a moderate price seems to me to be preferable to free grants, for the settler who has paid a small sum for his land will not abandon it without hesitation; but if it were granted free, this would not be the case, and it would moreover open a door for fraud; a dishonest father of a family might take land for himself, and for each of his children, sell the best of the wood at a low price to speculators, and without opening up his land recklessly abandon it. The practice followed by the Government of granting timber-limits on the Crown lands to a single house, or to a single individual, cannot be prejudicial to the colonisation of wild lands; for when the traders in wood render the account of wood cut to the agents of the Crown Lands, they are compelled to point out carefully the quantity of wood removed from conceded lands in their limits; the sum received for the wood off these lands is deducted by Government from the price of the land sold to the settler, so that a man to whom land has been conceded, may find himself in possession of a farm entirely paid for, without having laid out a penny.

Auguste Quesnel, of Princeville.

Since 1855, the period when the works on the Quebec and Richmond Railroad were concluded, emigration on a large scale with regard to the population has taken place, and threatens to carry away from us hundreds, if Government do not adopt speedy and efficacious means to prevent it. In February last, a party of ninety persons left the different stations of Stanfold, Arthabaska, and Warwick, on their way to the State of Illinois, there to settle on lands. They were all of French-Canadian origin. The principal causes of this emigration are :

- 1st. The want of communication in the different Townships.
- 2nd. The practice followed by Government of granting to a single house, or to a single individual, great tracts on which to cut wood.
- 3rd. The difficulty of knowing the true proprietors, owing to the want of registration of titles to lands in the Townships.
- 4th. The suits instituted by the great proprietors against the squatters. To prove this, I shall cite one case out of a thousand, which will satisfactorily show the necessity of passing a law to protect settlers who belong to this class. In the Township of Stanfold, a man named David Parré settled in 1840, on a lot of land belonging to G. W. Wilson, Esq., believing it to be a Crown lot, (nearly all the settlers then were under the impression that the lands in the Townships belonged exclusively to the Crown); he cleared about 100 acres, and built a house, as well as all the necessary dependencies of a farm of this extent. In 1854, fourteen years after, one of the heirs of Mr. Wilson sued him for possession, succeeded in turning him out, and obtained possession of his improvements without remunerating him. When he (David Parré) took possession of this lot, the neighboring lots of the same quality were sold for 5s. to 7s. 6d. an acre, and in 1854, the period when he was compelled to remove, the lot was worth over £1000. Several similar cases have compelled the victims to emigrate, and have caused a great number of squatters to sacrifice their improvements through fear of being subjected to a similar fate.
- 5th. The excessive price of swampy lands, and of lands from which the wood has been cleared.
- 6th. Want of manufactures.

To encourage colonisation, it is necessary to open roads in the different Townships where the Crown possesses land ; the sum granted for this purpose is altogether insufficient. Experience has proved to us that whenever a road has been opened in a new Township, colonization has made wonderful progress. As an instance, we may cite the different Townships which are crossed by the road which has just been made from the Township of Arthabaska to Lake Aylmer. On this road nearly two hundred families have established themselves in the short space of two years. It is so much the more urgent to open communication, that all the land situated along or near the great roads is settled, except what belong to the great proprietors, who will not sell except on conditions which prevent the settler who has no capital from buying them. These prices range from 15s. to 30s. an acre.

The swamp lands, and those from which the wood has been removed, should

be offered gratuitously; the high lands might be sold at 3s. an acre, allowing the settler, so soon as he shall have built a house, and cleared two acres of land, the right of cutting wood. This is a great resource, especially during the first years, when it is impossible to obtain a harvest sufficient for the support of a family for a whole year.

A law should be passed to compel the great proprietors to register the titles of their lands with as little delay as possible, and all lands the titles to which are not registered at the time prescribed by this law, should be re-annexed to the domain of the Crown, as also lands conceded to individuals who have never fulfilled the conditions of their titles, and who will not sell except at exorbitant prices. This is one of the principal obstacles to colonisation, for such lands, generally speaking, are the most advantageous, both as regards the quality of the soil, and proximity to the seat of business.

The Act establishing a Municipal Loan Fund should be amended so as to give the Municipalities of the Townships the power of applying the money to promote colonisation.

The means to be employed to prevent young men, who are not disposed to cultivate the land, from emigrating, would be to establish manufactures. The numerous water-powers existing in the Townships offer great advantages for that purpose.

Townships not yet surveyed, should be so without delay; lists containing the range and number of each lot belonging to the Crown, should be published and posted in the different Townships, as well as the conditions on which these lands might be obtained.

F. H. Ducherau, of St. Cyrille.

- 1st. Yes, emigration has been going on in Lower Canada during the last five years.
- 2nd. Some direct their steps towards manufacturing, others towards agricultural districts.
- 3rd. In St. Cyrille, some families emigrate for the reason alluded to in the 10th question.
- 4th. One-thirtieth of the population.
- 5th. All French-Canadian farmers and laborers.
- 6th. Those who have returned, have done so with much difficulty.
- 7th. The principal causes of this emigration are: the want of roads to communicate with the lands favorable for agriculture, and the obligation to emigrate under which persons desirous of settling on them find themselves.
- 8th. The causes are very nearly the same in all localities.
- 9th. Yes; the persons who emigrate desire to settle on the Crown lands, but cannot do so for the reason mentioned in the 7th answer, nor on the unconceded lands

of the Seignories, because they are held at too high a price to be within their means.

- 10th. Yes, the suits against those who have settled in the Townships have often been the cause of emigration.
- 11th. Yes, this would be an efficacious means of arresting emigration.
- 12th. The number of persons in our locality who have no land is over 100.
- 13th. Nearly all would desire to settle.
- 14th. Many who have already settled on the Crown Lands are very desirous to remain on their property, if it should be in their power; others wish to settle on lands not conceded by the Seignior; and some desire to settle in the Township of Arago, several miles in rear of L'Islet.
- 15th. Yes.
- 16th. Yes; the want of communication in different places is an obstacle to colonisation; for if there were roads to go to Arago, many would have already settled there.
- 17th. Lands granted gratuitously would give great encouragement to the emigrants.
- 18th. The removal of the wood does but little harm to colonisation.
- 19th. Many have delayed settling for that reason.
- 20th. Yes; the sale of wood on the Crown Lands has been unfavorable to agriculture.
- 21st. Yes.

Michel Guinden, J. P., of St. Polycarp.

- 1st, 2nd, 3rd, and 4th. Without any doubt emigration from Lower Canada to foreign lands, directed towards manufacturing districts, has taken place, and tends to paralyze the agriculture of our country. It has proceeded on a limited scale in our locality.
- 6th. As to the persons who return, the number of whom is very small, they return with small pecuniary means, or none at all, and greatly demoralised.
- 7th. One of the principal causes is want of education. This causes them to lose all love of home and country, which they have never been taught.
- 8th. These causes are nearly general, at least in our locality.
- 9th. The difficulty of obtaining titles from the Crown prevents settlers from establishing themselves, as well as the want of means of communication.

-
- 10th. The suits instituted by the great proprietors against settlers on their land in the Townships have been the cause why several families have gone to a strange land, finding themselves deprived of all means, and labor being at a higher price there.
- 12th. The number of men of eighteen and upwards who have no land, is from 100 to 150.
- 13th. The greater number would take lands in the domain of the Crown if they were granted gratuitously, with means of making roads, or causing them to be made.
- 14th. The young Canadians of our locality seem to direct their steps to Upper Canada, to the Townships of Plantagenet, Alfred, Russell, Cambridge, and that neighborhood.
- 15th. If lands had been offered gratuitously in the different districts of Canada, French-Canadian emigration would have greatly diminished.
- 16th. The want of roads for communication with places where there are lands to concede is a great obstacle to colonisation.
- 17th. I think that grants of public lands at a low price, payable by instalments, with good titles, would be a means of facilitating colonisation.
- 21st. The establishment of manufactures in each County would tend to prevent young Canadians from emigrating to strange lands; for from the end of the harvest to the following spring, the laboring class is almost altogether without work, so that the day-laborer is obliged to go and pass the winter in some work-yard, or elsewhere, sometimes never to return.
-

F. X. Delage, priest, O. E. Casgrain, B. Pouliot, and L. G. Fortin of L'Islet.

Being unable to reply to all the questions, we have confined our remarks to saying *in globo* what we know on the subject, laying most strength on the local causes of emigration.

That emigration takes place in Lower Canada is a fact which no one denies. Here, it has gone on hitherto, it is true, on a small scale; but it threatens to attain vast proportions if Government do not immediately take all the steps in their power to prevent it. But slight as it still is, it is nevertheless deplorable to be convinced of its existence, whilst we have in rear of our Parish and elsewhere uncleared lands where the majority of those who emigrate would prefer settling, were it not for the difficulty of communication owing to the want of roads. And this readiness to occupy these lands is made evident by the simple fact, that notwithstanding the absence of roads, a great number have already begun to make considerable clearings, amidst which we find a saw-mill. There is, it is true, a winter road in this locality communicating with the United States, and over which pass every year more than fifteen hundred loads, which go to feed the numerous lumber establishments of Black River and the river St. John, but this road exists only during that season; whereas by the road for which many petitions have been made during the present session, the settlers

would find on the spot, without being compelled to go to a distance, a market for their produce.

Besides the immediate opening of roads of communication, we would venture to suggest as another means of encouragement, free grants of land for five years, and the abolition of licenses for cutting of timber for the market. By free grants, we shall see formed on the public domains a nucleus of population, which will give value to the neighboring lands. This would amply repay Government for the sacrifice made for five years only. By the abolition of licenses for the cutting of timber, the settler will retain all the advantages of working it himself, and will thus enjoy an income which will aid him in clearing his land.

Besides, considering the irregular manner in which the agents of the Crown ordinarily collect the moneys accruing from this sale of the wood, of which one-half only is paid, Government can, without any great sacrifice, give up to the settlers this source of revenue. Indeed, we are told by well-informed persons, that those who have licenses to cut timber keep two books, one in which they keep their account, and another which contains about one-half the wood cut, to exhibit to the agent.

Before concluding these few remarks we cannot help here expressing our regret that the colonization societies which have been formed during these last years with a view of preventing our countrymen from emigrating to the United States, have not received from Government the encouragement they had a right to expect.

The Saguenay Colonisation Society, among others, which numbered over three hundred associates, has hitherto been unable to settle more than sixty families, notwithstanding the great sacrifices of time and money made by the heads of this society. If the Government had immediately made them a road to reach this settlement, and granted titles to the several settlers on these lands, as they gave reason to expect, there would have now been two or three hundred settlers, instead of sixty, and the sale of lands bordering on this nucleus of colonisation would have amply repaid the Province for the slight sacrifice which it had made at the out-set. Left to their own resources, and receiving hardly any aid from Government, the leaders of the association became weary of their enterprise; the settlers losing heart, turned their faces towards the United States, after having awaited here for a time some aid from the Government.

Thomas Lauvière of St. Gervais.

- 8th. In my locality, those who have left for foreign countries are young persons, from 18 to 20 years old; in number, from 15 to 20, all Canadians.
- 9th. I think it is their wish, but the difficulty lies in the want of help.
- 11th. I think so, and it would be highly beneficial.
- 12th. There are a great many.
- 13th. I believe there would be many.

- 16th. That is the main obstacle. It is not very easy for a poor emigrant to travel through the woods with a sack on his back. I hold the want of roads to be the greatest inconvenience.
- 17th. My opinion is that these Crown Lands should be given away gratuitously.
- 21st. I think it would.

Joseph Mailloux, of St. Arsène.

- 1st. Yes.
- 2nd. To both manufacturing and agricultural countries.
- 3rd. In this locality, during the last five years, ten families have gone off to the United States, and thirty young men.
- 4th. Emigration extends to a tenth of the population.
- 5th. All of French (Canadian) origin, farm labourers and servants.
- 6th. A tenth of the emigrants have returned much demoralised, and most of them poorer than when they went away.
- 7th. Because they expect to do better abroad, and because the young people get better wages there.
- 9th. Several, in short, all who emigrate evince a desire to settle on Crown Lands, but they do not settle on them, on account of the prices affixed to them, the want of roads, and their own poverty.
- 11th. If the Indian township, opposite to L'Islet-Verte, were re-annexed to the Crown Domain, and re-granted to settlers, it would be an effectual means of arresting emigration in this locality. Settlers are obliged to pass through that Indian township, in order to reach the township of Viger, by a road made through it by the Government, which is always in a bad state, as there is no law to compel the Indians to repair it.
- 12th. Nearly four hundred.
- 13th. All, but a very few.
- 14th. In the townships of Viger and Denonville, and southward, in the district of Kamouraska.
- 15th. It would have diminished, or nearly ceased.
- 16th. Undoubtedly the want of roads, where there are lands to concede, is a very serious obstacle to colonization, and therefore a cause of emigration.
- 17th. For my part, I should recommend free grants of public lands, and the making of roads through them, that is to say, main and by-roads; gifts of tools and implements to the poorer settlers, and sustenance for at least two years. By such a course, the Government would prevent emigration, would preserve the nationality of Lower Canada, and increase the means of acquiring wealth in this part of the country, which would return the expense a hundred fold.

-
- 18th. One of the chief obstacles to colonization, is the carrying off the timber (pine) for shipment.
- 19th. Yes.
- 20th. Yes, undoubtedly.
- 21st. Yes, and I should recommend the establishment of manufactures in the country, as an antidote to emigration.

D. S. Bellefeuille, Yamachiche.

- 1st. Yes, to an extent which is very much to be regretted.
- 2nd. Yes.
- 3rd. Yes.
- 4th. Few have gone from this locality.
- 5th. French.
- 7th. Want of sufficient means.
- 8th. The same every where.
- 9th. On lands belonging to the Crown, but they are too dear, and there are not roads enough.
- 10th. It is often the case in the township of St. Maurice.
- 11th. Yes, certainly.
- 12th. About 1,200.
- 13th. All.
- 14th. In the township of St. Maurice and Shawanegan, and higher up on the St. Maurice.
- 15th. Yes, indubitably.
- 16th. Certainly.
- 17th. Free grants.
- 18th. Yes.
- 20th. Yes, that has been prejudicial to colonization.
- 21st. Certainly.
- 23rd. Yes, the township of St. Maurice is not very accessible to settlers, or the fief of that name either.
- 24th. Some waste, some occupied. The settlers who have purchased, pay too high, get into debt, and are compelled to emigrate, leaving their lands, and losing their outlay of labour and money. The township of St. Maurice and Shawanegan, and

the fief of St. Maurice, are pretty well settled, but the people are poor. The Crown Lands, higher up the St. Maurice River would, if the Government favored and assisted the undertaking, be soon settled, on account of their superiority to those below.

V. Garon, F. L. Moreau, of St. Anne de la Pocatière.

- 1st. Very many from Lower Canada.
 - 2nd. To farming countries.
 - 3rd. About ten have gone from this locality.
 - 4th. Five in a thousand.
 - 5th. All of French origin, and of the agricultural class.
 - 6th. None have returned to this locality.
 - 7th. The want of means of communication in order to enable them to settle on the Crown Lands, and likewise the want of manufactures.
 - 8th. We consider that the above are the causes operating alike in all localities.
 - 9th. They evince a desire to settle on the Crown Lands, but are prevented by the want of roads.
 - 11th. Yes.
 - 12th. Three hundred.
 - 13th. All, we are positive.
 - 14th. In the nearest Township, provided there are roads.
 - 15th. It would perhaps have ceased altogether.
 - 16th. Yes.
 - 17th. Free grants. It would afford the only means of settlement to the poorer class, who have no means of paying, and the money would be available to assist them in clearing the lands given to them.
 - 18th. Yes.
 - 20th. Yes.
 - 21st. Yes, it would have a very beneficial effect.
-

Charles S. Dubé, L. Roy, P. Fournier, N.P., of Trois Pistoles.

- 1st and 2nd. We know that a very considerable emigration of our countrymen to the United States, has taken place within the last five years and more, but we cannot state in what proportion to the population. It takes the direction partly of the Western plains, partly of the manufacturing cities of the American Union.

- 3rd and 4th. In our locality the emigration has not exceeded five per cent. The reason why it has not been more considerable is the neighborhood of lumbering establishments which give employment to our young men.
- 5th. All who have emigrated were French Canadians.
- 6th. A few have returned much poorer than they were when they went away; others with religious principles more than liberal, and unscrupulous morals.
- 7th and 8th. The principal or rather the only cause of this emigration is the desire of our young people to find a settlement, and the inacceptability of the Crown Lands through the absence of roads. They are compelled to try their fortune elsewhere. It is our belief that this is the general and uniform cause in many localities.
- 9th. Those who emigrate would rather settle on Crown Lands than in the Seigneuries, but are prevented by the causes assigned in the last answer.
- 10th and 11th. Though remote from the Townships in which lie the lands of the large proprietors, yet having connexions with them, we are enabled to state that the suits instituted by them against persons settling on their lands are the primary cause of the disastrous emigration from that locality, and that if the lands belonging to those persons who have failed to fulfil the conditions of their patents were re-annexed to the public domain, it would be a powerful means of arresting that emigration.
- 12th. In this parish, the number of men of eighteen years of age and upwards, who have no land, is at least 200.
13. All or nearly all would be disposed to take lands on the public domain, if they had only roads by which they could reach them.
- 14th. They are all anxious to settle immediately in the Townships of Bégon and Beaudet, in rear of this parish, where there are lands of superior quality.
- 15th and 16th. No doubt free grants of public lands would have been a good means of inducing Canadians to remain at home, but such grants alone, without the opening of roads, would not have been a sufficient inducement to remain.
- 17th. We should recommend free grants of land near roads, with a binding obligation to keep up such roads; other lands might be sold at moderate prices, and the proceeds of the sale applied to the opening of new roads.
- 18th. As the price of lands must vary according to their quality, low and wet lands ought to be sold at cheaper rates than dry upland.
- 19th. Wherever there have been large proprietors, they have proved the greatest impediment to colonization, either because it is difficult to find who they are, or on account of the exorbitant prices which they ask, or again, from the suits which they institute against those who have settled on their lands in good faith.
- 20th. Timber limits should not comprise lands which are for sale; for the wood is the only resource which the settler possesses at first to make his living.
- 21st. The establishment of manufactures in this part of the country would undoubtedly have the effect of preventing the emigration of young men; for they would by means of them acquire the means of purchasing a farm. It is nearly always for that end that they resort to foreign countries.

A word of recapitulation in conclusion. Let land be sold cheap, and roads be opened wherever the country is surveyed, and there will be an end to emigration; for the lands they leave behind them when they go away, are far superior to those which they find in the Western prairies.

—

Timoléon Ducharme, of Montreal.

- 1st. A considerable emigration has taken place within the last five years.
- 2nd. This emigration took the following directions:—in 1852, to Detroit and Chicago; in 1853 and 1854, to Bourbonnais and Chicago; in 1855, to Bourbonnais, Chicago, St. Paul's, and a few families to Massachusetts; in 1856, to St. Paul's, Milwaukie, Grand Rapids, in Wisconsin, Green Bay, Massachusetts, Vermont and New York (State.) The families which went to the West intended to take lands, or to hire themselves to farmers, lumberers or millers. Those which went to Massachusetts, Vermont and New York intended to engage in brick-making and other manufactures.
- 3rd. The emigration from Lower Canada proceeded as follows:—In 1852, 230 families, consisting of 1120 persons, and 1045 laborers or persons in quest of employment went off to Detroit or Chicago from the districts of Three Rivers and Quebec. Besides these, 12 or 15 families, apparently of American origin, went from the eastern townships to Wisconsin. All who left the townships seemed to be well supplied with money. In 1853, 250 families, consisting of 1367 persons, and 1311 laborers left the soil of Canada for Chicago and Bourbonnais; these belonged to the districts of Three Rivers and Quebec, except a dozen families from the River Chambly. The latter proceeded to Massachusetts. Besides the above, 23 families of Anglo-Saxon and American origin from the eastern townships took the road to Wisconsin. When I speak of the eastern townships, it is understood that I do not mean Canadians, for you know the origin of the inhabitants of the townships. In 1854, 440 families, consisting of 2357 persons, and 2500 laborers set off, all for Bourbonnais and Chicago, except 30 families who went to Massachusetts, Vermont, and New York. These belonged to the District of Montreal, the north shore of the St. Lawrence as you go down from Montreal to Three Rivers. In that year I kept no account of the families of foreign origin, although a few did emigrate. In 1855, 160 families, consisting of 2807 persons, and 2400 laborers, (I mean by laborers (*voyageurs*) persons who go to work and return at the end of three or four years, but who frequently do not return.) In 1853, 1854 and 1855 the greater number of these laborers bent their steps towards Lake Superior to work in the mines, and the families went to Chicago, Bourbonnais, St. Paul's and Wisconsin, and 40 families went to the States of Massachusetts, Vermont and New York. All of them belonged to Maskinongé, River du Loup, St. Jacques, Berthier, the River Chambly, the Grand Line, Henryville, St. Marie, St. Rémi, St. Isidore, St. Edward, Lacadie, Laprairie and Montreal. Besides the above 35 families from the eastern townships took the road to Wisconsin.
- 4th. Resident at Montreal. The emigration from Montreal in the last five years has not exceeded 50 families, 20 of which went to the West, the others to the States of Massachusetts, Vermont and New York. A large number of families left Montreal, but with the view of settling in different parts of Canada.

- 5th. About 100 families were of Anglo-Saxon origin, the rest were Canadians; half were of the farming class, an eighth mechanics, the remainder paupers.
- 6th. Within five years a few families have returned every year. Of those, some had left Canada with two or three hundred pounds currency. All came back alike, that is to say, in a state of complete degradation,—without money, their children in rags, barefoot, and reduced to beg their bread. I have met with fathers of families, returning from the United States with children from fifteen to eighteen years old, ignorant of all religious principles, and depraved in morals.

One of the causes of emigration is the want of means of communication and public roads in the townships and through the Crown Lands; many families have settled on them and been obliged to give up their farms for that reason. Another cause are the writings and doctrines of a certain party, who have constantly in their eye that famous annexation which is in their opinion to make Canada a paradise. They think that every Canadian whom they send to the United States shortens the term to elapse before annexation by a year, and that the sending of him is an act of patriotism to Canada and the Canadian nation. As to journeymen mechanics and day labourers, when work fails at home they must go look for it elsewhere.

- 8th. Generally the causes are everywhere the same, except a few places on the north shore of the St. Lawrence, where the early frosts destroy the crops. In my locality it is the want of work.
- 9th. Part of those persons would wish to settle on Crown Lands in the Townships and in the seigniories, but the latter find but little encouragement to do so; they have seen enough in the cases of their friends and relations who have taken lands in the seigniories, made some payments, and improved their farms, and then, if they were unable to meet their payments at the term, have been sued, paid considerable costs, and have been under the hard necessity of giving up their lands which they had watered with their sweat, and losing all their outlay. The former have a well-founded fear of settling on lands to which there are no roads, having no means of their own to make them.
- 10th. Yes, one of the principal causes.
- 11th. That would be an efficient remedy, if, in opening those lands to colonization, some means of conveyance were also found by opening roads.
- 15th. Yes, provided roads were opened.
- 16th. Yes, that is one of the main causes of emigration. Observe the lands in the neighboring States: they cannot certainly be compared to those of Canada, either in productiveness or beauty; neither can the climate be compared to ours. Mountains and ravines everywhere! and yet Canadians would rather settle on such lands on account of the facilities of communication afforded by the roads opened in every direction. Travelling in the United States you will behold mountains and rocks towering higher than the eye can reach, and which you would consider uninhabitable, but to your surprise when you climb them you discover twelve or fifteen farms on a little platform of two or three hundred acres of land. If there is a brook you have mills and other factories, and always roads affording easy communication, although traversing a frightful country. But the inhabitants did not construct those roads at their cost and charge. I had occasion to visit the United States last autumn, and I found among those

mountains several Canadian families, who were unanimous in their desire to settle in Canada. "Oh," they said, "how much we should prefer living in Canada! Unfortunately we do not possess the means, for there we should have to make roads, and that is far beyond our power. You see how hard it must be for us to live in these steep mountains; for our comfort we have fine roads to get out our timber and other produce, or we find employment in the mills you see, and this affords us sustenance for the body. As to the rest, the less we say about it the better."

17. I certainly should not recommend free grants of land, for this reason, that the settler who gets his land for nothing has no great motive to exert himself, as he trusts to his land always giving him food, and having no payment to make, will take no trouble to make the needful improvements. I consider that the gratuitous concession of land would have about the same effect on the individual receiving it as a fortune acquired without labor. It will be wasted and made away with in a short time, and render its owner averse from labor, while he who by his industry and good conduct has accumulated a little property, finds pleasure in his toil, and his means, the produce of his own exertions, grow daily in amount. I should recommend the concession of public lands at reasonable rates which the government might collect in moderate payments; provided always, that nothing should be collected from the settler within the first four years. Generally, persons who settle on new lands are not the most lucky. At the very outset they have to construct a shelter from the inclemency of the weather, and to incur some other expenses which are, as you well know, of the utmost necessity. With this relief, they will be enabled to meet such expenses in the first four years, and, in the fifth, they will be ready to pay a first instalment. By this system, the Government will indemnify the country for the expense incurred in opening roads, while, by free grants of land, they will make the same outlay and get no return.
- 18th. Yes; I consider that it is an impediment to colonisation. You know that there are lands which derive all their value from their timber, and that, the timber being removed, nothing is left but an ungrateful soil, requiring great improvement and a large outlay before it will yield any return. Assuredly such lands are not to hold the same value as those which are still covered with timber. In ordinary cases new settlers are very poor. If they go upon well-timbered land they may sell the wood and improve their land with the proceeds. I consider the timber as a great resource for the settler.
- 19th. It is notorious that in certain Townships settlers have taken lands without knowing the names of the proprietors, and have nevertheless settled, relying on information derived from persons who appear to have had an understanding with the real owners. When, after a few years painful labor, they had put up buildings and improved the land, and supposed they were about to enjoy the fruits of their toil, then the real owners have appeared and compelled them to give up their land; on their refusal to remove they have been driven into lawsuits, which their means were insufficient to carry on, and judgment being given against them, they have been dispossessed.
- 20th. Very prejudicial. The case is the same whether the sale of extensive tracts be made to companies or to a single individual. Such speculators get the best lands for next to nothing, and do not care to encourage Canadians to settle on them. Having in view only their own interest, and knowing that Canadian settlers are generally poor, they refuse to sell their land, reserving it for English or Scotch emigrants, whom they know to possess money, and who will pay for the land the price demanded.

- 21st. It is very evident that if there were more manufactures carried on at Montreal and in other parts of Canada, all those Canadians who now leave their homes for work, would rather remain with their families if they were furnished with employment. Go to all the towns in Canada, enter all kinds of stores, and you will set your eyes on numberless articles produced in the States of the Union, and mostly by the hands of Canadians, self banished for want of employment, who thus work for the glory, honor and prosperity of our republican neighbours. No country offers so many advantages as Canada does for the establishment of manufactures of all sorts. All parts of the country abound with the finest water-powers, an advantage which our neighbours are far from possessing.
- 22nd. The House of Assembly contains members from all the counties of Canada, who are better qualified than I am to answer this question. Some among them have grown gray in trade, and are enabled by experience to give useful information on the subject. I shall take the liberty of remarking, however, that in the House sufficient interest is not felt for the development of the mechanical arts in Canada, and that, under the present tariff, it is impossible for any class of workmen to set up manufactures with advantage, inasmuch as the States of the American Union send into Canada a multitude of articles on which they pay only a slight duty, while articles of Canadian production sought to be introduced into the States are charged with a duty nearly treble in amount. Who are the persons that establish manufactures in Canada? They are people who have commenced the same branch abroad, under a protecting tariff. All foreigners who settle in Canada belong to the farming class; artizans do not remain among us because they see no chance of success.
- 23rd, 24th. I do not think there are. In the island of Montreal the lands are all improved and nearly all cultivated.

Thus I assert that if the Government are truly resolved to try all possible means to arrest or diminish the emigration to the United States, the most efficient means are the following: First. The appointment of an agent at Montreal, qualified to rebut and unmask all the falsehood of the writings promulgated in the country by certain agents of railroads leading to the States, and the sooner there is such an agent the better, for many families are on the eve of emigrating, at the instigation of such publications, circulated in the country by this kind of agents. Secondly. The opening of roads in the Townships and on Crown lands. Thirdly. The establishment and encouragement of manufactures. These three points being carried out, I believe that the efforts of the Government will be crowned with success.

F. E. Milot, Yamachiche.

- 1st. Emigration to foreign countries has been going on during the last five years.
- 2nd. It has taken the direction of Upper Canada and the United States.
- 3rd. I am able to furnish a few particulars relative to that which has taken place from Yamachiche during that period, if not exactly, yet very near the truth.
- 4th. About 50 persons have emigrated from Yamachiche yearly, within the above period.

- 5th. All were of French origin, and two-thirds of them belonged to the farming class, the others to the mercantile and laboring classes.
- 6th. Of the whole number of persons who have so emigrated, 25 have returned in pretty good circumstances physically, but of the twenty-five, twelve at least may be considered as fallen from their original purity of morals; thirteen brought back their wages, the remaining twelve their clothes only.
- 7th. I am able to state the principal causes of this emigration.
- 8th. They are nearly the same in all localities, and in Yamachiche they are.
1st. The want of employment. 2nd. The low wages. 3rd. The wish to acquire the means of settling in life.
- 9th. A great number of persons who have emigrated have expressed a wish to settle on Crown lands, but have not been able to realize their wish, from their limited means, and the unfavorable terms on which lands were offered to them.
- 10th. The suits instituted by the great proprietors against the persons who had settled on their lands in the Townships have been the cause of a considerable number emigrating to the States, as well as many of their relatives.
- 11th. It is my belief that, if all the lands heretofore granted to individuals who have failed to perform the conditions of their patents were re-annexed to the Crown domain, it would have the effect of arresting emigration, by opening such lands to settlers.
- 12th. I think that the number of men of eighteen years of age and upwards who possess no land is at least two hundred in Yamachiche.
- 13th. I think that 125 of those persons, at least, would be disposed to take lands in the public domain, if they were conceded to them for nothing.
- 14th. They would prefer to settle in the Townships of St. Maurice, Shawanegan, Caxton, and its augmentations.
- 15th. If lands had been offered gratuitously in each of the districts of Canada emigration would have considerably diminished, if not entirely ceased.
- 16th. The want of means of communication in different parts of the country where there are lands to be conceded is an impediment to colonization, and therefore one of the causes of emigration.
- 17th. I should recommend free grants of public lands. My opinion is that such grants should be made in favor of the more indigent classes, who are unable to obtain lands in any other way.
- 18th. I think that the uniform price affixed to high lands, low lying lands, swampy lands, and lands from which the timber has been removed to make lumber, is another impediment to colonization.
- 19th. The impossibility of ascertaining the real owners, from the absence of registration of titles to lands in the Townships, has been one of the principal causes which have retarded the settlement of that part of the country.
- 20th. The custom followed by the Government of granting to one house or to one individual extensive timber limits on the Crown lands, has also been prejudicial to the settlement of wild lands.

21st. The establishment of manufactures of different kinds in the part of the country where I live would have the effect of preventing emigration to foreign countries.

To recapitulate : I think I may say that the opening of roads, free grants of Crown lands, or sales at low rates, the publication of information important to settlers, and a few sacrifices on the part of the Government to induce our Canadians to return from foreign lands, would be efficacious means of arresting emigration.

Frs. G. Lajoie and Frs. Bellemare, both of Yamachiche, who have also sent answers, agree with the above in their statements.

P. Paradis, of St. Henri.

1st. Yes.

2nd. It is directed towards the United States of America.

3rd. I am persuaded that in the County of Lévis, at least two hundred persons have emigrated.

5th. Nearly all Canadians of French origin, and farmers.

6th. Of the persons who have emigrated, some have returned corrupted in morals; very few have come back with pecuniary means and pure morals.

9th. The persons who emigrate evince a desire to settle on the Crown Lands, and if they do not do so, it is because they are discouraged.

10th. The suits instituted by great proprietors against those who have settled on their lands in the townships, have been a cause why those persons have emigrated to a foreign land, as well as many of their relations and friends.

11th. I think that if all the lands which have been conceded to individuals who have not fulfilled the conditions of their titles, were re-united to the domain of the Crown, this would be a means of diminishing emigration.

12th. In my locality, a great number of men of eighteen years and upwards have no lands.

13th. I think they would be nearly all disposed to accept land on the public domain, were this land granted free.

14th. They desire to settle everywhere where there is good land, but especially in Lower Canada.

15th. If lands had been offered gratuitously in each of the districts of Canada, the emigration of Canadians to the United States would have ceased.

16th. The want of means of communication in different parts of the country where there are lands to concede, is an obstacle to colonization, and therefore a cause of emigration.

17th. I advise free grants of public lands, because in Canada, the cultivation of land is the prosperity of the country, the preservation of good morals among the agricultural class, and one of the principal means of arresting emigration.

-
- 18th. I think that the uniform price of high, low, and swampy lands, and land from which the wood has been removed and sold for commercial purposes, is an obstacle to colonization.
- 19th. The impossibility of knowing the true proprietors, owing to the absence of registration of titles to land in the townships, has been one of the causes which have retarded the colonization of the townships.
- 20th. The custom followed by Government of granting to a single house or to a single individual, vast limits for the cutting of timber on the Crown Lands, has also been prejudicial to the settlement of uncultivated lands.
- 21st. The establishment of manufactures of different descriptions in the part of the country which I inhabit, would, in my opinion, have the effect of arresting emigration to foreign lands.

J. Verrette, Mayor of St. Albans, County of Portneuf.

- 1st. We are well aware that emigration from Lower Canada to foreign lands has taken place during the last five years.
- 2nd. The greater part direct their steps towards manufacturing districts.
- 11th. We think that if such lands were re-united to the domain of the Crown, it would be a means of encouraging colonization.
- 12th. There are about 150 men here who have no land.
- 14th. Those who show a desire to establish themselves, would wish to settle in Lower Canada, in the district of Portneuf, and in the townships of Alton and Montauban.
- 17th. We would recommend the sale of them at a moderate price. For we are of opinion that if they were granted gratuitously, many persons would take them for the sake of the wood, and subsequently abandon them.
- 18th. We are entirely of opinion that, to remove wood from the land for commercial purposes is to present an obstacle to colonization.
- 20th. We believe that the custom of granting to a single house, or to a single individual, vast limits for the removal of the wood on the Crown Lands, is very prejudicial to the settlement of uncultivated lands.

Ph. V. DeBoucherville, Esq., and others, of St. Athanase.

- 1st. Considerable.
- 2nd. The poor emigrants direct their steps to the manufacturing districts, those in easy circumstances to the agricultural districts of the west.
- 3rd. During the last five years, of a population of eight hundred families in this parish, about seventy-five families have emigrated.
- 4th. During the last five years the proportion has been about one in eleven.

-
- 5th. In proportion to the population, the number of each origin has been very nearly equal, and emigration has been more common among the poorer class than among those in easy circumstances.
- 7th. The neglect of the Government to open up roads over public lands to facilitate their settlement by the poorer class; the too high price of public lands; the concession of large tracts of land, in the parts most accessible for settlement, to individuals generally absent, and the want of manufactures.
- 8th. We think that the causes above given are applicable to all parts of the country.
- 9th. Considering the great difficulties to which those who have settled on the public lands have been subjected, a great number having been compelled to abandon their land, after having expended much labour upon it, so great a distaste for the public lands at present exists, that no one desires to settle on them. There is no unconceded land left in the surrounding seigniories.
- 10th. Yes, very often.
- 11th. Yes, this would be a powerful means of arresting emigration.
- 12th. About an eighth of the population.
- 13th. A very considerable number would be disposed to take land.
- 14th. In the eastern townships.
- 15th. It would have greatly diminished.
- 16th. One of the principal causes of emigration.
- 17th. At the present moment, it is necessary that the Government should grant the public lands gratuitously, in order to turn the current of emigration, and to facilitate the settlement of these lands by the poor class, whose means are barely sufficient to fulfil the conditions of clearing.
- 18th. Yes.
- 19th. Yes.
- 20th. Yes, very prejudicial.
- 21st. Yes, most certainly.
- 22nd. A bad effect.

In a country like this where the climate is severe and where the forests are absolutely necessary for fuel, and for the construction of buildings and fences necessary in bringing a farm under cultivation, it is to be regretted that the Government has not hitherto taken measures for the preservation of the forests. The consequence of this neglect has been so great a difficulty of obtaining the wood necessary for opening up the farms in the valley of the St. Lawrence, that a great number of farmers, otherwise in easy circumstances, emigrate to more favorable climates. To prevent the increase of this evil it would be necessary for the Government to adopt measures for the preservation of the wood and the planting of artificial forests in the most thickly settled parts of the country, and to reserve wood-lands on the public domain to supply the wants of a future population which will settle there.

As it is incontrovertible that the Western Provinces are more advantageous for agriculture than Lower Canada, and that the current of emigration sets in that direction in a manner alarming for the country, it is necessary that the Government should offer considerable advantages during a number of years, so as to arrest this Canadian emigration and encourage immigration from foreign lands.

- 1st. By opening roads over the public lands.
- 2nd. By granting those lands gratuitously on condition only that they should be partially cleared and resided upon after a certain space of time.
- 3rd. By encouraging agriculture, by striking examples of economy and progress in the establishment of model farms directed by intelligent farmers, who have acquired their knowledge, not in a foreign land, but by well grounded experience of agriculture in this country.
- 4th. By introducing into this country a system of loans on the security of real estate, which would enable small farmers to obtain the necessary means for improving their farms at low interest.
- 5th. By encouraging the establishment of manufactures in our country, which, like the Northern States of the American Union, from its great natural resources and the rigor of its climate, is destined to become rather a manufacturing than an agricultural country.

J. Jutras, of Bécancour.

The limited emigration of the inhabitants of the county Nicolet to a strange land, and the wonderful rapidity with which the hardwood lands have been settled, notwithstanding all the obstacles opposed thereto, are the most convincing proofs that the principal cause of emigration is the want of communication with the Wild Lands, and that the best remedy that could be applied to this wound in our nationality, is to offer the people easy means of settling in the Townships, by opening up all the principal roads at least, and exacting from the settlers but a low price, merely to reimburse the Government for the expense of opening the road, when granting Crown Lands to them. To grant no land in the public domain save in small lots to persons who show a determination to settle on the land. To reunite to the public domain all the lands, the proprietors of which have not fulfilled the conditions of their titles. To cause all the proprietors of lands in the Township to make themselves known, by compelling them to register their titles.

The great proprietors in the Townships retard the settlement of them to a considerable extent, and are, therefore, one of the principal causes of emigration, because they hold their lands at exorbitant prices. They sell them very reluctantly, and those who buy them are often obliged to abandon them with the labor which they have laid out upon them, to emigrate to the United States, being unable to pay for them. It is under such circumstances, that a couple of hundred individuals have this winter gone to try and settle in the State of Illinois.

By means of a voluntary subscription in work and money by the inhabitants of Bécancour and Ste. Gertrude, and of an aid from Government, a road was opened two years ago across the Township of Maddington. The project

was no sooner known than all the Crown Lands intersected by this road were bought at four shillings an acre. Government has still much land in this Township which would be settled in a short time if the necessary roads were but opened.

Jean Baptiste likes society ; he does not like to isolate himself : he does not care for work or the hardest labour, but he likes to be near other habitations ; he prefers misery or even death to solitude. This is the reason why all the plans, by which attempts have been made to colonise the more distant Townships, have failed of their effect. Besides, is it not more natural to carry on settlements in a lengthening series. Let this plan be adopted, let roads be opened in the Township nearest to the inhabited part of the country according as the settlements extend, and we shall see our wild lands cleared rapidly, emigration will cease and the public revenue will increase with the population.

—

N. Nadeau, Mayor, Cape St. Ignace.

1st. Yes.

2nd. Agricultural.

3rd. During the last five years a considerable number of persons have emigrated from this parish to the United States, and principally towards the States of Illinois and Wisconsin, and the territory of Minnesota ; and this emigration consisted of persons who purposed to devote themselves to agriculture in those parts of the country. This emigration is an effect of the excessive population of this parish which is not capable of extension, owing to the great difficulty of clearing, and the infertility of the soil of the back concessions.

4th. About one in thirty.

5th. They are all of the same origin, all French.

6th. None have returned to our knowledge with an intention of residing ; those who did return came to see their relations with the intention of going back again, and during their residence here, their physical and moral condition appeared to us unchanged, their pecuniary means apparently augmented.

7th. 1st. The excessive population of the parish : 2nd, the too great difficulty of clearing and the sterility of the soil in the back concessions of the seigniories : 3rd, the want of roads to communicate with the Townships of Bourdages and Patton where the land would be productive after clearing, the Townships being in rear of the seigniories of this parish.

8th. We think that the causes are the same in the other localities of the County of Montmagny : as to this locality we have spoken in the preceding answer.

9th. It is the general cry that if we had roads leading to the Townships in rear of the seigniories of this parish, settlers would go there in numbers, and to prove what we assert, we may mention that last autumn forty young men went thither to make clearings preparatory for the spring work ; they found the soil very productive, but could not continue their work because they found themselves at more than six leagues from the nearest road, and this space would remove them to too great a distance from their families to whom they looked for support ; at their return they exclaimed ; " If we had a road to reach these good

lands, we would go and pitch our tents and remain there!" There are now two young people who have settled there, who are making clearings, who take in a harvest, and who go in the winter to fetch it, notwithstanding the obstacles to their going and coming; so that a road would be absolutely necessary in the eastern part of this parish to go in a straight line to those Townships. There would be no obstacle to the making of a straight road, there being no hill or mountain to pass over.

The inhabitants of this parish have often asked for a road to this place, by petition to the Legislature, which latter has always hitherto refused to grant their just demand, nevertheless it is the general wish in this parish. Our farmers have a good and excellent reason for this, for it is always more easy to settle their children close to them, so as to be able to help them with work and money, food and clothing, than to settle them at a distance where there are the same difficulties, and where it is not possible to give them the same assistance.

12. We have consulted the principal inhabitants of this parish, and have come to the conclusion that there are in this parish from four hundred and fifty to five hundred persons of eighteen years and upwards, who have no land.
13. We think that two-thirds of them would be disposed to do so, if there were roads; but, it is to be observed, that free grants are secondary to the making of roads, which are of vital importance to the settlers.
14. On the lands in rear of our seigniories, for the reasons already given.
15. Even if lands had been granted gratuitously on the public domain, emigration would not have been thereby prevented; but if roads communicating with those lands had been made, we should certainly have seen it cease. For if it is essentially advantageous to receive land gratuitously, it is even more so to have a road to it.
16. Yes, yes, yes.
17. We advise the sale of public lands at a moderate price, and the making of roads gratuitously with the revenue obtained by the public sales, if this is the only way to obtain roads.
18. Yes, undoubtedly; for it is by the sale of the timber that the settler obtains from the virgin soil the means of commencing a clearing, and providing for the first requirements of colonization.
19. We think so.
20. There is no doubt of it.
21. Yes, a small portion; for the emigration is composed, in great measure, of farmers, and therefore of persons unfit for manufactures.
23. We do not know of any.

L. D. Lafontaine, of St. Edouard.

The emigration in our locality is very considerable. The principal causes are: the seigniorial tenure, the tithes, taxes, and imposts of all kinds. None but the poor of our locality emigrate, and they are all of the agricul-

tural class. If they could obtain lands at a price within their means, I think that they would settle in Canada.

I cannot say in what proportion to the population emigration takes place; but at any rate, every year, about ten families leave to go to the United States—especially the Western States.

I think, also, that manufactures would tend to diminish emigration.

J. B. Carrier, of St. Henri.

1. Emigration has taken place during the last five years.
2. About half go to agricultural districts, and the other half to manufacturing districts.
4. One per cent.
5. Two-thirds are of Canadian origin, and the other third of foreign origin.
6. Most of them have returned poor and irreligious. Few with money.
7. The causes are: the surcharge of the *rentes, lods et ventes* of the seigniors, and that certain capitalists have bought a great quantity of land in the townships, and will not re-sell them but at an exorbitant price.
8. The same thing may, I think, be said of other localities.
9. These persons manifest a desire to settle on the Crown Lands.
10. The suits instituted by great proprietors against those who have settled on their lands, are one of the principal causes of emigration, and have caused the ruin of many poor families.
11. Yes; without any doubt.
12. There are about two young men to every three families.
13. All, without exception.
14. As much in their own neighbourhood as possible.
15. It would have diminished, and, I think, entirely ceased.
16. Yes. The want of means of communication, in different parts of the country, is a great obstacle, and one of the causes of emigration.

Joseph Doucet, of Ste. Hélène.

Of a population of twelve hundred souls, of which my parish is composed, within five months a family of six persons and about ten young men have emigrated to the United States, to engage in agriculture. Some others went thither to earn money, but returned a short time afterwards. There are about a hundred men over eighteen years of age, who have no land, and who would be disposed to settle on the lands of the seigniory, which the proprietor will not concede; or on the Crown Lands, if the means of doing so were put

in their power. For this, good roads, leading to lots of good land, would be necessary. I remark, in this county, much reluctance to emigrate from the country, and a great desire to settle on the Crown Lands. It is true that, for some years, the Legislature has voted sums of money for roads; but this, with so much parsimony, and so slowly are these roads made, that it is to be feared that the fever of emigration is spreading here. It happens in this way:—Some of our inhabitants will go away, and when they have reached the United States, they will, in order to draw their friends after them, write to them here that there are a thousand advantages in leaving this country to go where they are. By such means, I think, a vast number of their friends and relations decide upon emigrating.

My opinion is, that we should lose no time in making roads from our parishes, leading to the best Crown Lands; that these lands should be granted gratuitously, and that we should even offer rewards as an encouragement to those who settle there, and clear the most land in the shortest time:—for the longer we delay these means, the more will the tide of emigration increase each year.

—————

Pierre Prince, Senior, of Stanfold.

What discourages our Canadians, and causes them to expatriate themselves, is: 1st. The bad harvests; 2nd. The difficulties they undergo in opening up lands in the townships. So long as there are no roads nor means of communication, even if the lands be granted gratuitously, there is no inducement to go and settle on them. And in saying this, I answer the 16th question of the circular, which I consider the most important.

How many unfortunates have I seen, and still see, who complain that they have no roads, especially in the great townships which are beginning to be settled; such as Ham, Chester, Tingwick, &c., &c. Here, in Stanfold, we were nine years without a road. Every year we sent petitions to the Government, and always without success. At last we were heard, and immediately Stanfold became prosperous.

I will not enumerate here the details of the misery which the settlers undergo when they have no roads. It is not while passing through our townships, with the swiftness of the wind, in magnificent railroad cars, that we can realise all the misery of the settlers in our new townships.

I reply to the first question in the affirmative. Indeed there has been a considerable emigration of French-Canadians, directing their steps towards agricultural districts. Others still depart, disgusted with our system of colonisation. These carry their industry elsewhere, with which to build up a fortune, which would seem to be denied them in their native land.

Another cause of emigration is, in my opinion, the exorbitant price which the settlers have to pay for certain lands, being from four to six dollars an acre.

In our locality some persons have been compelled to remove from properties which they had long occupied, and they have subsequently expatriated themselves. A great number of others are on lands, the true proprietors of which are unknown, and this causes uneasiness. There are Townships

which have been formerly surveyed, and in which no land-marks can now be seen; this again gives settlers some trouble.

As to squatters, they should at least have the cutting of the timber on the land which they occupy, when the proprietors declare themselves; and those great proprietors should pay for the improvements made on the property, when they compel the occupant to remove. I think that if the lands which have been conceded to individuals who have not fulfilled the conditions of their titles, were re-united to the domain of the Crown, it would be a very certain means of arresting emigration, especially if they were sold at a very low price. Most of our young men who have no land might hope to settle in their native land.

The establishment of manufactures would certainly have the effect of arresting emigration to foreign lands.

J. B. Boucher-Belleville, of St. Rémi-de-Lasalle.

1st. Yes.

2nd. Partly towards manufacturing, but principally towards agricultural districts.

5th. At St. Rémi, it is principally the Anglo-Saxon population which emigrate. This emigration is generally directed towards the west. Those who emigrate are almost exclusively farmers.

6th. Two families to my knowledge have returned. All the members of one of these families, who went to the Bourbonnais with some money, suffered from intermittent fevers successively, and sometimes altogether. They have returned undeceived, and in the greatest penury.

7th. There are remote and proximate causes. The latter are generally poverty; the attractions of a more temperate climate; a mere desire of change. Among the first may be enumerated the backward condition of the country, owing to want of education, manufactures, and capital, and the difficulty of obtaining land in many parts of Lower Canada.

11th. Without any doubt, this would be a means of arresting it to a great extent.

12th. From 1000 to 1500, I think.

13th. Two-thirds at least.

15th. If it had not ceased, it would at least have considerably diminished.

16th. Undoubtedly.

17th. I consider that the enormous debt of the country will not permit the Government to give lands gratuitously; the more so since I think that roads should be made, and the boundaries of the lots marked out, at the expense and under the eye of the Government. However, I think that the Government should not immediately exact from the settlers the price of their lands, but only after a certain length of time, say in ten years, and in several easy instalments, payable annually into the hands of a local agent. In this way lands would be obtainable by nearly every one, and Government would in the end be re-imbursed for its expenditure. I say, re-imbursed for its

expenditure, for I do not think that Government should expect to make the sale of public lands a source of revenue.

- 18th. Undoubtedly. In order that the purchaser may not be led into error, and not make any miscalculation, I think he should know whether the wood on the lot he proposes to purchase has been removed or not, and that lands, instead of being described as "high, low, or swamp lands," terms which are too general, and which do not sufficiently point out the quality of the soil, would be more appropriately designated by the principal descriptions of wood which they bear: Thus F would designate lands covered with ash, elm, and elder; T those covered with tamarack, commonly called tamarack or red spruce; E those producing maple, basswood, and black birch; S those covered with Canadian fir, ordinarily called hemlock, and Canadian balsam, vulgarly called white spruce; P those producing pine and white birch; and finally, the swamp.
- 19th. Yes, without doubt.
- 20th. I think that this practice has been very prejudicial, especially from the great difficulty of clearing these lands after a certain space of time.
- 21st. To a just extent no doubt.

—

G. Chagnon, of St. Polycarpe.

1st, 2nd, 3rd, 4th, and 5th. Our Canadian youth, and even families, emigrate frequently, and in great numbers, to the United States of America, to engage in agricultural labour, in manufactures, and to learn lucrative trades; and they remain there, to the great injury of agriculture, the sole resource of Canada.

Many go to the lumbering establishments. I have made no calculations as to the proportion of emigrants; this misfortune has been too painful to me, but I am assured that more than sixty have gone from this Parish.

6th. Those who go to the United States generally remain there, and cause their families, relations, and friends to follow them.

Some, and these are the minority, return from the factories with money; others bring back immorality and indigence.

From the general knowledge which I have acquired, I believe that the causes are similar throughout Lower Canada, especially in the District of Montreal—want of education suitable to the country, such as agriculture, arts, and trades, the absence of all knowledge of Municipal laws, and of patriotic and filial affection.

9th. There is a dread of settling on the Crown Lands, owing to the difficulty of obtaining titles, and because generally there are no communicating roads. Persons do not like to settle in the Seigniories on account of the heavy Seigniorial dues, and other charges which impede colonisation.

10th. The great proprietors have driven many persons from the country after having ruined them, but I have never enquired the number.

11th. There is no doubt but that if the lands meant in this question were opened to

colonization, with good roads communicating with them, the current of emigration would be greatly diminished.

- 12th. I think there are few parishes where there are not more than fifty men of eighteen and upwards without landed property ; here I am told there are more than 150 who have no land.
- 13th. At least half would take land granted gratuitously with secure titles, provided there were means of communication.
- 14th. It seems that Canadian farmers like to settle in Upper Canada. There are many families from St. Polycarpe settled at Plantagenet, and others leave daily for that place, but these persons have no confidence in the titles which they receive and less in the agents, they wish for titles similar to those granted in Lower Canada.
- 15th. With roads, a chapel, a priest, if lands had been offered gratuitously and with good titles, emigration to the United States would have been diminished if not arrested.
- 16th. This question has been already answered.
- 17th. I think that the government would do better to sell the lands for a low price on easy conditions, dispensing with all the hard conditions hitherto insisted upon, also to cause good roads to be made, for new settlers without means cannot clear the land from which they are to obtain their subsistence, and make roads.
- 19th. I have already said that the insecurity of the titles prevented the Canadians from taking land for fear of being dispossessed ; a clear and precise law on this subject would be requisite.
- 20th. Most frequently, the wood is the only valuable part of the land ; if you remove it, who would take an unproductive soil ? People will go to a foreign land.
- 21st. Certainly if there were factories in many parts of the country, at least one in each county, emigration would be arrested, for want of employment causes emigration and compels persons to emigrate.

For many years thrashing machines for grain have been used ; this operation now lasts but from two to five days among farmers, and is performed as soon as the harvest is housed or even before. Paupers, the sons of the families, and even a great number of the heads of families, rather than remain without work until the seed time of the succeeding year, and having no work to supply the place of that of which the thrashing machine has deprived them in a few days, emigrate for the autumn and winter, as they say, to earn money, and the greater part remain in the United States where they have found bread, elbow-room, and liberty, whilst Canadian agriculture languishes for want of hands, and Canada is impoverished by the loss of the flower of its population.

P. Paquin, M.D., St. Geneviève.

1st. I know it.

2nd. Emigration takes the direction chiefly of the manufacturing districts.

-
- 4th. 10 in 1000.
- 5th. Of French origin, day laborers.
- 7th. The principal causes of emigration are : 1. The excess of population in the old parishes ; 2. The impoverishment caused by the seigniorial dues ; 3. A bad system of agriculture in some places ; 4. Want of manufactures.
- 12th. 200.
- 13th. Nearly all.
- 14th. In the townships of the Ottawa.
- 17th. I would recommend the granting of public lands gratuitously or for a very low price, because a high number of young men are willing to settle on new lands, but have not the means of making the first payments.

C. H. Bégin, Priest, Curé, of Rivière Ouelle.

- 1st. Yes, according to the journals and newspapers of the different parts of the province.
- 2nd. Towards both.
- 4th. Two per cent. in my parish.
- 5th. Of French origin only.
- 6th. Not yet.
- 12th. About 200.
- 13th. All.
- 14th. Some in the different townships of Saguenay, such as Labarre, Caron, Mesy, Signai, Kinogomy, etc., and others on the banks of the River Ristigouche.
- 15th. I think it would have been less considerable.
16. Yes, certainly, it is a great obstacle, and the principal one on the Saguenay ; to this want of grand roads and bridges is added a deficiency of quays or wharves to convey and to land settlers from the south of the river, who might wish to go hither with their stock, carriages and household furniture of different descriptions, and other requisites for agriculture.
- 17th. I advise both these means because most of the young men are almost entirely without the means of paying for them and of making subsequently the necessary expenditure to open up their lands.
- 18th. This would be but a slight obstacle if the soil of the land to be granted were good.

H. Beauchemin, M.D., Yamachiche.

I do not know the exact extent of the emigration of French Canadians to the

-
- United States. It is, however, certain that it is going on, and only too extensively.
- 2nd. Most of the emigrants bend their steps towards the manufacturing countries, a few to the farming districts.
- 3rd. Every year about fifty young people leave Yamachiche for the United States, and about a fourth of the number remain there.
- 4th. In the proportion above mentioned.
- 5th. They are French Canadians, most of them farmer's sons; a certain number of them have trades.
- 6th. About three fourths of them come back, of whom one half have means in money, but with morals more or less deteriorated.
- 7th. The principal causes of the emigration from Canada are, the want of employment, low wages, the obstacles which impede colonization, and certain American associations which have been formed for the purpose of enticing French Canadians to their country.
- 8th. I believe that they are nearly the same.
- 9th. The greater number, if not all, would wish to settle on Crown Lands. A certain number go away for the pleasure of seeing the world.
- 10th. Yes.
- 12th. In Yamachiche about 150 or 200.
- 14th. They would wish to settle in the townships of Shawanegan, St. Maurice, Caxton and its augmentation, and other townships of Lower Canada.
- 16th. The want of means of communication in certain parts of the country is certainly an important obstacle to colonization, and a cause of emigration.
- 17th. I recommend grants of land to be made at low rates rather than gratuitously, because the former mode would oblige the purchaser to make the most of the property which had cost him some sacrifice.
- 18th. Yes.
- 21st. I believe so, for the majority go to the United States because they find work and higher wages there than in Canada.
- 22nd. I think that the protection of our manufactures would check emigration.
- 23rd. There are certain tracts of land in the townships of St. Maurice, Shawanegan, Caxton and its augmentation, which are the property of large proprietors, but I am unable to state in what manner they were acquired.
- 24th. I believe that they are not improved, and that the greater part of them are wild.
-

J. P. Bedard, Priest, St. Raymond.

- 1st. Yes, most assuredly.

-
- 2nd. Rather towards agricultural countries.
- 7th. The usual causes are, 1. For the young, the high wages. 2. For families, an idea of the incalculable advantages abroad, in lands, superior climate, and higher wages. 3. An adventurous spirit leading many to believe that prosperity exists everywhere but at home.
- 8th. Nearly the same every where.
- 9th. Many are desirous, but the difficulty in respect of the Crown Lands is in my locality the want of means of communication, the great extent of wild land, mountains, swamps, and rocks, which are to be traversed by the settler in order to reach a piece of fertile land.
- 11th. I am convinced of it.
- 12th. The neighborhood in which I live being newly settled is an exception. There are very few.
- 13th. If the lands were conceded for nothing in my neighbourhood, there would, in a few years, be several new parishes formed.
- 14th. Persons about here would desire to settle in Bourg Louis, Gosford, Colbert, &c.
- 15th. Emigration would certainly have diminished three-fourths.
- 17th. Here I should recommend free grants of public lands, and these are my reasons: We are far from a market and from any main road; the lands are inferior in quality; the means of communication are difficult; the country abounds with mountains, hills, ridges of rock, considerable rivers unbridged, and lakes, which lengthen a journey by the necessity of rounding them, and the climate is severe and very subject to frosts.
- 19th. I answer, yes; as also to the two next questions.
- 24th. The great proprietors have done absolutely nothing to improve the locality. They have not even done their part in opening roads over their lands, which tend to increase their value; many of their lands are occupied and improved, but they are mostly wild or used only as sugaries. There are several water powers turned to account.

P. W. A. Vaillant, of St. Helène de Bagot.

- 3rd. Within a few years 42 families have left this parish, about half for the Western Prairies, half for the manufacturing States of Maine, Connecticut, Vermont and New York.
- 6th. I know two or three of such persons who have returned, better off in physical than in moral respects.
- 12th. The number of men of 18 years of age and upwards, who have no land, is about 64 out of 220 heads of families of which the parish consists.
- 13th. Many of them would take lands if they were granted gratuitously, and I believe that such a measure would have checked emigration in some degree in this parish.

- 21st. It is my belief that the establishment of manufactures in this locality would arrest emigration altogether. Most of the families who go away find employment in the United States. I think too the establishment of Banks to loan money on real estate would produce immense benefit among the farmers, who, for want of means, leave their lands, which are on the eve of affording them the necessaries of life. Three-fourths of the population of this parish, are in this critical position.
- 23rd. There are about two thousand arpents of uncultivated lands in this parish, in the possession of Mr. Ramsay, a Scotchman. This gentleman has always refused to do his work on the roads. Our Municipality have taken proceedings against him; if they lose, it will have the effect of still further increasing emigration in this parish.

John E. Barry, Rivière du Loup (en bas.)

- 1st. There has not been any considerable emigration during the last five years from this part of the country.
- 2nd. Any emigration that has taken place has been principally to agricultural countries.
- 4th. The numbers who emigrate from this part of the country (permanently) are not greater than five per cent., exclusive of young men who go for the winter and sometimes spring to work in the lumber establishments of the neighbouring Provinces and State of Maine, these may form 8 per cent. of that class of persons.
- 5th. Of the latter class most return with a little money, which one half spend foolishly and almost all are morally, and many physically worse than if they had remained in Canada.
- 6th. The principal causes of emigration are, the want of communication for settling on the Crown Lands, the want of manufactories, and the want of means consequent on the short crops and agricultural difficulties incident to our severe climate.
- 7th. I am of opinion that the above causes are much the same in all places, particularly where no saw mill establishments for exportation exist, which take the place of manufactories for the time being, employing as they do many persons and circulating much money all the year round, and affording a convenient market for the sale of agricultural produce.
- 8th. The answer to this is, I think, contained in the 7th and 6th queries, facilitating the settling on Crown Lands by opening up good highways would in itself go a great way towards stopping emigration.
- 9th. I have never learned that any action on the part of large proprietors against squatters has had any effect in causing emigration.
- 10th. I do not think that such an inefficient measure as re-annexing for future settlement to the Crown domain all lands indiscriminately belonging to persons not fulfilling their duties as settlers, would have the great effect of being a panacea towards the evils of emigration,* but I think that the measure should be adopted after enquiry in cases where the parties were culpably negligent.

* I do not include the Temiscouata seigniories referred to hereafter.

and unlikely to do better within a given time for the future; besides, cases alluded to in this query are not very frequent in this part of the country, and when I say this, and in fact every remark relating to the subject, I refer not to this country generally, but to the parishes along the St. Lawrence in particular, from River du Loup to Trois Pistoles inclusive.

- 11th. I should say that this county contains two thousand males who have no land, say, an average of 300 per parish.
- 12th. Fully two-thirds of the above number of persons would be disposed to settle on Crown Lands (having no manufactories), if facilities existed for that purpose.
- 13th. The emigration generally takes the direction of Upper Canada and the States, Illinois, &c.
- 14th. The want of means of communication with unconceded lands is the great obstacle to settlement, and a direct cause in most instances of emigration; this want is not so much felt in the first steps taken by the settler in occupying and preparing the land, but it comes to be severely felt when the produce has to be removed to a market or to the original residence of the settler in the old settlement for consumption, and this state of things is generally preparatory to permanent occupation on new lands. The means of communication form the *alpha* and *omega* of the question of emigration; when these are improved to the required extent an impetus will be given to colonisation that it has not in these parts known to any extent before, and a stop will be put to emigration. The opening up in a temporary and unfinished state of long routes is not what is for the present wanted, it is the making complete of good common roads and making arrangements for their repair.
- 15th. The gratuitous grant of public lands to settlers would of course have a favorable effect on settlement, or the concession at a nominal price of 7s. or so per acre, but the free grant would not have the same effect without improved communication, that charging a fair price, say 4s. per acre for best lands to 1s. for others would have, when roads were opened properly. The price, in a word, is not so much the object, poor as the colonists generally are, as the opening up with good roads the country for settlement.
- 16th. I think fixing an uniform price on all lands, good or bad, with or without timber, must have necessarily an injurious effect on settlement.
- 17th. The number of persons who move from this part of the country to the States is not considerable, those that emigrate are principally agriculturalists and unskilled laborers.
18. The practice of granting to one individual or companies timber limits, has never been injurious, as far as my experience goes, in this part of Canada, to the settlement of lands, on the contrary, it has always had a contrary effect, for besides enabling the young colonist by constant employ (at least during the winter season) to save as much as he needed for starting with as a farmer, the chantier roads and explorations on the limits enabled him to communicate with the lands and turn to account the experience and information acquired (as to the precise spots most favorable for his purpose) when at work in the lumbering establishments.
- 19th. The establishment of manufactures in this part of the country (which abounds in water-power sites) would undoubtedly have a great effect in preventing

emigration and in colonising the lands, for the object of providing employment must be twofold, that of preventing emigration in the first place, and in the second turning to a better account the resident unskilled labor which is stationary, and which depends on the precarious employment afforded in seed and harvest time, and for their existence in winter dependant on the charity of the community. This class is far more numerous every where than those that emigrate, and it weighs as the greatest incubus on the energies and means of a country.

- 21st. There is one large tract of land in this county, of about three miles square called the Indian Township, in rear of the Parish of Isle Verte, which was allotted some 30 years past to a tribe of *Amelicite Indians* for settlement by them, but the object has not been attained, as not one-sixteenth part has been cultivated though all capable of cultivation, and almost all excellent land and favorably situated for the purpose; as it now is, it is an obstacle to settlement in the rear or in the immediate neighbourhood, as the Indians have uniformly opposed any attempt towards making roads through it to the Crown Lands, and have always been a nuisance in the neighborhood, while like the "dog in the manger," they would neither till nor let others do so.

This state of things is a crying evil in the parish of Green Island, and one that has called loudly and for a long time for redress. The poor Indians of course could and should be provided for out of the sale of this tract, for it would sell well if opened up, and a multitude of persons would be sure to settle on and cultivate what otherwise will be a waste and a nuisance.

There is also a large tract of valuable country about the Lake Temiscouata, squatted on by a number of persons from time to time, who are unable to obtain titles from Government, owing to the fact of a sale having been at a remote period made "*en bloc*" to persons who have never paid for the same or complied with the other conditions agreed upon. The portion of country thus situated is of great extent and the soil is excellent. It is notorious that if Government will throw open this tract for settlement in the usual way an extraordinary impetus will be given to colonisation in that part of the country.

In conclusion, I wish to reiterate the necessity of opening up new and improving the old means of communication, as being the most effective means, apart from manufactures, from staying the tendency to emigrate which is so prevalent in Lower Canada, and provide for the resident silent multitude who eke out a miserable existence in the old settlements and villages along the coast, whose energies are weakened by hardship and whose poverty prevent them of making any attempt towards a track in the wilderness.

The Canadian pioneer of the forest and the Canadian fisherman have far more difficulties to contend with here than the citizens of the United States; the first in addition to other advantages, has continued opportunities for settling along a line of railway, which, perhaps, is made by Government to open up a country without reference to the prospect of more direct remuneration. The other has a large bounty allowed him for his fish, in addition to having a better market than the unfortunate colonial fisherman.

The young men whose tastes turn towards manufactures, and the young women, find ample employment in that way in the United States, while it is quite otherwise here; means of communication and manufactures are what Canada requires in general to stop emigration and render her inhabitants prosperous and happy, her commerce may increase in her imports and the exports

of her staple articles; her cities may abound in palatial residences and in magnificent public buildings; she may possess too her merchant princes and all the facilities for commerce which nature and refined modern science may afford, but she can never be great if her peasantry be not prosperous and her agricultural population be not encouraged.

D. Grant, Yamachiche.

- 1st. Yes, an emigration has taken place.
- 2nd. It takes the direction of manufacturing and agricultural countries.
- 3rd. The emigration takes a westward course, and a large one will flow on the opening of the navigation.
- 4th. Say, as one is to eighteen or twenty.
- 5th. A few of the working hands (none cultivators) have returned but with a marked improvement in their conditions.
- 6th. The general complaint in this quarter is that the soil is worn out, the land can no longer support the cultivator who has a large family, and that having no access to crown land has no other alternative left but that of emigrating.
- 7th. I believe it to be from the same cause in all places, and that this must be from the high price demanded for land, from the dependent condition of a large number of the population, the want of employment, the want of houses of refuge for destitute poor or street beggars, and from the ignorance of the proper mode or system of cultivation.
- 8th. Many of those persons who emigrate do evince an inclination to settle on Crown or other vacant land, but do not so settle because of the exorbitant price asked for land, &c.
- 9th. The actions brought by the large proprietors against squatters, have caused many to emigrate to foreign parts.
- 10th. It is my belief that if lands granted to companies who have failed to fulfil the conditions contained in their patents were re-annexed to the Crown domain, and the opening of all such lands for settlement, it would prove to be the means of arresting emigration.
- 11th. I would compute the number at somewhat above eight hundred.
- 12th. I would say about five or six hundred.
- 13th. They are desirous of settling in Fief St. Etienne, Shawanegan, Township of Caxton and the Ottawa County.
- 14th. I believe so.
- 15th. I would advise that a gratuitous grant of public lands be made to actual settlers, or the concession thereof at an extremely reduced rate, say, at so much as could pay for the services of an honest agent who should have no objection to reside on the spot within the limits of any such township.

- 16th. I do not consider that it has been an impediment to the settlement of the country, the fixing of a uniform price upon such land.
- 17th. Considerable—cultivators, mechanics, clerks, day laborers of the better class, &c., &c.
- 18th. The practice heretofore followed by the Government of granting timber limits has not been injurious to the settlement of the lands.
- 19th. The establishment of manufactures of different kinds would certainly have the effect of preventing emigration to foreign countries.
- 20th. I believe that the present tariff of duties has not been productive of much good *via* manufacturing interests.
- 21st. A large tract of land in the Township of Caxton has been sold at a government sale in the year 1835, to Messrs. Humphries and Webb, American capitalists, absentees.
- 22nd. Those are to this day waste lands.

—

Geo. Brown, Chatham, Argentevuil.

- 1st. I am aware that many families have emigrated from this county, within the last five years.
- 2nd. They are chiefly agriculturalists, and go to agricultural countries.
- 3rd. Several families, a great number of young men, and some young women have gone from this neighborhood, and some have taken considerable wealth from the county.
- 5th. A good many have returned to visit their friends and relatives, but very few have remained, and the greater part seem to have bettered their condition in a pecuniary point of view; as to their morals, I can say nothing; their stay being short, gives little opportunity for observation.
- 6th. The difficulty which parents find in getting suitable farms for their children, is the principal cause. The wild lands in our localities, being in the hands of private speculators, can only be got, (considering the barrenness of the soil, a large proportion of which is unfit for cultivation) at prices far above their value.
- 8th. The greater number want to settle on Crown Lands, and the principal reason why they do not, will be stated in answer to query 14th.
- 9th. I am not aware that actions against squatters have caused many to leave this county; yet, I am decidedly of opinion, that large proprietors have been and still are, the great obstacles to the prosperity of the country. Thousands of acres that have been sold by the government to large proprietors for 2s 6d to 5s per acre, are being resold to poor settlers on ten years' credit, bearing interest; at prices varying from 25s to 50s per acre, and the consequences often are, that the poor settler must sell his improvements for a trifle, or lose all, and is thus driven to seek a home in a foreign land; often in the United States.
- 10th. It is not my opinion.

-
- 11th. I believe there are over one hundred.
- 12th. I think all, if the land were attainable by free grants.
- 13th. I have reason to think that many would rather settle as near their relatives as possible.
- 14th. I think the want of the means of communication is a very great obstacle to settlement, and therefore, a very direct cause of emigration.
- 15th. I would advise a gratuitous grant of 200 acres to *actual settlers*. I say 200 acres, because the unconceded lands in this county; say in the townships of Howard, Montcalm and Arundel, are interspersed with rocky mountains and lakes, so that, in many instances, 200 acres would not contain more than 50 or 60, or perhaps 70 acres of land susceptible of cultivation.
- 16th. I consider that bad lands are not worth occupying, although got for nothing, yet the natural affection subsisting between parents and children, would induce young men to settle on inferior lands, if obtained as free grants.
- 17th. The number of people who have emigrated to the States and Australia, within the last five years is very great; in some instances, whole families have emigrated, but the greater portion are young men,—heads of families, and other members are often induced to follow their young men, as soon as a home is prepared for them in their adopted country.
- 18th. The practice of granting large tracts of land to individuals or companies, as timber limits or otherwise; has been extremely injurious to the settlement of the country. In many cases the greater part of the value of the land consists in its timber, the sale of which would assist the poor settler in clearing and improving it.
- 19th. It is my opinion that the establishment of manufactures would be the greatest boon that could be conferred upon the inhabitants of this part of the country. The water privileges are abundant, and there are ample means of exportation; in short, manufactories, with free grants of land, may be said to be all that is needed to make our country both prosperous and desirable.
- 23rd. There are several blocks of land belonging to absentees, but cannot say how acquired.
- 24th. Some of them are improved, and occupied by lessees, and parts are waste.

J. McCowan, Mayor of Metis.

- 1st. Emigration has taken place from Metis during the last five years.
- 2nd. It takes the direction of lumbering and farming parts of this country and the United States.
- 3rd. For the last five years about fifty have left Metis annually.
- 5th. A few of the young men that left here returned, no change perceptible in their physical or moral condition, in pecuniary, most came back with money.
- 6th. In my opinion, the principal causes of emigration have been the want of wharves for steamboats to call at, and the want of route-roads to open up the

back settlements, it being generally the poorer class that settles furthest back, and are not able to open roads for themselves.

- 8th. The want of route-roads prevent the Crown lands also from being settled upon, for the same reasons as stated above.
- 10th. Individuals who have large tracts of land, and have not fulfilled the conditions in their patents, if re-annexed to the Crown domain, and roads opened through those lands, it would, in a great measure, arrest emigration.
- 14th. The want of means of communication is the greatest obstacle, in my opinion, to the settlement of this part of the country, and the principal cause of emigration.
- 18th. This practice of granting large tracts of land to individuals or companies, has been, in my opinion, injurious to the settlement of these lands.
- 19th. The establishment of manufactories of different kinds would prevent emigration, and have a tendency to increase the population.

James Hogan, of Douro.

- 1st. To my knowledge there did twenty families and thirty unmarried persons, all seeking for land; the greater part of them settled in Iowa. The families above mentioned sold out their farms here, and emigrated with their children to find land for them.
- 4th. The population in this Township is, I believe, about 2500, and as far as I can ascertain from inquiry, there is at present about 100 men between the ages of eighteen and fifty, prepared to settle on land if it would be obtained free or on very easy terms, where they would wish to settle is on the unsurveyed lands in rear of these counties.
- 6th. The principal cause of emigration is, there is no land belonging to Government in any part of these counties fit to settle on, and the parents are not willing to subdivide their land, as the most part of them have but one hundred acres.
- 8th. The parties have the greatest inclination to settle in Canada if they could get land free, as the land in this country has got so dear that they have no chance of buying land here as they are principally young men.
- 9th. Large proprietors in any township is an injury, as of late they only purchase the land to get the wood off it, and destroys the land by so doing, and injures the actual settler, as these parties pay no attention to open roads or settle the country, and the whole burthen falls on the settler, and it is full time there should be a stop put to such work by the Government.
- 10th. With respect to such lands as have been granted to individuals who have failed to fulfil the conditions contained in their patents, there is not many in this township, but if the parties are actual settlers it would be well to let them remain, but if they are absentees they are injurious to the settler and to the country at large. However, it would have no effect in this Township to stop emigration if they were annexed to the Crown domain, as the most part of them is good for nothing.
- 11th. Of the number of males 18 years and upwards in the Township, there is

about two hundred and fifty that have no land and is well adopted for agricultural pursuits.

- 12th. The number above referred to would become actual settlers were they to get a grant of one hundred acres each, free, or on easy terms.
- 13th. In my opinion, from all I can learn among them, the place they would select or settle on if the lands were good, is in the rear of those counties, as they would wish to settle together if possible, and the sooner the choice is made the better, as the ensuing summer, I fear, will deprive us of a great many young men, who will go to the United States.
- 14th. There is nothing would be of more use both to the Government and to the settler than good roads, for the want of good roads is the greatest drawback to any settlement.
- 15th. I would recommend the Government to grant one hundred acres of land free to any person of the limited age that would become an actual settler in any of those new Townships, provided they would clear twenty-five acres in five years, and pay the taxes yearly as they fall due, in order to improve the roads. The reason I recommend the land free is this, when people settle in a new Township they sometimes have a great deal of difficulties before they can get themselves properly settled on their land. They first, perhaps, fall into debt; secondly, a failure in crops. All this, with the fear of not being able to take out their patents at the time appointed throws the parties into despair, and sometimes ends in throwing up the lands and clearing off to the United States or elsewhere. If there was any charge to be made on the land, I would recommend it at a valuation and not a fixed price, as land differs in quality.
- 16th. I do consider that the fixing of one price on all lands is injurious to the settlement of such lands, as lands so greatly differ in quality and other accommodations, such as water privileges, front of a Township, &c., &c.
- 17th. Answered before.
- 18th. I have answered this question also. There is no man that ever lived in Canada for a few years but knows that granting timber limits to Lumber Merchants is the greatest curse that ever came into Canada, for instance: There did a poor man come to me about two years ago and asked me to go to Mr. Crawford, the land agent, to try to get a lot of land in Burleigh to settle on. He applied to his books and to our great surprise there was not a single lot worth settling on that was not taken up by Cumming & Company as timber limits, and he holds them still and the same in Dummer. There is not a single settler in Burleigh, and there is some very good land in it.
- 19th. I do not know of any manufactures in this part of the country that would put a stop to emigration at present, unless saw-mills, as there is unlimited bounds of pine timber north of us.
- 20th. With respect to the tariff I can say very little, but I think the United States have the advantage, as the chief part of the common necessaries used by the farmer at present is, with the exception of tea, dearer than it has been for the last five years.
- 21st. There is the whole of the Township of Burleigh and a great part of Dummer and Belmont, belongs to large capitalists, and several applications have

been made to the parties, by parties that would become actual settlers, and they refused to sell on any conditions.

22nd. All those lands are wild and waste with respect to any settlement.

W. McGinnis, of Christievill.

1st. I do.

2nd. Chiefly to agricultural districts in the Western States, a few to manufacturing towns in the U. S.

4th. Not over 5 per cent.

5th. Some have returned in better circumstances than when they left; the morals of some are improved, and others not, a few have returned with improved constitutions.

6th. In most cases debt is the cause, some do emigrate in consequence of their lands being too limited to give labour to their children.

8th. I have known some who have gone into the eastern townships, but the reports from these are not favorable enough to cause many to follow their example, indeed, it is quite observable that there is a general aversion to going east, the inclination is west, this of course is attributable to the favorable accounts received from those who have been settled in the western States for several years past.

9th. There may be such cases, but I believe that the chief cause will be found to exist in the new settler not having a proper communication with settled parts.

10th. Yes, provided good roads are made to enable the new settler to communicate with parts well settled.

11th. Some hundreds.

12th. I should think quite a number would take advantage of such an offer, with proviso in No. 10.

13th. At present there seems no disposition to settle in the townships.

14th. I am quite satisfied that, had roads been established in the eastern townships prior to the grants being made, the whole of them would have been settled before now. Why was it that our militia-men, who were allotted lands in the townships, after the war with the United States, sold their grants for a trifle? The reason is obvious, there was no possibility of reaching their lots. To turn the tide of emigration, strenuous efforts are required to be made. I should suggest that a favorable township for agricultural purposes should be chosen, in which good roads should be at once made through it, so as to communicate with some well settled county; without something being done to induce the emigrant to settle in Canada, the tide will continue to run west of this country.

15th. I should recommend gratuitous grants, but with the express condition of actual and permanent settlement, for this purpose a person should be employed to see that this condition is fully complied with, in case of failure, another person should be allowed to occupy.

16th. There is little doubt but it has, but the chief cause is the difficulty of reaching them.

20th. Injurious to their settlement.

- 21st. It would tend very much to lessen emigration.
- 22nd. I think it has given an impulse to manufacturing.

John Gerety, Cross-Point, Township of Mann, County of Bonaventure.

- 1st. I cannot complain as to much emigration in the township of Mann, within the last five years, although I know of emigration taking place in this part of the country.
- 2nd. I am of opinion that such emigration takes the direction of both manufacturing and agricultural countries.
- 3rd. As to emigration in general, I am not able to tell, and for this neighbourhood, in the same period of time, emigration is not going on to a great extent.
- 4th. The numbers who emigrate from these parts, I am not able to tell in what proportion they bear to the whole population.
- 5th. Of the numbers who have so emigrated, I am not aware of any returning to this neighbourhood.
- 6th. The only causes which I can assign for such emigration, is the want of markets, want of roads, and more particularly the want of circulation of money.
- 7th. I cannot say as to the causes in all places, but the causes in this neighbourhood are the wants mentioned in the 16th query.
- 10th. I have known a few instances of persons and their friends going to foreign parts through means of actions brought against them by large proprietors.
- 11th. It is my belief, that if all the lands granted to individuals who have failed to fulfil the conditions contained in their patents, were re-annexed to the Crown domain, it would prove to be the means of arresting emigration, as it would open all such lands for settlement.
- 12th. The number of males in the township of Mann, eighteen years old and upwards, who have no lands, is twenty in number, also a good many in the adjoining township who have no land.
- 13th. I am of opinion, a large number of them would be disposed to become actual settlers, were the lands attainable by free grants.
- 14th. The part of Canada they would like to settle in, is the county of Bonaventure, in the township of Mann; as I was speaking to some of them on the subject.
- 16th. The want of means of communication in different parts of this country, such as roads opened back to where there is large tracts of wilderness lands lying in the township of Mann, and in the adjoining townships: also, which at present is beset with difficulties for any person to settle on, for the want of said communication to the said lands, is an obstacle to the settlement thereof, and thus a great cause of emigration.
- 17th. Most certainly, I would advise gratuitous grants of public lands to actual settlers in these parts, for reasons, there are no markets in this neighbourhood, and settlers on land cannot realize any money for, as I may say, any of their crops or cattle, and consequently, the actual settlers are not able to pay for their lands.
- 18th. I do consider that the fixing of a uniform price upon all lands, whether good or bad, with or without timber, has been an impediment to the settlement of the country.

- 19th. The number of persons who move away from this neighbourhood to the United States, is not very considerable. I cannot say as to what class they belonged, but, as I am told, their occupation was working at timber, they belonged to up the river Ristigouche, in the County of Bonaventure.
- 20th. It is my belief that the practice heretofore followed by the Government of granting to one individual, or to companies, large tracts of Crown lands as timber limits, has been very injurious to the settlement of these lands.
- 21st. As to the establishment of manufactures in this part of the country, I do consider that nothing could benefit this part of the country more, as then we would have a circulation of money, and this part of the country and the wilderness lands would become settled; also such establishments would have the effect of preventing emigration to foreign countries.
- 23rd. I am in the knowledge of some large tracts of lands in this part of the country, belonging both to absentees and great capitalists, but I am not able to state how such lands were acquired.
- 24th. Those lands are not improved, nor occupied, but waste.

G. P. M. Ball, Township of Louth.

- 1st. A limited emigration has taken place from this part of the country during the last five years.
- 2nd. It takes the direction of agricultural countries principally.
- 4th. The number of those who emigrate bears a proportion of about one to forty of the whole population.
- 5th. None have returned to remain that I am aware of.
- 6th. The principal causes of the emigration appear to be the great apparent prosperity of the Western States, and the cheapness and fertility of the land therein, and the discouragement to manufactures in this country.
- 8th. Some of those persons who emigrate to the Western States, would settle on Crown lands if easily obtainable in desirable localities.
- 9th. There is no doubt but that large tracts of wild land being in the hands of great proprietors is a drawback to the settlement of the country.
- 10th. It is my belief that the conditions of Patents to individuals should be complied with, and if not, steps should be taken to force them open for settlement, by re-annexing them to the Crown domain, or otherwise.
- 11th. There are about one hundred male inhabitants in this township above 18 years old, who have no land.
- 12th. Probably one fourth of those persons would be disposed to become actual settlers, were these lands attainable by free grants, or on easy terms, in favorable townships.
- 13th. They would prefer settling in the western part of Canada, in some of the townships lying between lakes Ontario, Erie, and Huron.
- 14th. The want of means of communication in the country where there are unceded lands, is a great hindrance to its settlement, and also, an indirect cause of emigration.

-
- 15th. I would advise the concession of lands to actual settlers at a low rate, because it would induce many to take up land and settle on it who have small means, and who otherwise probably could not do so.
- 16th. A uniform price is probably best, if low, but if a higher price is charged than according to real value as to location and fertility, would be most conducive to settlement.
- 17th. The number moving from this township to the United States is not large, and is about equal numbers of agriculturists and mechanics.
- 18th. The holding of large tracts of lands as timber limits, by persons and companies, is a drawback to settlement, where such tracts are in the vicinity of a settlement.
- 19th. The establishment of manufactures of different kinds in this part of the country would have the effect of preventing a great part of the emigration to the United States.
- 20th. The present tariff of duties in Canada, and that of the United States, has had a very injurious effect on the manufacturing interests in this Province; if the tariff of duties in Canada were raised equal to that of the United States, on manufactured goods coming from all countries, it would have the effect of stimulating the establishment of manufactures in the country, of all kinds, and become a source of wealth in the country, and prevent, to a certain extent, the great drain of money from this country, continually going on to pay for manufactured goods coming into this country, and this may be accomplished without injury to the revenue or to consumers, as the tariff on goods that cannot be manufactured or produced in the country, can be reduced or taken off; by this means an incidental protection could be given to manufacturers, without injury to any one, as it can make no difference if the consumers pay a little more for manufactured goods, and less for tea, sugar, coffee, rice, molasses, and all such articles that cannot be produced in the country, and are become necessaries of life. This course would give such an encouragement to manufacturers, that in the course of a few years, by expansion and competition of manufacturers, most goods could be manufactured as cheaply as they can be imported now, and thereby save a large amount of wealth in the country, and also be the means of preventing much of the emigration, that now takes place to the United States.
-

NOTE.—The committee have received several other answers, which they have refrained from publishing, the opinions expressed being, generally speaking, similar to those already printed. They are almost unanimous in the assertion, that one of the chief and most potent causes of emigration, and which has the effect of retarding the settlement of the townships, is the absence of means of communication in these townships. They also intimate that many persons are only awaiting the opening of new roads, and the improvement of those now in existence, to go and settle upon Crown Lands. Some of those who have sent in answers complain of the absence of registration of the titles to lands held by the great proprietors. They desire the establishment, in the country, of manufactories of all kinds, looking upon them as a means of encouraging colonization, and preventing emigration.

T O R O N T O :

PRINTED BY JOHN LOVELL, CORNER OF YONGE AND MELINDA STREETS.

R E T U R N

[IN PART]

To an ADDRESS from the LEGISLATIVE ASSEMBLY, to His Excellency the Governor General, dated the 29th April last, praying His Excellency to cause to be laid before the House,—“ A
“ Return of the quantity of High Wines and Whiskey manufactured by, and the quantity of Grain used at the various
“ Distilleries in this Province, for the years 1855 and 1856.”

By Command,

T. LEE TERRILL,

Secretary,

Secretary's Office,

Toronto, 13th May, 1857.

(No. 687.)

INSPECTOR GENERAL'S OFFICE,
Toronto, 13th May, 1857.

SIR,—I have the honor to acknowledge the receipt of your communication of the 30th ultimo, requesting to be furnished, for the information of the Legislative Assembly, with a Return of the quantity of High Wines and Whiskey manufactured by, and the quantity of Grain used at the various Distilleries in the various Districts in the Province, for the years 1855 and 1856, and in reply beg to state that all the information required cannot be furnished by this Department, as the accounts of the several Revenue Inspectors only shew the quantity of Proof Spirits distilled, a return of which I beg to enclose herewith.

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

W. DICKINSON,
Acting D. I. G.

Honorable T. Lee Terrill,
Provincial Secretary,
Toronto.

RETURN of the quantity of Proof Spirits manufactured by the various Distilleries in the Province of Canada, during the years 1855 and 1856, as required per Address of the Honorable the Legislative Assembly.

COUNTIES.	Names of Distillers.	No. of Gallons manufactured in 1855.		No. of Gallons manufactured in 1856.	
			Total.		Total.
Brant	Turner & Kirby	38884			
	Charles Watts	76768			
	William Patton	16388		12429	
	T. B. Burrowes	7602			
	Charles Turner			56108	
	Alfred Watts			60087	
	A. Bunnell			44562	
			189592		173181
Carleton	Joseph Smith	3014		9511	
	Robert Lyon			2869	
			3014		12380
Durham	S. Ussher	14869		19849	
	J. Burke	23800		23138	
	D. Sutton & Co.	20207		16006	
	G. Elliott	17768		15229	
	E. Dodd	17606		18764	
	McDermot & Walsh ..	13134			
	T. M. Sweden	7262		8299	
	Lynn & White			11937	
		114646			118237
Essex	J. McLeod	22984		24945	
			22984		24945
Frontenac, Lennox & Ad- dington.	W. Mace	6312		10549	
	J. Morton	130674		137098	
	J. Johnston	4864		8283	
	E. & W. Jackson	7213			
	D. McPherson	5545 $\frac{1}{2}$		3923	
	C. Clement	974		1254	
	Howard & Clement ..	1423 $\frac{1}{2}$			
			157006		161107
Hastings	C. S. Ruttan	3095		2470	
	R. Reed	114509		176416	
	G. Sutherland	4420		5396	
	C. Weaver	22353		22011	
	J. F. Flindall	4940		10000	
	T. Jordan			12342	
	Amos Wright			2102	
			149817		230737
Huron and Bruce	Rance & Frère	6931		5678	
	C. L. Van Egmond ..	1275		1193	
	F. Walker			2580	
			8206		9451
Haldimand	C. Bourne	1431			
	T. C. & W. Musson ..	13771		12077	
	J. Kirkland	1749 $\frac{1}{2}$		17637	
			32692		29714
Kent	G. F. Jones	3921			
	S & A. Aldes	2671		8260	
	J. & W. Norwood ..	7198		5002	
	George Henry			1814	
			13790		15076
Lincoln and Welland	George Jones	396			
	W. Devany	520			
	James Worden	6097		3740	
	R. D. Dunn	4646			
	T. B. Tenbroeck	346			
	W. Decatur	7067		292	
	McDonell & Maxwell ..	5401		1901	
	Garrett & Freeland ..			12571	
	O. T. Maklem			140868	
			24473		159867

RETURN of the quantity of Proof Spirits manufactured by the various Distilleries, during the years 1855 and 1856, &c.—(Continued.)

COUNTIES.	Names of Distillers.	No. of Gallons manufactured in 1855.		No. of Gallons manufactured in 1856.	
			Total.		Total.
Leeds and Grenville	D. Conway	4077	204652		234712
	C. A. Payne	69680		84836	
	J. W. Dillon	18578		13741	
	R. Riekey	117827		120414	
	J. Crichton			15721	
Lanark and Renfrew	R. A. Gemmill	754	754	1244	2387
	T. Bourke			1143	
Middlesex, 1st Division	J. Begg	4101	31795		52054
	Rhycard & Nicholson	2282			
	A. Kains	8973			
	F. Jarvis	2878		2340	
	C. Hall	1771		953	
	Hunt & Galpin	7890			
	S. Reynolds	3900		18781	
	S. Rhycard			9041	
	J. White			3665	
	Miles Ketchum			9544	
	Denison & Ely			3935	
McMillan & McDonald		3111			
J. Finlay		684			
Middlesex, 2nd Division	A. H. Couse	1286	49219		52539
	C & M. Ketchum	2963		3773	
	S. Hocking	2474		1763	
	S. Peters	4101			
	F. Patterson	509			
	G. O. Coombs	5478		5632	
	W. Moore	31458		37509	
	Baker & Partridge			1892	
Hiram Dell		1970			
Northumberland	Wm. McDougall		No. of Gall. to each Distiller not given by Inspectors.	Do.	
	Campbell & Pym			Do.	
	J. C. Boswell				
Norfolk	G. W. Park	10578	106057	10566	119254
	J. Shaw	6012			
	J. G. Wilson	26544		29722	
	T. McCool	5688		7711	
	Ritchie, Ford & Co.			45470	
	E. Matthews			1070	
Oxford	P. McLeod	3425	48822	4616	94589
	J. G. Williams	34667		28032	
	G. T. Jarvis	8070			
	D. R. McPherson	1617			
	T. & R. Turner	4127		2319	
S. W. Peterson		1447			
Prince Edward			51906		86415
	Ed. Jordan		15370		6480

RETURN of the quantity of Proof Spirits manufactured by the various Distilleries, during the years 1855 and 1856, &c.—(Continued.)

COUNTIES.	Names of Distillers.	No. of Gallons manufactured in 1855.		No. of gallons manufactured in 1856.	
			Total.		Total.
Peterboro' and Victoria.	Clarke & Spaulding	1161	2041	2527
	Wm. Lundy	880		.....
	Chris. Leary .....	.....		2527
Perth	W. Pindar	1453	6695	3254
	P. Krastner	2376		.....
	A. Gettler	1217		1408	
	W. McDonald	393		756	
	Christie & Smith	889		.....
	Kermott & Strong	367		840	
J. Allingham .....	.....	250		
Stormont, Dundas and Glengarry.....	.....	No return made.	998	998
Simcoe	A. St. Clair	1823	2201	No return made.	
	W. M. Ross	378			
Wentworth et Halton....	J. M. Kerby	94597	107941	57380	63375
	A. B. Crooks	13344		5995	
Wellington and Grey....	W. Allan	44775	110177	74053	160916
	F. George & Co.	41832		59178	
	J. Phillips	15383		13006	
	A. L. Argo	5113		8069	
	W. Cornock	244		2047	
	P. A. Marshall	1530		637	
	Privat & Field	1300		3154	
	P. Sutherland .....	.....		772
Waterloo.....	J. C. Snider & Co.	13178	277721	6386	280238
	Thomson & Ross	9339		5972	
	C. C. & J. Forrie	34433		31372	
	A. A. Erb & Bro.	60229		61836	
	J. Hespeler	84720		106910	
	J. McNaughton	6274		.....
	Fleming & Robinson	47940		43522	
	W. Colcleugh	15067		17334	
	J. McCredy	6541		4839	
	H. F. Jackson .....	.....		1718
Geo. Thomson .....	.....	349		
York & Peel, Centre Div..	Gooderham & Worts	138669	216126	381776
	S. S. Halladay & Co. ....	.....		147508
	J. & D. Riordan .....	.....		18142
York & Peel, East Div....	Morgan & Rose	16654	55495	9453
	W. Armstrong	1412		.....
	J. B. Warren	12310		.....
	A. Lockhart	9153		3770	
	H. Munro	2767		986	
	G. Proctor	2106		.....
	Robt. Rose	3686		.....
	W. Lynch	2384		1299	
	A. St. Clair	487		.....
	McMillan & Co.	4536		.....
Wm. Ross .....	.....	1054		
Jno. Rose .....	.....	2344		

No. of Gallons to each Distiller not specified in the Return.

RETURN of the quantity of Proof Spirits manufactured by the various Distilleries during the years 1855 and 1856, &c.—(Continued.)

COUNTIES.	Names of Distillers.	No. of Gallons manufactured in 1855.		No. of Gallons manufactured in 1856.	
			Total.		Total.
York and Peel, West Division.	R. Church.....			2681	
	Reid Wright.....			4607	
	W. P. Howland.....	*	51775	1813	
	Thos Musson.....			9900	
	C. Wadsworth.....				
	T. A. Burrell.....				
			51775		19001
Montreal, 1st Division...	D. Morris.....	11738		15241	
	Dow & Co.....	97068		141952	
			108806		157193
Montreal, 2nd Division...	T. Sauvageau.....	8904		19962	
	Messrs. Molson.....	554953		615299	
	Dow & Co.....	46410			
	N. Pigeon.....	25969		17063	
	D. Morris.....	1422			
	J. S. Holt.....	5216		9251	
			642874		661575
	Total No. Gallons.....		2679200		3267381

* No. of Gallons to each Distiller not specified in the Return.

Inspector General's Office,
Toronto, 9th May, 1857.

T O R O N T O :

PRINTED BY JOHN LOVELL, CORNER OF YONGE AND MELINDA STREETS.

R E T U R N

To an ADDRESS from the LEGISLATIVE ASSEMBLY, to His Excellency the Governor General, dated the 3rd March last, praying His Excellency to cause to be laid before the House,—“ A
“ Return of the names of all persons who have been appointed to any Office of profit or emolument, or trust in Canada, since the 28th March, 1855 (the day to which the last Return was made up), exclusive, however, of all Postmasters whose incomes are under £20,—all Justices of the Peace, and all Commissioners of Small Causes in Lower Canada, shewing the date of each appointment, and whether it is temporary or permanent, with the Salary, Wages and Fees in each case, and so as to exhibit actual income of each Incumbent, as far as it is known to Government,—the name of each Officer or Clerk, or Servant, and the Statute or other legal Authority under which he was appointed.”

By Command,

T. LEE TERRILL,

Secretary.

Secretary's Office,

Toronto, 15th May, 1857.

RETURN of Coroners appointed by His Excellency the Governor General, in the several Counties, Cities, and Towns in Upper Canada, between the 28th day of March, 1855, and the 3rd day of March, 1857.

Names.	County, City, or Town.	Date of Appointment.
Archibald McVicar.....	United Counties of Huron and Bruce.....	5th April, 1855.
Morgan Hamilton.....	do do.....	9th January, 1856.
Harchkin Haynes.....	do do.....	15th February, 1856.
Francis H. Irwin.....	do do.....	29th do.
John Hyndman.....	do do.....	18th June, 1856.
Patrick Flammagan.....	do do.....	3rd March, 1857.
William Summer Scott.....	do do.....	
John George Grey.....	do do.....	
John Reginald Cousins.....	United Counties of York and Peel.....	13th April, 1855.
John P. Wheeler.....	do do.....	14th May, 1855.
John Barnhart.....	do do.....	11th June 1855.
David Bridgford.....	do do.....	19th December, 1856.
George Ross.....	United Counties of Lanark and Renfrew...	13th April, 1855.
Abel H. Dowswell.....	do do.....	8th May, 1855.
Charles Young.....	do do.....	19th May, 1855.
John D. Clendinnen.....	do do.....	25th April, 1856.
Robert J. Hinton.....	County of Carleton.....	16th April, 1855.
George Patterson.....	do do.....	16th April, 1856.
Christopher Leggo.....	do do.....	11th July, 1856.
James Beaman.....	do do.....	17th December, 1856.
John W. Rosebrugh.....	County of Wentworth.....	14th May, 1855.
William C. Shaw.....	do do.....	5th February, 1856.
Francis Owens.....	do do.....	9th February, 1856.
Walter McKay.....	do do.....	16th October, 1856.
Egerton Griffin.....	County of Brant.....	19th May, 1855.
Jacob Walroth.....	do do.....	29th April, 1856.
Edwin T. Brown.....	do do.....	18th December, 1856.
Edward Dancy.....	County of Elgin.....	11th June, 1855.
Elijah Eli Duncombe.....	do do.....	14th January, 1857.
William Burgess.....	do do.....	
John Wanless.....	City of London.....	14th June, 1855.
Andrew McKenzie.....	do do.....	
John Nellis.....	do do.....	
George Herriek.....	City of Toronto.....	6th September, 1855.
Edward M. Hodder.....	do do.....	
John Scott.....	do do.....	
William McPherson.....	County of Haldimand.....	13th September, 1855.
Robert Douglass.....	do do.....	14th May, 1856.
Alexander R. Stephen.....	County of Simcoe.....	2nd October, 1855.
James Allan.....	do do.....	16th April, 1856.
James B. Rounds.....	County of Oxford.....	26th November, 1855.
James A. Park.....	do do.....	26th January, 1856.
George Bingham.....	do do.....	
James Carroll.....	do do.....	
Charles E. Casgrain.....	County of Essex.....	13th December, 1855.
Daniel Wilson.....	County of Perth.....	21st December, 1855.

Return of Coroners appointed by His Excellency the Governor General, between the 28th March, 1855, and the 3rd March, 1857. (—Continued.)

Names.	County, City or Town.	Date of Appointment.
William C. Eastwood	County of Ontario	21st December, 1855.
Elias Vernon	do do	9th January, 1856.
Benjamin S. Wilson	County of Hastings	9th January, 1856.
Hernaults Spafford	do do	10th March, 1856.
Nathaniel S. Appleby	do do	19th March, 1856.
Richard Lazier	do do	15th July, 1856.
John V. Murphy	do do	15th September, 1856.
Robert Francis	do do	16th September, 1856.
David Earl Burdett	do do	19th December, 1856.
George P. Ball		
Pat. Gilbert Fergus		
John Stewart	United Counties Frontenac, Lennox and } Addington	9th January, 1856.
James Richardson Bryant	do do do	19th May, 1856.
James Davidson		
George Sexton		
Patrick Daley		
James Sprout		
John McNeilly, Junior		
Thomas Merrill		
Jehiel Clarke		
John Cowdy	City of Kingston	9th January, 1856.
James Harding		2nd February, 1857.
John Stewart	City of Kingston	9th January, 1856.
Michael Flanagan	do do	2nd February, 1857.
William Pelham Osborne	County of Norfolk	9th February, 1856.
Jos. A. Merritt	do do	16th October, 1856.
Michael Lavelle	United Counties Peterboro and Victoria	26th February, 1856.
Amos McCrea		
Thomas W. Poole		
Peter H. Clarke .....			do do do do .....	10th May, 1856.
Andrew Hicks	United Counties Prescott and Russell	16th April, 1856.
Chs. Larocque	do do do do	29th April, 1856.
Alex. A. Beaton	do do do do	18th June, 1856.
Thos. Brady	do do do do	12th November, 1856.
Jas. O. Gates	do do do do	27th December, 1856.
Horatio Wilson	County of Welland	12th May, 1856.
Robert Young		
John Ronnie		
John Moore		
Henry Rolts		
Zenas Tell		
Henry Kalar		
Wm A. Bald		
Gavin Robertson		
Wm. Mellanby		
Peter Gibbon		
John Cronyn		
Alex. B. Chapman		
John Grant		

Return of Coroners appointed by His Excellency the Governor General, between the 28th March, 1855, and the 3rd March, 1857.—(*Continued.*)

Names.	County, City or Town.	Date of Appointment.
Thos. Eaton	United Counties Leeds and Grenville	14th May, 1856.
Wm. Smith		
Robt. McGee		
Robt. Biddle		
Samuel Jakes	do do do	18th June, 1856.
Wm. Porter Welton		
Abm. Van Vleck Pruyn	County of Prince Edward	20th May, 1856.
Sam. S. Walbridge		
Richard Morden		
Lewis Hudgin	do do	20th May, 1856.
Horace Gross	United Counties Northumberland & Durham	29th May, 1856.
John B. Young		
Peter McPherson		
Wm. J. Macauley		
Jas. E. Howell		
John Curtis		
Wm. Easton		
Nicholas Ingersoll		
Thos. D. Boucher		
Simon Davidson		
Wm. Evatt		
Sam. Hallon		
Jos. Graham .....			do do do ..	1st July, 1856.
John Swain	do do do ..	15th September, 1856.
Geo. E. Shaw		
Alex. Preston	do do do ..	15th September, 1856.
Daniel Coate		
Geo. S. Herod	County of Wellington	2nd June, 1856.
John Henry Gordon	do do	6th December, 1856.
Theophilus Mack	County of Lincoln	6th November, 1856.
Jos. Carrier	County of Waterloo	16th December, 1856.
David S. Bowlby	do do	27th January, 1857.
Hy. Theodore Legler		
Robert Byrns	County of Kent	19th February, 1857.

Certified,

THOS. AMIOT,
Depy. Regr.

Provincial Registrar's Office,
Toronto, 14th May, 1857.

MEMORANDUM,—Coroners are appointed by His Excellency the Governor General by Commission under the Great Seal. They are paid by fees and hold office during pleasure.

List of Notaries Public appointed in Upper Canada, between the 23th March, 1855, and the 3rd March, 1857.

Name.	Date of Appointment.	Remarks.
Allechin, John	20th April, 1855.	These Officers are permanent. Their emoluments consist of Fees. They are appointed by the Governor General, by a Commission under his Seal at Arms.
Adams, Jr., Joshua	7th January, 1856.	
Agnew, James	25th August, 1856.	
Abbott, Chrstr. C	1st September, 1856.	
Boswell, Augustus G.	28th April, 1855.	
Burns, Wm. H.	12th May, 1855.	
Ball, Abm. T. H.	20th August, 1855.	
Billings, John	5th October, 1855.	
Beaty, Jr., James	6th December, 1855.	
Barton, Geo. M.	25th February, 1856.	
Bramley, Thos. C.	7th June, 1856.	
Barker, Chrstr. R.	30th June, 1856.	
Boulton, James F.	6th September, 1856.	
Bernard Hewitt	8th September, 1856.	
Cockburn, James	16th May, 1855.	
Crysler, Manuel G.	6th June, 1855.	
Cooper, Robert	10th July, 1855.	
Cameron, Malcolm C.	15th September, 1855.	
Clark, Alister M.	5th October, 1855.	
Cummius, Jeremy P.	22nd April, 1856.	
Chalmers, David	2nd May, 1856.	
Carroll, John G.	10th July, 1855.	
Carroll, Chs. J.	10th July, 1855.	
Campbell, Wm. A.	4th November, 1856.	
Davis, James B.	15th November, 1855.	
Durand, Chs. A.	14th December, 1855.	
Davison, John	30th April, 1856.	
Dougall, Allan R.	17th May, 1856.	
Eastwood, John	19th December, 1856.	
Fraser, Jr., James	6th July, 1855.	
Fortune, Jas. Boswell	11th July, 1855.	
Foster, Colley Wm	15th November, 1855.	
Flock, James Henry	28th June, 1856.	
Gardner, Richd. Hutchison	24th January, 1856.	
Galvin, Barthw. Clifford	25th April, 1856.	
Glasford, John Breakeuridge	5th June, 1856.	
Gamble, Samuel	16th December, 1856.	
Gilman, Edward	10th January, 1857.	
Hutton, Joseph	6th August, 1855.	
Harrison, Robt. A.	28th November, 1855.	
Hammond, Thos. Levell	20th March, 1856.	
Henderson, Lawrence H. Y.	12th June, 1856.	
Hallinan, James	18th September, 1856.	
Hopkins, H. Y. Baldwin	28th November, 1856.	
Hutchinson, Charles	14th December, 1856.	
Higgins, Moore A.	26th January, 1856.	
Jones, Henry A.	6th July, 1855.	
Jones, John Robt.	19th December, 1856.	
Jones, Jonas	8th January, 1857.	
Kingstone, Arthur Johnson	18th January, 1856.	
Kirkpatrick, Stafford F.	11th July, 1856.	
Light, Robt. Newton	5th April, 1855.	
Long, Peter Ball	6th July, 1855.	
Lays, John	5th January, 1856.	
La Course, Anthony	15th February, 1856.	
Low, Philip	23rd August, 1856.	
Lawford, Thos. Wright	3rd September, 1856.	
Low, Hamilton	26th November, 1856.	

List of Notaries Public appointed in Upper Canada, between the 28th March, 1855, and the 3rd March, 1857.

Name.	Date of Appointment.	Remarks.
Lapenotiere, Fredk. John	27th December, 1856.	These Officers are permanent. Their emoluments consist of Fees. They are appointed by the Gov. General, by a Commission under his Seal at Arms.
Lawrason, Wm. Lawrence	8th January, 1857.	
Loscombe, Robt. Russell	27th February, 1857.	
Moore, Allan Johnson	26th July, 1855.	
Murphy, David Rdgway	20th August, 1855.	
Matheson, Wm. Marshall	11th September, 1855.	
McCleane, Worship B.	27th November, 1855.	
Martin, Richard	29th November, 1855.	
McDermott, Henry	3rd December, 1855.	
Martin, Edward	29th November, 1855.	
Matchett, Wm. C.	4th March, 1855.	
Magrath, Charles	14th April, 1855.	
Mendell, Wm	14th April, 1855.	
Mathieson, Thos	22nd April, 1855.	
Macdonald, Arthur	28th May, 1855.	
Malloch, John	19th June, 1855.	
Muirhead, James	24th June, 1856.	
McKay, Oliver	3rd July, 1856.	
McCarthy, D'Alton	1st September, 1856.	
McNeill, Neale	16th October, 1856.	
Muma, Henry	21st January, 1857.	
Mills, Joseph	10th February, 1857.	
Newbery, Robert	19th December, 1856.	
O'Reilly, James	10th May, 1855.	
Osborne, Wm. P.	26th March, 1856.	
Ollard, Richard	10th November, 1856.	
Proudfont, William	20th April, 1855.	
Phelan, Valentine	10th May, 1855.	
Paterson, James	25th April, 1856.	
Peterson, H. Wm	16th June, 1856.	
Pollard, Wm. Darley	17th November, 1856.	
Rowland, Samuel	16th October, 1856.	
Simpson, Caiet P.	28th April, 1855.	
Stevenson, George	1st June, 1855.	
Smades, Sam. Sherwood	10th September, 1855.	
Stanton, Wm Henry	5th October, 1855.	
Springer, Oliver	26th February, 1856.	
Sladden, William	25th April, 1856.	
Saunders, Thos. Willcocks	30th June, 1856.	
Stanton, Frs. Gore	23rd August, 1856.	
Sisson, Jonathan	5th December, 1856.	
Stephenson, William	19th December, 1856.	
Scott, Alex Forsyth	24th January, 1857.	
Tomey, Hugh	30th March, 1855.	
Wittrock, Herman	24th December, 1855.	
Whittier, Wm. B.	18th March, 1856.	
Williams, William	14th May, 1856.	
Wright, Alfred Frs	21st February, 1857.	

LIST of Marriage License Agents appointed in Upper Canada, between the 28th March, 1855, and the 3rd March, 1857.

Name.	Place.	Date of Appointment.	Remarks.
Coppinger, Thomas	Sydenham	30th March, 1855.	
Shaw, George	Manvers	2nd April, 1855	
Miller, C. W.	Switzerville	2nd do do	
Allan, Parker	Adolphustown	7th do do	
Warner, Charles	Camden, East	7th do do	
Studdart, Thomas	Streetsville	9th do do	
Gillespie, Malcolm	Br ck	12th do do	
Vernou, I. K.	Scott	12th do do	
Kilborn, Jared	Washington (Oxford)	14th do do	
Chadwick, J. W.	Princeton (do)	14th do do	
Ernest, John	Petersburgh	24th do do	
Cook, S. W.	Paris	24th do do	
Gemne, Robert	Euphemia	7th May, do	
Hall, Alex. G.	Lanark	14th do do	
Hunter, Isaac	Caledon	14th do do	
Nelson, Horatio	Amherstburg	14th do do	
Buchanan, J. G.	Colchester	14th do do	
Thair, John	Mersea	14th do do	
King, James	Gosfield	14th do do	
McFarland, Hugh	Maidstone	14th do do	
Onelett, St. Luc	Rochester	14th do do	
Desjardins, Pierre	West Tilbury	14th do do	
Burns, Gavin	Oshawa	14th do do	
McCrea, Heman	Easton's Corners	29th do do	
Weekes, Edward	Elmsley, South	29th do do	
Baker, A. A.	Guelph	29th do do	
Orton, Dr. H.	New Hope	29th do do	
Johnson, L. H.	Wallaceburgh	29th do do	
Malcolm, James	Oakland	6th June, do	
Little, John	Mulmur	27th August, do	
Wilmot, Samuel	Newcast'e	24th Septr., do	
Kilborn, Horace	South Crosby	21st Novr., do	
Thorbury, F. C.	Nottawasaga	27th do do	
Lawrence, O. H.	East Flamboro'	3rd Decr., do	
Swayze, D. C.	Delhi	10th do do	
Lawrence, J. H.	Collingwood	13th do do	
Winlow, J. B.	Strathroy	27th do do	
Murray, John	Esquesing	10th Jan., 1856	
Gamble, J. W.	Pine River	11th do do	
Craigie, John	Indiana	11th do do	
Sholter, S. L.	Erin	11th do do	
Scott, Thomas	Errol	11th do do	
Duggan, William	Churchville	11th do do	
Suares, S. S.	Humberstone	16th do do	
Shaw, W. C.	Sheffield	5th Feby., do	
Caton, Allan	Newburgh	29th do do	
Curtis, Thomas	Brighton	4th March, do	
Lesslie, William	Puslinch	4th do do	
Coulter, Thomas	Ramsay	27th do do	
Moore, William F.	Paisley	27th do do	
Evans, Richard	Fingal	3rd April, do	
McCubough, William	Pickering	9th do do	
Davidson, William	Berlin	24th do do	
Flagler, Philip	Hillier	24th do do	
Blair, James	Metcalfe	24th do do	
Sumner, John	Ashton (Carleton)	8th May, do	
Bridgford, David	Richmond Hill	10th do do	

Prerogative, and appointed by Letter. Fee of 2 dollars on each License sold.

List of Marriage License Agents appointed in Upper Canada, &c.—(Continued.)

Name.	Place.	Date of Appointment.	Remarks.
Barwick, John	Yorkville	10th May, 1856	Prerogative, and appointed by Letter Fee of 2 dollars. on each License sold.
Barker, Wm	Markham	10th do do	
Merkley, J. G.	Mountain	11th June, do	
Capel, John	Winchester	11th do do	
Laing, John	Matilda	11th do do	
McNair, James	Nassagaweya	1st July, do	
Reid, George	Keene	8th do do	
McLean, Allan	Scarboro'	18th do do	
Appleby, N. S.	Shannonville	29th do do	
Thwaites, Richard	Clinton	5th Septr., do	
Shaw, James	Smith's Falls	9th do do	
Stewart, Wm	Warwick	4th Novr., do	
Walker, W. G.	Howick	4th do do	
Munro, J. H.	Mosa	29th do do	
Coulter, Chas.	Douglas	9th Decr., do	
Bell, A. W.	Eganville	14th Octr., do	
Gamble, Samuel	Nan'icoke	16th Decr., do	
Dwyer, Robert	Albion	30th do do	
Dowswell, A. H.	McNab	13th Jany., 1857	
Twomley, George	Chippawa	5th Feby., do	
Thompson, Wm	Caledonia	7th do do	
Orchard, Thomas	Paisley	17th do do	
Little, Watson	Cornwall	23d do do	
Mackintosh, A. S.	Walkertown (Bruce)	28th do do	
Rousseaux, G. B.	Ancaster	20th do 1856	

List of persons appointed to office in Upper Canada, from 29th March, 1855, to 3rd March, 1857, shewing nature of office, date of appointment, emolument and authority for appointment, &c., exclusive, however, of parties named in the Departmental and Special Returns herewith.

Name.	Office.	Temporary or Permanent.	Date of Appointment.	Salary or Emolument.	Authority for Appointment.
T. H. Aikman	Clerk of the Peace, County of Haldimand.	Permanent	19th December, 1855	For Fees, see Blue Book.	Commission Privy Seal.
D. McG. Askin	Clerk County Court, Deputy Clerk of the Crown, County of Middlesex.	do	29th November, 1856	Do do salary as	do
H. C. R. Becher	Queen's Counsel	do	14th October, 1856	Dep. C. C., £100 per an.	do
Rev'd John Barclay	Member of Council of Public Instruction	do	7th January, 1857	Nil.	do
Duncan Cameron	Clerk County Court, and Deputy Clerk of the Crown, County of Brent	do	14th April, 1855	For Fees, see B. B., salary	do
Hon. G. E. Cartier	Attorney General Lower Canada	do	24th May, 1856	as Dep C. C., £75 per an.	do
S. M. Cashman	Registrar, United Counties Prescott and Russell.	do	27th June, 1856	£1250 per annum.	do
W. F. Coffin	Ordnance Land Agent	do	15th Sept., 1846	For Fees, see Blue Book.	do
W. H. Campbell	Clerk County Court, and Deputy Clerk of the Crown, United Counties Leeds and Grenville & Queen's Counsel	do	23rd August, 1856	£500 per annum.	Letter of appointment.
Alexander Campbell	Judge Civ. Court, United Cty. Huron and Bruce.	do	4th October, 1856	as Dep C. C., £100 per an.	Commission Privy Seal.
Robert Cooper	Adjutant General of Militia	do	6th November, 1856	£550 per annum.	do
Baron de Rottenburg	Clerk of the Peace, Peterboro' and Victoria	do	7th July, 1855	£750 per annum.	do
G. O. D'Olier	Chief Justice of Common Pleas	do	2nd October, 1855	For Fees, see Blue Book.	do
Hon. W. H. Draper	Member of Medical Board	do	5th February, 1856	£1250 per annum.	do
W. H. Dalton	Registrar County of Victoria	do	22nd July, 1856	Nil.	do
H. Dunford	Judge of Division Court of City of Toronto	do	19th Sept., 1856	For Fees, see Blue Book.	do
George Duggan, Jr.	Queen's Counsel	do	26th December, 1856	£300 per annum.	do
Henry Eccles	Clerk County Court, and Deputy Clerk of the Crown, County of Welland.	do	4th October, 1856	Nil.	do
N. F. Fitch	Do	do	12th May, 1856	For Fees, see B. B., salary	do
James Hon' h	Judge of the Court of Common Pleas	do	18th May, 1855	as Dep. C. C., £75 per an.	do
Hon John H. Hagarly	Sheriff, County of Welland	do	5th February, 1856	£1000 per annum.	do
James Hall	Sheriff, United Counties Peterboro and Victoria.	do	4th February, 1856	For Fees, see Blue Book	do
Robert Hobson	Sheriff, United Counties York and Peel.	do	12th May, 1856	Do do.	do
Fredk W. Jarvis	Auditor Public Accounts	do	21st July, 1856	Do do.	do
John Laughton	Queen's Counsel	do	27th December, 1855	£660 per annum.	do
Oliver Murvat	Do	do	29th December, 1855	Nil.	do
Hon J. B. Macaulay	Executive Chancellor	do	5th April, 1856	Nil.	do
Hon. J. C. Morrison	Clerk of the Peace, County of Ontario.	do	19th April, 1856	Nil.	do
H. J. MacDonell	do	do	23rd April, 1856	For Fees, see Blue Book.	do

List of persons appointed in Upper Canada, from 29th March, 1855, to 3rd March, 1857, &c.—(Continued.)

Name.	Office.	Permanent or Temporary.	Date of Appointment.	Salary or Emolument.	Authority for Appointment.
John McEwan.....	Sheriff, County of Essex.....	Permanent	6th May, 1856.....	For Fees, see Blue Book.	Commission Great Seal.
E. A. Meredith.....	Deputy Governor.....	do	24th May, 1856.....	Nil.	do Privy do
Hon. J. C. Morrison.....	Receiver General.....	do	24th May, 1856.....	£1250 per annum.	do Great do
W. B. McChinn.....	Judge County Court, Leeds and Grenville.....	Temporary	7th July, 1856.....	£700 per annum.	do do
R. McDowell.....	Clerk County Court, Leeds and Grenville.....	Permanent	11th Sept., 1855.....	For Fees, see B. B., salary as D. C. C., £100 per an.	do do
Rolland Macdonald.....	Queen's Counsel.....	do	4th October, 1856.....	Nil.	do Privy do
Thomas Miller.....	Clerk of the Peace, County of Waterloo.....	do	28th Novr., 1856.....	For Fees, see Blue Book.	do Great do
Hora to Nelson.....	Clerk County Court, and Deputy Clerk of the Cr. County of Essex.....	do	23rd August, 1856.....	For Fees, see B. B., salary as D. C. C., £75 per an.	do do
Miles O'Reilly.....	Queen's Counsel.....	do	4th October, 1856.....	Nil.	do do
R. T. Pennefather.....	Governor's Secretary.....	do	27th February, 1856.....	£750 per annum.	do do
Andrew J. Peterson.....	Registrar Superior Court, County of Waterloo.....	do	28th April, 1856.....	For Fees, see Blue Book.	do do
Hervey W. Price.....	Judge County Court, County of Welland.....	do	12th May, 1856.....	£500 per annum.	do do
Robert Pearson.....	Clerk of the Process.....	do	23rd August, 1856.....	£350 per annum.	do do
John Ridditt.....	Registrar, County of York.....	do	11th June, 1855.....	For Fees, see Blue Book.	do do
William Ross.....	Judge, Cr. Ct., Stormont, Dundas and Glengarry.....	Temporary	13th Sept., 1855.....	£700 per annum.	do do
L. D. Raymond.....	Clerk of the Peace, County of Welland.....	Permanent	12th May, 1856.....	For Fees, see Blue Book.	do do
Edward Sherwood.....	Registrar, County of Carleton.....	do	4th June, 1855.....	do do	do do
John Strachan.....	Judge County Court, Huron and Bruce.....	do	13th June, 1855.....	£475 per annum.	do do
James Smith.....	Queen's Counsel.....	do	4th October, 1856.....	Nil.	do do
George Sherwood.....	Do.....	do	4th October, 1856.....	Nil.	do do
E. L. St. Remi.....	French Master, Upper Canada C. llege.....	do	5th Sept., 1856.....	Nil.	Letter of Appointment.
John Twigg.....	Clerk County Court, and Deputy Clerk of the Cr. County of Prince Edward.....	do	31st August, 1855.....	For Fees, see B. B., salary as D. C. C., £75 per an.	Commission Privy Seal.
John F. Taylor, Junior.....	Master in Chancery, Legislative Council.....	do	14th February, 1856.....	Nil.	do do
Hon. T. Lee Terrill.....	Provincial Secretary, and Executive Councillor.....	do	24th May, 1856.....	£1250 per annum.	do do
George Williams.....	Registrar Superior Court, County of Kent.....	do	27th April, 1855.....	For Fees, see Blue Book.	do do
Lewis Wallbridge.....	Queen's Counsel.....	do	4th October, 1856.....	Nil.	do do
John Wilson.....	Do.....	do	4th October, 1856.....	Nil.	do do
Hon. C. Widmer.....	Commissioners, Toronto Hospital.....	Temporary	7th July, 1855.....	Nil.	do do
James Beatty.....	Commissioners, Provincial Lunatic Asylum.....	do	13th March, 1856.....	25s. p. diem when employed	do do
John Poel.....	Do.....	do	13th March, 1856.....	25s. p. diem when employed	do do
Hon. S. Mills.....	Do.....	do	13th March, 1856.....	25s. p. diem when employed	do do
W. Cawthra.....	Do.....	do	13th March, 1856.....	25s. p. diem when employed	do do
James Beatty.....	Do.....	do	13th March, 1856.....	25s. p. diem when employed	do do
Robert Armour.....	Do.....	do	13th March, 1856.....	25s. p. diem when employed	do do

William Miller.....	Commissioners of Escheat <i>in re</i> Thos. Rowan.....	do	19th April, 1855.....	Nil.	do Great do
John Davidson.....	Do.....	do	19th April, 1855.....	Nil.	do do
Adam Ainslie.....	Do.....	do	19th April, 1855.....	Nil.	do do
D. S. McQueen.....	Commissioners of Escheat <i>in re</i> R. Mitchell.....	do	31st December, 1856.....	Nil.	do do
Jas. Ingersoll.....	Do.....	do	31st December, 1856.....	Nil.	do do
J. G. Vansittart.....	Do.....	do	31st December, 1856.....	Nil.	do do
S. B. Freeman.....	Commissioners of Escheat <i>in re</i> Hugh Stewart.....	do	31st December, 1856.....	Nil.	do do
G. W. Burton.....	Do.....	do	31st December, 1856.....	Nil.	do do
H. C. Baker.....	Do.....	do	31st December, 1856.....	Nil.	do do
Jas. McQueen.....	Commissioners under 18 Vic., cap. 173.....	do	31st December, 1856.....	Nil.	do do
Seth Holcomb.....	Do.....	do	31st December, 1856.....	Nil.	do do
Miles O'Reilly.....	Commissioners to enquire into affairs of University College <i>in re</i> Dr. McCaul.....	do	27th December, 1855.....	£3 per diem.	do do
W. F. C. Aft.....	Do.....	do	27th December, 1855.....	£3 per diem.	do do
James Daniels.....	Do.....	do	27th December, 1855.....	£3 per diem.	do do
Hon. J. H. Cameron.....	Commissioners to revise the Statutes of Upper Canada.....	do	7th February, 1856.....	.....	do do
Hon. J. C. Morrison.....	Do.....	do	7th February, 1856.....	.....	do do
Adam Wilson.....	Do.....	do	7th February, 1856.....	.....	do do
Steffington Connor.....	Do.....	do	7th February, 1856.....	.....	do do
Oliver Mowat.....	Do.....	do	7th February, 1856.....	.....	do do
D. B. Read.....	Do.....	do	7th February, 1856.....	.....	do do
S. H. Strong.....	Do.....	do	7th February, 1856.....	.....	do do
Hon. J. B. Macaulay.....	Do.....	do	7th February, 1856.....	.....	do do
Chief Justice Upper Canada	Do.....	do	7th February, 1856.....	.....	do do
Chance lor,	Do.....	do	7th February, 1856.....	.....	do do
Chief Justice Common Pleas	Do.....	do	7th February, 1856.....	.....	do do
Vice Chancellors	Do.....	do	7th February, 1856.....	.....	do do
Judges Q. B. and C. P.....	Do.....	do	7th February, 1856.....	.....	do do
Hon. J. B. Macaulay.....	Do.....	do	7th February, 1856.....	.....	do do
Hon. S. B. Harrison.....	Do.....	do	7th February, 1856.....	.....	do do
J. G. Chewett.....	Do.....	do	7th February, 1856.....	.....	do do
F. Widder.....	Do.....	do	7th February, 1856.....	.....	do do
G. Duggan, Junr.....	Do.....	do	7th February, 1856.....	.....	do do
David S. McQueen.....	Commissioners to enquire into monetary affairs of East Nissouri.....	Permanent	5th April, 1856.....	Nil.	do do
George W. Whitehead.....	Do.....	do	5th April, 1856.....	Nil.	do do
James Ingersoll.....	Do.....	Temporary	12th June, 1856.....	Nil.	do do

List of persons appointed in Upper Canada, from 29th March, 1855, to 3rd March, 1857, &c.—(Continued.)

Name.	Office.	Permanent or Temporary.	Date of Appointment.	Salary or Emoluments.	Authority for Appointment.
A. McNabb	Commissioners to protect Indian Lands	Permanent	4th March, 1856	Nil.	Commission Great Seal.
R. Carrey					
W. Simpson					
J. Wilson	do	do	11th July, 1856	Nil.	do
F. Talford	do	do	16th November, 1856	Nil.	do
T. Worthington	do	do	26th January, 1857	Nil.	do
George Kingston	Professor of Meteorology, University College	do	31st May, 1855	£530 p. annum and a house.	do Privy do
James Brown	Mathematical Master, Upper Canada College	do	19th January, 1856	£334 p. annum and a house.	do
Hon. R. E. Burns	Chancellor of University of Toronto	do	10th December, 1856	Nil.	do Great do
R. G. Benedict	Inspectors of Grand Trunk R.R. under 18 Vic., cap. 174, sec. 4.	Temporary	4th February, 1856	£1100.	Gov. Genl. in Council.
Geo. L. Read					
Hon. E. P. Taché	Railway Commissioners	Permanent	8th November, 1856	Nil.	do
Hon. W. Cavley					
Hon. Robt. Spence					
Hon. F. Lemieux					

List of persons appointed to Office in Lower Canada, from 29th March, 1855, to the 3rd March, 1857, stating nature of Office, date of Appointment, Salary and Emolument, so far as known, and authority of appointment, exclusive of persons included in the Departmental and Special Returns herewith.

Name.	Office.	Permanent or Temporary.	Date of Appointment.	Salary or Emolument.	Authority for Appointment.
Archambault, Jos. N. A.	School Inspector, District of Montreal.	Temporary	29th March, 1855.	£218 15s.	14 & 15 Vict., ch. 97.
Adamson, Rev. W. Agar.	School Inspector, District of Quebec.	do	23rd April, do	£50	do do
Archambault, Jos. N. A.	School Inspector, District of Montreal.	do	do	£218 15s.	do do
Alley, Charles	Commissioners to enquire into the circumstance attending fall of Montmorency Bridge.	do	7th July, do	£2 per diem.	Privy Seal Commission.
Polette, Antoine, and Trudeau, Toussaint.					
Alley, Charles	Commissioners to enquire into the management of the affairs of the Quebec Pumpike Trust.	do	14th July, do	£2 per diem.	do do
Poulin, Jos. Napoléon, and Trudeau, Toussaint.					
Béland, Pierre F.	School Inspector, District of Quebec.	do	23rd April, do	£218 15s.	14 & 15 Vict., ch. 97.
Bardy, Pierre M.	School Inspector, District of Quebec.	do	do	£250	do do
Bourgeois, George A.	School Inspector, District of Three Rivers.	do	do	£156 5s.	do do
Bruce, John	School Inspector, District of Montreal.	do	do	£250	do do
Batsalo, Edward	Culler of Staves.	Permanent	18th May, do	Fees—No return.	Privy Seal Commission.
Berthelot, Jos. Amable.	Assistant Judge, Superior Court, Lower Canada.	Temporary	12th Sept., do	£1000	Under Leg. Act of '54.
Béle, Joseph.	One of the Commissioners for the civil erection of Parishes, District of Montreal.	Permanent	27th Sept., do	Honorary	Great Seal Commission.
Blacklock.	One of the Board of Examiners of Land Surveys, Lower Canada.	do	26th March, 1856	Fees—No return.	do do
Baillargé, Charles, and Nicolas Le François.	Two of the Board of Examiners of Land Surveys, Lower Canada.	do	do	do	do do
Bardy, Pierre M.	School Inspector, District of Quebec.	Temporary	2nd April, do	£250	14 & 15 Vict., ch. 97.
Bourgeois, George A.	School Inspector, District of Three Rivers.	do	23rd April, do	£156 5s.	do do
Béland, Pierre F.	School Inspector, District of Quebec.	do	do	£2, 8 16s.	do do
Bruce, John.	School Inspector, District of Montreal.	do	do	£250	do do
Bauduy, Louis.	Clerk of the Huntingdon Circuit Court.	Permanent	14th October, do	Fees, see Blue Book.	Great Seal Commission.
Bastien, Joseph Octave.	Clerk Soulanges Circuit Court.	do	do	do	do do
Beaupré, Joseph Edouard.	Registrar, County of Montcalm.	do	2nd January, 1857.	do do	do do
Bender, François X.	Clerk Joliette Circuit Court.	do	3rd Feby., do	do do	do do
Bastien, François De Salles.	Registrar, County of Vaudreuil.	do	21st Feby., do	do do	do do
Baudry, George Aimé.	Registrar, County of Chateauguy.	do	do	do do	do do
Child, Marcus.	School Inspector, District of St. Francis.	Temporary	23rd April, 1855	£218 15s.	14 & 15 Vict., ch. 97.
Cimon, Cléophe	School Inspector, District of Quebec.	do	do	£125	do do
Crépaunt, Jean	School Inspector, District of Quebec.	do	do	£187 10s.	do do

List of persons appointed to Office in Lower Canada, from 29th March 1855, to 31st March 1857, &c.—(Continued.)

Name.	Office.	Permanent or Temporary.	Date of Appointment.	Salary or Emolument.	Authority for Appointment.
Chabot, Hon. Jean.	Commissioner under Legislature Act.	Temporary	19th June, 1855	£2 10s. per diem.	18 Vict.
Chauveau, Hon. Pierre J. O.	Superintendent of Education, Lower Canada	Permanent	4th July, 1855	£750	Great Seal Commission, 14 & 15 Vict., cap. 97.
Consigny, A. P. L.	School Inspector, Montreal.	Temporary	23rd April, do	£156 5s. 0d.	Great Seal Commission, 14 & 15 Vict., cap. 97.
Counsel, Charles J.	Inspector and Superintendent of Police, Montreal.	Permanent	23rd January, 1856	£400 0s. 0d.	do do
Cimon, Cléophe	School Inspector, District of Quebec.	Temporary	23rd April, do	£187 10s. 0d.	do do
Crépaud, Jean.	School Inspector, District of Quebec.	do	do do	£156 5s. 0d.	do do
Consigny, A. P. L.	School Inspector, District of Montreal.	do	do do	£218 15s. 0d.	Great Seal Commission, do
Child, Marc.	School Inspector, District of Saint Francis.	Permanent	24th May, do	£1250	do do
Cartier, Hon. Geo. Etienne.	Attorney General, Lower Canada.	do	20th Sept., do	£1000	Privy Seal Commission, do
Charlot, Hon. Jean.	Puisné Judge, Superior Court, Lower Canada.	do	10th October, do	Fees—No return	Great Seal Commission, do
Charlton, James Bernard.	Clerk of the Peace, &c.	do	7th February, 1857	Honorary	Great Seal Commission, do
Crawford, John.	Treasurer, Montreal Board.	do	2nd July, 1855	£2 8 15s. 0d.	Great Seal Commission, do
Dorval, Alexandre Damase.	School Inspector, District of Montreal.	Temporary	7th do	£500	do do
De Salaberry, Melchior A.	Deputy Adjutant General of Militia, L. Cana la.	Permanent	7th do	do	The Sign. Act of 1854, do
Dumas, Norbert.	Commissioner under Legislative Act.	Temporary	4th August, do	Nil.	Great Seal Commission, do
Duncombe, John William.	Shipping Master, Quebec.	Permanent	31st do	£1000	Under Seign. Act of '54, do
Driscoll, Henry.	Assistant Judge, Superior Court, Lower Canada.	Permanent	4th Sept., do	Fees, see Blue Book	Great Seal Commission, do
Davis, Thomas.	Clerk County Court, Wolfe County.	do	do do	do	do do
Dawson, William McDouell.	Commissioner to investigate and report upon the dispute between Canada and New Brunswick	Temporary	22nd do	Travelling expenses	Privy Seal Commission, do
Dumoulin, Pierre B.	President 2nd Session, Three Rivers	Permanent	6th March, do	£75	Great Seal Commission, do
Dumesnil, George Hyacinthe.	Registrar, County of Soulanges.	do	16th April, do	Fees, see Blue Book	do do
Dorval, Alexandre D.	School Inspector, District of Montreal.	Temporary	23rd do	£218 15s	14 & 15 Vict., cap. 97, do
Da Sylva, François.	High Constable, Three Rivers	Permanent	7th July, do	Fees, and £50	Great Seal Commission, do
De Martigny, V. A. Lemoine.	Registrar, County of Beauharois	do	8th do	Fees, see Blue Book	do do
Edgerton, Joseph B.	Registrar, County of Sherbrooke	do	2nd April, do	Do do	do do
Fortier, Félix.	Agent for Lauzun, &c.	do	22nd Sept., 1855	Fees not known.	do do
Foster, Hiram S.	Registrar, County of Brome	do	2nd April, 1856	Fees, see Blue Book	14 & 15 Vict., cap. 97, do
Gravelin, Césaire.	School Inspector, Montreal.	Temporary	23rd do	£79 8s. 8d.	Great Seal Commission, do
Gravelin, Aaron L.	Interpreter, Criminal Court, Quebec.	Permanent	23rd June, do	£1000	The Sign. Act of 1854, do
Gauthier, Félix A.	Assistant Judge, Superior Court, Lower Canada.	Temporary	2nd Sept., do	£1000	Great Seal Commission, do
Guillet, V., and F. Lotteville.	Agents for Seignior of Cap de la Magdeleine	Permanent	14th do	Fees, see Blue Book	do do
do do	Agent of Staves.	do	26th do	Do do	Privy Seal Commission, do
Giroux, Clément.	Commissioner Lunatic Asylum, Quebec.	do	7th January, do	Honorary	Great Seal Commission, do
Gowen, Hammond.	Clerk of the Peace, Three Rivers	do	6th March, do	Fees, see Blue Book	do do
Genest, Laurent W. A.	do	do	do do	do	do do

Gorrie, Alexander.	Registrar, County of Richmond.	Permanent	2nd April, 1856.	Fees, see Blue Book.	do do
Griffin, Frederick.	Queen's Counsel, Lower Canada	do	8th do	Nil	do do
Germain, Césaire.	School Inspector, District of Montreal.	Temporary	23rd do	£187 10s.	14 & 15 Vict., cap. 97, do
Goubout, Alex's.	Registrar, County of Dorchester.	Permanent	13th Sept., do	Fees, see Blue Book	Great Seal Commission, do
Gauthier, Félix O.	Recorder, City of Quebec.	do	4th Decr., do	£500	do do
Glackmeyer, Charles.	Inspector of Anatomy, City of Montreal.	do	3rd do	Fees, see Blue Book	do do
Germain, Césaire.	School Inspector, District of Montreal.	Temporary	23rd April, do	£187 10s.	14 & 15 Vict., cap. 97, do
Hubert, Petrus.	School Inspector, District of Three Rivers	do	23rd April, 1855	£187 10s.	do do
Hamilton, Robert.	Commissioner Lunatic Asylum, Quebec.	Permanent	9th January, 1856	Honorary	Great Seal Commission, do
Hubert, Petrus.	School Inspector, Three Rivers	Temporary	23rd April, do	£187 10s.	14 & 15 Vict., cap. 97, do
Hamel, Antoine F.	Clerk of the Peace, &c.	Permanent	10th October, do	Fees—No return	Great Seal Commission, do
Jackson, Isaac.	Registrar, County of Huntingdon	do	21st February, 1857	Fees, see Blue Book.	do do
Kernick, George H.	Clerk Bankrupt Court, Montreal.	do	30th May, 1855	do	do do
Lanctot, Magloire.	School Inspector, District of Gaspé.	Temporary	23rd April, do	£218 15s	14 & 15 Vict., cap. 97, do
Lesperance, Joseph G.	School Inspector, District of Gaspé.	do	do do	£250	do do
Laurin, Joseph.	Agent Commissioner of Tenure, Quebec.	Permanent	7th March, 1856.	Fees not known.	Great Seal Commission, do
Lancôt, Magloire.	School Inspector, District of Montreal.	Temporary	23rd April, do	£218 15s	14 & 15 Vict., cap. 97, do
Lambert, Stephens.	Clerk Square Timber.	do	9th June, do	Fees—No return	Privy Seal Commission, do
Leblanc, Jean Olivier.	Registrar, County of Joliette.	do	27th October, do	Fees, see Blue Book	Great Seal Commission, do
La Fontaine, Aimé.	Clerk, Lochaber Circuit Court.	do	1st Decr., do	do do	do do
Lemaire, Félix Hyacinthe.	Do Two Mountains	do	do do	do do	do do
Monk, Samuel C.	Commissioner to inquire into circumstances attending the murder of Ann Reilly	Temporary	27th April, 1855	£2 per diem.	Privy Seal Commission, do
Maurault, Bonaventure.	School Inspector, District of Three Rivers.	do	23rd April, do	£187 10s.	14 & 15 Vict., cap. 97, do
Morin, Isidore.	School Inspector, District of Quebec.	do	do do	£187 10s	do do
Meagher, Joseph.	School Inspector, District of Gaspé.	do	do do	£250	do do
Murphy, Thomas.	Clerk of Square Timber	Permanent	14th June, do	Fees—No return.	Privy Seal Commission, do
Monk, Samuel C.	Assistant Judge, Superior Court, Lower Canada.	Temporary	12th Sept., do	£1000	Under Seign. Act, do
Miller, John.	Clerk of Square Timber.	Permanent	25th do	Fees—No return.	Privy Seal Commission, do
Miller, George.	do	do	do do	do do	do do
Marchand, Louis.	Registrar, County of St. Johns.	do	18th April, 1856	Fees, see Blue Book	Great Seal Commission, do
Mauruit, Bonaventure.	School Inspector, District of Three Rivers.	Temporary	23rd do	£187 10s	14 & 15 Vict., cap. 97, do
Morin, Isidore.	School Inspector, District of Quebec	do	do do	£187 10s.	do do
Meagher, Joseph.	School Inspector, District of Gaspé.	do	do do	£250	do do
Murphy, Thomas.	Clerk of Square Timber	Permanent	14th June, do	Fees—No return.	Privy Seal Commission, do
Monk, Samuel C.	Assistant Judge, Superior Court, Lower Canada.	Temporary	12th Sept., do	£1000	Under Seign. Act, do
Marin, Vincent.	School Inspector, District of Quebec	do	18th October, do	£125	do do
McGillivray, Murdoch.	Clerk Square Timber.	do	10th do	Fees—No return	Privy Seal Commission, do
Mal-ne, Jeffrey.	Clerk of Deals, &c.	do	do do	do do	do do
Panchaud, Jean Bte. F.	School Inspector, District of Montreal.	do	23rd April, 1855	£218 15s.	14 & 15 Vict., cap. 97, do
Parnelee, Rokus.	School Inspector, District of Quebec	do	do do	£31 5s.	do do
Phillips, George.	Assistant Judge, Superior Court, Lower Canada.	Permanent	25th May, do	Fees—No return	Privy Seal Commission, do
Jarkin, John B.	Assistant Judge, Superior Court, Lower Canada.	Temporary	3rd Sept., do	£1000	Under Seigniorial Act, do
Pots, Albert W.	Clerk County Court, Eastern Circuit.	Permanent	4th do	Fees, see Blue Book	Great Seal Commission, do

List of persons appointed to Office in Lower Canada, from 29th March, 1855, to 3rd March, 1857, &c.—(Continued.)

Name.	Office.	Permanent or Temporary.	Date of Appointment.	Salary or Emolument.	Authority for Appointment.
Pelletier, Joseph F.	Asst. Judge, Superior Court, Lower Canada.	Temporary	12th Sept., 1855	£1000	Under Seigniorial Act 14 & 15 Vict., cap. 97.
Pieps, Revd. Robt. G.	School Inspector, District of Quebec.	do	do	£62 10s.	Great Seal Commission.
Poirier, Marcel	Registrar, County of Leinster	Permanent	18th January, 1856	Fees, see Blue Book	do
Polette, Ant., G. W. Wicksteed, Andrew Stuart, T. J. Loranger, Robert McKay, and George Bourcherville	Commissioners for the revision of the Statutes and Ordinances of L. C. and Canada.	Temporary	28th March, do	do	do
Painchaud, Jean B. F.	School Inspector, District of Gaspé.	do	23rd April, do	£31 5s.	14 & 15 Vict., cap. 97.
Parmelee Rotus	School Inspector, District of Montreal.	do	do	£218 15s.	do
Plexs. the Revd. Robt. G.	School Inspector, District of Quebec	do	28th Sept., do	£62 10s.	do
Pichette, Jos. Edouard	Registrar, County of Maskinonge	Permanent	30th do	Fees, see Blue Book.	Great Seal Commission.
Parkin, J. B., A. M. Delisle, and Geo. Alex. Phi. Jpotts.	Commissioners to investigate the Corrigan murder.	Temporary	18th October, do	£2 per diem.	Under Address Legislative Assembly.
Quinn, William	Supervisor of Cullers	Permanent	1st June, 1855	£500	Great Seal Commission.
Quirk, Michael.	Culler of Timber	do	9th do	Fees—No returns.	Privy Seal Commission.
Roney, John J.	School Inspector, District of Ottawa.	Temporary	23rd April, do	£218 15s.	14 & 15 Vict., cap. 97.
Ross, Dunbar	Com. to enquire into the charges against L. A. Cheambault, as R. O. for Cy. of Leinster, & L'Assomption	do	20th June, do	£2 per diem.	Privy Seal Commission.
Ross, Dunbar, Alex. M. De-Isle, and Math. Ryan	Commissioners to investigate and report upon the all the accounts of all Rating Officers in Canada	do	28th January, 1856	£1 5s. per diem	do
Rhifet, Elie.	Registrar, County of Champlain.	Permanent	6th March, do	Fees, see Blue Book	Great Seal Commission.
Roney, John J.	School Inspector, District of Ottawa.	Temporary	18th June, do	£218 15s.	14 & 15 Vict., cap. 97.
Ross, Dunbar	Com. to enquire into the causes which have led to the opposition of the Mun. Act in certain Parishes	do	3rd Decr., do	£1 5s. per diem.	do
Stuart, Geo. Okill	Assistant Judge, Superior Court, Lower Canada.	do	3rd Sept., 1855	£10 0	Under Seig. Act of 54.
Tanguay, George	School Inspector, District of Quebec	do	23rd April, do	£218 15s.	14 & 15 Vict., cap. 97.
Tascheran, Jenn Thomas.	Assistant Judge, Superior Court, Lower Canada.	do	3rd Sept., do	£10 0	Under Seig. Act of 54.
Taché, Etienne P.	Speaker, Legislative Council.	do	19th April, 1856	£1250	Great Seal Commission.
Tanguay, George	School Inspector, District of Quebec.	do	23rd do	£218 15s.	14 & 15 Vict., cap. 97.
Terrill, Timothy Lee.	Commissioner to enquire into the murder of Robt. Corrigan, and the conduct of Ls. Paquet, J. P.	do	3rd May, do	Revoked	Privy Seal Commission.
Do	Secretary of the Province.	Permanent	do	£1250	Great Seal Commission.
Do	Registrar of the Province	do	do	Nil	do
Do	Member of the Executive Council	do	do	do	do
Do	Culler of Square Timber	do	9th June, do	Fees—No returns.	Privy Seal Commission.
Termeury, John.	Commissioner under Seigniorial Act.	Temporary	20th Sept., do	£2 10s. per diem	Under Seig. Act of 54.
Turocotte, Joseph Edouard	Agent, Com. Tenure, Laprairie	Permanent	15th Novr., do	Fees, see Blue Book	Great Seal Commission.
Vain, Jean Bte.	School Inspector, District of Montreal.	Temporary	23rd April, 1855	£250	14 & 15 Vict., cap. 97.
Valade, François X.	Culler of Staves.	Permanent	18th May, do	Fees—No returns	Privy Seal Commission.
Villeneuve, Jacques	School Inspector, District of Montreal.	Temporary	23rd April, 1856	£250	14 & 15 Vict., cap. 97.

RETURN shewing the names of all persons who have been appointed to any Office of honor or emolument in the Post Office Department of Canada, between the 28th March, 1855, and the 5th March, 1857, exclusive of Postmasters whose incomes are under £20,—shewing the date of their respective appointments, whether the appointment is temporary or permanent, the Salaries or Fees in each case, so as to exhibit the actual income, so far as it is known,—also, the name of such Office, and the Statute or Authority under which each Officer or Incumbent was appointed.

Name of Incumbent.	Office or Appointment.	Date of Appointment.	Whether appointment is temporary or permanent.	Income per Annum.	Authority under which Appointment was made.
Nelson Habbin	Clerk in Toronto Post Office.	1855, April	Permanent.	£ s. d. 125 0 0	By authority of Executive Govern'm't.
R. Spence	Chief Clerk, London Post O.	16th do	do	25 0 0	do
*A. T. Lafrenière	Postmaster, Maskinongé.	1st do	do	30 0 0	do
*G. B. Rousseau	do Ancaster	8th do	do	50 0 0	do
*Mrs. Flora Tracy	Postmistress, Esquesing.	8th do	do	23 0 0	do
*Mrs. Hopburn	do Chippawa	11th do	do	07 0 0	do
*Andrew St. Clair	Postmaster, Bond Head	20th do	do	24 0 0	do
Wm. McGillivray	Clerk, Montreal Post Office	1st May	do	125 0 0	do
Joseph Webster	do London	2nd do	do	125 0 0	do
Alfred Cooper	do Toronto	1st June	do	125 0 0	do
*H. H. Gairdner	Postmaster, Brucefield	6th do	do	26 0 0	do
*D. J. Mitchell	do Pentanguishene.	12th do	do	27 0 0	do
Edmond Burritt	Steamboat Mail Conductor	do	do	10 p. mo.	do
Dr. J. B. Meilleur	Postmaster, Montreal	28th do	do	Season nav. 500 0 0	do
R. J. C. Dawson	Clerk, London Post Office	1st July	do	175 0 0	do
J. Maitland	do do	do do	do	150 0 0	do
H. Gordon	do do	do do	do	140 0 0	do
*Gilbert Moore	Postmaster, Norwich	4th do	do	52 0 0	do
A. Barley	Clerk, Toronto Post Office.	1st do	do	125 0 0	do
George McDonnell	Railway Mail Guard.	28th do	do	180 0 0	do
Alex. McCarthy	do do	do do	do	150 0 0	do
P. Pennoek	do do	1st August	do	150 0 0	do
J. M. Dutton	Postmaster, Straffordville	15th do	do	20 0 0	do
Thomas McCormick	Railway Mail Clerk	4th Sept	do	150 0 0	do
*L. McLean	Postmaster, Dereham	8th do	do	40 0 0	do
George Armstrong	Clerk, Hamilton Post Office.	12th do	do	125 0 0	do
And. J. Smith	do Kingston	15th do	do	125 0 0	do
M. Lawler	Messenger, P. O. Department.	1st October	do	36 0 0	do
*John Kavanagh	Postmaster, Roulet	2nd do	do	22 0 0	do
M. Moe	Railway Mail Guard	23rd do	do	120 0 0	do
*James Bell	Postmaster, Colchester	12th Nov	do	21 0 0	do
Charles Walker	Railway Mail Clerk	28th do	do	150 0 0	do
George Ridler	do Guard	20th do	do	120 0 0	do
R. L. Campbell	Clerk, London Post Office	6th Decr.	do	125 0 0	do
Thomas Telfer	Railway Mail Guard	10th do	do	120 0 0	do
*D. F. Britton	Postmaster, Gananoque	20th do	do	115 0 0	do
*Hy. Kent	do Selkirk	29th do	do	20 0 0	do
*N. Baxter	do Lyn	4th Jan'y, 1855	do	20 0 0	do
Joseph Robeson	Clerk, Toronto Post Office.	15th do do	do	125 0 0	do
Ashuer Langley	do do	16th do do	do	125 0 0	do
Robert Connor	Postmaster, Niagara	25th do do	do	165 0 0	do
B. Dunnett	Letter Carrier, Hamilton	8th Feby. do	do	Fee on ca. l. delivered.	do
William Muir	Clerk, Montreal Post Office	10th do do	do	125 0 0	do
Thos. T. Carpenter	do Toronto	20th do do	do	125 0 0	do
William Lesueur	do Post Office Department	23rd do do	Temporary.	10s. p. diem.	do
	[Appointed permanently.	1st do 1857	At	150 0 0	do
*Thomas Fair	Postmaster, Clinton	25th do 1855	Permanent.	52 0 0	do
*Dr. B. G. Demorest	do Percy	5th March do	do	28 0 0	do
*Hy. Edwards	do Watredown	18th do do	do	35 0 0	do
P. E. Bucke	Clerk, Hamilton Post Office	29th do do	do	125 0 0	do
Alfred Corke	do Toronto	1st April do	do	125 0 0	do
John Boyd	do Post Office Department	9th Jany. do	Temporary.	10s. p. diem	do
	[Appointed permanently.	1st April do	At	150 0 0	do
Patriek Dover	Clerk, P. O. Ins. Office, London	1st do do	Permanent.	125 0 0	do
*S. H. Moss	Postmaster, Moulouette	18th do do	do	20 0 0	do
Sévère Marchildon	Clerk in Quebec Post Office	25th do do	do	125 0 0	do
*Jonathan Latic	Postmaster, Barrie	25th do do	do	200 0 0	do
J. W. Pounson	Railway Mail Guard	29th do do	do	120 0 0	do
Robert Haig	Postmaster, Elora	15th May do	do	90 0 0	do
*Robert Bulmer	do Oakville	15th do do	do	121 0 0	do
W. F. Bowes	Clerk, Toronto Post Office.	16th do do	do	125 0 0	do
*Mrs. St. Clair	Postmistress, Bond Head	16th do do	do	24 0 0	do

* NOTE.—The Emolument to Postmasters included in this Return (save Montreal) is the gross income, and is subject to the deduction of whatever expenses they may incur in the maintenance of their Offices.

RETURN shewing the names of all persons who have been appointed to any Office of honor or emolument in the Post Office Department of Canada, &c.—(Continued.)

Name of Incumbent.	Office or Appointment.	Date of Appointment.	Whether appointment is temporarily or permanent.	Income per Annum.	Authority under which Appointment was made.
*Levi Schooley	Postmaster, Bosauquet	23rd May, 1856	Permanent	£ s. d. 21 0 0	By authority of Executive Government.
*W. E. Page	do Metis	29th do do	do	20 0 0	do
*J. A. Woodroffe	do Warwick	30th do do	do	22 0 0	do
Alex. Walmsley	Railway Mail Clerk	11th June do	do	150 0 0	do
P. Collins	Junior Clerk, London P. O.	19th do do	do	125 0 0	do
Joseph Webster	Railway Mail Clerk	19th do do	do	150 0 0	do
Wm. Sheppard	do do	20th do do	do	150 0 0	do
*Hy. Mulkins	Postmaster, Simcoe	2nd July do	do	198 0 0	do
J. McMahon	Clerk in Post Office Depart.	15th do do	Temporary.	10s. p. diem.	do
	[Appointed permanently	1st January, 1857	At	150 0 0	do
*Wm. Hook	Postmaster, Beachville	25th Aug., 1856	Permanent.	40 0 0	do
Walter Ross	Railway Mail Clerk	25th do do	do	150 0 0	do
*J. Watson	Postmaster, Goderich	25th do do	do	195 0 0	do
Alexander Stuart	Railway Mail Clerk	1st Sept. do	do	125 0 0	do
Nelson Habbitt	do do	1st do do	do	150 0 0	do
*Samuel Fenton	Postmaster, Stouffville	5th do do	do	41 0 0	do
J. Walters	Clerk in Post Office Depart.	9th do do	Temporary.	10s. p. diem.	do
	[Appointed permanently	1st January, 1857	At	150 0 0	do
F. Detlmers	Railway Mail Clerk	12th June, 1856	Temporary.	150 0 0	do
*W. Watts	Postmaster, Wellington Sq.	19th Sept. do	Permanent	35 0 0	do
Brinsley King	Clerk, Toronto Post Office	20th do do	do	125 0 0	do
William Matthews	Railway Mail Clerk	15th Octr. do	do	150 0 0	do
James Weynes	do do	18th do do	do	150 0 0	do
*E. W. Eagar	Postmaster, Richmond W.	21st do do	do	23 0 0	do
Hy. Willis	Railway Mail Clerk	21st do do	do	150 0 0	do
O. Raymond	Clerk, Montreal Post Office	21st do do	do	125 0 0	do
John Morrison	Railway Mail Clerk	22nd do do	do	150 0 0	do
R. H. Beuzough	do do	27th do do	do	150 0 0	do
A. Carruthers	do do	27th do do	do	150 0 0	do
J. J. Pezan	do do	27th do do	do	150 0 0	do
N. Duffield	do do	27th do do	do	150 0 0	do
		Declined appoint.			
*Chas. Robinson	Postmaster, Beaverton	29th Octr., 1856	do	45 0 0	do
Peter Norris	Railway Mail Clerk	30th do do	do	150 0 0	do
*Jas. McLaughlin	Postmaster, Mono Mills	30th do do	do	87 0 0	do
*R. R. McNaughton	do Strathfordville	7th Novr. do	do	20 0 0	do
*G. Keed	do Otonabee	5th do do	do	28 0 0	do
B. D. Borison	Railway Mail Clerk	11th do do	do	150 0 0	do
*A. G. Jones	Postmaster, Stoney Creek	20th do do	do	21 0 0	do
Samuel Byrne	Clerk, Toronto Post Office	20th do do	do	125 0 0	do
*B. M. Martin	Postmaster, Frost Village	25th do do	do	20 0 0	do
*J. K. Morris	do Rondeau	4th Decr. do	do	22 0 0	do
*William Fares	do Lobo	15th do do	do	20 0 0	do
A. G. McWhinney	Railway Mail Clerk	23rd do do	do	150 0 0	do
G. H. Benjamin	Clerk, Post Office Depart.	1st Jan., 1857	do	125 0 0	do
*G. P. Ure	do do do	2nd do do	Temporary.	10s. p. diem.	do
Robert Stewart	do do do	9th Feby., do	do	10s. p. diem.	do
A. Mackay	Railway Mail Clerk	15th do do	Permanent.	150 0 0	do
F. McCartney	Clerk, London Post Office	21st Jan., do	do	125 0 0	do
*J. Coatsworth	Postmaster, Bruce Mines	24th do do	do	31 0 0	do
*M. McKendrick	do Kincairdine	19th do do	do	57 0 0	do
Jas. D. Thompson	Railway Mail Clerk	23th do do	do	150 0 0	do
*J. B. Fairbairn	Postmaster, Bowmanville	28th do do	do	195 0 0	do
N. W. Curtis	Railway Mail Clerk	29th do do	do	150 0 0	do
James McAlpine	Clerk, Toronto Post Office	31st do do	do	125 0 0	do
*John McMaster	Postmaster, Streetsville	18th Feby. do	do	65 0 0	do
*Samuel Price	do Port Stanley	19th do do	do	31 0 0	do
Robert McGillivray	Brit. M. Cond., Toronto & N.Y.	4th Sept., 1855	do	235 0 0	do

* NOTE.—The Emolument to Postmasters included in this Return (save Montreal) is the gross income and is subject to the deduction of whatever expenses they may incur in the maintenance of their Offices.

ROBERT SPENCE,
Postmaster General.

Post Office Department,
Toronto, 21st April, 1857.

CROWN LAND DEPARTMENT.

Return of persons appointed to Office, since the 28th March, 1855, in conformity with a Resolution of the Legislative Assembly, dated the 3rd day of March, 1857.

Date.	Name.	Remuneration.	REMARKS.
16th April, 1855	F. H. Belleau	7s. 6d. per diem	Temporary Clerk, appointed by the Commissioner; left September 1855.
11th do do	L. A. Robitaille	8s. 9d. per diem	Temporary Clerk, appointed by the Commissioner, subsequently allowed 10s. per diem, 1st August, 1855, and appointed permanent Clerk 25th February, 1856, at salary of £225 per annum.
28th May, do	E. Chassé	8s. 9d. per diem	Temporary Clerk, appointed by the Commissioner, allowed 10s. per diem, 1st August, 1855.
23rd July, do	E. Calzavé	8s. 9d. per diem	Temporary Draftsman, appointed by the Commissioner, allowed 10s. per diem, 1st August, 1855; left 31st December, 1856.
1st Sept., do	L. J. Roy	At the rate of £350 per annum	Temporary Secretary to Commissioner, appointed by the Commissioner; left 30th April, 1856.
1st Oct., do	P. Legaré	At the rate of £375 per annum	Temporary 1st Clerk, Crown Domain, Jesuits' Estates, and Seigneur of Lauzon, resigned 30th June, 1856, appointed by the Commissioner.
22nd Jan'y., 1856.	J. W. Bridgland	At the rate of £200 per annum	Temporary Draftsman and Surveyor, appointed by the Commissioner.
28th August, do	D. A. Grant	10s. per diem	Do do
11th Sept., do	J. V. Gale	Do	do, left, 23rd September, 1856.
28th August, do	C. Pope	Do	Do do
do do	C. Gannon	Do	Do do
do do	F. Bannister	Do	do, left, 28th October, 1856.
11th Oct., do	C. Leclaince	Do	Do do
2nd Sept., do	P. Cahill	At the rate of £68 15s. per annum	Do Messenger.
1st Oct., do	W. F. Whitteher	10s. 8d. per diem	Do Clerk.
2nd Decr., do	— Steffin	5 per cent. on Sales, and 10 per cent. on other col-	Agent for the Seigneur of Lauzon, and Superintendent of Beach and Deep Water Lots, Quebec, appointed by Order in Council.
— Sept., 1855.	F. Fortier	lections, and	Agent. Crown Domain, and Commuting Agent, Censive, Quebec, appointed by Order in Council.
do do do	J. Laurin	£125 per annum, and 7 per cent. on collections, and	Communiting and Collecting Agents for the Seigneurie Cap de la Magdeleine, and Jesuits' Estates, Three Rivers, appointed by Order in Council.
— June, do	V. Guillelé and F. Lot- binville	£1 10s. Fee on commutations	
do do do	A. W. Powell	5 per cent. on collections acc. of Mills and Farms, on	Timber Agent, Lakes Huron and Superior, appointed by Order in Council.
30th do do	do	18s. £500, and 2½ per cent. on all over that, and 10	Crown Land Agent for part of the County of Ottawa, appointed by Order in Council.
5th May, do	A. T. Gibeau	per cent. on rents, const, fenc, &c.	
do do do	do	£250 per annum	
do do do	do	5 per cent. on 1st. £500—2½ per cent. on next £7000,	
do do do	do	and 1½ per cent. on all over £7500	
3rd Sept., do	E. Heath	Commission do	Crown Land Agent for part of Pontiac, appointed by Order in Council.
15th do do	D. G. La Barre	do do	do do
12th Decr., do	J. B. Le Page	do do	St. Maurice, do.
10th March, 1856.	F. X. Pratte	do do	Rimouski, do.
15th June, 1855.	E. Tremblay	do do	Drummond, do.
20th April, 1856.	H. S. Huber	do do	part of Saguenay, do.
25th Sept., 1855.	N. Stewart	do do	Waterloo, do.
27th March, 1856.	E. Perry	do do	Prescott and Russell, do.
3rd July, 1856.	M. P. Hayes	20s. per diem	Agent for the settlement of the Addington Road, do.
29th Jan'y., 1857.	C. Widder	20s. per diem on 1st. £500—2½ on next £7000, and 1½ per cent. on all over £7500.	do do
17th Sept., 1855.	T. P. French	20s. per diem	do do
			Crown Land Agent, Huron, appointed by Order in Council.
			Agent for the settlement of the Ottawa and Opeongo Road, appointed by Order in Council.

JOSEPH CAUCHON,
Commissioner.

Crown Land Department,
Toronto, 19th March, 1857.

Statement of the names of all persons who have been appointed to the Inspector General's Office, since 28th March, 1855, shewing the dates of their respective appointments whether the appointment is temporary or permanent, the Salary or Fees in each case, and exhibiting the actual income so far as it is known to the Government,—also, the name of each Office, and the Statute or Authority under which each such Officer or Incumbent was appointed, agreeably to the Address of the Legislative Assembly of 3rd instant.

Name.	Office.	Whether temporary or permanent.	Salary or Fees.	Actual Income known to Govern'm't	Date of Appointment.	Statute or Authority for Appointment.
J. J. Hackett	Clerk	Permanent	12s. 6d. p. dy.	12s. 6d. p. dy.	19th Novr., 1855	Inspector General.
Lucius J. O'Brien	Corresponding Clerk.	do	£230	£250	27th Octr., 1856	O.C. of 23rd Oct., 1856.
G. A. Barber, Jr.	Clerk	Temporary	12s. 6d. p. dy.	12s. 6d. p. dy.	5th Novr., 1856	Inspector General.

WILLIAM DICKINSON,
Acting Dep. I. G.

Inspector General's Office,
Toronto, 10th March, 1857.

Statement shewing the names of persons appointed in the Customs Branch of the Inspector General's Office, from the 29th March, 1855, to the 10th March, 1857.

Name of Officer.	Name of Office.	Date of Appointment.	Under what Authority.	Whether permanent or temporary.	Annual salary.
Chs. Taylor	Preventive Officer	11th April, 1855	Gov. Gen. in Council.	Permanent.	£ s. d. 55 0 0
Thos. Meagher	Landing Waiter	do do do	do	do	125 0 0
Chs. Selby	do	do do do	do	do	187 10 0
Wm. Christopherson	Clerk	do do do	do	do	218 15 0
Thos. Bary	do	do do do	do	do	187 10 0
Wm. Bleakley	do	do do do	do	do	15s. per day.
W. J. Meagher	do	do do do	do	do	125 0 0
Thos. Johnston	Landing Waiter	do do do	do	do	93 15 0
Robt. Busted	Preventive Officer	4th May, do	do	do	75 0 0
Wm. Harvey	do	do do do	do	do	75 0 0
B. McGee	do	do do do	do	do	75 0 0
Wm. McPherson	do	do do do	do	do	75 0 0
Jno. T. Cadwell	do	do do do	do	do	75 0 0
Jno. McCormick	Landing Waiter	28th do do	do	do	93 15 0
Robt. Caley	Surv. and Col. of Tolls.	do do do	do	do	312 10 0
Louis Bilodeau	Landing Waiter	do do do	do	do	250 0 0
M. Child	Collector of Customs	do do do	do	do	300 0 0
J. B. Strathy	do	30th do do	do	do	300 0 0
Jno. Scanlon	Landing Waiter	do do do	do	do	125 0 0
Arthur Hill	do	1st June, do	do	do	125 0 0
Henry McCaulley	Clerk	4th do do	do	do	200 0 0
Napoléon Balzarette	do	do do do	do	do	15s. per day.

Statement shewing the names of persons appointed in the Customs Branch of the Inspector General's Office, &c.--(Continued.)

Name of Officer.	Name of Officer.	Date of Appointment.	Under what Authority.	Whether Permanent or Temporary.	Actual salary.
					£ s. d.
A. N. Striker	Landing Waiter	14th June, 1855.	Gov. Gen. in Council.	Permanent.	150 0 0
Thos. Barry	Preventive Officer	16th do do.	do do.	do	93 15 0
J. J. Kavanagh	Landing Waiter	18th do do.	do do.	do	100 0 0
T. Spruen	Preventive Officer	do do do.	do do.	do	75 0 0
J. De St. Croix	do	do do do.	do do.	do	75 0 0
J. H. Smith	Collector of Customs	do do do.	do do.	do	125 0 0
F. W. Smith	do	19th July, do.	do do.	do	150 0 0
Jos. Wilson	Surveyor	21st Sept., do.	do do.	do	175 0 0
R. Radcliff	Landing Waiter	do do do.	do do.	do	100 0 0
J. P. Purcell	Clerk	do do do.	do do.	do	150 0 0
Jno. King	Landing Waiter	25th do do.	do do.	do	100 0 0
E. A. Stott	Clerk	do do do.	do do.	do	150 0 0
P. H. Morin	Surveyor	do do do.	do do.	do	150 0 0
Jos. Marentelle	Landing Waiter	do do do.	do do.	do	125 0 0
P. E. Sheppard	Clerk	28th do do.	do do.	do	187 10 0
W. H. Ansley	do	15th Novr., do.	do do.	do	187 10 0
R. G. Paton	Locker	16th do do.	do do.	do	125 0 0
R. G. Warren	Landing Waiter	do do do.	do do.	do	125 0 0
Miles Cowan	do	29th do do.	do do.	do	125 0 0
F. Farncomb	Collector of Customs	7th Decr., do.	do do.	do	125 0 0
W. H. Gibson	Preventive Officer	24th do do.	do do.	do	100 0 0
Jordan Charles	Collector of Customs	5th Jan'y, 1856.	do do.	do	225 0 0
Wm. Murphy	do	do do do.	do do.	do	225 0 0
H. Sinclair	Landing Waiter	6th do do.	do do.	do	125 0 0
Thos. Bryan	do	12th do do.	do do.	do	125 0 0
James Keith	Collector of Customs	28th do do.	do do.	do	125 0 0
D. Y. Leslie	do	12th Feby., do.	do do.	do	150 0 0
James King	do	16th do do.	do do.	do	100 0 0
Geo. Liddle	Landing Waiter	22nd March, do.	do do.	do	125 0 0
R. F. Nelles	do	do do do.	do do.	do	125 0 0
Jno. Wright	Preventive Officer	26th do do.	do do.	do	50 0 0
F. Valois	Clerk	15th April, do.	do do.	do	200 0 0
Chs. Fraser	Surveyor	16th do do.	do do.	do	150 0 0
H. D. Wilson	Landing Waiter	do do do.	do do.	do	125 0 0
Alex. Smith	do	17th do do.	do do.	do	125 0 0
Jno. Callaghan	Asst. Collector of Tolls.	1st May, do.	do do.	do	187 10 0
J. Wigfield	Preventive Officer	26th do do.	do do.	do	50 0 0
Wm. Eden	Landing Waiter	do do do.	do do.	do	125 0 0
James Menton	do	28th do do.	do do.	do	112 10 0
Wm. Hunt	Clerk	27th June, do.	do do.	do	150 0 0
Chs. Sewel	do	do do do.	do do.	do	187 10 0
F. Sheppard	do	do do do.	do do.	do	187 10 0
Jos. G. Lespérance	Landing Waiter	5th July, do.	do do.	do	75 0 0
Charles Treble	do	22nd do do.	do do.	do	100 0 0
W. P. Wilson	do	19th Sept., do.	do do.	do	125 0 0
M. O'Donohoe	do	do do do.	do do.	do	125 0 0
E. Dunham	Collector of Customs	do do do.	do do.	do	156 5 0
James Orr	do	do do do.	do do.	do	150 0 0
C. M. Kelly	Landing Waiter	26th do do.	do do.	do	75 0 0
E. Quirouet	do	11th Octr., do.	do do.	do	100 0 0
Thos. Colton	Collector of Customs	do do do.	do do.	do	156 5 0
Jno. Clarke	Landing Waiter	do do do.	do do.	do	125 0 0
Thos. Cartier	Preventive Officer	15th do do.	do do.	do	25 0 0
J. S. Scholfield	Landing Waiter	do do do.	do do.	do	125 0 0
Lewis Lewis	Clerk	25th do do.	do do.	do	125 0 0
Thos. Agnew	Searcher and Packer	do do do.	do do.	do	93 15 0
H. Calder	Collector	do do do.	do do.	do	125 0 0
H. C. Pilgrim	Landing Waiter	do do do.	do do.	do	75 0 0
P. T. Roberts	Clerk	do do do.	do do.	do	300 0 0
Thos. Perkins	Landing Waiter	6th Decr., do.	do do.	do	125 0 0

Statement shewing the names of persons appointed in the Customs Branch of the Inspector General's Office, &c.—(Continued.)

Name of Officer.	Name of Office.	Date of Appointment.	Under what Authority.	Whether permanent or temporary.	Actual salary.
Rd. Welch	Landing Waiter	18th Decr., 1856..	Gov. Genl. in Council	Permanent.	£ s. d. 100 0 0
Jno. O. Scully	Surveyor	do do do..	do ..	do ..	187 10 0
Jas. Beckett	Landing Waiter	19th do do..	do ..	do ..	125 0 0
Rd. Abbot	Appraiser	do do do..	do ..	do ..	150 0 0
Wm. McDonell	Surveyor	22nd do do..	do ..	do ..	150 0 0
Rd. Irvine	Landing Waiter	do do do..	do ..	do ..	112 10 0
Andrew Walsh	Locker	do do do..	do ..	do ..	125 0 0
E. Carthew	Landing Waiter	do do do..	do ..	do ..	100 0 0
G. N. Mathewson	do	do do do..	do ..	do ..	100 0 0
J. S. Clarke	do	30th do do..	do ..	do ..	50 0 0
Jas. Armstrong	do	14th Jany., 1857..	do ..	do ..	100 0 0
Jno. Harland	Collector	do do do..	do ..	do ..	150 0 0
Jos. Kidd	Landing Waiter	do do do..	do ..	do ..	125 0 0
R. McIntosh	do	24th Feby., do..	do ..	do ..	100 0 0
Jno. E. Cannon	do	do do do..	do ..	do ..	125 0 0

R. S. M. BOUCHETTE.

I. G. O., Customs Department,
10th March, 1857.

BUREAU OF AGRICULTURE AND STATISTICS,

7th March, 1857.

SIR,—I am directed, by the Hon. P. M. Vankoughnet, to acknowledge receipt of your circular of the 5th instant, enquiring as to appointment to Offices of emolument since the 28th March, 1855, in this Bureau, &c., and in reply to state that there have been no appointments in this Department subsequent to that date.

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

WILLIAM HUTTON,
Secretary.

The Honorable
The Provincial Secretary, &c.

EXECUTIVE COUNCIL OFFICE,

7th March, 1857.

SIR,—I have the honor to acknowledge the receipt of your letter of the 5th instant, requesting me to furnish you with a Return of the names of all persons appointed to any Office connected with this Department, since the 28th March, 1855.

In reply, I beg to state that the only appointment coming within the terms of your letter, is that of Charles Baker, who was, on 1st December, 1855, appointed as temporary Messenger to this Office, at a salary of £93 15s. per annum.

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

W. H. LEE,
C. E. C.

The Honorable
The Provincial Secretary.

Return shewing the names of all persons who have been appointed to any Office of Profit or Emolument in the Department of the Adjutant General of Militia since the 28th March, 1855, as called for by the letter of the Honorable the Secretary, dated Toronto, 25th April, 1857.

Name.	Appointment.	Whether permanent or temporary.	Actual Salary per annum.	By whom appointed.	Date of Appointment.
Col. Baron de Rottenburg...	Adjutant General...	Permanent.	£ 750 0 0	His Ex. the Gov. Genl.	9th July, 1855.
Lt. Col. Donald Macdonell	Deputy do, U. C.	do ..	500 0 0	do ..	do.
Lt. Col. de Salaberry	Deputy do, L. C.	do ..	500 0 0	do ..	do.
Robert Berry	1st Clerk	do ..	270 0 0	do ..	1st Sept., 1855.
W. R. Wright	3rd do	do ..	231 5 0	do ..	22nd Oct., 1855.
J. B. Raymond	4th do	do ..	250 0 0	do ..	8th April, 1856.
Edward Bartlett	Temporary Clerk ...	Temporary.	187 10 0	do ..	1st Jany., 1856.
Sir J. D. H. Hay, Bart	do	do ..	187 10 0	do ..	14th Jany., 1856.

DE ROTTENBURG,
Adjutant General.

Adjutant General's Office,
Toronto, 28th April, 1857.

RECEIVER GENERAL'S OFFICE,

Toronto, 7th March, 1857.

SIR,—In answer to your communication of the 5th instant, requesting to be furnished with a Return of the names of all persons who have been appointed to any Office in this Department, since the 28th March, 1855, with a view to its being laid before the Legislative Assembly, I have the honor to state that the only appointment made since that period in this Department, was that of Mr. De Verd Fisher, as a temporary general Clerk, at 10s. per diem, on the 1st day of November, 1856, under authority of the Government.

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

JOS. C. MORRISON,
Receiver General.

Hon. T. L. Terrill,
Provincial Secretary, Toronto.

OFFICE OF ATTORNEY GENERAL FOR U. C.

Toronto, 9th March, 1857.

SIR,—I have, by direction of the Attorney General of Upper Canada, the honor to acknowledge the receipt of your letter of 5th instant, requesting him to furnish a Return, so far as relates to his Department, of the names of all persons who have been appointed to any Office of honor or emolument, since the 28th March, 1855, shewing the date of their appointments and other like information.

In reply, I am instructed to inform you that, with reference to this Department, the only such person is David Alexander, Junior, who was, on 1st Nov., 1855, appointed assistant permanent Clerk, by Order in Council of that date, at the annual salary of £100.

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

ROBT. A. HARRISON.

Hon. T. Lee Terrill,
Provincial Secretary.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

R E T U R N

To an Address from the Legislative Assembly, to His Excellency the Governor General, dated the 6th instant, praying His Excellency to cause to be laid before the House, "Copies of the applications and letters of Edward Malloch, for leave to purchase Lot 18, in the 3rd Concession Rideau, front of the Township of Gloucester, and Lot 18 in the Gore between the 2nd and 3rd Concessions of said Township; Reports of the Honorable the Commissioner of Crown Lands made thereon, respectively; also, Copies of all Petitions heretofore sent to the Government by any other person for the purchase of the same; reduction of price or rent paid on the same; and of all Certificates of Surveyors or others relating thereto; and of Reports of the Honorable the Commissioner made thereon, respectively, and submitted from time to time to the Governor in Council; and of all Receipts in the possession of the Government for payment of rent on said Lots by any occupant thereof, together with all Orders in Council made thereon, respectively."

By Command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 15th May, 1857.

(Copy.)

To His Excellency the Right Honorable CHARLES, BARON METCALFE, of Fernhill, in the County of Berks, Knight Grand Cross of the Most Honorable Order of the Bath, One of Her Majesty's Most Honorable Privy Council, Governor General of British North America, &c., &c., &c.

IN COUNCIL.

The Petition of the undersigned, of the Township of Gloucester, in the District of Dalhousie, and Province of Canada West,

HUMBLY SHEWETH:

That your Petitioner is in possession of lots numbers Eighteen, in the Third Concession, and Eighteen in the Gore, in the Rideau Front of the said Township

of Gloucester, and has made improvements thereon,—said lots being Clergy Reserves.

Your Petitioner being anxious to purchase the said lots, therefore most humbly requests that Your Excellency will cause an order to be issued to enable him to do so.

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

(Signed,) JOHN ^{his} CUNNINGHAM.
mark.

Dated at Gloucester,
this 13th day of September, 1845.

I do hereby certify that I have examined lot number Eighteen, in the Third Concession of Gloucester, Rideau Front (Dalhousie District), which is occupied by John Cunningham. On the said lot there is about fifty acres of cleared land, about forty acres of hardwood land, unimproved, and about twenty-five acres of mixed timber, consisting of ash, hemlock, birch, and hardwood. The remainder is covered with a mixture of spruce, balsam, and cedar. That the improvement aforesaid is on the front part of the lot. There are no houses or other buildings thereon. That the said John Cunningham is the only person occupying, or having any improvement on the said lot. That the value of the lot, in a state of nature, was about nine shillings per acre. I believe it has been occupied twelve years. I have also examined Lot number Eighteen, in the Gore, Rideau Front of said Township of Gloucester. On it there are two acres cleared; about three acres hardwood land, unimproved, and the remainder is a mixture of ash, hemlock, cedar, and birch. It is worth about eight shillings and three pence per acre.

Given under my hand, at Gloucester, this 13th day of September, 1845.

(Signed,) ROBERT BELL.
D. P. Surveyor.

The lands applied for are disposable Clergy Reserves, and it is recommended that the Petitioner be allowed to purchase number Eighteen, in Third Concession, at 9s., and the Gore in front (between the Second and Third Concessions), at 8s. 3d. per acre, under the present regulations, he being in the occupation, with improvements.

(Signed,) D. B. PAPINEAU.

CROWN LAND OFFICE,
Montreal, 16th Dec., 1845.

CROWN LAND DEPARTMENT, 23rd Dec., 1845.

Referred to a Committee of the Honorable Executive Council.

By Command.

(Signed,) D. B. PAPINEAU.

IN COMMITTEE, 31st Dec., 1845.

The Committee recommend a sale to Petitioner at the valuation of the Deputy Provincial Surveyor, upon his paying the back rent.

Approved in Council same day.

(Copy.)

COUNTY OF YORK AGENCY,
Toronto, 1st September, 1857.

£5 Currency.

Received from Edward Malloch, Esq., the sum of Five pounds, being the balance of rent in full to December 1851, upon Lot No. 18 in the 3 and 18 between 2 and 3 Concession in the Township of Gloucester.

(Signed,) THOMAS BAINES.

Per T. S.

(Copy.)

To His Excellency the Administrator of the Government of Canada, &c., &c.

IN COUNCIL.

The Petition of JOHN CUNNINGHAM, of the Township of Gloucester, in the County of Carleton, Yeoman,

HUMBLY SHEWETH:

That in the year 1832 or 1833, your Petitioner settled upon Lot No 18 in the 3rd Concession, Rideau Front, of Gloucester, and applied through Donald Frazer, formerly member of Parliament for Lanark, for a Lease but never got the same.

That in the year 1845, an order in Council issued authorizing your Petitioner to buy, at a certain value then fixed, and on payment of back rent during occupation.

That the price then put upon the Lot was far above its real value at that time, the greater part being swamp, and Mr. Bell, the surveyor, was led to believe he could value it no lower than the usual upset price of that day, for other good Clergy lands—and that the back rent then required exceeded by two-thirds the amount of benefit your Petitioner has in every way obtained from the lot.

That your Petitioner in consequence of the state of uncertainty he had been kept in, was prevented from improving or using the lot to any advantage, and had to buy an adjoining lot, which he has since lost, and that owing to the over-valuation on which the order of 1845 issued, and the back rent being excessive, and which your Petitioner's circumstances have and will preclude him from paying, your Petitioner has since not used the lot to advantage, and therefore prays that the same may be sold to your Petitioner at a new valuation, without back

rent, and without respect to his improvements, or at the valuation before made (which is about the present value) and without back rent.

And as in duty bound, your Petitioner will ever pray,

JOHN ^{his} ~~mark~~ CUNNINGHAM.

Witness, WILLIAM KING.

BYTOWN, 20th March, 1854.

(Copy.)

OTTAWA CITY, 10th February, 1857.

My dear Sir,—At our meeting on the 19th of January last, you were kind enough to instruct your Secretary to write to the Local Agent here, inquiring whether there had been any other conveyance of the Lands in Gloucester, Rideau Front, owned by John Cunningham, other than that made in favor of his Son with the view of having the son's name substituted for the Father's as present proprietor.

I made inquiry at the Agency here the other day and was informed that no such communication had been received.

I think it right to address you in case the matter should have been overlooked by accident.

Be so good as to inform me whether any such communication has left the head office, with its date.

Be kind enough to inform me what has been done in the case of Shea and Findlay.

I should feel much obliged by your having both matters arranged as quickly as possible, and I quite concur in the view you took of Shea's case from the first, as from my knowledge of the circumstances it could not be departed from without inflicting great injustice.

Expecting to be favored with your reply at your earliest convenience.

I have, &c.,

(Signed,) AGAR YEILDING.

The Honorable JOSEPH CAUCHON,
Commissioner of Crown Lands.

BYTOWN, 16th February, 1857.

Sir,—I have been by accident informed, that Mr. Yeilding has applied for Lot 18, in 3rd Concession R. F., and 18, in Gore between 2nd and 3rd Concession of Gloucester, for the sale of which an Order in Council was issued in favor of John Cunningham, some years ago.

As I have registered a claim against John Cunningham on said land, and his interest therein, and as any application made by Yeilding for the same, either in

his own name or that of any other Assignee of Cunningham, is for the purpose of defeating the claims of Cunningham's creditors. I beg you will delay acting on any application made by Yeilding, and advise me immediately of the same and its nature, so that justice may be done in the premises.

I am, Sir,
Your obedient Servant,

G. B. LYON FELLOWES.

The Honorable
the Commissioner of Crown Lands.

(Copy.)

TORONTO, February 26th, 1857.

Dear Sir,—Whereas lot No. 18 in the 3rd Concession, also lot No. 18 in the Gore, both on the Rideau front, Gloster, has been advertised for sale under an execution in the hands of the Sheriff of the County of Carleton, for a claim against John Cunningham, senior. The lots having been legally assigned to Cunningham junior, in 1854, and the above judgment accorded in 1855 against John Cunningham, senior.

I think it would be right to instruct the local agent at Ottawa to protest against the above sale by giving the Sheriff due notice, as under the circumstances of the case, I believe your Department will not acknowledge such sales.

Your kind attention to the above will confer a great favor and also an act of justice to the applicant.

I have the honor to be,
Dear Sir,
Yours respectfully,

(Signed,) A. YEILDING.

The Honorable JOSEPH CAUCHON,
Commissioner of Crown Lands.

(Copy.)

TORONTO, 20th March, 1857.

Sir,—I beg leave to inform you that I presented myself at the Crown Land Office to-day for the purpose of paying for Lots No. 18 in the 3d concession, and 18 in the Gore between the 2nd and 3rd Concessions of the Township of Gloucester from the Rideau.

I was up about a month ago and was informed by the Department that the Lots were clear under an Order in Council in favor of John Cunningham who had assigned to his Son.

I consequently have purchased the Land and have deposited to-day with Mr. Tarbutt my assignment, and at the same time, tendered him the rent due and the purchase money.

I beg also to say, that I paid a part of the rent before.

May I therefore request you to direct that my Patent may issue.

I am, &c.,

(Signed,) EDWARD MALLOCH.

The Honorable
the Commissioner of Crown Lands.

(Copy.)

CROWN LAND DEPARTMENT,

Toronto, March 27th, 1857.

Sir,—I beg to submit the following case to your consideration, with the view of obtaining your opinion whether the Department would be warranted in rejecting the claim of Mr. Edward Malloch.

By an Order in Council of the 31st December, 1845, John Cunningham was recognized as having a claim to pre-emption for lot No. 18 in the 3rd Concession and Gore adjoining in the Township of Gloucester, which it appeared he had then been occupying for about twelve years, having fifty acres cleared. He, however, has not availed himself of the privilege of purchasing, and on the 12th October, 1854, assigned his interest in the land to his son, John Cunningham, who has since assigned to Mr. Edward Malloch.

Assignment herewith. Certificate of County Registrar herewith. An opposition is made to this claim by Mr. G. B. Lyon Fellowes, on the plea that the land is liable to be sold by the Sheriff, upon a judgment recorded against John Cunningham the elder, and of which sale a notice was published on the 8th of January last.

I have the honor to be, Sir,

Your obedient Servant,

(Signed,) JOSEPH CAUCHON,
Commissioner.

The Honorable the Attorney General,
Canada West.

OFFICE OF ATTORNEY GENERAL FOR UPPER CANADA,

Toronto, 1st April, 1857.

Sir,—The Attorney General has handed me your letter of 27th March, ultimo, requesting me to send opinion on the case therein mentioned.

The Order of Council of 31st December, 1845, appears not to have been complied with by the elder Cunningham, and his assignment to his son conveys no interest, as his case does not come within the provisions of the Act 16 Vic., cap. 159, section 7, by which assignments from the original nominee purchaser or locatee may be registered on production and upon proof.

See case *In. re. Perry*, 27th
February, 1857.

In this case it appears that the back rent has not been settled, or that any single instalment has been paid, and therefore Cunningham is not a purchaser within the meaning of the Act. As Cunningham had no assignable interest the Sheriff cannot, under the writ of *feri facias*, sell or convey any title to a purchaser.

I have therefore to advise you not to register the assignments produced, and to reject Mr. Malloch's application to purchase.

I have the honor to be, Sir,
Your obedient Servant,

(Signed,) HENRY SMITH,
Solicitor General.

The Honorable JOSEPH CAUCHON,
Commissioner, Crown Lands, Toronto.

TORONTO, 2nd April, 1857.

Sir,—With reference to my claim for the purchase of Clergy Lot 18, in the 3rd Concession and Gore adjoining, in the Township of Gloucester, from the Rideau, I beg leave to state, that I have been here 16 days waiting patiently to get the case settled; having understood that you referred it to the Attorney General for his opinion, and by him submitted for the report of the Solicitor General. I have understood that he had reported unfavorably to my claim, as well as that of Mr. Lyon.

The question arises now, who is the land to be given to, with Cunningham's house and barn and 60 acres of improvement, which I have paid for.

The Solicitor General has been kind enough to favor me with a copy of his opinion by which it appears to me he has founded it on erroneous premises—he says it appears the back rent has not been settled—I can see nothing in your reference to justify his alluding to the rent up to 31st December 1851. I beg however to state that I paid rent myself on the said lots, and it was fully explained to your predecessor why the man was unable for the time being to pay up and complete the sale.

I may remark, however, in support of my claim that before I purchased from the younger Cunningham, after his assignment was filed, I took the precaution to pay you a visit to Toronto, and was informed by you that the lot was open for sale by the Department on the Assignment of the Son founded on the Assignment of the Elder's primitive right under the Order in Council alluded to.

The Elder's assignment is dated 12th October, 1854, and registered 12th of the same month. J. G. Heath's Judgment, I believe is dated about 1855. The younger assigned to me 17th March, 1857, and I believe I am justified in stating that the steps taken met with your approbation.

I therefore respectfully pray that the sale may be carried out to me.

I have the honor to be Sir,
Your obedient Servant,

(Signed,) EDWARD MALLOCH.

The Honorable
the Commissioner of Crown Lands.

9TH APRIL 1857.

It appears from the papers and the statement of the Commissioner that John Cunningham was the Lessee from the Crown of the Lot in question as a Clergy Reserve Lot, and the Act cited by Mr. Solicitor General has never been considered by the Department as applying to such a case—the Committee therefore recommend that the Assignee, claiming under Cunningham the Lessee, be allowed to purchase on the usual terms.

Approved, 11th April, 1857.

R E T U R N

To an Address of the Legislative Assembly, of 27th ultimo; for Copy of Correspondence relative to the Leasing, Purchasing or Disposal of Lot 15 in the 1st Range of the Township of Hull, Lower Canada.

By Command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 3rd June, 1857.

CROWN LANDS DEPARTMENT,

Toronto, June 1st, 1857.

Sir,—In compliance with the Resolution of the Honorable the Legislative Assembly, dated the 27th ultimo, calling for copies of Correspondence relating to the leasing, purchasing, or disposal of Lot No. 15, in the 1st Range of the Township of Hull, Lower Canada; I have the honor to transmit herewith copies of the following papers in relation thereto:—

- No. 1.—Copy of lease of Lot No. 15, in 1st Range of Hull, dated 1st Nov., 1810.
- 2.—Copy of letter from C. C. Day, dated 8th March, 1830, enclosing Petition **A**, on behalf of his Father, Ithamer Day, also letter **B**, from Rev. A. Ansley, dated 3rd March, 1830.
- 3.—Copy of letter from J. Buck, on behalf of James McConnell, dated 12th April, 1830.
- 4.—Do. of letter from James McConnell, dated 24th July, 1830.
- 5.—Do. of Arbitrators' Award (no date), with letter **C**, from James McConnell to D. Moor, dated 20th September, 1831.
- 6.—Do. of letter from John Burrows, agent, dated 30th September, 1831.
- 7.—Do. of Statement of Rent, &c., by John Burrows, agent, dated 19th October, 1831.
- 8.—Do. of Agreement between James McConnell and J. H. Day, dated 26th December, 1831.
- 9.—Do. of Transfer by J. H. Day to his son, C. C. Day, dated 12th December, 1832.
- 10.—Do. of Petition of James H. Kerr, on behalf of J. Day and J. McConnell (no date).
- 11.—Do. of letter of the Commissioner of Crown Lands, supposed to have been addressed to J. H. Kerr, dated 22nd April, 1834.
- 12.—Copy of a list of purchasers referred for Patent by W. B. Felton, Commissioner of Crown Lands, dated 14th March, 1835, with Copy of Plan and *procès verbal* **D**, of Lot No. 15, in 1st Range of Hull.
- 13.—Do. of description of West division of Lot No. 15, in 1st Range of Hull, from C. C. Day, dated 11th August, 1835.
- 14.—Do. of description of East side of Lot No. 15, in 1st Range of Hull, favor of James McConnell, dated 17th November, 1835.

I have the honor to observe that letters patents for the above mentioned lot, No. 15, in the 1st Range of the Township of Hull, issued as follows:—

West division, containing about 89 acres, to Charles D. Day, the 9th April, 1836.

East side, containing about 95 acres, to James McConnell, 24th May, 1836.

I have the honor to be, Sir,
Your obedient Servant,

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

To the Honorable Provincial Secretary,
Toronto.

No. 1.

DOCKET OF THE LEASE issued under the Great Seal of the Province of Lower Canada, and under the hand of His Excellency Sir JAMES HENRY CRAIG, K.B., Captain General and Governor in Chief in and over the Township of Hull, Lot No. 15 in the 1st Range.

said Province, &c., &c., &c., bearing date at the Castle of St. Lewis in the City of Quebec, in the said Province, the first day of November, in the year of Our Lord one thousand eight hundred and ten, and of His Majesty's Reign the fifty-first, unto James McConnell, of the Township of Hull, in the District of Montreal, in the said Province, yeoman, of the lot number fifteen, in the first Range of the Township of Hull, in the County of York, in the District of Montreal, in the said Province, containing about one hundred and ninety acres, and the usual allowance for highways, being part and parcel of the lands reserved for the maintenance and support of a Protestant Clergy within the said Province. To have

FIAT.—Entered in the office of the Auditor at Quebec, the 8th day of January, 1811, in the first book of Dockets of Leases of Clergy Reserves, folio 118.

(Signed,) EDWARD BURKE,
Auditor.

and to hold the said parcel and tract of land thereby demised, with the appurtenances (subject to the proviso and reservations therein contained) unto the said James McConnell, his executors, curators, administrators and assigns from the day of the date thereof, for, during and unto the full end and term of twenty-one years from thence next ensuing and fully to be complete and ended, yielding and paying therefore, yearly and every year during the first seven years of the said term thereby demised unto His Majesty, his heirs and successors, the yearly rent or sum of twenty-three shillings and nine pence, lawful money of the said Province, or seven bushels and thirty-eight pints of good sweet clean merchantable wheat, at the option and election of His Majesty, his heirs and successors, the said rents respectively for the said first seven years being in money at and after the accustomed rate of twenty-five shillings like money per annum for two hundred acres, and in wheat at and after the accustomed rate of eight bushels per annum for two hundred acres, and also yielding and paying during the second seven years of the said term of twenty-one years thereby demised unto His Majesty, his heirs and successors, the yearly rent or sum of forty-seven shillings and six pence of like lawful money, or fifteen bushels and twelve pints of like wheat as aforesaid, at the like option and election of His Majesty, his heirs and successors, the said last mentioned rents respectively for the said second seven years, being in money at and after the accustomed rate of fifty shillings like money per annum for two hundred acres, and in wheat at and after the accustomed rate of sixteen bushels per annum for two hundred acres, and also yielding and paying during the third seven years, residue of the said term of twenty-one years, thereby demised unto His Majesty, his heirs and successors, the yearly rent or sum of seventy-one shillings and three pence of like lawful money, or twenty-two bushels and fifteen pints of like wheat as aforesaid, at the like option and election of His Majesty, his heirs and successors, the said last mentioned rents respectively for the said residue of the said term, being in money at and after the accustomed rate of seventy-five shillings like money per annum for two hundred acres, and in wheat at and after the accustomed rate of twenty-four bushels for two hundred acres. All the aforesaid payments to be respectively made on the two following days or times of payment in the year, (that is to say) on the first day of January and on the first day of July, in every year, by even and equal portions, free and clear from all and all manner of deductions whatsoever, and the first payment

thereof to begin and be made on the first day of July next ensuing the date thereof.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 2.

(Copy.)

MONTREAL, 8th March, 1830.

Sir,—I enclose to you a Petition from my father Ithamer H. Day, for the lease of lot No. 15 in the first range of concessions in the Township of Hull. The only title which he has to show from McConnell is that affixed to the Petition. Should any proof of the facts alleged in the petition be considered necessary or expedient, they can, without difficulty be substantiated by numerous affidavits, and if any reference as to character be required, His Lordship the Bishop of Quebec has known my Father for many years, and will be able to satisfy the Directors upon that point. The enclosed letter by the Rev. Mr. Ansley may be of use, if so, I will thank you to lay it before the Directors with the Petition, as the obtaining the desired lease is not a mere matter of speculation with my father, but is necessary to the support of his family. Any communication in the business addressed to me at Montreal will be gratefully acknowledged.

I am Sir,
Your obedient humble Servant,

(Signed,) CHARLES D. DAY.

To T. H. THOMPSON, Esquire,
Secretary to the Corporation,
&c., &c., &c.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
June, 1857.

A.

PROVINCE OF LOWER CANADA. } TO the PRINCIPAL and DIRECTORS of the CORPORATION for managing the CLERGY RESERVES in LOWER CANADA.

The Petition of Ithamer H. Day, of the Township of Hull in the Province aforesaid,

RESPECTFULLY SHEWETH:

That in the year one thousand eight hundred and twenty-one, Your Petitioner purchased from one James McConnell the lessee thereof, the half of a certain Lot of Land forming a part of the Clergy Reserve in the Township of Hull aforesaid, and designated as lot number fifteen in the first range of concessions in said Township. That the said land at the time it was so purchased by your Petitioner, was in an uncultivated state, little or no clearance or improvement having been thereon; That your Petitioner since the period at which the said land came into his hands and possession, hath regularly paid the lawful annual rent thereof, and hath erected thereon a Dwelling House, Store House, Barn and other Buildings, and is now erecting a Stone Dwelling House thereon, and hath also cleared and rendered fit for cultivation a very considerable portion of the said land, whereby the same is greatly improved and materially increased in value. That your Petitioner now resides with his family upon the said land and is desirous of securing the continuance of his possession thereof by obtaining a lease of the said Lot Number fifteen, when the present lease thereof shall expire, upon such terms as may be deemed just and equitable, and your Petitioner saith that the refusal of such lease to him, will subject him to the loss of all his improvements upon the said lands, and will moreover be productive of the most ruinous and distressing consequences to himself and his family.

Wherefore your Petitioner prays that you will be pleased to grant to him, in preference to all other persons, the lease of the said lot number fifteen in the first concession of the said Township of Hull, upon such terms as may be deemed just and equitable, and that you will further act in the premises as to you shall seem proper and expedient. And your Petitioner will ever pray, &c.

(Signed,) ITHAMER H. DAY.

HULL, 23rd February, 1830.

The following Receipt was given at the time I entered upon possession of the land, with the intention of afterwards passing a formal deed of lease, this intention however was never carried into execution, and no more regular title was ever given me.

(Signed,) I. H. DAY.

Received of Ithamer H. Day, his Note-of-Hand for one hundred dollars, it being for one half of the Clergy Reserve lot No. 15, where he now has a Store on the—(*The concluding words of the sentence cannot be deciphered.*)

(Signed,) JAMES McCONNELL.

A true Copy.

W. P. COLLINS,
For Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

B

HULL, 3rd March, 1830.

Dear Sir,—I take the liberty of troubling you on the subject of the agency of the Corporation for superintending the Clergy Reserves in this part of the country. Mr. Thos. Buck, the agent, has been absent from the place for upwards of six months past at a place called Merrick's Mills, on the Rideau River, a distance of upwards of 50 miles from this place, and as his whole family has removed to that place it appears that he intends to make that place his home. In consequence of his absence the business of the Corporation in this place has been almost entirely neglected, as any communication on the subject of applications for leases and other matters has to be done by letter at no small expense and trouble.

Under these circumstances it appears to me to be necessary either that a new agent be appointed, or that some person be nominated to discharge the duties connected with the appointment. I have conversed with Mr. Buck on the subject, and he is fully aware of the necessity of some such arrangement as I have suggested above. It is quite uncertain when he will return to this neighborhood, and even if he does, the circumstance of his living at Bytown out of the Province is attended with considerable inconvenience. Should this subject meet the approbation of the Board, I beg leave to recommend Mr. I. H. Day, of this Township, for appointment. Mr. Day has been a long resident in this Township, and is better qualified than any person I am acquainted with for the situation. Mr. Day is, I believe, personally known to the Lord Bishop.

(Signed,) A. ANSLEY.

T. H. THOMPSON, Esquire,
&c., &c.,
&c.,
Quebec.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 3.

BYTOWN, April 12th, 1830.

Sir,—Mr. James McConnell has just shewn me a letter which he received from you, in reply to which I have to state in his behalf, that nothing could give him more surprise than to learn that Mr. Day had made a statement to the Corporation which, I am authorized to state, has no foundation in truth. It is true Mr. McConnell gave to Mr. Day one half of the above lot on certain conditions during the term of the lease, but never had any intention of transferring either the whole or part in *toto* to Mr. Day. Mr. McConnell's character, I will venture to say, stands unimpeached for the strictest integrity, and he looks to the Corporation with confidence that they will pay no attention whatever to the application of any person who would attempt to undermine him, and humbly prays that the Corporation would grant him a new lease of the above lot.

I sent you an account of the amount of receipts Mr. McConnell has lodged in my hands which he has paid to various persons in years past, which have not been recognized by you in your account rendered against him. Your early attendance to this communication is earnestly requested by him.

(Signed,) J. BUCK.

T. H. THOMPSON, Esquire.

—
Certified a true Copy.E. P. TACHÉ,
Acting Commissioner of Crown Lands.CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 4.

HULL, 24th July, 1830.

Sir,—Having found out that a Petition is now lying before the Corporation from Mr. Day, regarding the lot of land, No. 15 Clergy Reserve, in the Township of Hull, which I have the honor of having held under lease for the last twenty years from your Honorable Corporation, and on reference to the books of the Corporation you will find that I have paid all demands due by said land to your Honorable Corporation—the purport of the petition now before you from Mr. Day being to try to induce means to deprive me of my rights and improvements made on said land; I hereby protest against his having received any claim or claims from me, or right to said land for a longer period than the term of my lease from your Corporation. The right he claims originated in this way:—he, against my will, and without my liberty, came on the land, built him a house, and took possession without my consent and knowledge. Afterwards, from his frequent solicitations, and those of his friends, I consented to sell him one half of

said lot for the term of my lease, and no longer, of which he holds a certificate signed by me; he afterwards called frequently on me to give him a lease of his half of the lot, which I would not, knowing that the original lease would so soon expire, and I have need to renew it. I understand that he has made use of my name, as if sanctioned by me, to obtain a lease of the whole lot, against which I hereby protest and declare it to be a fabrication and falsehood, made with the intent to defraud and deprive me of the interest which I have made in the said land by my improvements.

I never wanted to disturb or molest him in the quiet possession of the place so sold to him for the term of his agreement with me; but he has in every way encroached on my part of said land, by clearing sundry spots in various parts of said lot, and ploughing it, with the purpose of fraudulently taking possession, and thereby establishing a claim to the said land; and I am now ready to come forward at any time and make oath to the nature and intent of our agreement and understanding, and am also ready if any arrears is due your Honorable Corporation to pay it, as I have given my receipts and accounts to your Agent, Mr. Buck, to make up the account, I cannot state the sum due on it at the present moment, but am ready, whenever called on, to pay the amount.

I therefore request and solicit the interference of your Honorable Corporation in my behalf on this occasion, hoping at the expiration of the original lease to have a renewal granted to me alone of the whole lot.

And your petitioner, as in duty bound, will ever pray.

Your very obliged and humble Servant,

(Signed,) JAMES McCONNELL.

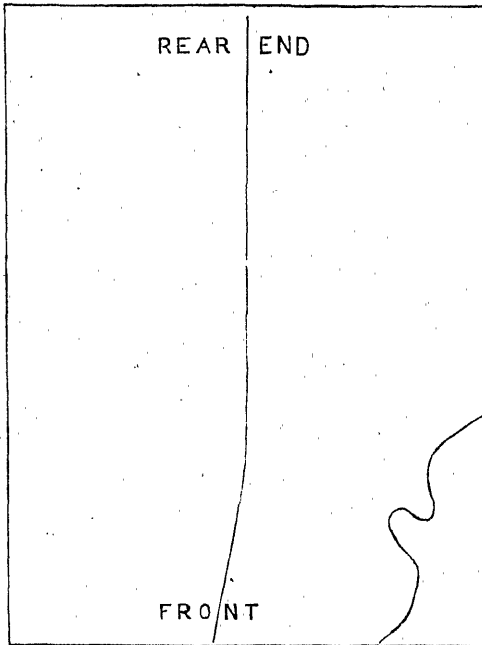
To the Honorable and very Reverend
Corporation for Clergy Reserves in
Lower Canada.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 5.



We, the undersigned Arbitrators being called upon by Mr. James McConnell and Mr. Ithamer Day to divide lot No. 15, it being a Clergy Reserve, in the Township of Hull, 1st Range, fronting the Ottawa, or Grand River; the above being a sketch of the plan of said lot, the East part of said lot to belong to said McConnell, say commencing at the East corner on the front of said lot, running North to rear end of said lot, thence West to the centre of said lot, thence South in the middle of said lot lengthwise towards the river, until it comes eighty rods precisely from the river, from thence to run on a straight line to a certain post or mark fixed on the front of said lot by the said Arbitrators, to the water's edge, and from thence with the stream to the place of beginning, and the West part of said lot to belong to said Day.

(Signed,)

"

WILLIAM GRIMES.
NOAH JACKSON.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.CROWN LANDS DEPARTMENT,
1st June, 1857.

C.

(Copy.)

HULL, 20th September, 1831.

Sir,—Please to hand the enclosed verdict of the Arbitrators to Mr. Felton, Secretary of the Corporation in Quebec, and see on what conditions he will sell me my part of the said lot, and you will much oblige

Yours respectfully,

(Signed,)

JAMES McCONNELL.

Mr. DAVID MOOR.

Certified a true Copy.

W. F. COLLINS,
For Acting Commissioner of Crown Lands.CROWN LANDS DEPARTMENT,
June, 1857.

No. 6.

(Copy.)

ByTOWN, September 30th, 1831.

Sir,—Yours dated the 19th is just received, and I will be careful to give the information required to the different persons therein mentioned.

I would be thankful for a list of lots leased with the amounts due, &c., also what leases are now in your hands not signed, in order I may notify the different individuals of the same.

I think there must be some mistake in reference to Mr. J. McConnell's not agreeing to leave the business of the leased lot to an arbitration, as I am perfectly acquainted with his wish often expressed to me and others, his willingness to leave the same to arbitration. I will take the early opportunity of seeing both parties.

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

(Signed,) JNO. BURROWS.

To Mr. THOMPSON,
Secretary to the Cly. Corporation.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 7.

(Copy.)

ByTOWN, October 19, 1831.

Sir,—I have the pleasure of inclosing Eleven dollars, which is as near as I can make the remittance to the amount received as follows:—

October 4, 1831.—Michael Grimes,	£0 18 6	for lot 28, 9 Range, Hull, application for a lease
do 5, do —Jas. McConnell,	1 14 10½	for lot 15, in 1st Range Hull, E ½, 100 acres
	<u>£2 13 4½</u>	

In reference to this sum received from James McConnell, which is the balance due by him for his half of the lot, permit me to show how I draw this balance.

I have examined the following Receipts:—

Cash paid	Mr. Sewell for receipt dated November 20, 1828.....	£15	17	11
do	Mr. Anesley do August 7, 1827.....	7	8	1
do	Mr. Buck do August 15, 1827.....	4	13	6
do	Mr. Buck do August 15, 1827.....	7	10	0
do	Mr. Buck do November 24, 1829.....	3	15	0
do	Mr. Ermingtinger do March 14, 1812.....	1	3	9
do	Mr. Abbott do June 28, 1814.....	2	7	6
do	Mr. J. Felton do August 21, 1830.....	1	15	7½
				£44 11 4½

Amount of Rent due:—

£1	3	9	× 7 =	£8	6	3	
2	7	6	× 7 =	16	12	6	
3	11	3	× 5 =	17	16	3	
1	15	7½	× 2 =	3	11	3	46 6 3

Rent due—amount enclosed.....£1 14 10½

Amount stated received.....£2 13 4½
 Inclosed..... 2 15 0

£0 1 7½

It appears Mr. Day is to pay the half of the two last years' rent.

I remain, Sir,
 Your most obedient Servant,

(Signed,) JOHN BURROWS.

N.B.—I would humbly request a list of vacant lots and amount due for rents.

Certified a true Copy.

E. P. TACHÉ,
 Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
 1st June, 1857.

No. 8.

(Copy.)

WHEREAS certain differences have heretofore existed between Ithamer H. Day, of Hull, Trader, and James McConnell, of the same place, Farmer, relative to the division line to be drawn between the Easterly and Westerly Halves of Lot No. fifteen in the first range of lots in the said Township, it being a Clergy Reserve, whereof one part is holden by said Day, and the other by the said McConnell, which differences were submitted to the decision of William

Grimes and Noah Jackson as Arbitrators, whose award in the premises should be final; and whereas the said Arbitrators afterwards did in and by a certain award by them rendered and deposited in the hands of Joseph Boardon, award and determine concerning the said line of division, among other things, that the Eastern part of said lot should belong to the said James McConnell, the said East part bounded as follows:—commencing on the East corner on the front of the said lot, running North on the division line between Nos. 14 and 15 to a stake in the rear line of said lot, thence West fifty-two rods to the centre of said lot, thence South through the middle of said lot towards the River to within eighty rods precisely of the River, from thence to run on a straight line to a certain post or mark fixed on the front of said lot by the said Arbitrators to the water's edge, and from thence with the stream to the place of beginning, the Westerly part of said lot to belong to the said Ithamer H. Day.

Be it known therefore that we the said Ithamer H. Day and James McConnell do hereby acknowledge and acquiesce in the said award, and do consent thereto, to the intent that this our acknowledgment and consent shall be transmitted to the proper authorities for issuing new leases of the said part lots, to wit: a lease of the Westerly part thereof to the said I. H. Day, and of the Easterly part thereof to the said James McConnell.

In witness whereof we have signed our names.

(Signed,)

ITHAMER H. DAY.
JAMES McCONNELL.

HULL, December 26, 1831.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 9.

I, ITHAMER H. DAY, of the Township of Hull, Trader, do hereby yield and relinquish all my right, claim, and privilege of preference and priority to and in the purchase of the west half of lot No. 15, in the 1st Range of Concessions in the Township of Hull aforesaid, now occupied by me, and do transfer and make over all such my right, claim, and privilege of preference and priority to Charles Dewey Day, of Montreal, Advocate. And I do hereby agree, consent, and request that the said Charles Dewey Day be permitted to exercise and assume all such my right, claim, and privilege, and to purchase the said west half of the said lot upon the said terms and at the same rate as I myself might have been entitled or allowed to do, subject always to the division and arrangement determined upon between myself and James McConnell, of Hull, aforesaid, the occupant of the east half of the said lot, No. 15, in the 1st Range of Concessions in the said Township of Hull; the said division and arrangement being established and set forth by a written instrument, now in the Government Office at Quebec.

In testimony whereof I have hereunto set my hand at Hull aforesaid, on this 12th day of December, in the year of our Lord one thousand eight hundred and thirty-two.

(Signed,) ITHAMER H. DAY.

DISTRICT OF MONTREAL, }
 PROVINCE OF LOWER CANADA. } **L**OUIS GEORGE LALANNE, of the City of
 Montreal, in the District and Province aforesaid, Merchant, being duly sworn, doth depose and say that he knows Ithamer H. Day, of the Township of Hull, trader. That he has frequently seen the said Ithamer H. Day write and sign his name, and is well acquainted with his hand writing and signature, having examined the name, Ithamer H. Day, to the foregoing instrument set and subscribed, he declares the said name to be the signature of the said Ithamer H. Day, and to be written by his own proper hand, and further the Deponent said not, and he hath signed this, his deposition.

(Signed,) L. G. LALANNE.

Sworn before me at Montreal, this 21st day of December, one thousand eight hundred and thirty-two. In testimony whereof I have hereunto set my hand, and caused the Seal of the Court of King's Bench, in and for the said District, to be hereunto affixed.

(Signed,) GEORGE PYKE,
 J.K.B.

Certified a true Copy.

E. P. TACHÉ,
 Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
 1st June, 1857.

No. 10.

To His Excellency the Right Honorable MATTHEW LORD AYLMEY, K.C.B., Governor General and Commander in Chief in and over the Provinces of Upper and Lower Canada, &c., &c.

The Memorial of ITHAMER DAY and JAMES McCONNELL, both of the Township of Hull,

MOST HUMBLY SHEWETH:

That your Lordship's memorialists have been the lessees of Lot 15 in the first Range of Hull for many years, and being desirous of acquiring the same by purchase, application was made to Government accordingly about two years since, but Ithamer Day holding the West, and J. McConnell the East half.

in consequence of a disagreement between your memorialists in respect to the manner in which the Lot should be divided, your memorialists, on the recommendation of the Clergy Corporation, agreed to submit the division to arbitration. That the decision of the arbitrators was accordingly had, and your memorialists now pray that they may be permitted to purchase as determined by the award of the arbitrators which is of record.

That your Memorialist Ithamer Day prays that his son Charles Dewey Day may be permitted to acquire his rights in the said lot, and that his name be substituted accordingly.

(Signed,) JAMES H. KERR,
Agent for I. Day and James McConnell.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 11.

Copy of a letter of the Commissioner of Crown Lands, supposed to have been addressed to I. H. Ker, Esquire, Agent for Day and McConnell.

DAY & McCONNELL.

22nd April, 1834. His Excellency the Governor in Chief, having had under his consideration your petition on behalf of Day and McConnell for the purchase of Clergy lot 15 in 1 Hull, for which it appears they applied in the year 1831, has been pleased, under the peculiar circumstances of their case, to permit them to pay for the lot at a valuation to be determined after survey and examination of the same.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 12.

List of purchasers of Clergy Reserves who have paid the purchase money in full and are entitled to Patents for their lands:—

Township.	Lot.	Range.	Acres.	Names.	Amount.
Frampton,	N.E.½ 18	.. 4	.. 100	.. Moses Jordan.....	£20 0 0
Chatham,	do 8	.. 7	.. 200	.. Henry McDowall.....	25 0 0
do	E½ 1	.. 7	.. 100	.. John Meiple.....	15 0 0
do	W½ 11	.. 9	.. 100	.. William Young.....	12 10 0
do	E½ 6	.. 8	.. 100	.. Henry Purse.....	12 10 0
Inverness,	21	in .. 6	.. 200	.. John McKillop.....	40 0 0
Hull, Westside,	15	.. .. 1	.. 89	.. Charles Dewey Day ..	33 7 6

(Signed,) WILLIAM B. FELTON,
Commissioner of Crown Lands.

QUEBEC, 14th March, 1835.

N.B.—The *procès verbal* and survey of the Clergy lot No. 15, in 1st Range of Hull, divided between C. D. Day and James McConnell, transmitted herewith.

(Signed,) W. B. F.

Referred to Attorney General, Surveyor General, and Auditor of Land Patents, that Letters Patent be prepared on the condition of actual settlement and cultivation, as required by H.M.S.'s instructions.

By Command.

(Signed,) H. CRAIG,
Civil Secretary.

QUEBEC, 24th March, 1835.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

D.

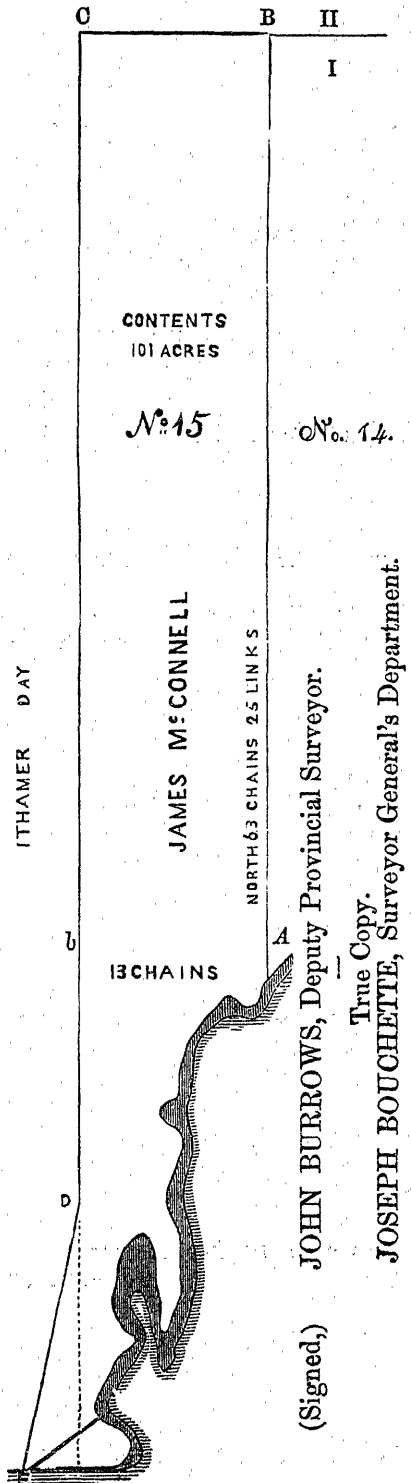
In accordance with the award of William Grimes and Noah Jackson, Arbitrators, at the request and with the approbation of James McConnell and Ithamer Day, occupants of Lot No. 15, in the 1st Range of lots in the Township of Hull, in the Province of Lower Canada; on the 17th, 18th, 19th, 20th, and 30th days of September, 1834, I, the Subscriber hereof, Deputy Provincial Surveyor, have surveyed and admeasured the East part of the said lot, which said East part contains one hundred and one acres, English statute measure, and may be described as follows, viz.:—Commencing at the edge of the Ottawa River, at the South-east angle of the said lot; then North, on the limit between lots Nos. 14 and 15, sixty-three chains twenty-five links, to where a post has been planted at the intersection of the line, between the first and second Ranges; then West on the said line, thirteen chains; then South, to within twenty chains of the river; then South ten degrees West in a direct line (to a certain mark set in front of the said lot by the said Arbitrators) to the water's edge; and from thence with the stream to the place of beginning. With the approbation and in the presence of the said James McConnell and of Truman Waller, acting for the said Ithamer Day, I have set cedar posts, with pieces of earthenware under them, placed as if at the points A, B, C, D, E, on the annexed Figure. In testimony whereof the said parties to these presents have hereunto, with me, subscribed their names.

- (Signed,) JOHN BURROWS, Deputy Provincial Surveyor, Lower Canada.
- “ J. McNAUGHTON, Deputy Provincial Surveyor.
- “ TRUMAN WALLER.
- “ ITHAMER W. DAY.
- “ JAMES McCONNELL.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.



No. 13.

SURVEYOR GENERAL'S OFFICE,

QUEBEC, 11th August, 1835.

In obedience to His Excellency the Governor in Chief's Order of Reference, dated 24th March, 1835, Granting to Charles Dewey Day the West division of lot No. 15 in the 1st Range of the Township of Hull, I have accordingly upon the Diagram of said Township of Record in this Office laid out the said West division of said lot No. 15, containing about 89 acres and the usual allowance for highways, described as follows:—Commencing on the range line between the first and 2nd Ranges of said Township, in the centre division of said lot No. 15 at 13 chains West of the North-east angle of said lot No. 15; thence West on the said range line 13 chains to the line of division between said lot No. 15 and the adjoining lot No. 16 in said 1st Range; thence South along the said last mentioned line of division to the Ottawa River; thence down the front of said River to a point marked by certain Arbitrators as the Western limit of the East half of said lot No. 15; thence along the line of said limit North 10 degrees East about 20 chains to an obtuse angle in said Western line and limit also marked by said Arbitrators; and from thence North in the said limit to the place of beginning on the said range line—being a Clergy Reserve. And I have appropriated in the said Township for the maintenance and support of a Protestant Clergy as follows—18 acres, off the South half of lot No. 25 in the 14th Range.

Thus being, as near as circumstances and the nature of the case will admit, in quantity and quality equal to the two-sevenths proportional to the lands to be granted.

All which is respectfully submitted.

(Signed,) JOSEPH BOUCHETTE.

—
Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
1st June, 1857.

No. 14.

SURVEYOR GENERAL'S OFFICE,

Quebec, 17th November, 1835.

In obedience to His Excellency the Governor in Chief's Order of Reference, dated 12th September, 1835, granting to James McConnell, off the east side of lot No. 15 in the 1st Range of the Township of Hull, 101 acres, I have accordingly, upon the diagram of the said Township of Hull, of record in this office, laid out the said land, containing by calculation only about 95 acres, and the usual allowance for highways.

Being a Clergy Reserve, and being the exact east half of the lot No. 15 in the 1st Range, described as follows:—commencing at the edge of the Ottawa River, at the south east angle of the said lot; then north on the limit between lot No. 14 and 15, 63 chains 25 links, to where a post has been planted at the intersection of the line between the 1st and 2nd Ranges; then west on the said line 13 chains; then south to within 20 chains of the river; then south, 10 degrees west, in a direct line to a certain mark set in front of the said lot by the said arbitrators to the water's edge; and from thence with the stream along the banks of the Ottawa River as it winds and turns to the place of beginning.

And I have set off and appropriated for the maintenance and support of a Protestant Clergy within this Province, in the said Township of Hull, as follows, viz:—

First, for the clergy 19 acres, and the usual allowance for highways, consisting of that quantity off the north half of lot 25 in the 14th Range—allowance for highways consisting of

Thus being, as near as circumstances and the nature of the case will admit, in quantity and quality equal to the one-seventh proportional to the lands to be granted.

All which is respectfully submitted.

(Signed,) JOS. BOUCHETTE, S. G.

Certified a true Copy.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LANDS DEPARTMENT,
Toronto, 1st June, 1857.

R E T U R N

To an Address from the Legislative Assembly to His Excellency the Governor General, dated the 27th ultimo, praying His Excellency to cause to be laid before the House, "Copies of all Papers and Documents connected with the Grant of the South half of lot No. 21, Concession 12, Innisfil, together with any references from the Heir and Devisee Commission, and of Reports from the Crown Lands Department, in reference thereto, and of any Order in Council referring to the said half lot, or declaring any forfeiture thereof."

By Command.

T. LEE TERRILL,
Secretary.

SECRETARY'S OFFICE,
Toronto, 8th June, 1857.

CROWN LAND DEPARTMENT,

Toronto, 5th June, 1857.

Sir,—In compliance with the request contained in your letter of the 28th ultimo, that copies of all papers and documents connected with the Grant of the South half of Lot number Twenty-one in the 12th concession of the Township of Innisfil, for the purpose of being laid before the Legislative Assembly, I have the honor to transmit the same herewith.

I have the honor to be, Sir,
Your obedient humble Servant,

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

To the Honorable T. LEE TERRILL,
Provincial Secretary,
&c. &c. &c.

IN COUNCIL, 23rd September, 1831.

Ordered, That Michael Keenan, a native of Ireland, now of the Town of York, Yeoman, shall receive a Grant of One hundred acres of land free of expense, as a discharged Soldier from the 12th Regiment of Dragoons, stationery to be charged to the Crown.

(Signed,) JOHN BEIKIE,
Acting Clerk Executive Council.

To the Surveyor General.

COUNTY OF SIMCOE, } JOHN ARMSTRONG and JAMES WILLIAM RED-
to wit: } FERN, both of the Township of Innisfil, in the said
County, yeomen, severally make oath and say, That the whole improvements on the south half of lot No. 21, in the twelfth Concession of the said Township of Innisfil, are about 20 acres cleared and fenced, with a dwelling house and barn thereon, that said improvements were made for and by John Keelfern, who is now and has been in occupation thereof for about five years past.

(Signed,) JOHN ARMSTRONG,
" JAMES W. REDFERN.

Sworn before me, at Barrie,
this 6th day of October, 1853.

(Signed,) JOHN ALEXANDER, J. P.,
For County of Simcoe.--

To His Excellency General ROWAN, Administrator of the Government
of Canada, &c. &c., &c.

IN COUNCIL.

The Petition of John Redfern, of the Township of Innisfil, in the County of Simcoe, Yeoman,

RESPECTFULLY SHEWETH:

That about five years since your Petitioner took possession of the South half of Lot number Twenty-one in the Twelfth concession of the said Township of Innisfil, it being vacant and not able to find an owner therefor; on which your Petitioner has improved as set forth in the accompanying certificate.

That your Petitioner has been lately informed that the said land is still in the hands of the Government; if such be the case, your Petitioner most humbly requests that leave be allowed him to purchase said half lot under the present regulations.

And as in duty bound will ever pray.

(Signed,) JOHN REDFERN.

INNISFIL, October 6th, 1853.

COUNTY OF SIMCOE AGENCY,

Barrie, 24th October, 1853.

The Petitioner John Redfern is the only applicant to purchase the within named land.

(Signed,) JOHN ALEXANDER.

CROWN LAND OFFICE,

Quebec, 25th February, 1854.

Sir,—With reference to your application respecting the South half of lot No. 21, in the 12th Concession of Innisfil, I beg to state that the land remains located in the name of Michael Keenan, discharged soldier, and is not resumable before the 1st August next.

I am, &c.,

(Signed,) THOMAS HECTOR,
For Commissioner of Crown Lands.

Mr. JOHN REDFERN,
Innisfil, Canada West.

CROWN LAND AGENCY,

Barrie, 13th September, 1854.

Sir,—I have the honor to inform you that Mr. John Redfern has requested me to acknowledge the receipt of your letter to him of the 25th February last, and also to renew his application for the purchase of the south half of lot No. 21, in the twelfth Concession of Innisfil, occupied by him.

His Petition and certificate forwarded by me October 24, 1853.

I have, &c.,

(Signed,) JOHN ALEXANDER.

Honorable A. N. MORIN,
Commissioner of Crown Lands,
Quebec.

LLOYD TOWN, 13th December, 1854.

Sir,—I have the honor to inform you that application will be made before the Commissioners, under the Heir and Devisee Act, at their sitting in January next, by the Heir of the late Michael Keenan, a discharged soldier from Her Majesty's 12th Light Dragoons, for the South half of lot No. 21, in the 12th Concession of the Township of Innisfil, in the County of Simcoe, and Province of Canada, and have to request you will be pleased to order the necessary certificate from your office for the said half lot, to be forwarded to me by return of post. Any expense attending the same I will at once remit you, by letting me know the amount.

I have, &c.,

(Signed,) ARTHUR ARMSTRONG.

The Hon. A. N. MORIN,
&c., &c., &c.,
Commissioner Crown Lands,
Quebec.

P.S.—Please order the certificate to be enclosed to Captain Armstrong, Lloyd Town, County of York, C.W.

COUNTY OF SIMCOE AGENCY,

Barrie, 26th December, 1854.

Sir,—I have the honor of informing you that Mr. John Redfern has requested me to renew his application to purchase the South half of Lot number 21 in 12th concession of the Township of Innisfil, occupied and improved by him as shown by certificate, with his Petition for leave to purchase forwarded by me October 24th, 1853.

I have &c.

(Signed,) JOHN ALEXANDER.

Honorable A. N. MORIN,
Commissioner of Crown Lands,
Quebec.

No. 30, Certificate for the Heir and Devisee Commission.

CROWN LANDS DEPARTMENT,

Quebec, 30th December, 1854.

I certify that the south half of lot No. 21, in the twelfth Concession of the Township of Innisfil, was located, 10th July, 1832, in the name of Michael Keenan, under an Order in Council of 22nd September, 1831, as a discharged soldier from the 12th Dragoons, and has not been described for patent, but one John Redfern has proved a claim to pre-emption in the purchase thereof, having cleared about twenty acres thereon, and been in occupation for the past five years.

Warrant No. 36.

Michael Keenan, Claimant.

(Signed,) WM. SPRAGGE,
Chief Accountant.

The Applicant, John Redfern, through Mr. Alexander, prefers anew an application to purchase the South half of Lot number Twenty-one in the Twelfth concession of the Township of Innisfil, which he, on the 6th October, 1853, petitioned to be allowed to purchase.

With his Petition, placed herewith, is an Affidavit made, 6th October, 1853, by John Armstrong and James W. Redfern, in which they declare that the improvements therein made by them consist of about twenty acres cleared and fenced, and a house and barn, and that he had then been in occupation about five years.

The half lot in question was located, 10th July, 1832, in the name of Michael Keenan, a discharged soldier, and has not been described for patent. It appearing from the affidavit submitted that the Petitioner is entitled to pre-emption in purchase (and the location having remained upwards of twenty-two years,) a sale may be made to him at a valuation by the Local Agent subject to approval, upon his filing an affidavit showing that the land which he has cleared, and upon which he has erected his buildings, constitute the only improvements which exist, and that there is no adverse occupation or improvement. In a list just received at this Office, a notice of a claim before the Heir and Devisee Commission at the ensuing sitting in the following month of January appears, but taking into consideration the valuable improvements made by the Petitioner, no sufficient reason why a sale in his favor should not be now authorized is apparent.

(Signed,) WM. SPRAGGE,
Chief Clerk.

CROWN LANDS OFFICE,
30th December, 1854.

Approved.

A. N. MORIN,
Commissioner.

COUNTY OF SIMCOE, } SAMUEL CULLEN and ROBERT ROBINSON, both
 to wit: } of the Township of Innisfil, in said County, Yeomen,
 severally make oath and say, That the whole of the improvements in the South
 half of Lot number Twenty-one in the Twelfth concession of the said Township
 of Innisfil, are about 25 acres cleared and fenced, with a dwelling House and
 Barn thereon, that such improvements were made for and by John Redfern who
 is in occupation thereof, and further that no adverse claim exists on account of
 occupation or improvement.

(Signed,) SAMUEL CULLEN,
 his
 ROBERT \times ROBINSON,
 mark.

Sworn before me, at Barrie,
 this 2nd July, A.D. 1855,
 being first read and explained.

(Signed,) JOHN ALEXANDER, J.P.,
 A Commissioner in Queen's Bench
 for the County of Simcoe.

EXTRACT FROM COMMISSIONER'S REPORT for July, 1856.

No. of Claim.	Name of Claimant, Residence, Addition, &c.	Lot.	Con.	Town or Township.	Original Nominee.	Date and Decision of Commissioners.
18	Michael Keenan, of the Township of Whitchurch, Yeoman, as eldest son and heir at law for one portion of the said South half lot, and as Devisee under the Will of Michael Keenan. . . .	South half 21.	12	Innisfil.	Michael Keenan.	19th July, 1856. Allowed.

OFFICE OF ATTORNEY GENERAL, U.C.,
 Toronto, March 23rd, 1857.

In the matter of South half of Lot No. 21, in the twelfth Concession of Innisfil.

1. On the 10th July, 1832, this lot was located in the name of Michael Keenan, as a discharged soldier from the 12th Dragoons, subject to the condition of actual settlement, occupation, and improvement, for a continuous period of three years.

2. On 7th January, 1841, by General Order of that date, it was directed that the Surveyor General might issue description to discharged soldiers, as well as commuted pensioners, "without performance of the settlement duties."

3. On 12th October, 1841, by Order in Council of that date, it was declared that the preceding order did not apply "to Townships wherein actual and immediate settlement was made a condition for all locations, whether otherwise subject to settlement duties or not."

Innisfil is reported by the Commissioner of Crown Lands to be one of these latter Townships. As to cases within such Townships the Council declared their opinion that not only the location but all claim to land is forfeited if no settlement took place according to the conditions.

4. On the 14th June, 1853, the Public Land Act was passed, enacting that "in all cases where claims or location of land have been forfeited by Order in Council, or which may hereafter be declared forfeited by Order in Council, it shall and may be lawful for the Crown to resume such land under the Act, and such land when so resumed shall be subject to the provisions of this Act, and be disposed of accordingly, by sec. 13.

5. By the same Act the Governor General was empowered "from time to time to make such orders as may be necessary to carry out the provisions of this Act according to their obvious intent and meaning, to meet any cases which may arise, and for which no provision is made by this Act (sec. 25)." And it was further enacted, that "Any claim or claims to land arising out of any Act repealed, or out of and under the authority of any Order in Council or other regulation of the Government heretofore made, shall be adjudged and determined by the Governor, by and with the advice of the Executive Council, or by the Commissioner of Crown Lands, in cases, or classes of cases, referred to his decision by the Governor in Council."

6. On 22nd March, 1854, by Order in Council of that date, it was recommended that the following, amongst other classes of cases, be referred to the Commissioner of Crown Lands for decision:—"The confirmation, by patent or otherwise, or the disallowance (as the case may be) of all locations or claims by military or militia settlers, united empire loyalists or other settlers, under existing regulations, the adjudication on conflicting claims," &c.

7. On 30th December, 1854, the Commissioner of Crown Lands, in virtue of the authority committed to him by the Order in Council of 22nd March, 1854, based upon the section of the Act 16 Vic. cap. 159, cancelled the location to Michael Keenan and sanctioned a sale to one John Redfern.

8. But the chief difficulty in this case arises from the fact of a report by the Heir and Devisee Commission, made in July, 1856, authorizing the issue of a patent to Keenan, the heir-at-law of the original locatee. Now it becomes material to consider the powers of the Heir and Devisee Commissioners, and the effect of their decision when made, and the cases of which they have cognizance.

9. The Governor General is authorized to appoint certain persons commissioners, who shall have full power and authority "to ascertain, determine, and declare in all cases to be brought before them under this Act, who is the party to whom the patent ought to issue for the land to which the claims shall respectively relate." (8 Vic. cap. 8, sec. 2.)

10. And it is enacted, "that it shall and may be lawful for each and every person claiming any land within Upper Canada for which no patent hath issued, as being the heir, devisee, or assignee of the original nominee of the Crown, &c., to bring his claim before the said Commissioners, &c." (N.S. 3.) And that "after the said Commissioners shall have fully examined any such claim as aforesaid, they may either reject or allow the same as in their judgment the justice and equity of the case may require, &c., and may report their decision to the Governor in Council, and such Report shall be final and conclusive (N.S. 8.) except in case of surprise, &c. for which special provision is made (S. 9.)

11. It appears that the Commissioners were fully aware of the conflicting claims when their decision was made, for the Report to them of the 30th December, 1854, from the Crown Land Department, after showing the location to have been made by Michael Keenan, and that it had not been described for patent, con-

tinued—"but one John Redfern has proved a claim to pre-emption in the purchase thereof, having cleared about twenty acres therein, and been in occupation for the past five years."

The statute 8 Vic., cap. 8, section 8, which applies to the present case, does not in my opinion deprive the Governor in Council of withholding patent where it is manifest that the Report of the Heir and Devisee Commissioners would work injustice to any parties in possession who had made improvements, or in cases where by forfeiture or neglect to perform the conditions of the original location, the locatee's right was extinguished.

The Honorable the Commissioner of Crown Lands reports that in 1854, the location to Michael Keenan was cancelled, so that in fact the case of the Petitioner falls to the ground, and inasmuch as the sale has been made and the patent issued without any error on the part of the Crown Land Department, I am of opinion that the purchaser from the Crown is entitled to receive his patent, and that the application of Keenan cannot be entertained.

All of which is respectfully submitted.

(Signed,) H. SMITH, Junior,
Solicitor General.

Certified to be true copies from the original documents.

E. P. TACHÉ,
Acting Commissioner of Crown Lands.

CROWN LAND DEPARTMENT,
Toronto, 5th June, 1857.

R E T U R N

To an Address of Legislative Assembly, dated 29th April, 1857, for Copy of the Report made by Mr. Solicitor General Ross upon the investigation with respect to the Accounts of Louis Archambault, Esquire, ex-Registrar of the County of Leinster, and of all the proceedings and documents in relation to the said investigation.

By Command.

T. LEE TERRILL,

Secretary.

SECRETARY'S OFFICE,

Toronto, 15th May, 1857.

~~~~~

**Copy of the Correspondence which preceded the Commission of Inquiry into the charges preferred against Louis Archambault, Esquire, as Returning Officer at the Elections for the Counties of Leinster and L'Assomption in 1851 and 1854.**

~~~~~

SECRETARY'S OFFICE,

Quebec, 28th April, 1855.

Sir,—I am commanded, by His Excellency the Governor General, to request, that you will furnish me with a note of the charges brought against Mr. Louis Archambault, in his capacity of Returning Officer for the County of Leinster in 1851; and of the County of L'Assomption in 1854; and referred to by you in your place in the Legislative Assembly.

I have the honor, &c.,

E. PARENT,

Assistant Secretary.

JOSEPH PAPIN, Esquire,
M.P.P.

[Translation.]

QUEBEC, 1st May, 1855.

Sir,—In reply to your's of the 28th of April last, received by me on Sunday, 29th of the same month, in which you require from me, in obedience to an Order from His Excellency the Governor General, to give you a memorandum of the charges brought against Mr. Louis Archambault, in his capacity of Returning Officer for the County of Leinster in 1851, and for the County of L'Assomption in 1854, and to which I made reference lately in my place in the House of Assembly, I have the honor to inform you, that these charges bear on almost every part of his accounts, and are, more especially, the following:—

Firstly.—Mr. Archambault has charged in the said accounts, for distances greater than he has travelled himself, or caused to be travelled by others, in the execution of his or their duty.

Secondly.—That he has paid small sums for posting proclamations in the different parishes, and has charged the full amount for mileage as if he had gone personally to post said proclamations, notices of election, &c., as stated by him in his letter to the Honorable Mr. Morin, then Provincial Secretary, in explanation of his account of 1851.

Thirdly.—That he has drawn from the Government for his Deputies in the different parishes, larger sums than he paid them, and to obtain the amounts he has laid before the Government accounts which were never presented to him by his Deputies.

I take the liberty of adding, that having referred to these charges in my place in the House, and having demanded the appointment of a Committee to inquire into these matters, I reserve to myself the right of insisting, at the proper time and place, on this demand: and that this shall in no way prevent my giving to Government, whenever required to do so, all the information I possess on this matter.

And should Mr. Archambault deny the truth of these charges, and affirm that his accounts are correct, I should give the names of the different parties by whom the said charges can be proved.

I have the honor, &c.,

(Signed,) J. PAPIN.

ETIENNE PARENT, Esquire,
&c., &c.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 2nd May, 1855.

Sir,—I have honor to inform you that a copy of your letter of the 1st instant, detailing certain complaints and accusations against Mr. Louis Archambault, will be transmitted to that gentleman by the next mail, and he will be requested to transmit as early as possible, his reply to your accusations for the information of His Excellency the Governor General.

I have, &c.,

(Signed,) GEO. ET. CARTIER,
Secretary.

J. PAPIN, Esquire, M.P.P.,
Quebec.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 3rd May, 1855.

Sir,—I enclose you herewith a copy of Mr. Papin's letter, containing the charges and complaints drawn up by him against you, regarding your conduct as Returning Officer for the Counties of Leinster and L'Assomption, and beg you will remit to me as early as possible your reply to these charges, for the information of His Excellency the Governor General.

I have, &c.,

(Signed,) GEO. ET. CARTIER,
Secretary.

LOUIS ARCHAMBAULT, Esquire,
L'Assomption.

MONTREAL, 7th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter of the 4th May, instant, in which you acquaint me with the charges preferred against me by Mr. Papin, in a letter of the 1st May, instant, which you transmit to me, requiring for the information of His Excellency explanations on that subject.

These charges are three in number; the first accuses me of overcharge in travelling expenses, incurred in the execution of my duty, to which I give a positive denial.

The second (which I copy exactly), of having paid trifling sums for posting proclamations in the different parishes, of having charged mileage as if I had gone myself to post the said proclamations, notices, &c.

I reply that I only charged, in my account against Government, the amount allowed by law for the number of miles actually travelled by myself or my messenger, to post the proclamations and notices of election, or to convey the poll books and commissions to the Deputies. And I consider myself justified in claiming, as I have stated in my letter to the Honorable Mr. Morin, and which is alluded to by Mr. Papin, the amounts allowed by law, both for the number of miles travelled by myself or by my messenger. The 66th section of 12 Vic. cap. 27, appears to me to support my claims.

The third charges me with having received from Government, for my Deputies, larger sums than I paid them, and to effect this, that I laid before the Government, accounts not furnished by the Deputies themselves.

Before entering on any defence against this accusation, I must explain, that I received only yesterday, Sunday, the sixth of this month, this letter of Mr. Papin's. That to prove the fact, on which this charge is founded, I must have travelled over a great extent of country, to obtain from my Deputies in the election of 1851, and also in the last, the receipts showing the amounts paid to them, which I did not heretofore receive from them, believing then, that such precaution was not needed. That it would take several days to perform this journey, supposing even that I should find each of the Deputies at home. That I am obliged to be at Verchères on the ninth of this month, to make a register of the lands in that Seigniorie. That, therefore, I cannot procure at once these means of defence; but I shall, without loss of time, write to the Deputies to procure the receipts in question, and which I shall at once transmit to you,

I can, however, in the absence of these documents, and without knowing exactly whether they will show a deficit, or which are the amounts received or paid by me, remark that none of these Deputies ever furnished me a written bill of expenses.

That from their ignorance of what allowances the law gave them, they have authorized me to make out these bills (paying me for my trouble), on the information they gave me *viva voce*, and that should there be any deficit, it would be easily explained by the fact, that it served as an indemnity to me for my services, or paid for them as Agent's fees at Quebec, and the amount of which I could have retained without their making any objection.

I have, &c., &c.,

(Signed,) LOUIS ARCHAMBAULT.

Honorable GEO. ET. CARTIER,
Provincial Secretary,
Quebec.

PROVINCIAL SECRETARY'S OFFICE,
Quebec, 10th May, 1855.

Sir,—I had the honor of laying before his Excellency the Governor General, your letter of the 7th instant, containing part of your reply to certain charges preferred against you, in your former capacity of Returning Officer for the Counties of Leinster and L'Assomption, contained in a letter from Mr. Papiu, a Member of Parliament, copy of which was forwarded to you.

Perceiving by your letter that the necessity for your presence at Verchères, on the 9th instant, as one of the Commissioners, for the purposes of the Seigniorial Act of 1854, has prevented you from procuring certain documents and information necessary to your reply to the charges preferred against you, I am instructed by His Excellency to inform you, that His Excellency hopes, that with very little delay, you will be able to obtain all matters necessary for your defence, and that you will, as speedily as possible, transmit the same, for His Excellency's information.

I have, &c., &c.,

(Signed,) GEO. ET. CARTIER.

LOUIS ARCHAMBAULT, Esquire,
St. Roch de l'Achigan.

QUEBEC, 11th May, 1855,

Sir,—On referring to my notes, and to the copy which I kept of the letter which I addressed to you on the 1st of May, instant, on the subject of the accusations made by me against Mr. Louis Archambault, I perceive that I forgot to mention some very serious points on which this gentleman appears culpable, and which are, as follows:—

In the two elections of 1851-54, he has charged the Government, and received for hustings, constables, and hire of houses, rather large sums, which he never expended or paid, which can be easily proved by those persons whose names I will give you when required. These facts besides, are so notorious, that Mr. Archambault cannot deny them.

I have, &c.,

(Signed,) J. PAPIN.

ETIENNE PARENT, Esquire, &c.,
Quebec.

HOUSE OF ASSEMBLY,

11th May, 10 A.M.

Sir,—I have just received from a very respectable and reliable person, a telegraphic despatch to the following effect:—

“On Monday last, Louis Archambault offered to Bontillier, who refused, his balance of fifty-one, provided he should give ante-dated receipt; and he declared that he had obtained such receipts from many Deputies, in order to “prevent the *enquête*.”

I acquaint you that Mr. Bontillier has been Deputy Returning Officer for the Parish of St. Sulpice, at the time of the election for the County of Leinster, in 1851.

I beg you will lay this before the Executive Council, without delay, that they may take such steps as they may think proper. The Government refused, since the 16th of April last, to cause a Committee of the House to be appointed to inquire into the conduct of Mr. Archambault, promising to do so themselves, stating that they wished to take the affair in hands themselves, that it might be carried through more speedily than it would be in Committee. Nevertheless, more than a month has elapsed, no inquiry has been set on foot, and Mr. Archambault is at this moment acting in the County of Verchères, as a Commissioner, under the Seigniorial Act of 1854, at the same time that he is trying to corrupt the Deputy Returning Officers, in order to avoid an inquiry.

If the Government does not institute an inquiry at once, I fear that the guilty party will find means to escape, which for the ends of justice it ought not to desire.

I have, &c.,

(Signed,) J. PAPIN, M.P.P.

ETIENNE PARENT, Esquire,
Assistant Provincial Secretary, Quebec.

PROVINCIAL SECRETARY'S OFFICE,

QUEBEC, 11th May, 1857.

Sir,—I transmit herewith, copy of a letter from Mr. Papin, containing new

heads of accusation against you, of which you will take notice, by preparing your final answer to the charges contained in the letter of the 1st instant.

I have, &c.,

(Signed,) GEO. ET. CARTIER.

L. ARCHAMBAULT, Esquire,
St. Roch de l'Achigan.

P. S.—I have since received a new letter from Mr. Papin, of which I enclose a copy, as forming part of the charges against you.

MONTREAL, 15th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter of 10th instant, which I received on the 13th instant, in which you convey to me His Excellency's desire that I should transmit to you, with as little delay as possible, those documents which I have been unable to procure up to this date, necessary to complete my defence against the charges preferred against me by M. Papin, M.P.P. I beg you will inform His Excellency that I have already taken steps to comply with his request, and that I shall employ all the time that I can spare from the duties which I have already entered upon, in making a register of the lands in the Seigniorship of Verchères, so as to procure at once the documents required for the latter part of my defence.

I have, &c.,

(Signed,) LOUIS ARCHAMBAULT.

Honorable G. E. CARTIER,
Provincial Secretary, Quebec.

HOUSE OF ASSEMBLY,

17th May, 1855.

Sir,—I transmit you, herewith, for the information of His Excellency, copy of an affidavit addressed to me, and which I received this morning from Denis Boutillier, trader, in the Parish of St. Sulpice, in the County of L'Assomption.

On referring to the account of Louis Archambault, as Returning Officer for the election of the County of Leinster, in 1851, you will see that he presented to Government, on behalf of the said Denis Boutillier, Deputy Returning Officer for the said Parish of St. Sulpice, then forming part of the County of Leinster, an account amounting to eight pounds, four shillings and sixpence, which the Government, after deducting five shillings, paid him, amounting to seven pounds nineteen shillings and sixpence.

On referring to the said affidavit, you will perceive that the said Boutillier only demanded of said Louis Archambault, a total amount of six pounds, one shilling and sixpence, and that the latter only paid him four pounds, ten shillings.

That since Government has communicated to the said Louis Archambault the accusation brought against him, he has offered to said Boutillier, on certain conditions, three pounds, fourteen shillings and sixpence, which together with the four pounds, ten shillings already paid him, would make the sum of eight pounds, four shillings and sixpence which he charged against Government.

I have, &c., &c.,

(Signed,) J. PAPIN, M.P.P.

E. PARENT, Esquire,
Assistant Provincial Secretary.

PROVINCE OF CANADA, } DENIS BOUTILLIER, Trader, residing in the Parish
DISTRICT OF MONTREAL. } of St. Sulpice, in the County of L'Assomption,
after being sworn on the Holy Evangelists, deposes and saith:—

That he was Deputy Returning Officer in the election for the County of Leinster, for the year one thousand eight hundred and fifty-one, for the purpose of electing a Member to represent the said County in the House of Assembly of this Province.

That he had been thus appointed at that time Deputy Returning Officer for the said Parish of St. Sulpice, by Louis Archambault, Esquire, Registrar of the County of Leinster, who was, *ex-officio*, by the law, Returning Officer in Chief for the said election, and that in consequence said deponent, in his quality of Deputy Returning Officer, held an open poli during two consecutive days, in the month of December, one thousand eight hundred and fifty-one, in the said Parish of St. Sulpice, for the said election, for which there were three candidates—Honorable Louis Michel Viger, of the Parish of L'Assomption; Marcel Poirier, Esquire, Notary Public; and Aimé Dugas, Esquire, Notary Public, the two latter of the Parish of St. Jacques.

That the amount of the account of the said deponent for his services as Deputy Returning Officer at the said election, only reached the sum of six pounds one shilling and sixpence, currency; that the said Louis Archambault only offered him the sum of four pounds ten shillings, currency, by the hands of L. G. de Lecormier, Esquire, Deputy Registrar of the County of Leinster, which said deponent was obliged to accept, fearing that if he did not accept the said sum of money, as above stated, he might lose the whole.

That on the 7th of May, instant, at St. Sulpice, the said Louis Archambault offered to said deponent, in his house, to remit to him three pounds fourteen shillings and sixpence, current money, partly for the balance he retained from said deponent, in his account as Deputy Returning Officer for one thousand eight hundred and fifty-one, partly for the surplus of the said account, which he has overcharged the Government, provided that said deponent would consent to give him a receipt ante-dated, or a receipt so drawn up that Government should see by this receipt that said deponent was satisfied with the conduct of said Louis Archambault towards said deponent.

That said Louis Archambault, to induce the said deponent to grant him such receipt, declared to said deponent that he had obtained similar receipts from other Deputy Returning Officers for the same reason; and he further said, that he, the said Louis Archambault, being a Commissioner under the Seigniorial Act of 1854, he could render him great services, by means of his office, and he promised to render him great services if he would consent to give a receipt by which

he would make it appear to Government that said deponent was satisfied, and made no complaint of the conduct of the said Louis Archambault, as Returning Officer, in as far as he was concerned.

That all these considerations were insufficient to induce the said deponent to give such a receipt to said Louis Archambault, because, in reality, said deponent has complained and does complain, of his conduct as Returning Officer towards him, in one thousand eight hundred and fifty-one, in striking out from his account certain items which he was entitled to by law, and in refusing to pay them.

Said deponent has nothing further to say; and the present affidavit being read over to him, he affirms that it contains the truth, persists therein, and has signed.

(Signed,) DENIS BOUTILLIER.

Sworn before me, at the Village of L'Assomption,
the 15th day of May, 1855.

(Signed,) L. G. NOLIN, J.P.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 19th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter of the 17th instant, as also of the affidavit accompanying it, and to inform you that I this day transmit a copy of the same to Mr. Archambault, by mail.

I have, &c., &c.,

(Signed,) E. PARENT,
Assistant Secretary.

JOSEPH PAPIN, Esquire, M.P.P.,
Quebec.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 19th May, 1855.

Sir,—I have the honor to enclose herewith, a copy of a letter from Mr. Papin, and of an affidavit containing fresh charges against you, of which you will take due notice by preparing your defence against them.

I have, &c., &c.,

(Signed,) E. PARENT,
Assistant Secretary.

LOUIS ARCHAMBAULT, Esquire,
St. Roch de l'Achigan.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 12th May, 1855.

Sir,—His Excellency the Governor General requests me to inform you, that orders have been given to Mr. Judah to take your place at Verchères, that you may at once come down to reply to the charges preferred against you, on the subject of your conduct as Returning Officer.

I have, &c.,

(Signed,) GEO. ET. CARTIER,
Secretary.

LOUIS ARCHAMBAULT, Esquire,
St. Roch de l'Acadian.

St. Roch, 20th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter of the 11th instant, yesterday, the 19th instant. The delay between its date and its receipt may, doubtless, be explained by my absence from home during the whole week, on duty at the Seigniory of Verchères.

I beg of you to inform His Excellency, that, just about to start for the Seigniory of St. Francis, where I have to hold an inquiry, for the purpose of registering the lands in this Seigniory, on the 24th instant. I am using every diligence in the preparation of my defence. I am, however, prepared to give a positive denial, and to repel with contempt, the charge of corruption brought against me by Mr. Papin. Such an accusation could only proceed from persons actuated by malevolence, and determined, at all risks, to injure me.

I have, &c.,

(Signed,) L. ARCHAMBAULT.

G. E. CARTIER,
Provincial Secretary.

QUEBEC, 28th May, 1855.

Sir,—I have the honor to enclose, for the information of His Excellency, my reply to the charges brought against me by Mr. Papin, with the accompanying vouchers.

I have, &c.,

(Signed,) LOUIS ARCHAMBAULT.

Honorable G. E. CARTIER,
Provincial Secretary,
Quebec.

To His Excellency Sir EDMUND WALKER HEAD, Baronet, Governor General of British North America, Captain General and Governor in Chief of the Provinces of Canada, Nova Scotia, New Brunswick, and of the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

The Memorial of LOUIS ARCHAMBAULT, Esquire, of the Parish of St. Roch, in the District of Montreal,

SHEWETH :

That Your Memorialist practised the profession of Notary in the Parish of St. Roch for upwards of 18 years, and that for upwards of 12 years he has been Registrar of the County ; by his integrity he has acquired the confidence of his country, and latterly he has been appointed by the Government to estimate the claims of the Seigniors, under the Seigniorial Act of 1854.

Although Your Memorialist has done nothing to create enemies, he has perceived lately that one of the Members of the House of Assembly, Joseph Papin, Esquire, has entertained sentiments of unjust hostility towards him.

That Your Memorialist can only attribute this to the difference of opinion on politics of the said Joseph Papin and Your Memorialist ; and perhaps, also, to the fact that during the last election for the County of L'Assomption, in which Joseph Papin was a candidate, and Your Memorialist Returning Officer ; Mr. Papin may have imagined that your Memorialist had taken side against him.

Your Memorialist, however, was unaware of the hostility of Joseph Papin towards him, when in the month of February last he was appointed one of the Commission under the Seigniorial Act, a choice which his study of the Seigniorial system, and the manner in which he has proceeded at a later date to estimate the claims of the Seigniors in the Seigniorly of Demaure and that of Verchères.

It is notorious that Joseph Papin and the political party to which he belongs, has opposed with all their might the passing of the Seigniorial Act of 1854, and to shackle its operation, therefore the appointment of your Memorialists was ill received by them : they perceived in the experience acquired by your Memorialist in Seigniorial matters, an experience justified by the writings and proposals for abolition, which he had submitted to the public, a guarantee for the success of the Commission of indemnity, and if the result of the Commission was favorably received by the public, if it were satisfactory to the Seigniors and *Censitaires*, the opposition raised by Mr. Papin would become insignificant, and their predictions of the insurmountable difficulties which in their opinion would shackle the execution of the law, would vanish ; besides it was absolutely necessary for them to nullify the coöperation of your Memorialist in the labors of the Commission by damaging his reputation with the public and especially with the House of Assembly, and this was the plan of operation adopted by Mr. Papin, the execution of which was dear to his political and personal antipathies.

Your Memorialist, as Registrar of the County of L'Assomption, had acted as Returning Officer for the County of Leinster, at the election of 1851, and in that of the County of L'Assomption in 1854 ; it is the accounts produced by your Memorialist, on these two occasions, which gave Mr. Papin a pretext for a most unjust persecution ; and the arms which he used to injure your Memorialist, and to raise accusations against him, by obtaining favourable answers from certain parties, particularly from Alexander Archambault, and some of his friends ; having previously demanded information on the subject of the Returning Officer's accounts, for the election of the County of Leinster in 1851, and that of the County of L'Assomption in 1854 ; this gentleman made a motion in the House for a Committee of inquiry into the conduct of your Memorialist, under

the pretext that his accounts had been overcharged, and that he had received from Government large sums for his Deputies of which he only paid them a part.

The attention of Government was drawn to this accusation on the 28th of April; Mr. Papin was by it requested to furnish a written list of the charges which he wished to bring against your Memorialist. On the 1st May, Mr. Papin gave in his statement, as follows:—

He accused your Memorialist—1st. For having made claims in his election accounts for travelling greater distances than he had actually travelled or caused to be travelled in the execution of his duty. 2nd. Of having paid trifling sums for posting proclamations in the different parishes, and of having charged mileage in full, as if he had actually gone himself to post proclamations, notices of elections, &c., &c., &c. 3rd. Of having drawn from Government larger sums than he paid, and of having for this purpose presented to Government, accounts which his Deputies had never presented, (original text of Mr. Papin's letter.)

On the 3rd of May, 1855, this letter of Mr. Papin was transmitted by the Honorable Provincial Secretary, to your Memorialist; who, on the 7th May, made the following reply:—

MONTREAL, 7th May, 1856.

Sir,—I have the honor to acknowledge the receipt of your letter of the 4th May, instant, in which you acquaint me with the charges brought against me by Mr. Papin, in a letter dated 1st May, instant, which you forwarded to me, requesting, for the information of his Excellency, explanations on this head.

These charges are three in number. The first accuses me of misrepresentation of the distances travelled by me, in the execution of my duty, to which I return a formal denial.

To the second, which I copy *verbatim*, that of having paid trifling sums for posting proclamations in the different parishes, of having charged mileage in full, as if I had gone myself to post the proclamations, notices and other things.

I reply by saying that I never charged, in my account against Government, any amount beyond that allowed by law, for the number of miles actually travelled by myself, or my messenger, to post proclamations, notices of election, and for transmitting to the Deputies their commissions and poll books. And I considered myself justified in exacting as I did, in my letter to the Honorable Mr. Morin, (of which mention is made by Mr. Papin) the sums allowed by law, as well for the number of miles I travelled myself, as for those travelled by my Messenger. The section of 12th Vic., cap. 27, appears to me, to support my claim.

The third accuses me of having drawn from the Government, for my Deputies, larger sums than I paid them, and of having, for this purpose presented to Government accounts which they did not present themselves.

Before entering on my defence, on this charge, I must explain that I only received yesterday, Sunday, the 6th of the present month, this letter of Mr. Papin's. That in order to disprove the facts contained in this charge, I must have travelled over a large extent of country, to obtain from my Deputies in the election of 1851, and in the last election, the receipts which established the sums which I paid them, and which I never required from them, not deeming such a precaution necessary. That I should require several days to make this journey, even supposing that I would find every one of them at home. That I must be at Verchères on the 9th of this month to make the register of the lands of the Seignior; that consequently I am unable at once to procure these means of defence. But I shall, without loss of time, write to these Deputies, to procure the receipts in question, which I shall forward to you without delay.

I may, however, in the absence of these documents, and without knowing exactly whether they will present a deficit, or its amount, between the sums received and paid by me; observe, that not one of the deputies ever presented me with a written account. That from their ignorance of the allowances made them by law, they have all employed me (with a remuneration) to make out these accounts in accordance with their instructions, given to me *viva voce*, and that any deficit that might occur, if there be any, would be easily explained by the fact, that it served to indemnify me for what I had done for their interests, and paid for them in agency expenses at Quebec, and of which I might have retained the amount without their complaining of it.

I have, &c.,

(Signed,) LOUIS ARCHAMBAULT.

The Honorable G. E. CARTIER,
Provincial Secretary, Quebec.

On the receipt of this letter, the Provincial Secretary gave your Memorialist the following answer, dated 10th May :—

QUEBEC, 10th May, 1855.

Sir,—I had the honor to lay before His Excellency the Governor General, your letter of the 7th instant, containing in part your reply to certain charges brought against you in your former quality of Returning Officer for the Counties of Leinster and L'Assomption, in a letter from Mr. Papin, M.P.P., and of which a copy was forwarded to you.

Perceiving from your letter that the necessity of your presence at Verchères on the 9th instant, and as one of the Commissioners, under the Seigniorial Act of 1854, has unavoidably prevented you from procuring certain documents and information necessary to complete your reply to the charges brought against you, I have received instructions from His Excellency to inform you that he hopes you will be enabled, with as little delay as possible, to obtain all that you require for your defence, and that you will hasten to transmit the same for His Excellency's information.

I have, &c.,

(Signed,) GEO. E. CARTIER,
Secretary.

Your Memorialist had not yet received this reply, when Mr. Papin sent the following note to the Assistant Provincial Secretary :—

QUEBEC, 11th May, 1855.

Sir,—On referring to my notes, and to the draught of the letter which I addressed to you on the 1st May instant, on the subject of the accusations made against Louis Archambault, I perceive that I omitted to mention some facts of great importance, of which this gentleman has been guilty, in the elections of 1851-54, and which are as follows :—He charged to, and received from, the Government, for "hustings, constables, and hire of houses," large sums of money which he never laid out or paid, which can be easily proved by persons whose

names I will give you whenever you wish it; these facts, moreover, are so notorious, that I do not think Mr. Archambault will dare to deny them.

I have, &c., &c.,

(Signed,) J. PAPIN.

E. PARENT, Esquire,
&c., Quebec.

And a few hours later, another note of the following tenor:—

HOUSE OF ASSEMBLY,
11th May, 1855, 10, P.M.

Sir,—I have just received from a very respectable and very reliable person, a telegraphic despatch to the following effect:—

“On Monday last, Louis Archambault offered to Bouthillier, who refused his balance of fifty-one, provided he should give ante-dated receipt, and he declared he had received such receipts from many Deputies, in order to prevent the *enquête*.

I have to inform you that this Bouthillier was Deputy Returning Officer for the Parish of St. Sulpice, during the election of the County Leinster in eighteen hundred and fifty-one.

I request you will lay this document before the Executive, without delay, that they may take such steps as they may deem proper. The Government refused, on the 16th April, to appoint a Committee of the House to inquire into the conduct of Mr. Archambault, promising to do so themselves; stating that they wished to take the matter in hand to carry it through with greater despatch than could be used by a Committee: nevertheless, nearly a month has elapsed, no inquiry has been instituted, and Mr. Archambault is at this moment in the County of Verchères, acting as Commissioner under the Seigniorial Act, while at the same time he is trying to corrupt the Deputy Returning Officers, for the purpose of avoiding an inquiry.

If the Government do not at once institute an inquiry, I fear that the guilty party will find means to escape, which for the ends of justice is not desirable.

I have, &c.,

(Signed,) J. PAPIN, M.P.P.

E. PARENT, Esquire,
Assistant Provincial Secretary, Quebec.

These notes were transmitted to your Memorialist the same day; and he, on the 15th May, made the following reply:—

MONTREAL, 15th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter, dated the 10th instant, which I received on the 13th instant, in which you request me, by His Excellency's Order, to transmit to you, with the least possible delay, those documents which up to this date I have been unable to procure, for the completion of my defence against the charges preferred against me by Mr. Papin, M.P.P.

I beg you will inform His Excellency, that I have * since last Sunday, adopted measures to meet His Excellency's wishes; and that I am about to set aside all

* Des Dimanche, in the original; should be Des Demarches.—G. G. D.

the time I can spare from the *Enquête* which I have already begun in the Seigneurie of Verchères, to make the land roll, so as to procure at once the necessary documents for the last part of my defence.

I have, &c.,

(Signed,) LOUIS ARCHAMBAULT.

Honorable GEO. ET. CARTIER,
Provincial Secretary,
Quebec.

On the 17th, a fourth note was addressed to the Provincial Secretary :—

HOUSE OF ASSEMBLY,
17th May, 1855.

Sir,—I enclose herewith, for the information of His Excellency, copy of an affidavit which was addressed to me, and which I received this morning, from Denis Bouthillier, Trader, in the Parish of St. Sulpice, County of L'Assomption.

Referring to the account of Louis Archambault, as Returning Officer for the election of the County of Leinster in 1851, you will perceive, that he has presented to Government, on the part of the said Denis Bouthillier, Deputy Returning Officer for the said Parish of St. Sulpice, then forming part of the County of Leinster, an account amounting to eight pounds four shillings and sixpence; that Government, deducting five shillings paid him for the said account, paid him seven pounds nineteen shillings and sixpence.

On referring to the said affidavit, you will perceive that the said Bouthillier only required from the said Louis Archambault for his account in full, six pounds one shilling and sixpence; and that the latter only paid him four pounds ten shillings. That since Government communicated to the said Louis Archambault the charges preferred against him, he has offered to the said Bouthillier, on certain conditions, three pounds fourteen shillings and sixpence, which, with the four pounds ten shillings already paid him, would make up the sum of eight pounds four shillings and sixpence, which he had charged.

I have, &c., &c.,

(Signed,) J. PAPIN, M.P.P.

ETIENNE PARENT, Esquire,
Assistant Provincial Secretary.

Appended is the Affidavit alluded to in this note:—

PROVINCE OF CANADA, } DENIS BOUTHILLIER, Trader, residing in the Parish
DISTRICT OF QUEBEC. } of St. Sulpice, County of L'Assomption, having been
duly sworn, deposeth and saith :—

That he was Deputy Returning Officer for the Parish of St. Sulpice, County of Leinster, for the year one thousand eight hundred and fifty-one, for the election of a Member to represent the County of Leinster, in the House of Assembly of this Province.

That he was thus appointed Returning Officer by the said Louis Archambault, Esquire, Registrar of the County of Leinster, who was also, *ex-officio*, by the law Returning Officer in Chief for the said election, and that in consequence said deponent, in his quality of Deputy Returning Officer, kept open poll during two

days in succession, in the month of December, 1851, in the said Parish of St. Sulpice. For the said election there were three candidates, namely, Honorable Louis Michel Viger, of the Parish of L'Assomption, Marcel Poirier, Notary Public, and Aimé Dupuis, Esquire, Notary Public, the two latter of the Parish of St. Jacques.

That the amount of the account of said deponent, for having served as Deputy Returning Officer at the said election, was six pounds one shilling and sixpence, currency, that the said Louis Archambault only offered him four pounds ten shillings, currency, by the hands of L. G. de Lorimier, Esquire, Deputy Registrar of the County of Leinster, which sum said deponent was obliged to accept, as he feared that in not accepting the said sum he might lose the whole.

That on the seventh of May, instant, at St. Sulpice, the said Louis Archambault offered to said deponent, at his house, to give him three pounds fourteen shillings and sixpence, current money, partly for the balance which he had retained from said deponent, on his account as Deputy Returning Officer for one thousand eight hundred and fifty-one, partly for the sum exceeding the said account which he overcharged the Government, provided that the said deponent would consent to give him an ante-dated receipt, or a receipt so framed that the Government might suppose by this receipt that said deponent was satisfied with the conduct of the said Louis Archambault towards deponent.

That the said Louis Archambault, to induce said deponent to give such a receipt to the said Louis Archambault, because in reality the said deponent has complained and does complain still, of the conduct of the said Returning Officer towards him in eighteen hundred and fifty-one, in striking out of his account as Deputy Returning Officer, certain items which the law entitled him to, and in refusing to pay them.

Said Deponent has nothing further to state, and the present affidavit having been read over to him, he says that it contains the truth, persists therein, and hath signed.

(Signed,) DENIS BOUTHILLIER.

Sworn before me, at the Village of L'Assomption,
this 15th day of May, 1855.

(Signed,) L. J. NOLING, J.P.

Although your Memorialist has not seen the original, of which Mr. Papin sent only a copy, your Memorialist will not deny the existence of this document, and he is ready to repel its tendency. On the 20th your Memorialist addressed the following letter to Government:—

St. ROCH, 20th May, 1855.

Sir,—I have the honor to acknowledge, on the 19th instant, the receipt of your letter, dated 11th instant. The delay that has taken place between its date and receipt, may doubtless be explained by my absence from home during the whole week, on duty in the Seigniory of Verchères.

I beg you will inform His Excellency, that though on the eve of departing for the Seigniory of Verchères, where I am to hold an inquiry, for the purpose of making the land roll of the Seigniory, on the 24th instant, I am using every possible despatch in the preparation of my final defence. However, I am now prepared to give a positive denial to, and to repel with contempt, the charge of

corruption preferred against me, by Mr. Papin. Such a reproach could only proceed from malicious persons, determined at all risks to injure me.

I have the honor to be, Sir,

(Signed,) LOUIS ARCHAMBAULT.

On the 21st May, the Government having ordered Mr. Judah, another Commissioner, to replace me at Verchères, and to give your Memorialist the opportunity of proceeding to the seat of Government, to answer the charges brought against him, the latter person has taken advantage of the opening which this substitution afforded him, and hastened to this place to clear himself of these accusations, and to re-establish the honor of his character, unjustly attached.

Before entering on a discussion of his account, your Memorialist thinks it right to make some remarks on the nature of the proceedings in his case.

Your Memorialist framed his account on that of the former Returning Officer for the County of Leinster, Mr. Camille Deschambault. Since the present accusation has been brought before the House, he has had an opportunity of consulting the accounts of several other Returning Officers of several counties of the same dimensions, and has ascertained that almost universally the accounts in the same manner, with regard especially to travelled distances, there exists a uniformity in the charges. Your Memorialist, more particularly in his account furnished in 1851, has placed his charges in such a light as to show the precise interpretation he gave to the law, when he fixes his exact charge to go to and return from L'Assomption to Repentigny, from L'Assomption to St. Sulpice, from L'Assomption to St. Roch.

The account was received and paid, and if there were any error, his account should have been corrected by the competent authorities, and the necessary reductions made. Your Memorialist is thus of opinion that it would be an act of injustice towards him, to visit on him as a crime, the errors committed by the auditor of the accounts, and by the other Returning Officers.

Under any circumstances, if your Excellency sees fit to allow an inquiry, your Memorialist requests, as an act of common justice, that the accounts of the other Returning Officers be also submitted to a similar investigation.

Your Memorialist believes he can say, without hesitation, and can prove, if necessary, that his account may be compared with the accounts of the Returning Officers of Lower Canada, and that in all of the counties of the same extent, as large an amount has been expended, or even a larger, than in the County of Leinster.

This establishes, as an undeniable fact, that the accuser of your Memorialist could not be ignorant that the most equitable course to follow, was to demand a general revision of the accounts of the different Returning Officers of the two last general elections; if excessive charges have been made, it would be apparently more equitable to adopt this principle with all the Returning Officers, and this would probably have been the proceeding which would have followed the accusation of your Memorialist, if he had not been animated by the wish to ruin him.

Under these circumstances, your Memorialist might have humbly submitted, that from the moment it was established that there had been no greater waste of the public funds, or heavier expenses than those incurred in the neighboring counties of the same extent, that Government should not proceed with greater severity against your Memorialist than against his colleagues, what would have justified this position as that your Memorialist is not accused of having drawn on

the Government for too large an amount, but of having retained a portion of the sums drawn for the Deputy Returning Officers. Your Memorialist might, with reason, assert that the system of charging travelling expenses by all the other Returning Officers having been approved by the proper authorities, he could not be troubled on the subject of these charges, but your Memorialist not desiring in any way to avoid the investigation demanded, as far as he is personally concerned, is prepared to prove, by proper vouchers and by witnesses, that his conduct as Returning Officer, has been such as to sustain the character which he has always enjoyed—that of an honorable man.

Your Memorialist might also, with some show of reason, have maintained that he was not called upon to justify himself against the accusation of having retained a part of the monies, received as fees for the Deputy Returning Officers, as the latter having never made any complaint, either to the Executive or to House of Assembly. If it were a fact, that the Deputy Returning Officers have not been paid by your Memorialist, the whole amount of their claims by your Memorialist, why have they not complained? Why do they not apply to the Courts to get paid, or submit their claims to Your Excellency? The present question would then exist, not between the Government and the Returning Officer, but rather between the latter and his Deputies. Besides, it must be remarked, that the accounts in every parish have been made by the Deputies, or under their instructions, furnished verbally; it is on these accounts, produced by them, that your Memorialist has based his own. If in reality the items of expenses mentioned in their accounts are correct, they must have paid out of their own pockets, if your Memorialist has not paid them the full amount of their accounts, which is highly improbable, it must thus be of their own fees that they have been defrauded. It is not natural to suppose that they would have been so long silent, if the amount of these fees had not been paid them; on the other hand, if these accounts are incorrect, it is the Deputy Returning Officers that should be accused of bad faith.

Besides, your Memorialist humbly represents, that in his opinion it is very strange that after five years of silence, when another Parliament is elected, a Member of the new Parliament should make such a request, and exact from your Memorialist proofs of expenses incurred and paid so long ago, though the Government of that period has recognized the exactness of the accounts, by paying them with the concurrence of the house voting the supplies.

If such a proof be required, who can tell where the ill-feeling of any member of Parliament towards a public officer will be stopped. This principle once admitted, with just as much reason may the officers of eighteen hundred and forty-one, be called upon to-day to produce before the House, vouchers which have not been required by the then Government, on their election charges for that period. How many of them would find it impossible to comply with such a demand? It is easy to see that those public officers who gave in their accounts to the satisfaction of the Government and the House at that time, would at this moment be unable to furnish receipts and vouchers, and be thus in danger of losing a reputation legitimately acquired, and be at the mercy of any enemy who might happen to have a seat in the legislature. In the present case, this long silence is only broken against your Memorialist at the instigation of political rancour. Who can say that to-morrow some other Returning Officer, not possessed of receipts, may not meet among the members of the House an enemy who may expose him to a similar inquisition. Is it not offending the rules of the commonest justice, to compel public officers to give explanations of accounts which have been regulated to the satisfaction of the interested parties, at a period when they may have lost or mislaid the receipts which they may have taken, and force them to put themselves in communication with deputies who may have left the province, or have become enemies, as in the case of your Memo-

rialist. The account of your Memorialist has been at the disposal of the public,—nothing has been concealed—everything bears the stamp of good faith. In the humble opinion of your Memorialist, there would be sufficient in the foregoing explanation to enable the Executive to dispense with his entering on his defence against these accusations, which should have been brought forward at the time of the examination of the public accounts.

Your Memorialist is animated in making these observations by sentiments of justice alone, and he thinks it his duty to raise his voice against a dangerous encroachment, a precedent, all the deplorable consequences of which it would be difficult to avoid. It is not for the purpose of escaping in his own person an exculpation, for as he has already observed, your Memorialist wishes to oppose no obstacle to receiving, but desires on the contrary to produce vouchers which will be perfectly satisfactory to your Excellency.

The accusations which your Memorialist is called upon to reply to are classed as follows, in the correspondence between the Government and Mr. Papin. In his letter of the 1st of May, he accuses your Memorialist of having charged too large an amount for journeys and distances travelled in reality, or caused to be travelled in the execution of his duty.

2ndly.—Of having paid trifling sums for posting proclamations in the different parishes, and having charged mileage in full, as if he had gone himself to post the said proclamations and notices of election, as set forth in a letter written to the Honorable Mr. Morin, then Provincial Secretary, in explanation of his account of 1851.

3rdly.—Of having drawn from Government, for the Deputies, larger sums than he paid them, and for this purpose, having presented to Government accounts not furnished him by the Deputies.

On the 11th May, he accuses your Memorialist of having charged, and drawn, in the elections of 1851–54, from Government, for hustings, constables, and hire of house, large sums which he never disbursed; and on the same day, and on the faith of a telegraphic despatch, he accuses him of having tried to corrupt the Deputy Returning Officers, for the purpose of avoiding an inquiry; then, on 17th May, he supports this accusation by an affidavit from one Boutillier.

Such are the charges which your Memorialist has to repel.

In reply to the first charge, your Memorialist has to reply, that what he charged was considered correct by the auditor of accounts, and that the other Returning Officers have been, with a thorough knowledge of the facts, paid the amount of their accounts made out in the same manner; and that the whole is according to law.

Here is the account furnished in 1851, as reduced by the Government.

Commission appointing a Poll Clerk	£ 0	2	6
50 copies in English, and 50 in French, of the Proclamations or Notices of Election	12	10	0
Distance travelled to post Proclamations from the residence of the Returning Officer at L'Assomption to the places mentioned below.			
To and from Repentigny	18	miles.	
Lachenaye	24	do.	
St. Henri de Mascouche	36	do.	
St. Lin	48	do.	
St. Calixte de Kilkenny	72	do.	
St. Roch	24	do.	
<i>Carried forward</i>	222	do.	£12 12 6

<i>Brought forward</i>	222 miles.	£12 12 6
St. Esprit	36 do.	
St. Julienne.....	48 do.	
Rawdon	54 do.	
St. Jacques	30 do.	
St. Alexis.....	30 do.	
Township	78 do.	
Township of Wexford	72 do.	
St. Sulpice	12 do.	
	582 do.	£14 10 0
For a hustings the day of the nomination and the day of the closing of the poll		7 10 0
To the 11——for the day of the nomination and day of closing the poll, at 40s. per diem		4 0 0
Poll Clerk, at 20s. per diem		2 0 0
Two Special Constables, for the day of the nomination and day of the Proclamation		1 0 0
Thirteen Commissions appointing 13 Deputy Returning Officers, at 2s. 6d each		1 12 6
Messenger conveying the Commissions to Deputy Returning Officers, 232 miles		10 16 0
Thirteen Poll Books, at 5s		3 5 0
Thirteen Writs for opening poll, at 2s. 6d.....		1 12 6
Copies of each poll book, each containing 8,000 words.....		13 0 0
Two indentures, at 5s.....		0 10 0
Postage, transmitting poll books to Clerk of Crown in Chancery		0 10 0
		<u>£72 19 6</u>

As Your Memorialist is called on to account for the amount received, and not for the amount claimed, he is ready to maintain that this account is correct, and that the items charged in it are warranted by the election laws.

In support of his account he cannot justify himself better than by laying before Your Excellency the textual provision of clause 66 of the Election Act which allows these charges.

LXVI. And be it enacted, That the Fees hereinafter mentioned, and no other, shall be allowed to the several Officers hereinafter mentioned respectively, for their services and disbursements at any Election, that is to say:—

TO THE RETURNING OFFICER.

For attendance on the day of opening the Election, two pounds, currency.

For attendance on the day of closing the Election, when polls have been taken, two pounds.

For an Election Clerk, for each of those two days when attendance is required, one pound.

For two Constables, on each of those two days, each *per diem*, five shillings.

For each Copy of Proclamation or Notification of Election which may be required by law to be posted, whether in English and French, or in English only, two shillings and sixpence.

For each Commission appointing Deputy Returning Officers and an Election Clerk, two shillings and sixpence.

For each Warrant to Deputy Returning Officer to take the Poll, two shillings and sixpence.

For each Indenture, five shillings.

For each Mile actually and necessarily travelled for attending the place of Election, for posting Proclamations or Notifications, and for transmitting Commissions to Deputies, and Election Clerk, and Poll Books, sixpence.

For each Poll Book furnished to Deputies, five shillings.

For each Copy of the same, (and when such Copy is furnished by him to any Elector (to be paid for by such Elector), at three-pence per folio of a hundred words.

The Returning Officer to be allowed the actual reasonable expenses incurred by him in providing Hustings or places for holding Elections, and such reasonable expenses as may be incurred in transmitting Poll Books and Returns to the Clerk of the Crown in Chancery.

TO EACH DEPUTY RETURNING OFFICER.

For each day of holding the Poll, one pound.

For the Commission appointing a Poll Clerk, two shillings and sixpence.

For a Poll Clerk, each day, ten shillings.

To the Deputy and Clerk respectively, for each mile actually and necessarily travelled to and from the place of polling for the purpose of taking the oaths required by law, sixpence.

For two Constables, each *per diem*, five shillings.

For each mile actually and necessarily travelled for transmitting Poll Books and Returns to the Returning Officer, sixpence.

In reply to the second charge your Memorialist refers to his letter, dated 7th May, copy of which is enclosed above.

To the third charge your Memorialist replies by producing receipts from the greater part of the Returning Officers, who declare they have received the amount in full of their accounts, and are content therewith, as will appear by documents, of which copies are annexed.

RAWDON, 9th May, 1855.

Dear Sir,—Your letter of the 10th instant has come to hand this day only, in which you request me in the shortest delay, to forward you a receipt of the money you have paid me, in quality of Deputy Returning Officer for the Parish of St. Patrick of Rawdon, at the time of the election of a Member for the County of Leinster, in the year 1851.

In reply, I beg to assure you that the elapse of time, and not thinking it would ever be brought up as a question, I cannot now call to mind the exact amount you paid me as Deputy Returning Officer in that year; the only thing I can say in answer to your request is, that you paid me the full amount of my account as Returning Officer, in said year, as I do not remember of being curtailed. I regret not being able to give you a receipt of the exact amount, but I hope this acknowledgement will be found sufficient.

I am, &c.,

(Signed,) J. HORAN.

LOUIS ARCHAMBAULT,
Registrar, St. Roch.

I, the undersigned, acknowledge having received from Louis Archambault, Esquire, Returning Officer for the County of L'Assomption, in 1854, the amount of my account, as Deputy Returning Officer for the Parish of St. Sulpice; without being able to recal the amount, exactly, of which I returned, for expenses of agency, &c., &c.

(Signed,) T. N. E. FARIBAULT.

L'ASSOMPTION, 6th May, 1855.

I, the undersigned, acknowledge to have received from Louis Archambault, Esquire, Returning Officer for the County of Leinster in 1851, the amount of my account as Deputy Returning Officer for the Parish of St. Roch, without being able to recal exactly the sum, of which I remitted a part for expenses of agency.

(Signed,) T. N. E. FARIBAULT.

L'ASSOMPTION, 6th May, 1855.

Received from Mr. Louis Archambault, Returning Officer for the election of the County of L'Assomption for 1854, the sum of £7 14s., currency, amount of my account as Deputy Returning Officer of the Parish of St. Epiphany, including the expenses of agency, &c.

(Signed,) D. LAMANCHE.

Received from Louis Archambault, Esquire, Returning Officer for the election of the County of Leinster in 1851, and of the County of L'Assomption in 1854, the amount of my account as Deputy Returning Officer for the Parish of Masconche, which amount I remember was fully satisfactory, though I cannot recollect the exact sum.

(Signed,) PH. MONUT.

I acknowledge to having been paid to my satisfaction, by Louis Archambault, Esquire, Returning Officer in Chief, the amount of the account which I presented to him as Deputy Returning Officer for the Parish of L'Assomption, for the election of eighteen hundred and fifty-four, for the election of the County of L'Assomption.

(Signed,) CAM. ARCHAMBAULT.

L'ASSOMPTION, 17th May, 1855.

I, the undersigned, acknowledge to have received from Louis Archambault, Esquire, Returning Officer for the election of the County of L'Assomption, in eighteen hundred and fifty-four, the sum of £6 4s. 6d. currency, being the amount of my account as Deputy Returning Officer for the Parish of St. Roch, in the said county, including expenses of agency, &c.

(Signed,) BENJAMIN ROCHER,
Deputy Returning Officer for Parish of St. Roch.

I, the undersigned, formerly Deputy Returning Officer for the Parish of St. Lin, for the election of Leinster in eighteen hundred and fifty-one, and for the election of L'Assomption in eighteen hundred and fifty-four, acknowledge by the enclosed to have received from Louis Archambault, Esquire, Returning Officer for the said counties, the amount due to me personally as Deputy Returning Officer for the Parish of St. Lin, and which has fully satisfied me.

(Signed,) T. GARAULT.

ST. LIN, 20th May, 1855.

I, the undersigned Deputy Returning Officer for the Parish of St. Jacques, County of Leinster, at the election of a member to represent the said county, which took place in eighteen hundred and fifty-one, acknowledges by the enclosed to have received from Louis Archambault, Esquire, Returning Officer for the County of Leinster, the amount which I was entitled to as Deputy Returning Officer for the said Parish, and with which I am fully satisfied.

(Signed,) T. E. ECRÉMENT.

ST. JACQUES, 18th May, 1855.

LOUIS ARCHAMBAULT, Esquire, Returning Officer for the County of Leinster, *Dr.* to FR. L. DES RIVIERES, Deputy Returning Officer for the Parish of St. Esprit.

For distance travelled to take oath—36 miles at 6d.	£0 18 0
Fee	2 0 0
Clerk's commission	0 2 6
Clerk's fee	2 0 0
Two special constables	1 0 0
Hire of house and hustings, conveyance of poll books to L'Assomption.	2 10 0
	<hr/>
	£8 18 6

Received payment in 1851.

(Signed,) FR. L. DES RIVIERES.

ST. DAMASE, 20th May, 1855.

Received from Louis Archambault, Esquire, Returning Officer for the election of the County of Leinster in eighteen hundred and fifty-one, the sum of ten pounds, fourteen shillings currency, for my emoluments as Deputy Returning Officer for the Parish of St. Calixte during the said general election.

(Signed,) T. BRICAULT.

MONTREAL, 24th May, 1855.

St. JACQUES, 20th May, 1855.

I, the undersigned, acknowledge to have received from Louis Archambault, Esquire, my fees, as Deputy Returning Officer for the Parish of St. Alexis, in the election of 1851, to my full satisfaction, and to have given a full discharge.

(Signed,) M. DORVAL.

With regard to Mr. Bouthillier, and Mr. A. Archambault, Brother-in-law of the accuser of your Memorialist, two of the Deputy Returning Officers of 1851, your Memorialist must here state, for the information of Your Excellency, that after having applied to these gentleman to obtain receipts for the sums paid by your Memorialist, they refused, under the pretence that they feared to compromise Mr. Papin in his accusations. Mr. A. Archambault added, that he had himself laboured actively in assisting Mr. Papin in his proceedings, and that it would be inconsistent in him to furnish your Memorialist with the means of clearing himself of those charges. By refusing to give receipts, they prevent your Memorialist from stating the amount they have received. Your Memorialist must also add, that Mr. Bouthillier has, quite lately, before making his affidavit, positively declared that he did not remember the amount he had received; and your Memorialist can substantiate what he has just asserted.

To the fourth accusation, that of having obtained from Government sums of money for expense of hustings, your Memorialist replies as follows:—

That in the election of 1851, he charged £7 10s. for that purpose, which is the usual charge, and generally demanded and granted by the Government, which can be proved by referring to the accounts of the other Returning Officers.

Your Memorialist did not put up a hustings for the election of 1851, but used the gallery of his house for that purpose. Your Memorialist considers himself justified in making this charge for the risk he incurred of damage to his gallery and to his house.

Your Memorialist has to state, that the election of 1851 was warmly contested by three Candidates, that a large number of persons was present at the proclamation, and that the gallery was in great danger of being broken, or suffering other damage.

And your Memorialist is prepared to maintain, that such occupation of his house for the above purpose, is worth £7 10s. and that this charge is only fair and reasonable.

As to the election of 1854, he constructed a hustings, and he is ready to maintain, as the law directs, that the sum of £7 10s. drawn for this object, is not exorbitant, and actually cost that sum.

As to the payment of constables and hire of houses, these expenses were of the account of the Deputy Returning Officers, who, by what has been shown above in their declarations, have declared themselves satisfied.

Your Memorialist has now only to repel the malicious insinuations and falsehoods of his accuser, relative to the pretended attempt at corruption of one Bouthillier, contained in his letters of 11th and 18th May, instant.

Your Memorialist must here assert, that the telegraphic despatch transcribed in the letter of his accuser, dated 11th May, is false in every particular.

The absurdity of the demand for an ante-dated receipt must yield to the fact, that on the same day your Memorialist was writing to your Excellency, that he had not taken any receipt at the time of payment made to his Deputies. What

would be the use of a false date to such a document, unless to accuse him himself of falsehood before your Excellency. The bad faith of the instruments used by the accuser, is here glaring and tangible.

But it is much more to be regretted, that a man should be found so blinded by political passion, or so wanting in common sense, as to declare on oath to the truth of words, which your Memorialist never uttered.

Here is, in brief, a faithful report of the interview between your Memorialist and the said Boutillier, on the 7th May last. To comply with your Excellency's request, that I should produce vouchers, your Memorialist applied to this person, asking him for an acknowledgment of the sum received by him, in virtue of his appointment, as Deputy Returning Officer, at the election of 1851, for the parish of St. Sulpice; he refused as above stated, on the plea, that this receipt might impede the effect of the accusation preferred by Mr. Papin; adding, that he had been informed that such an accusation was to be made by means of Mr. E. U. Piché, Attorney, of Berthier, and A. Archambault, also a Deputy Returning Officer in 1851, bearers of a telegraphic despatch from Mr. Papin to that effect, that Mr. Papin had made him promise, to make no acknowledgment, to give no receipt for the monies which had been paid him, that besides, he could not give a receipt for any stated sum, having lost all recollection of what he had received, and of the amount of his account.

Your Memorialist made no offer to the said Boutillier, nor made him any promise, except as this gentleman had been paid his account by the hands of another person than your Memorialist, as appears by the affidavit itself of this individual, he, your Memorialist, observed to him that if he had not received the whole amount of his account he would take steps to cause him to be paid the balance.

Such is the conversation, the purport of which is so strangely disfigured in the said affidavit.

And your Memorialist, in the absence of any witness, affirms on oath the truth of the statement he has just made, as regards this interview, and denies whatever the affidavit of said Boutillier contains to the contrary.

Your Memorialist in conclusion, ventures to hope that the statement of facts which he this day submits to Your Excellency, will exonerate him, in Your Excellency's opinion, from the unjust and vexatious accusation brought against him.

The whole humbly submitted.

(Signed,) LOUIS ARCHAMBAULT,

QUEBEC, 28th May, 1855.

PROVINCE OF CANADA, }
DISTRICT OF QUEBEC. } LOUIS ARCHAMBAULT, formerly Returning Of-
ficer for the Counties of Leinster and L'Assomption,
during the elections of 1851-4, having been duly sworn on the holy Evangelists,
deposeth and saith:—

That he is acquainted with a document, purporting to be an affidavit of one Denis Boutillier, Trader, residing in the Parish of St. Sulpice, County of L'Assomption, dated L'Assomption, the 15th May instant; that all and every the facts stated in this pretended affidavit, relative to the attempt at corruption, are false, malicious, and devoid of all foundation, and that what is stated in the memorial produced with the present affidavit, relative to the attempt at corruption, of the said Boutillier, is correct, and faithful to truth; that said deponent has taken no steps except that set forth in his memorial, and that he has in no wise tempted

the said Boutillier. That the persons named A. Archambault and Boutillier have refused to give to deponent receipts for sums paid them in their capacity as former Deputy Returning Officers for the County of Leinster, under the pretexts set forth by this deponent in the memorial herewith produced. Deponent moreover affirms, that whatever is stated to the contrary in the pretended affidavit of the said Boutillier, is devoid of all foundation whatever. And said deponent having nothing further to add, has signed, after having read over this his deposition.

(Signed,) LOUIS ARCHAMBAULT.

Sworn before me, at Quebec,
this 28th day of May, 1855.

(Signed,) G. TALBOT, C.C.S.

QUEBEC, 30th May, 1855.

Sir,—I have the honor to acknowledge the receipt of your letter of yesterday's date, acknowledging the receipt of mine, in reply to certain charges brought against me by J. Papin, M.P.P.

I omitted to mention in my defence that the person named Boutillier, who has made an affidavit to my prejudice, is an unlicensed tavernkeeper, selling and retailing strong liquors in his house, in contravention of the law.

I beg that this may, therefore, be brought to the notice of His Excellency, as forming part of my defence.

I have, &c.,

(Signed,) LOUIS ARCHAMBAULT.

ETIENNE PARENT, Esquire,
Assistant Secretary, Quebec.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 23rd June, 1855.

Sir,—I have the honor to inform you, by order of the Governor General, that a Commission has just issued, appointing Dunbar Ross, Esquire, Solicitor General, to inquire into the complaints made against you in your capacity of Returning Officer for the Counties of Leinster and L'Assomption, in 1851-4. Mr. Ross leaves this evening for L'Assomption, at which you will be pleased to put yourself in communication with him, on the subject of his mission.

His Excellency commands me also to add, that you are to discontinue your functions as Commissioner, under the Seigniorial Act of 1854, during the time that the inquiry shall last, a command which has already been conveyed to you verbally.

I have, &c.,

(Signed,) E. PARENT,
Assistant Secretary.

LOUIS ARCHAMBAULT, Registrar,
St. Roch de l'Achigan.

PROVINCIAL SECRETARY'S OFFICE,
 QUEBEC, 23rd June, 1855.

Sir,—I have the honor to inform you, by order of the Governor General, that a commission has just issued, appointing Dunbar Ross, Solicitor General, to inquire into the complaints which you have just made against Louis Archambault, Esquire, Returning Officer for the Counties of Leinster and L'Assomption. Mr. Ross leaves this evening for L'Assomption, where Mr. Archambault has been requested to meet him, and put himself in communication with him.

I have to add, that Mr. Archambault has also been required to abstain from acting as Commissioner, under the Seigniorial Act of 1854, during the whole duration of the said inquiry.

I have, &c.,

(Signed,) E. PARENT,
 Assistant Secretary.

JOSEPH L. PAPIN, Esquire, M.P.P.,
 Montreal.

VILLAGE OF L'ASSOMPTION, 1st July, 1855.

Sir,—I received only on the 27th, your letter of the 23rd ultimo. On learning that Mr. Louis Archambault has been required to abstain from acting as Commissioner under the Seigniorial Act of 1854, during the whole time that the inquiry on his accounts shall last, I must express my surprise, that he has not, at the same time, been required to abstain from acting as Registrar, especially as it is in the exercise of the duties attached to this office, that he has given cause for the complaints which have called for this inquiry, and that as Registrar, he has the control of the Municipal Elections which are about to take place.

I have, &c.,

(Signed,) J. PAPIN, M.P.P.

E. PARENT, Esquire,
 Assistant Provincial Secretary.

MONTREAL, 13th July, 1855.

Sir,—At the time of the opening of the inquiry ordered by Government, into the accounts of Mr. Louis Archambault, and before beginning the proof of the charges against him, I inquired of the Commissioner what defence was set up by Mr. Archambault. The Commissioner refused, stating that he had no authority; that I must make my request to Government, which I had not time to do during the inquiry.

Having learned since, Government had given orders to the Commissioner to re-open the inquiry, which he had declared closed, I beg you will transmit to His Excellency, this my request, that the defence of Mr. Archambault be communicated to me.

I have, &c.,

(Signed,) J. PAPIN, M.P.P.

E. PARENT, Esquire,
 Assistant Provincial Secretary, Quebec.

PROVINCIAL SECRETARY'S OFFICE,

Quebec, 17th July, 1855.

Sir,—In your letter of the present month, you mention that you had learnt that Government had given order to the Commissioner charged with the inquiry into the accusations brought against Mr. Louis Archambault, as Returning Officer, to re-open the inquiry which he had declared closed. His Excellency the Governor General commands me to inform you, that he is not aware that any order to that effect has been officially communicated to you at the date of your letter, and His Excellency wishes to know from what source you derived your information. I have to add on the part of His Excellency, that it will be the duty of the Commissioner to give you officially notice previous to any further inquiry which it may be necessary to make into the affair which concerns Mr. Archambault, in consequence of any order proceeding from His Excellency.

With regard to the request contained in your letter, His Excellency charges me to inform you, that he does not think proper to communicate to you any letter or correspondence which Mr. Archambault may have laid before him in extenuation of his conduct or of his acts as Returning Officer. His Excellency further directs me to inform you that any request or communication which you may desire to forward to him, must be addressed to the Provincial Secretary.

I have, &c., &c.,

(Signed,) GEO. E. CARTIER,
Secretary.JOSEPH PAPIN, Esquire, M.P.P.,
Montreal.

MONTREAL, 20th July, 1855.

Sir,—In reply to yours of the 17th instant, I beg you will inform His Excellency the Governor General that in reality I have received no official communication informing me that the inquiry, relative to Mr. Louis Archambault, was to be re-opened. And for His Excellency's satisfaction, I have no objection to your informing him, that quite lately at Quebec, I learnt from the mouth of the Solicitor General Ross, that he was about to re-open the inquiry in question, from which I concluded that he had received an order from His Excellency to that effect. If I have addressed myself to His Excellency on this subject without having received any official notice, may I beg you will inform His Excellency that I did so for the following reasons:—

When the inquiry was opened, I received notice of it for the first time on Sunday afternoon. I should, therefore, have been under the necessity of producing my witness at 9 o'clock the next morning, at nine leagues from my residence.

I did not complain, nor do I now complain, for I was ready to commence my inquiry at any time, and I was far from wishing to cause any delay in the matter. But the consequence has been, that the Commissioner having refused to communicate certain documents to me, telling me that I should apply to Government, I have been obliged to proceed to my inquiry, and to close it, before I had time to receive a reply from Government on this subject, supposing that I had used all possible diligence. It is this inconvenience I wished to avoid on this occasion. Having reason to believe that the official notice which would be given me of the day when the inquiry would be re-opened would not be very

long, I wished to know beforehand if it would please His Excellency to communicate to me the documents in question, so as to come to a decision in time.

With regard to what His Excellency has charged you to tell me, relative to the person to whom I should address all communications or requests which I desire to lay before him, I beg you will inform His Excellency that I shall always consider it my duty, imposed on me by the rules of propriety, to address all communications, intended for His Excellency, to the person through whom it may please His Excellency to forward to me such communications as he wishes me to receive. And I beg you will inform His Excellency that it is for this reason that up to this date I have addressed all these communications to the Assistant Provincial Secretary, and that I address the present one to the Provincial Secretary.

I have, &c.,

(Signed) J. PAPIN, M.P.P.

Honorable G. E. CARTIER,
Provincial Secretary, Quebec.

Copy of the Preliminary Report of the Commissioner appointed to inquire into the Charges preferred against Louis Archambault, Esquire, as Returning Officer at the Elections for the Counties of Leinster and L'Assomption, in 1851 and 1854.

(Copy.)

To His Excellency Sir EDMUND WALKER HEAD, Baronet, Governor General,
&c., &c., &c.

May it please Your Excellency,

The undersigned, a Commissioner appointed by Your Excellency, under the statute in that behalf, to inquire into certain charges preferred against LOUIS ARCHAMBAULT, Esquire, in his capacity of Returning Officer at the last elections for the Counties of Leinster and L'Assomption respectively, has the honor to submit the following Preliminary Report:—

Having received Your Excellency's Commission on the 22nd June last, I proceeded on the 23rd, *via* Montreal, to the Village of L'Assomption; and having notified both parties, commenced the inquiry by the examination of witnesses of the complainant, Mr. Papin, in presence of both parties, who continued their attendance regularly up to the 30th June, at 1 o'clock p.m.

On the second day of the *Enquête*, Mr. Archambault was assisted by Counsel to which I made no objection, with a view to counterbalance the advantage possessed by the complainant, who is an advocate by profession.

At 11 o'clock a.m., on Saturday, the 30th, Mr. Papin closed his *Enquête*, and I then called upon Mr. Archambault to proceed to the examination of his witnesses,

whereupon he answered in the manner stated in the following translation of the minutes of proceedings, and of which a copy is hereunto annexed.

Mr. Archambault, in answer to that demand, says that he had no knowledge that the inquiry under the Commissioners was to commence on the 25th, until the morning of that day. (Mr. Archambault stated that he was absent from home when my notice was sent to his house on the previous evening, which statement there is no reason to doubt.) That he had been obliged to attend the *Enquête* continually—that it is impossible for him to examine the voluminous evidence produced in support of the accusations against him,—that he requires a reasonable time to examine the evidence and to summon his witnesses, in order to be able to make a successful defence to these accusations, and that it is necessary that he should have a delay to the 9th July next at least, for that purpose;—that he produces his affidavit of the fact of its being impossible for him to make the necessary proof in support of his defence.

Mr. Papin declares he does not consent to Mr. Archambault's application.

BY THE COMMISSIONER:—

The objection raised by Mr. Archambault, with reference to the time at which he received notice of the *Enquête*, ought to have been taken upon the commencement of the proceedings. He has had an opportunity of taking cognizance of the facts deposed to against him, during the course of the examination of the witnesses; and the Commissioner has repeatedly intimated to him the necessity of providing that his witnesses, if he intended examining any, should be ready to give their evidence as soon as the Complainant should have closed his *Enquête*; and inasmuch as Mr. Archambault has procured subpoenas to be issued, summoning witnesses to appear this day, and that he has not made any proof of diligence, The Commissioner, seeing the objection of the opposite party, does not grant the application, stating at the same time, that he is ready to hear any witnesses that he may have in attendance, or to receive any other proof which he may be ready to produce.

Mr. Archambault was then asked whether he had any witnesses to examine. In answer to which he stated that he had no witnesses to examine at that time.

I then directed the witnesses summoned by Mr. Archambault to be called, upon which five appeared, and having ascertained from Mr. Archambault that the facts expected to be proved by them were pertinent to the inquiry, these witnesses were taxed for their attendance.

I considered that after the repeated warnings I gave Mr. Archambault, in presence of the other party, to issue subpoenas for his witnesses, without his stating any obstacle or objection in answer, I could not grant an extended delay to him without infringing that spirit of impartiality towards both parties with which I had endeavoured to carry on the proceedings, particularly as Mr. Archambault had then five witnesses present, and that he would have abundance of time to summon others before the examination of these could possibly be concluded; and that he made no objection as to the delay necessary to produce them, or any other objection or difficulty whatever; added to this, that all his statements and declarations, together with the peculiar character of the evidence adduced on the part of the complaint, and the fact that I had intimated to both parties that I should be compelled to adjourn the *Enquête* at the latest at 12 o'clock, on the Monday following, at which time the examination of Mr. Archambault's witnesses, then in attendance, could not, in all probability, be concluded, in consequence of which he was sure to obtain the delay he demanded, without asking for it. All these circumstances taken together had a tendency to produce in my mind a conviction that he was not at all serious in the declaration of his intention to examine witnesses.

Although I deemed Mr. Archambault, in strictness, not entitled at my hands, as a matter of right, to the delay which he asked, I, nevertheless, respectfully submit to your Excellency as the judge in this matter, whether it would not be advisable, in order to remove all possible ground of complaint on the part of Mr. Archambault, that your Excellency should allow him a delay equal to that which he asked, and that I should abstain for the present in making a final report on the case, until he should have had an opportunity of examining his witnesses.

The whole, nevertheless, respectfully submitted.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

QUEBEC, 6th July, 1855.

[*Translation.*]

Mr. Papin declares his *enquête* closed except as to two witnesses whom he had summoned to prove that nothing had been paid for the use or hire of the public room of the Parish of St. Roch, as a poll house at the time of the election for the County of Leinster in 1851; that the said two witnesses who did not appear are Messrs. Jean Baptiste Labelle, *Curé* of the parish, and Touissant Beaudry, church warden, in office for the said parish in 1851.

Thereupon Mr. Louis Archambault admits that he did not pay anything to the *Fabrique* of the said parish, to whom the room belongs, for the use or hire of the said room at the time of the election in 1851.

Mr. Papin consequently declared his *enquête* closed, and the Commissioner then required Mr. Louis Archambault to proceed with his.—(11, A.M.)

Mr. Archambault, in answer to the said summons, said that he was not aware that the investigation instituted into his conduct would have begun on the 25th instant; that on the morning of that day he was obliged to be constantly present at the investigation; that it is impossible for him to examine the voluminous evidence produced in support of the accusations; that he requires a reasonable time to examine this evidence, and to summon witnesses to enable him successfully to refute this accusation, and that he requires until the 9th July at least, and tenders his affidavit of the impossibility of his producing evidence in support of his defence.

Mr. Papin declares that he does not consent thereto.

BY THE COMMISSIONER:—

The objection raised by Mr. Archambault as to the date of notification of the inquiry should have been made at the commencement of the proceedings of this Commission; that he might have become acquainted with the facts alleged against him during the course of the inquiry; that the Commissioner himself on many occasions notified him to make arrangements, that his witnesses if he intended to produce any should be ready to render their evidence, so soon as the complainant should have closed his *enquête*, and that inasmuch as Mr. Archambault has caused *subpœnas* to be issued summoning his witnesses to appear this day, and offers no proof of diligence, the Commissioner, in view of the refusal of consent of the opposite party, refuses his application, declaring at the same time that he is ready to hear any witness that Mr. Archambault should think proper to produce, and to receive any evidence he might have to tender.

The Commissioner asked Mr. Archambault if he had any witnesses to examine.

Mr. Louis Archambault, in answer to the inquiry of the Commissioner, declares that he has not witness to examine at that time.

PROVINCE OF CANADA, } LOUIS ARCHAMBAULT, Esquire, of the Parish of
DISTRICT OF MONTREAL. } L'Assomption, in the County of Montreal, Notary,
being duly sworn upon the Holy Evangelists, doth depose and say:—

That considering the mass of evidence produced in support of the charge brought against him, and that whereas the side for the prosecution had not closed their *enquête* on the 28th day of June, instant, it is impossible for him to examine the voluminous evidence adduced in support of the charge; it is therefore impossible for the deponent to examine this evidence, and to summon witnesses, so as to refute the accusation with success before the 9th day of July next. If the deponent is compelled to commence his *enquête* before that period, he is of opinion that it would be better for him to offer no evidence at all, fearing that it would be insufficient from the want of sufficient delay, and he declines making any defence to the charge: and has signed.

(Signed,) L. ARCHAMBAULT.

Sworn before me, at L'Assomption,
this 30th day of June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

I, the undersigned, protesting in my non-culpability, and in the insufficiency of the accusation, and of the evidence offered against me, declare that I have no testimony to offer against the Witnesses in support of the charge, inasmuch as adequate delay has not been granted me to produce my evidence.

(Signed,) L. ARCHAMBAULT.

L'ASSOMPTION, 30th June, 1855.

The Commissioner then declared the investigation closed.

A true Copy.

DUNBAR ROSS,
Solicitor General,
Commissioner.

Marcel Poirier, Esquire, Notary, of the Parish of St. Jacques, in the County of Montcalm, witness summoned on behalf of the Defendant, produces his copy of *subpœna*, and applies to be taxed.

The witness asks.—For travelling expenses.....	£0 7 6
For his time	0 15 0
Allowed	£1 2 6

Cecil Morin, Farmer and Justice of the Peace, of the Parish St. Jacques, witness summoned on behalf of the Defendant, applies to be taxed.

For travelling expenses	£0 10 0
For time	0 5 0
Allowed.....	£0 15 0

Joseph Octave Alfred Turgeon, Esquire, Advocate, of the Parish of Terrebonne, witness summoned on behalf of the Defendant, to prove the ordinary mode of preparing the Returning Officer's accounts, having acted himself in that capacity in 1848. The witness applies to be taxed.

For travelling expenses	£0 10 0
For do do	2 10 0
Allowed.....	£3 0 0
Allowed.....	£2 5 0

Pierre Octave Roy, Esquire, Merchant, of the Parish of St. Roch, witness summoned on behalf of the Defendant, to testify as to his character, produces his copy of *subpœna*, and applies to be taxed.

For travelling expenses	£0 7 6
For time	1 0 0
Allowed	£1 7 6
Allowed	£0 17 6

Jean Baptiste Gauthier, Esquire, Physician, of the Parish of St. Jacques de l'Achigan, a witness summoned on the part of the Defendant, to testify as to his character, produced his copy of *subpœna*, and applies to be taxed.

For his travelling expenses.....	£0 10 0
For time	1 10 0
Allowed.....	£1 10 0

A true Copy.

(Signed,) DUNBAR ROSS,
Solicitor General,
Commissioner.

(Copy.)

SECRETARY'S OFFICE,

Quebec, 9th July, 1855.

Sir,—With reference to your report on the charges against Louis Archambault, Esquire, as Returning Officer at the last elections for the Counties of Leinster and L'Assomption, respectively, I am commanded by His Excellency the Governor General, to direct you not to close your Report without giving a more ample opportunity to Mr. Archambault for the adduction of any evidence he may have to offer, in re-buttal or palliation of the serious charges preferred against him.

I have, &c.,

(Signed,) G. E. CARTIER,
Secretary.DUNBAR Ross, Esquire,
Solicitor General,
&c., &c., &c.

Copy of the Final Report of the Commissioner appointed to inquire into the Charges preferred against Louis Archambault, Esquire, as Returning Officer at the Elections for the Counties of Leinster and L'Assomption, in 1851 and 1854.

(Copy.)

In the matter of the charges preferred against LOUIS ARCHAMBAULT, Esquire, in his capacity of Returning Officer for the County of Leinster, in eighteen hundred and fifty-one, and for the County of L'Assomption, in eighteen hundred and fifty-four.

To His Excellency Sir EDMUND WALKER HEAD, Baronet, Governor General,
&c., &c., &c.

Report of the undersigned, Solicitor General for Lower Canada, appointed by Commission, bearing date on the twentieth day of June last.

May it please Your Excellency.

I have the honor to report to Your Excellency, that having been first duly sworn to the faithful discharge of the trust reposed in me by the said Commission, I repaired on the twenty-fifth day of June last, to the Village of L'Assomption, in the District of Montreal, the residence of the said Louis Archambault, and there, after due notice to Joseph Papin, Esquire, a member of the Legislative Assembly of this Province, the party preferring the said charges, and to the said Louis Archambault, I proceeded in the presence of the parties (Mr. Archambault being assisted by his counsel, Mr. Turgeon) to the examination of the witnesses of the complainant, and having received, up to the thirtieth day of June inclusive,

all the evidence, oral and documentary, which he had to produce,—and the accused declining to examine his witnesses then present, or to enter upon his defence, but requiring an extended delay, which I deemed him not entitled to for the reasons recorded in the proceedings under the Commission—I then closed the inquiry.

A remonstrance having been subsequently made to me on behalf of Mr. Archambault, upon my refusal to grant the delay which he had demanded, I had the honor to bring this matter under the consideration of your Excellency in a preliminary Report, made on the 6th July last, suggesting the expediency of according to Mr. Archambault, by re-opening the *enquête*, an opportunity of adducing the evidence which he deemed essential to his defence, in order to preclude any possible cause of umbrage or complaint on his part—a recommendation to which your Excellency was graciously pleased to accede; and, thereupon, after due notice to the parties, and without any objection having been made to this course by the Complainant, I again repaired, on the 10th September following, to the said Village of L'Assomption, and there having received, during that and the four following days, all the evidence which the accused had to adduce, I finally terminated the inquiry, as noted in the proceedings:—

The following are the charges brought against Mr. Archambault:—

CHARGE No. 1.—That the said Louis Archambault, in the accounts presented by him to Government, for the elections for the Counties of Leinster in 1851, and of L'Assomption in 1854, charged mileage for greater distances than those which he had actually travelled over, or which he had caused to be travelled over, in the execution of his duty as Returning Officer for the said Counties.

CHARGE No. 2.—That the said Louis Archambault paid a small sum for posting up the proclamations in the different parishes, and charged the mileage in full, the same as if he had gone himself to post up the said proclamations and election notices, &c., as stated by him in a letter to the Honorable A. N. Morin, then Provincial Secretary, in explanation of his account of 1851.

CHARGE No. 3.—That the said Louis Archambault drew from the Government, for his Deputies in the different parishes, sums greater in amount than those which he paid to them; and for that purpose presented accounts to Government with which his Deputies had never furnished him.

CHARGE No. 4.—That the said Louis Archambault, in the elections of 1851 and 1854, charged to and received from Government for hustings, constables and polling places, sums to a considerable amount, which in reality he had never disbursed nor paid.

The defence put in by Mr. Archambault to the foregoing charges is:—

To the first, a general denial.

To all the others, that he acted, as he believed, in conformity with the law, and that he only demanded what he considered to be due to him, according to the interpretation given by him to the law, and to the practice followed by the Returning Officers who had preceded him, and those who acted as such simultaneously with him, and whom he had consulted; and that he repels, moreover, any imputation of malversation.

In reporting upon these four charges, I classify them as follows, viz.:—

Nos. 1 and 2 being for overcharges for mileage, and substantially the same I designate as charge A (Nos. 1 and 2.)

No. 4 being for overcharges in his accounts for hustings, poll houses and constables not actually paid by him, I take up next and designate as charge B. (No. 4.) the same together with charge A, (Nos. 1 and 2) being for sums received by

him from Government, under colour of the election laws, for disbursements which he had not made.

No. 3.—I designate as charge C. (No. 3,) being for sums drawn by him from Government, in the name of, and as due to his Deputy Returning Officers for charges which they had not made, or which he had refused to pay over to them, and as differing in its character from charge A (Nos. 1 and 2), and B. (No. 4.)

CHARGE A.—(Nos. 1 and 2).—With reference to the first charge A. (Nos. 1 and 2,) it will be found, on reference to the evidence, that a sum of about twenty pounds has been charged by Mr. Archambault, and paid to him for mileage in 1851, and a sum of about five pounds for mileage in 1854, over and above the sums allowed by law.

In these sums, are included one of £11 9s. 6d. in 1851, and £2 17s. in 1854, as overcharges for mileage in posting up election notices in the various parishes and townships of these counties, the rate allowed by law being sixpence for each mile “actually” and “necessarily” travelled.

In 1851, the distance actually travelled was 123 miles, while Mr. Archambault has charged 582 miles, conceiving himself entitled to mileage from the Village of L'Assomption, as a common centre for distances radiating to the various electoral divisions of the county, and returning by each to the common centre. Even had Mr. Archambault “actually” performed the distance in this manner, such an interpretation of the law could not be excused in any individual of the humblest capacity, inasmuch as it would fail of the essential condition of the law, that these distances had been necessarily performed in that manner. But these distances were not so performed by Mr. Archambault's messengers at all. They went over the ground by the shortest distances from place to place, as the plain import of the law and common sense would dictate; Mr. Archambault pleads that in this he has followed the example of other Returning Officers in various counties of this Province during the election of 1854, and other preceding elections; and in support of this plea, he has produced certified copies of the election accounts for thirty-seven counties without adducing any ulterior proof that charges of a similar nature are to be found in these accounts for the distances radiating from the centres to the circumferences of the different counties.

Whatever colour may be given to his claim from the fact that charges for mileage apparently excessive in amount, are met with in about fifteen of these thirty-seven accounts, it is obvious that in the absence of that topographical knowledge of such counties and of their roads and distances which I am not presumed to possess, and do not in reality possess; it is impossible to assume that there is to be found in any one of these accounts a charge to support the interpretation given to the law by Mr. Archambault. Nevertheless, upon a reference to the schedules of the aggregate amounts and details accompanying this report, and marked G and D, of various items of charges in these thirty-seven counties, it is not improbable even from the meagre knowledge which is to be gleaned or rather conjectured from a superficial glance at them, that several exorbitant and unwarrantable charges have been made in some counties, and among these I would indicate the following as affording a ground for such suspicion, 1848:—Beauharnois, Berthier, St. Hyacinthe, and Waterloo; 1854, Bonaventure, Champlain, Chicoutimi, Drummond and Arthabaska, Lotbinière, Ottawa, Portneuf, Sherbrooke and Wolfe, Terrebonne and Vaudreuil. But it would be unjust to the Returning Officers of these counties to come to any conclusion reflecting upon them, without a previous examination of the necessary statistic of each county.

This information may be deemed attainable from the Statutes designating the electoral divisions of the Counties of this Province, coupled with such further data of a local nature as may probably be procurable in the public departments,

exhibiting the roads, distances, and peculiar circumstances of each. Upon the maxim that that is to be deemed certain whereof the means of establishing its certainty are at hand, the local information in question may be considered within my reach. But the propriety of ferretting out such data, in order to supply a defect of proof, even in favor of the accused, is questionable, and such a course might be attended with danger, and be obnoxious to objection on the part of the complainant. Were this, however, the sole charge against Mr. Archambault, now under investigation, your Excellency, in justice to him, in so far as his plea in this behalf may be entertained as extenuating his act, would probably be disposed to direct this further examination to be had. But, in all probability, upon a review of all the charges against the accused, and the evidence in support of them, your Excellency will be of opinion that such a proceeding, whatever its result, would not much alter the complexion of the whole case.

In conclusion, as to this first charge A (Nos. 1 & 2), for mileage entirely beyond the rate allowed by law, and under a wilful misinterpretation of its very plain provisions, I respectfully submit that it has been fully established.

The next charge to be inquired into, in the order in which I have placed it, and which I designate as charge B (No. 4), relates to sums demanded by Mr. Archambault in his accounts, and paid to him as disbursements made for hustings, poll-houses, and constables, and for which he had never paid.

It will be seen by the evidence, that in the election account of eighteen hundred and fifty-one, Mr. Archambault charged for Hustings £7 10s., for Poll Houses £23 10s., and for Constables £6, making together £37; and that in eighteen hundred and fifty-four he charged for Hustings £5 10s., Poll Houses £12 5s., and constables £6 10s., together £24 5s., and amounting in all for the two elections to £61 5s., which several sums, it is established in evidence, he had not disbursed.

Mr. Archambault defends this charge, as well as all the others, on the ground that he acted conformably to law, and only demanded what he conceived to be due to him according to his interpretation of it, and the practice of other Returning Officers. But it is difficult, upon any conceivable interpretation of the law, and whatever the practice of other Returning Officers may have been, to excuse, far less to justify the demand by Mr. Archambault upon the Government to be repaid out of the public funds, sums charged by him as disbursements, which in truth he had never disbursed, nor for which he had incurred any legal responsibility. It is more than probable, upon reference to the schedules of aggregates and details already mentioned, that exorbitant sums have been demanded by Returning Officers, in the shape of disbursements for Hustings, Poll Houses and Constables. But in this as in the defence, the preceding charge for excessive mileage, there is a deficiency of proof that these charges were not actually incurred. It would be well, however, to point out here some of the counties in which exorbitant sums have been demanded, raising a violent presumption against the accuracy of such charges, for instance:—Eighteen hundred and forty-eight,—Nicolet, eight Poll Houses and Constables, £40. St. Hyacinthe, ten Poll Houses and Constables, £47; and Beauharnois, three Poll Houses and Constables, £11. Eighteen hundred and fifty-four:—Beauharnois, Hustings, £17 10s.; three Poll Houses, £27, in all £44 10s. (While the same charges with eleven polling places in eighteen hundred and forty-eight, only amounted to £21 8s.) Champlain; Hustings, £12 10s., ten Polling Houses, £40 9s. 4d., in all £52 19s. 4d. Hochelaga; Hustings, £7 10s., five Polling Houses, £47 5s., in all £54 15s.; and Vaudreuil, five Polling places, £25. Some of these items have been disallowed or reduced; enough, however, remains to raise a suspicion of gross extravagance, if not of positive peculation.

With reference to this charge, B (No. 4), it must be admitted that it has been conclusively established against Mr. Archambault, and that a sum of about sixty pounds claimed by him as disbursements in these two elections, had never been paid, nor recognized to be due by him.

The charge C (No. 3), is not connected with any accusation of having made overcharges in his accounts under colour of the election laws, but impugns the conduct of Mr. Archambault on grounds, morally at least, as reprehensible as either of the two preceding charges, namely:—that of receiving from Government various sums of money in the name of, and as payable to his Deputies, which he had not paid over to them, and the receipt of which he had denied, or studiously concealed. It has been brought out in evidence, that in the election accounts of 1851, presented to Government, Mr. Archambault charged and received payment for various sums, amounting in all to thirty pounds and upwards, as sums due to ten out of his thirteen Deputies; and 1854, a sum of about fifteen pounds due to seven out of his eight Deputies, which he also retained; and from the evidence in the case, it cannot be doubted that this arises not from any misinterpretation of law or inadvertency, but from a desire fraudulently to withhold from these gentlemen sums legitimately due to them; and this painful conclusion is amply borne out by several portions of the evidence in which it is brought home to him. That he had stated to them, and caused it to be stated to them, individually, that he had not received a greater amount from Government than the sums he had paid to each; and that in the month of May last, after his conduct in this matter had been brought under the notice of the Legislative Assembly, he stated to many of them that he was in a critical position, and made urgent appeals to them to grant him receipts of which he furnished a form, declaring that they had been paid their accounts to their entire satisfaction; but without specifying any amount. In some instances the request was complied with; in others, peremptorily refused.

Of this third charge, C (No. 3), the proceedings afford abundant proof.

I transmit with the report, the following documents, with a view to afford the means of verifying my figures, and of rectifying any error or omission which I may have inadvertently committed, although the precise amounts cannot be considered of importance in a matter involving principle more than any specified sum.

1st.—Schedule of aggregates of certain election charges made from accounts produced by Mr. Archambault.

2nd.—Details of charges for mileage, poll houses and constables, made up from the same source.

3rd.—Memorandum of overcharge for mileage.

4th.— do of overcharges for hustings, poll houses and constables.

5th.— do of sums withheld from Deputies.

There is yet another item in Mr. Archambault's accounts, which, though not coming strictly within the scope of the charges brought against him, it would be improper to pass over without notice; namely: £13 in his account of 1851; and £8 in that of 1854, for copies of poll books, which appear generally to have been prepared, not by him, but by the different Deputy Returning Officers, and which could not properly be included in charge C (No. 3), inasmuch as it appears that most of the Deputies had agreed to furnish them *gratis* to the Returning Officer, it is obvious that such a stipulation on the part of the latter was an improper exercise of his patronage and his influence, as Returning Officer. The law and the freedom of elections require that the office of Deputy should be filled by the fittest and most reliable persons who can be selected, and their acquiescence in a stipulation to furnish copies of the poll books *gratis*, or to dis-

charge any other duty, the remuneration for which should accrue to the Returning Officer and not to themselves, cannot be taken as a presumption in favor of their eligibility.

In reporting the evidence in this case, I conceive it my duty to state to your Excellency that all the witnesses examined appeared to me to be persons worthy of credit, that the facts detailed by them tending to sustain the charges against the accused, were deposed to, without the appearance of any animosity towards him; but on the contrary, seemed to be given with some reluctance, and it was only in one instance that I could hesitate to yield full credence to the testimony in relation to some facts, with respect to which, the witness was interrogated, but from the proof of which the accused could derive no benefit.

I deem it proper further to state to Your Excellency, that in examining and reporting upon this case I have not considered nor even perused the *liasse* of papers which were handed over to me with my Commission by the Honorable the Provincial Secretary, and which contain I believe some correspondence between the Government and Mr. Archambault, previous to the issuing of the Commission, inasmuch as I could not receive as proof any statements or explanations therein given by the latter, and because I deemed it unfair towards him to prejudice his defence by considering or weighing the effect of any admissions which might have unguardedly been made by him, or of any discrepancies which might appear therein when tested by the legal evidence under oath adduced in the case, which I conceived to be the only proof by which I ought to be governed.

Before concluding this report, I would respectfully draw Your Excellency's attention to certain facts disclosed in this case in respect to election accounts which have been already partly adverted to. Although the election accounts which have been produced by Mr. Archambault comprise only fifteen of the eighty-four counties into which the representation of Canada was divided in 1848, and twenty-four of the one hundred and thirty counties of 1854, and which for certain reasons, very apparent, may be deemed most obnoxious to objection on the ground of illegal charges; nevertheless enough has been elicited to demonstrate the necessity of a more strict scrutiny and revision of such accounts. In every case in which sums are charged as disbursements, sufficient vouchers, attested under oath, ought to be exacted, and the law in this particular, if defective, amended—a course which, if rigidly followed, would almost preclude the possibility of imposition, and thereby operate a very large reduction in the expenditure of the public monies.

The whole respectfully submitted.

(Signed,) DUNBAR ROSS,
Solicitor General and Commissioner.

QUEBEC, 19th December, 1855.

DOCUMENTS ACCOMPANYING THE REPORT.

Deposition of Witnesses.....	AA.
Papers filed at the <i>enquêtes</i>	BB.
Memorandum of over-charges for mileage	CC.
do of do for hustings, &c	DD.
do of sums withheld from Deputies.....	EE.
Schedule of aggregates of certain election charges	G.
Details of charges for mileage, poll house, and Constables.....	D.

PROVINCIAL SECRETARY'S OFFICE,

Toronto, 19th January, 1856.

Sir,—I have received instructions from His Excellency the Governor General to inform you, that His Excellency in Council has taken into consideration the Report of Mr. Solicitor General Ross upon the accusations preferred against you, in your capacity of Returning Officer, and that upon the testimony which has been brought forward, His Excellency has resolved to dismiss you from the office of Registrar for the County of Leinster, and from that of Commissioner, under the authority of the Seigniorial Act of 1854. Henceforth you must not consider yourself as holding these offices, and you will have the goodness to transfer to Marcel Poirier, Esquire, who has been appointed to succeed you as Registrar, the possession of the Registry Office of your County, and all the books and papers thereunto belonging.

His Excellency has further desired me to inform you, that hereafter you will be notified of the amount of the sums included in your accounts, as Returning Officer, which you had no authority to receive, under the election law, and which you will have to reimburse; the Deputy Returning Officers will also be notified of the amounts which you have received for them.

I have the honor to be, Sir,

Your obedient Servant,

(Signed,) GEO. ET. CARTIER,
Secretary.LOUIS ARCHAMBAULT, Esquire,
L'Assomption.

L'ASSOMPTION, 25th January, 1856.

Sir,—I have the honor to acknowledge the receipt of your letter of the 19th instant, by which you inform me that you have been instructed by His Excellency the Governor General to announce to me that His Excellency in Council has resolved to dismiss me from the office of Registrar of the County of Leinster, and from that of Commissioner, in virtue of the Seigniorial Act of 1854.

As this determination is based upon the report of Mr. Solicitor General Ross, which has not as yet been communicated to me, I venture to hope, that you will have the goodness to pray His Excellency to cause a copy of this report to be transmitted to me.

I have the honor to be, Sir,

Your obedient Servant,

(Signed,) L. ARCHAMBAULT.

The Honorable G. E. CARTIER,
Provincial Secretary,
Toronto.

[*Translation.*]

AA.

Depositions taken in the Village of L'Assomption, County of L'Assomption, in the matter of the Accusations against Louis Archambault, Esquire, N.P., as Returning Officer for the Counties of Leinster and L'Assomption, in the Elections of 1851 and 1854. Commenced 25th June, 1855.

At L'ASSOMPTION, COUNTY of L'ASSOMPTION, PROVINCE of CANADA, 25th June, 1855.

Mr. DENIS VIGER, Gentleman, sworn in as Clerk.

Present,—JOSEPH PAPIN, Esquire, M.P.P., Complainant; and Louis ARCHAMBAULT, Esquire, Notary, the accused.

Read, the Commission of DUNBAR ROSS, Esquire, Solicitor General for Lower Canada, Commissioner appointed to inquire into certain charges brought against Louis Archambault, Esquire, in his capacity of Returning Officer for the last Elections of the Counties of Leinster and L'Assomption.

The charges brought against Mr. Louis Archambault, are the following:—

Primo: That the said Louis Archambault in the accounts transmitted by him to the Government for the elections of the County of Leinster, in one thousand eight hundred and fifty-one, and of L'Assomption in 1854, charged for roads and distances, longer than those which he really travelled over, or caused to be travelled over, in the execution of his duty as Returning Officer for the said County.

2ndly.—That the said Louis Archambault paid very trifling sums to have the proclamations put up in the different parishes, and charged the full mileage as if he had himself gone to put up the said proclamations, notices of elections, &c., as he has stated in a letter written to the Honorable A. N. Morin, at that time Provincial Secretary, in explanation of his account of 1851.

3rdly.—That the said Louis Archambault drew from the Government for his Deputies in the different parishes, sums more considerable than those which he paid to them, and that to secure this object he presented to the Government accounts which his Deputies had never presented to him.

4thly.—That the said Louis Archambault, in the two elections of 1851 and 1854, charged and drew from the Government, for hustings, constables, and house-hire, very considerable sums, which he never in reality expended or paid.

Mr. Papin requests of the said Commissioner that the defence made by the said Louis Archambault to the above accusations, and transmitted by the latter to the Government, be communicated to him before the inquiry commences.

On this demand, the Commissioner declares that certain documents relating to the charges brought against the said Louis Archambault have been intrusted to him by the Government to guide him in the investigation of the facts on which the said accusations are based, without any authority to communicate them to the parties, and that he believed that such communication would not be within the limits of his Commission.

The said Louis Archambault being asked whether he has any answer to make to the said accusations, he replies that he should wish to have a delay till to-morrow at 10 o'clock, to answer to this demand, and consents to the examination, in the interval, of the witnesses for the prosecution.


JEAN MARIE BROUILLET, Boatman, of the Parish of L'Assomption, in the County of L'Assomption, witness called on behalf of the Plaintiff, and aged fifty years, being duly sworn, doth depose and say as follows, to wit:—

I am acquainted with the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of these parties. I have no interest in this affair. I resided in the village of L'Assomption last summer at the time of the election of a Member of Parliament, which took place in this county. Before the day of the nomination, a certain Joseph Bouquet, accompanied by some others, asked me for the sail of my bateau, saying that he wanted it to cover the hustings which he was engaged in constructing in the said village, for the election aforesaid. I answered, that he might take it, and on the morning of the nomination day, one of the men employed in constructing the said hustings came to get it. I saw them afterwards make use of the said sail to cover the said hustings, and I know this was the only covering made for the said hustings.

When I thus lent the said sail, it was on the request made to me to do so. It was returned to me after the nomination. I never asked for any receipt, nor did any one give me, or offer me, any money for the use of the said sail.

Mr. Louis Archambault has no question to put to the witness.

And the said deposition being read to the witness, he states that it contains the truth, and declaring himself unable to read or write, has made his mark of a cross.

his
JEAN MARIE  BROUILLET.
mark.

(The witness asks twenty-five shillings for indemnity, stating under oath, that he was to leave this morning with his bateau for Montreal, and that having been summoned here last evening, as witness, he was obliged to let his bateau leave without him, and is now obliged to return to town by land to rejoin his bateau, which was laden. Allowed twenty shillings.)

Sworn before me at L'Assomption,
the 25th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

JOSEPH BOUSQUET, Joiner, of the Village of L'Assomption, in the County of L'Assomption, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation nor connection, nor in the service of either of these parties. I am thirty-six years of age. I have no interest in this affair.

I have been living in this Village for many years.

Last Summer, some days before the nomination of the candidates for the election of this county, Mr. DeLorimier, Clerk of the Circuit Court, and Deputy Registrar, asked me if I was willing to undertake to construct a hustings at the church door for the said election. I then agreed to make the said hustings without mentioning the price. He then told me that he made this inquiry of me on the part of Mr. Louis Archambault. Mr. Louis Archambault did not reside at L'Assomption at this time. The materials which I employed in the construction of this hustings were 39 two-inch planks, 4 posts, and 4 ties, nails, 4 boards, 5 scantlings, and two joists; and I covered the said hustings with a bateau sail. After the election, the said Mr. DeLorimier asked me how much I charged for having made the said hustings, including the materials which I had furnished. I asked him two pounds, and he paid me that amount. The materials which I furnished myself are 4 posts, 2 joists, 5 scantlings, 4 ties, 4 boards, and the nails. I borrowed the 39 planks from Mr. Urgel Archambault, Merchant, of the village, and the sail which served as a covering, from Jean Marie Brouillet, boatman, of the same place. I paid nothing for the materials thus borrowed; and I charged altogether for the construction and materials of the said hustings, only the said sum of two pounds.

Mr. Louis Archambault has no question to put to the witness.

And the said deposition being read to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed) J. BOUSQUET.

(Allowed 5s. to the witness.)

Sworn before me, at L'Assomption,
25th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

JOSEPH ROY, Clerk at Mr. Urgel Archambault's, Merchant, of the Village of L'Assomption, County of L'Assomption, aged 19 years, witness called on the part of the Plaintiff, being duly sworn, doth depose and say as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

In the month of July last, on the morning of the day of nomination of the candidates, Joseph Bousquet, who has just been heard as a witness, came, in my presence, and asked Mr. Urgel Archambault, merchant, of this village, to lend him some planks to make the hustings. Mr. Urgel Archambault consented, saying to Bousquet, "Take what planks you require; but when you take them, be careful to pass by my store, to have them counted by myself or my clerk." The said Bousquet came accordingly and had the said planks counted, and it was Prosper Martel, one of the clerks of Mr. U. Archambault, who counted them in

my presence, and in the presence of the said Bousquet. On the day after, in the afternoon, the said Bousquet brought back the said planks; I received them myself. I then counted them, and there were thirty-nine, which was the same number as the said Prosper Martel had told me the evening before. As far as I know there was nothing said about payment for the use of the said planks.

Mr. Louis Archambault has no question to put to the witness.

And the said deposition being read to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) JOSEPH ROY.

(Allowed 5s. to the witness.)

Sworn before me, at L'Assomption,
this 25th day of June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

PROSPER MARTEL, Clerk at the store of Mr. Urgel Archambault, Merchant, of the Village of L'Assomption, in the County of L'Assomption, sixteen years of age, a witness called on behalf of the said Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither a relation, nor connection, nor in the service of either of them. I have no interest in this affair.

In the month of July last, on the eve of the day of nomination of the candidates for the election of the County of L'Assomption, Joseph Bousquet came to Mr. Urgel Archambault, at whose store I was clerk, and asked to borrow some planks to make the hustings. Mr. Urgel Archambault told him that he would lend him some, and asked him, when he took them, to pass by his store to have them counted. The said Bousquet went to get the planks; came to the store, and I counted them myself: there were thirty-nine.

Mr. Louis Archambault has no question to put to the witness.

And the said deposition being read to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) PROSPER MARTEL.

(Allowed 5s. to the witness.)

Sworn before me, at L'Assomption,
25th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

MR. URGEL ARCHAMBAULT, Merchant of the Village of L'Assomption, in the County of L'Assomption, aged forty-three years; witness called on behalf of the Plaintiff, being duly sworn, doth depose and say:—

I know the Plaintiff and Defendant; I am neither relation nor connection, nor in the service of either of them. I have no interest in this affair.

In the month of July last, the day of nomination of the candidates at the election of the Members of Parliament, I lent to Joseph Bousquet a certain number of planks, which he asked me for, to construct the Hustings. I did not count them, but I gave orders to my clerks Joseph Roy and Prosper Martel to count them when they gave them out, and when they received them back. I did not ask anything of the said Bousquet for the use of the said planks; I merely lent them to him.

I was present at the nomination of the candidates for the election of the County of Leinster in 1851. This nomination took place in the Village of L'Assomption, on the gallery of the house then occupied by Louis Gustave Delorimier, Clerk of the Circuit Court, and Deputy Registrar; it was in this house that the said Delorimier resided; he kept the Registry Office there, and the Circuit Court was held in a part of the said house. At this time, Mr. Louis Archambault was living in the parish of St. Roch. The gallery on which said election took place was at that time in its usual state; that is, no work appeared to have been done, nor any preparation made for the occasion.

The County of L'Assomption is composed of eight Parishes, namely:—L'Assomption, St. Sulpice, Repentigny, Lachenaie, Mascouche, St. Lin, St. Roch, and L'Epiphanie. The distance from L'Assomption to St. Sulpice, is at most six miles; from St. Sulpice to Repentigny, six or seven miles; from Repentigny to Lachenaie, six or seven miles; from Lachenaie to Mascouche, about six miles; from Mascouche to St. Lin, I cannot say; from St. Lin to St. Roch, nine miles; from St. Roch to L'Epiphanie, about six miles; and from L'Epiphanie to L'Assomption, about six miles. Mr. Louis Archambault, at the time of the election in eighteen hundred and fifty-four, was living in the said Parish of St. Roch.

At the time of the election, in eighteen hundred and fifty-four, I passed the two polling days at the poll of the said Parish of Repentigny, which was held in the Public Hall. On the second day, at about three o'clock in the afternoon, I asked the Deputy Returning Officer, Mr. Benjamin Moreau, to appoint constables, and he appointed two: a few moments afterwards I left the poll.

Mr. Louis Archambault asks till to-morrow to cross-examine this witness.

At L'ASSOMPTION, 26th June, 1855.

The Enquiry opened. Present,—Mr. PAPIN, and Mr. LOUIS ARCHAMBAULT, assisted by his advocate, Mr. TURGEON.

The Commissioner deposits among the documents of the Commission, two files of paper marked, respectively "X" and "Y," having reference to the election of the Counties of Leinster in eighteen hundred and fifty-one, and L'Assomption in eighteen hundred and fifty-four, transferred to him by the Deputy Inspector General of the Accounts of the Province, as forming part of the documents deposited in his office, so that the parties may take communication thereof, and to be used as may be found expedient.

Mr. Urgel Archambault appears again, and is cross-examined.

I am sufficiently well acquainted with the distances between the parishes of the County of L'Assomption to state, that from L'Assomption to St. Sulpice, is six miles at most: it is generally reckoned six miles, but for myself I think it is rather less than more. From here to Repentigny, seven miles and a half, as is

generally estimated. From here to Lachenaie is usually reckoned twelve miles; and from here to the end of the Parish of Repentigny, near the Lachenaie line, nine miles. From here to St. Henri de Mascouche, passing by the Grand Co-teau, is reckoned fifteen miles: from this place it is a mile and a half to the rapid where the mills are, and I do not know what the additional distance is to the Chapel of Laplaine, in the Parish of Mascouche, nor the distance from the Church to this part of the Ruisseau des Anges. I have heard it said that it was in Mascouche. Hence to the Church of St. Lin is usually reckoned twenty-one miles. I do not know the remaining distance from the Church to the extremity of the Parish. From what I have heard there may be thirty miles from here to the Church or to the Chapel of Beauport.

And the said deposition being read over to the witness, he says that it contains the truth, and hath signed.

(Signed,) P. U. ARCHAMBAULT.

(Allowed 15s. to the witness.)

Sworn before me, at L'Assomption,
the 25th June, 1855.

Closed and recognized the 26th of the same month.

(Signed,) DUNBAR ROSS,
Commissioner.

It being ten o'clock of the forenoon, Mr. Papin observed that the delay asked for yesterday by Louis Archambault to declare whether he had any answer to make to the charges hereinabove specified, is now expired. Consequently Mr. Papin inquires if Mr. Louis Archambault is prepared to make the said answer.

Mr. Archambault asks delay till one o'clock, to advise with his counsel, which is granted him.

Mr. CAMILLE ARCHAMBAULT, of the village of L'Assomption, in the County of L'Assomption, Notary, aged thirty-six years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say as follows, to wit:—

I know the Plaintiff and Defendant; I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

I was Deputy Returning Officer for the Parish of L'Assomption at the time of the election which took place in this County in the month of July, 1854. The account which I presented to Mr. Louis Archambault for my services as Deputy, amounted to the sum of six pounds seven shillings and sixpence, of which the following is the detail:—Two pounds for my fees; one pound for the clerk of the poll; three pounds for the use of my house, in which the poll was held; two shillings and sixpence for the Commission of the Clerk of the Poll; and two shillings and sixpence for swearing in the Clerk at the opening of the poll, and the same for swearing him at the close of the poll.

Mr. Louis Archambault paid me, in the month of November last, the said sum of six pounds seven shillings and sixpence. I did not appoint any constables during the said election, nor did I ask or receive anything for such object. I asked and received nothing else than the items of the account which I have just detailed. I did not receive the said sum from the hands of Mr. Louis Archambault him-

self, but from Louis Gustave DeLorimier, Deputy Registrar, residing at L'Assomption: when he paid me, he showed me in a book of accounts an order to pay me the said sum: this order was in the handwriting of Mr. Louis Archambault. For a number of years back Mr. Louis Archambault has resided in the Parish of St. Roch; he was living there at the time of the elections of 1851 and 1854. The distance between the Parish of St. Roch and that of L'Assomption is twelve miles. The Village of L'Assomption is the *chef-lieu* of the County of L'Assomption, and was the *chef-lieu* of the County of Leinster in 1851.

At the time of the election of 1851 for the County of Leinster, I was present at the nomination of Candidates, and at the proclamation of the Honorable Louis Michel Viger, who was elected a member of the said County of Leinster. This nomination and proclamation took place on the gallery of the house at that time occupied by the said L. G. DeLorimier, Esquire. The said gallery was in its usual state, and no work appeared to have been done, or preparation made for the occasion above-mentioned.

I know the distances between the different Parishes of the County of L'Assomption and the former County of Leinster. I was myself Returning Officer for the County of Leinster in 1848. At that time the total road travel to go over, in order to make the round of all the parishes and townships in which there were polls in the said County of Leinster, was, to the best of my recollection, one hundred and twenty-three miles; that is the distance which I then charged in my account, as having myself, in part gone over it, to carry the notices of election in the said parishes, and as having had it travelled over by a messenger, to carry the said election notices in the said Townships. These distances are as follows, that is to say:—From L'Assomption to Repentigny, seven miles; from Repentigny to St. Sulpice, six miles; from St. Sulpice to L'Assomption, six miles; from L'Assomption to St. Jacques, thirteen miles; from St. Jacques to Rawdon, twelve miles; from Rawdon to St. Esprit, twelve miles; from St. Esprit to St. Lin, fifteen miles; from St. Lin to Kilkenny, (now St. Calixte de Beauport,) six miles; from Kilkenny to St. Roch, fifteen miles; from St. Roch to St. Henri de Mascouche, nine miles; from Mascouche to Lachenaie, six miles; from Lachenaie to L'Assomption, sixteen miles. At this time, in 1848, there was no poll in the Parishes of Ste. Julienne and St. Alexis, which were not in existence, nor were the Townships of Chertsey and Wexford. The road from St. Jacques to Rawdon, by St. Alexis, is longer by four miles. The distance from St. Alexis to Rawdon, going by St. Julienne, is about the same. I do not know the distances to be travelled over to go to the Townships of Chertsey and Wexford. Nor do I know the distance between the place where I caused to be carried the notices of election in 1848, at the entry of the Township of Kilkenny, to the place where now stands the church of St. Calixte in the said Township.

After the election of 1854, I caused a copy of the poll book for the said Parish of L'Assomption to be made, and gave it to Mr. Louis Archambault; I did not charge him anything for it.

Before the said election of 1854, my commission as Deputy and the poll book of the said Parish of L'Assomption were transmitted to me by the said L. G. Delorimier, Deputy Registrar, residing as well as myself, at the Village of L'Assomption. I was sworn as Deputy, before a magistrate at the Village of L'Assomption. The distance to be gone over in making the round of the County of L'Assomption, and returning to the point of departure, passing by the churches of the eight parishes which it comprises, is, according to the calculations which I have just made, about fifty-seven or sixty miles. When the said Mr. Delorimier paid me my fees as Deputy, in November last, I gave a receipt on the same book in which was written the order of Mr. Louis Archambault.

To the best of my recollection, this receipt was in the following words:—"I acknowledge having received at the hands of Mr. DeLorimier, the amount of the sum specified in the above order." I am not certain that these were the precise words, but they were nearly the same.

About the beginning of May last, Mr. L. G. Delorimier, Deputy Registrar, asked me, on behalf of Mr. Louis Archambault, to give him a receipt, that is to say, to Mr. Louis Archambault for the sum which the said Mr. L. G. Delorimier had paid me. I then gave Mr. Delorimier the receipt as requested. This latter receipt mentioned that I had received the said sum of six pounds seven shillings and sixpence, at the hands of Mr. Delorimier, in quittance of Mr. Louis Archambault leaving in blank, the receipt at the foot of the receipt, and requesting Mr. Delorimier to put the same date there as that of the receipt in the book, as above-mentioned. My intention, in so doing, was to avoid giving, at two different epochs, two receipts for the same sum.

On the seventeenth of May last, being Ascension day, Mr. Louis Archambault asked me if I would give him another receipt than that delivered some days before to Mr. Delorimier, his Deputy Registrar, saying that he wished to have a receipt bearing the date of the very day on which it would be given, and asking me to begin the receipt with the words "I acknowledge having received to my satisfaction, &c." These were the only alterations that he asked of me. I gave this receipt without mention of any sum. I cannot state the exact words of this last receipt, with the exception of what I have already said. But on the day when I delivered this receipt, I made a copy of it from memory, which copy is now exhibited to me, and which I believe to contain the precise terms of the receipt in question. This copy is in the following terms:—

"I, the undersigned, acknowledge having received, to my satisfaction, from Louis Archambault, Esquire, Chief Returning Officer, the total amount of the account which I presented to him for having acted as Deputy Returning Officer for the Parish of L'Assomption for the election of one thousand eight hundred and fifty-four, for the County of L'Assomption.

(Signed,) CAMILLE ARCHAMBAULT.

"L'Assomption, 17th May, 1855."

The said copy, marked A, is annexed to my present deposition.

I then gave the receipt in question to Mr. Louis Archambault, who returned me that which I had delivered to Mr. Delorimier some days before, and which I then destroyed.

Examination continued, 20th June, 1855.

[Cross-examined.]

I do not recollect having furnished my account as Deputy Returning Officer of the Parish of L'Assomption, for the election of one thousand eight hundred and fifty-four, before the month of November last. On referring to the account now exhibited to me, forming part of the file marked Y, I state that the distance from L'Assomption to St. Sulpice, going and returning, is twelve miles. That from L'Assomption to the extremity of the Parish of Repentigny is eighteen miles, going and returning. The most public places of the Parish of Repentigny are the Church and the little Village. I consider the traverse at Antoine Deschamps a public place, in the same sense as I should consider any other traverse to be so, and nothing more. The locality at Antoine Deschamps is the extremi-

ty of the Parish of Pepentigny, and there is no way of going farther but by the traverse. I declare that all the distances mentioned in the above account are correct, for going and returning, starting from L'Assomption. For the one hundred and twenty-three miles, for which I stated in my examination-in-chief that I was paid by the Government when I was Returning Officer in 1848, I charged three pounds one shilling and sixpence, at the rate of sixpence per mile.

Question.—As Returning Officer in 1848, did you charge for posting up the proclamations and notices? and how much?

Mr. Papin objects to this question, for the following reasons:—

1st.—Because it tends to prove a fact foreign to the present inquiry.

2nd.—Because the Commissioner is not empowered, in virtue of his Commission, to institute an inquiry into the accounts of the witness.

3rd.—Because the answer which might be given by the witness, could have no bearing on the present inquiry, inasmuch as the witness acted as Returning Officer in eighteen hundred and forty-eight, and the law, in virtue of which Mr. Louis Archambault has acted, has only been in existence since eighteen hundred and forty-nine.

Question rejected, inasmuch as there is, neither in the law of eighteen hundred and forty-nine, nor in that which was in force in eighteen hundred and forty-eight, any fee for having posted up the notices of election, and as there is no such charge found in the account of Mr. Louis Archambault.

Mr. Louis Archambault consulted me on the manner of drawing up his account. I gave him advice;—but, I did not tell him to charge five hundred and eighty odd miles, when I charged only one hundred and twenty-three.

I gave him a rough draught of accounts, which I assert not to be the same as what I presented to Government. I recollect having said to Mr. Louis Archambault, that the accounts of the Returning Officers were visible, and that every one had access to them.

Question.—Look at the account now exhibited to you, and state whether it is in your hand-writing, and whether it is not the same which you lent to Mr. Louis Archambault for his guidance.

Mr. Papin objects to this question for the same reasons as those mentioned in the foregoing objection.

Question permitted, inasmuch as the matter at issue in this inquiry is to ascertain, first, whether the Defendant has over-charged his account as Returning Officer in manifest contravention of the law of elections; and secondly, whether he did so knowingly; because the proof in either case might affect the decision of Government on the result of the inquiry.

Answer.—This account is the same as that which I lent to Mr. Louis Archambault, at his request, and which he promised to return to me; but it is not the same account as that which was paid me by Government, having received from Government only the sum of one hundred and twenty-four pounds, five shillings, as appears by the public accounts of eighteen hundred and forty-eight; neither is it the same account as that which I produced to Government, and which I was paid.

Question.—Had you not based the draught of account, which you furnished to Mr. Louis Archambault, on the instructions which you had received from the Returning Officers who had acted at the same time, and before you, and conformably to the practice then generally followed.

Mr. Papin objects to this question, as being foreign to the present inquiry, and as tending to prove a practice which is, possibly, not to the personal knowledge of the witness.

The Commissioner allows the question, because, for the reasons already given, the answer may have some influence on the consequences of this inquiry.

Answer.—Before presenting my account to the Government, I consulted two old Returning Officers, who gave me certain information on the manner of drawing up my account, and also a Returning Officer of my own time, who likewise gave me advice, which I did not follow. Before drawing up the draught furnished to Mr. Louis Archambault, I had consulted the two old Returning Officers, of whom I have spoken. I did not prefer any complaints against Mr. Louis Archambault to any person whatever. I simply answered an inquiry made by letter on the part of Mr. Papin, in his capacity of Member of Parliament for the County of L'Assomption, asking me what sum I had received from Mr. Louis Archambault for having acted as Deputy Returning Officer of the Parish of L'Assomption, by stating that I had been paid by Mr. Louis Archambault the total amount of my account, being six pounds seven shillings and sixpence.

And the said deposition being read to the witness, he says that it contains the truth, and hath signed.

(Signed,) CAMILLE ARCHAMBAULT.

(Allowed to the witness for two days, 22s. 6d.)

Sworn before me, at L'Assomption,
this 25th day of June, 1855.

Closed and acknowledged on the 26th of the same month.

(Signed,) DUNBAR ROSS,
Commissioner.

A.—Receipt produced by the witness, Camille Archambault, signed C. A. :—

I, the undersigned, acknowledge having received, to my satisfaction, from Louis Archambault, Esquire, Chief Returning Officer, the total amount of the account which I presented to him for having acted as Deputy Returning Officer for the Parish of L'Assomption, for the election of one thousand eight hundred and fifty-four, for the County of L'Assomption.

(Signed,) CAMILLE ARCHAMBAULT.

L'ASSOMPTION, 17th May, 1855.

Answer of Mr. Louis Archambault to the above mentioned charges preferred against him: given this day, the 26th of June, at half-past two o'clock in the afternoon:

To the First—A general denial; and to all the others Mr. Archambault states that he has only acted as he believed in conformity with the law, and that he has only asked that which he thought to be due, from the interpretation which he himself put upon the law, and from the practice adopted by the Returning Officers who had preceded him, and those who acted at the same time with himself, whom he consulted: denying otherwise all charges of malversation.

(Signed,) DUNBAR ROSS,
Commissioner.

At L'Assomption, on the twenty-sixth day of June, one thousand eight hundred and fifty-five, at half-past two in the afternoon.

THOMAS LOUIS GUSTAVE DE LORIMIER sworn in as Clerk.

BENJAMIN MOREAU, Esquire, Merchant, of the Parish of Repentigny, in the County of L'Assomption, of the full age of twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither a relation, nor connection, nor in the service of either of them. I have no interest in this matter.

I was Deputy Returning Officer for the Parish of Repentigny, at the time of the election of a Member of Parliament for the County of Leinster, in 1851. I do not exactly recollect the amount of the account which I presented to Mr. Louis Archambault for my services as Deputy during the said election, but I can swear that it was between six and seven pounds, and he paid me in full the amount of the account which I presented to him, and that during the same year and in one single payment. This account was composed of the following items, as nearly as I can remember, that is:—"Two pounds for my fees, one pound for my Clerk; for the hustings I do not quite recollect the amount, but I think it was about ten shillings. I am certain that it was less than ten dollars. To the best of my recollection it was between ten shillings and one pound. One pound for the Constables; and the mileage allowed by law for a distance of eight miles at sixpence per mile, for bringing my poll books from my residence at Repentigny to the village of L'Assomption. I do not remember whether I took the oath as Deputy at Repentigny or at L'Assomption, but this oath is entered in the poll book. I do not at all recollect having made a copy of the poll book, or having caused one to be made.

I was also Deputy Returning Officer for the said Parish of Repentigny, at the election of the County of L'Assomption, in 1854. On referring to a copy of the account which I made some days after the said election, believing that it is correct, I see that the amount of my account, as Deputy, for 1854, is five pounds seven shillings and sixpence, and is composed of the following items:—

For my fees, two pounds; for my clerk, one pound; for two special constables, one pound; for cost of hustings, seven shillings and sixpence; for a journey to L'Assomption to transmit the poll book, nine shillings; for the commission of the clerk of the poll, two shillings and sixpence; for a copy of the poll book, eight shillings and sixpence. At the time of this last election I took the oaths to act as Deputy, before a magistrate, at Repentigny, near my residence. The poll book and my commission as Deputy were transmitted to me, before the election, by Mr. Alexander Archambault, advocate, of the Village of L'Assomption, who remitted them to me at the church door of Repentigny. I was paid in full by Mr. Louis Archambault. I have no recollection of having given to Mr. Louis Archambault, nor to any one for him, any receipt relating to the said account, any more than for the receipt of 1851.

[Cross-examined.]

In my account of 1851, I certainly charged my journey to L'Assomption, going and returning. From the church to the extremity of the parish, going up the river, is two miles. The place of the traverse at Deschamps at this extremity, has always been considered as public property in this parish. If I had given a receipt to Mr. Louis Archambault, since April last, it is very probable that I should recollect it. I have never drawn up any complaints against Mr. Louis

Archambault as Returning Officer, nor have I ever been solicited by any one to do so. During the last session, I received from Mr. Papin, Member for the County of L'Assomption, a letter requesting me to inform him what amount I had received from Mr. Louis Archambault, as Deputy in 1854.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) BENJAMIN MOREAU.

(The witness asks six dollars, having come from a distance of eight miles. Allowed 15s.)

(*Vide* deposition in September.)

Sworn before me, at L'Assomption,
the 26th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

JOSEPH EUGENE ECREMENT, Esquire, Notary, of the Parish of St. Jacques, in the County of L'Assomption, aged more than 21 years, witness summoned on behalf of the Plaintiff, being sworn, doth depose and say, as follows, to wit :—

I know the Plaintiff and Defendant. I am neither a relation, nor connection, nor in the service of either of them.

At the time of the election in 1851, in the County of Leinster, I acted as Deputy Returning Officer for the Parish of St. Jacques. I did not present any account to the Returning Officer, Mr. Louis Archambault, for my services as such Deputy; but some months after the said election, Mr. Louis Archambault paid me for my fees and disbursements in full, the sum of seventeen or eighteen dollars. I am not quite certain of the amount, but it was about that sum. I am confident it was not more than twenty dollars. I do not recollect having given him a receipt at the time. I can state approximately the items of the sum which he paid me. There was for my fees, two pounds; for my clerk of the poll, one pound; for the commission of this latter, two shillings and sixpence; for two constables, one pound. I think there was another item for bringing my poll books from St. Jacques to L'Assomption, a distance of twelve miles. I did not charge or receive any sum of money for the hire of a house to hold the poll in; the poll was held in the public hall. I was sworn as Deputy at Mr. Louis Archambault's, at St. Roch. I do not know whether I received any sum for this journey. When Mr. Archambault paid me, there was no special mention of any item in particular. He gave me a sum as payment in full, and I declared myself satisfied with the amount which he gave me. I appointed seven or eight constables during the said election; they all claimed payment, but I paid only two, at five shillings per day, during the two days, making four dollars. I paid but two, because I had only the money for two.

I received from Mr. Louis Archambault, before the election, my commission as Deputy, and my poll books, at his residence at St. Roch, when I went there to take the oaths. I made a copy of the poll book, for which I charged nothing. I remitted it to Mr. Louis Archambault. It is about six weeks ago, since I sent by post, to Mr. Louis Archambault, a receipt which he had requested from me by letter. Although I did not keep any copy, I recollect nearly what it contained. I acknowledged by this receipt, to have received from Mr. Louis Archambault,

the amount of fees to which I was entitled as Deputy Returning Officer for the Parish of St. Jacques, and confessed my claims to have been satisfied by Mr. Louis Archambault. The receipt bore the date of the day on which I wrote it—it did not mention any sum. I did not mention the sum, because I did not recollect it. I did not then endeavour to recall it to recollection, as I have done since. Mr. Louis Archambault told me in his letter, that I probably did not remember the sum, but that it was sufficient to state that I had received the amount of my fees to my satisfaction.

[Cross-examined.]

In the letter which Mr. Louis Archambault wrote me, he informed me that he did not himself recollect the amount which he had paid, and it was for this reason he asked me for a receipt as I sent it to him. From the church of St. Jacques to the most distant extremity of the parish, is two leagues and a half. There was at this time (that is to say, in eighteen hundred and fifty-one) a mill, which is now in the Parish of St. Liguori, at the distance of two leagues from the church, which was generally considered as a public place, as well as another place three miles from the church.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) J. E. ECRÉMENT.

(The witness asks thirty shillings, having come twelve miles, and having paid for a conveyance.—Allowed to the witness twenty-two shillings and sixpence.)

Sworn before me, at L'Assomption,
26th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

Mr. MEDÉRIC DORVAL, Merchant, of the Village of St. Jacques, in the County of L'Assomption, aged more than twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of any of them. I have no interest in this affair.

At the time of the election for the County of Leinster in 1851, I acted as Deputy Returning Officer for the Parish of St. Alexis: I did not make out any account for my services on that occasion. A short time after the election Mr. Ecrément paid me on behalf of Mr. Louis Archambault for my services: without precisely recollecting the sum, it was about fifteen dollars, as near as I can remember; it might be a little more or a little less, but I think it was between three and four pounds. Mr. Ecrément, in giving me this money, told me that it was Mr. Louis Archambault who sent it to me, to pay me what was due to me as Deputy Returning Officer abovementioned. I was satisfied with this sum, and did not ask anything more. Before the election Mr. Louis Archambault told me that he had engaged the Clerk of the Poll, and that he had hired a house to hold the poll in; that I had only to come alone to the place designated. In giving me this money, Mr. Ecrément told me that the fees of the Clerk of the Poll were included, and subsequently, on the demand of the said clerk I paid him the said sum, one pound, for his fees. The poll was held in the house of Damase Gareau;

at that time merchant of the said parish, who was Clerk of the Poll. When I paid him the sum of one pound, it was solely for his fees as Clerk of the Poll; he told me then, or perhaps later, that he had been paid by Mr. Louis Archambault for the hire of the house, without telling me what sum, at least I do not remember any. This Mr. Damase Gareau now lives at Bytown. I did not appoint any constables during the said election, and no one acted as such at the said poll of St. Alexis. The poll books and my commission as Deputy were remitted to me by Mr. Louis Archambault, at his residence at St. Roch, when I went there to take the oaths before the election. After the election I believe I deposited the poll books at the Registry Office, at L'Assomption. The distance from my residence at St. Jacques to the place where the poll was held at St. Alexis, is estimated at three miles. When I received the sum which I have mentioned, I did not give any receipt. Last month, as I think, Mr. Ecrément communicated to me a letter which he had received from Mr. Louis Archambault, requesting him to ask me for a receipt for the amount of the account which I had filed as Deputy, and stating that in case I did not recollect the sum, it would suffice to say that I had been paid the amount of my account to my satisfaction; as I had not filed any account, and did not recollect the precise sum which I had received, I sent to Mr. Louis Archambault a receipt, setting forth that I acknowledged to have received the amount of my fees as Deputy Returning Officer for St. Alexis, in 1851, and confessed quittance thereof. I dated this receipt the day on which I wrote it.

[Cross-examined.]

I am not one of those who made complaints against Mr. Louis Archambault. I did not receive any letter from Mr. Papin on this subject. The proclamations for elections are generally put up on the church, at the mill, and at the shops and taverns. There are in the Parish of St. Jacques many of these places at a distance varying from one league to two leagues from the church.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) M. DORVAL.

(Allowed to the witness, 20s.)

Sworn before me, at L'Assomption,
the 26th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

PHILIPPE MOUNT, Esquire, residing in the Village of St. Henri de Mascouche, in the County of L'Assomption, aged upwards of twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

At the time of the election for the County of Leinster, in 1851, I acted as Deputy Returning Officer for the Parish of St. Henri de Mascouche. I have no recollection of the precise amount which I received in payment of my services, fees, and disbursements, but as near as I can remember it was between three and four pounds. It was Mr. Louis Archambault himself who paid me. I do not recollect having at that time given him a receipt for the said sum. An account

forming part of the file X, produced by the Commissioner, being shown to me, I declare that this account, amounting to the sum of eight pounds seven shillings and sixpence, and entitled, "Fees of the Deputy Returning Officer of the Parish of St. Henri de Mascouche, in the County of Leinster," is in the hand-writing of my son, and was made under my orders as being my account for having acted as such Deputy in 1851. When Mr. Louis Archambault paid me, I made the observation to him that I should be paid for having conveyed the poll lists to L'Assomption after the election. To the best of my knowledge he answered me that I was a little late for my account, or something of that kind, but it is so long ago that it is difficult for me to remember.

Finally, I declared myself satisfied with the sum which he gave me. I recollect that I did not appoint any Constables during the said election. I cannot swear positively that I did not receive more than four or five pounds.

In 1854, I was also Deputy Returning Officer for the same Parish, at the election for the County of L'Assomption. I remember that after this latter election, I sent Mr. Louis Archambault an account for my services as Deputy, amounting to four pounds eleven shillings and sixpence. This account was made up of the following items, to wit:—Two pounds for my fees; one pound for my clerk; fifteen shillings for travelling expenses in transmitting the poll books after the election; ten shillings for cost of preparing the hustings where the poll was held. There was also an item for the road gone over to be sworn in at Mr. Pangman's. This distance is five miles, going and coming, which would make two shillings and sixpence. I cannot say how the balance of the account, four shillings, is made up; but I recollect perfectly that the amount of the account was four pounds eleven shillings and sixpence. I neither charged nor received anything for constables, inasmuch as I had not appointed any, nor for the hire of the house where the poll was held. Mr. Louis Archambault paid me the amount of this account. In 1854, besides the poll book in which the votes were taken, I had another copy made by my son; and I do not recollect having charged or received anything for this; but I am certain that I did not receive anything beyond the four pounds eleven shillings and sixpence, of which I have already spoken.

[Cross-examined.]

I do not remember how long it was after the election that I sent to Mr. Louis Archambault the account of which I have spoken. I cannot say whether it was by post or by what other means that I sent the account in question. I remember that when Mr. Louis Archambault paid me at L'Assomption in September last, he told me that he had forgotten the account which I had sent him; this is to the best of my knowledge, but it is difficult for me to affirm on oath precisely what he said. However this may be, he asked me the amount of my account; I told him, and he paid me. I know the distance from the church of Ste. Henry de Mascouche to the chapel of LaPlaine, in the said parish; it is three miles. I am aware that the proclamations for the elections are generally posted up there, as well as on the mill at the rapids.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) PHILIP MOUNT.

(The witness having travelled sixteen miles, demands one pound ten shillings. Allowed twenty-two shillings and sixpence.)

Sworn before me, at L'Assomption,
the 26th June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

JOSEPH NORBERT EDOUARD FARIBAULT, Esquire, Notary, of the Village of L'Assomption, in the County of L'Assomption, aged more than twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

In 1851, I resided at St. Roch, in the County of Leinster. At the time of the election which then took place, I acted as Deputy Returning Officer for the said parish. I do not recollect having presented to Mr. Louis Archambault any written account for my fees and disbursements on this occasion. I have no recollection of the sum which I asked and received from Mr. Louis Archambault, for my services as Deputy.

Question.—Can you state approximately, to the best of your knowledge, about what amount you received?

Answer.—I could not affirm the amount upon oath, because I have no recollection of the sum which I then received. It seems to me, that I took the oath of office at Mr. Louis Archambault's, but I cannot be certain. The poll was held in the Public Hall of the Village of St. Roch. I paid nothing, myself, for the use of this hall. I do not think I asked anything of Mr. Louis Archambault for the hire of this hall. As well as I can recollect, I did not appoint any constables. After the election, I remitted the poll books to the said Mr. Louis Archambault, at the Village of L'Assomption. I made a copy of the poll book, which I also sent to him: it was arranged between Mr. Archambault and myself, that I should prepare this copy for nothing.—in consequence, I received nothing for it. When he paid me my account of eighteen hundred and fifty-one, I did not give him any receipt. It was at St. Roch, where I was living, that the poll books and my commission as Deputy, were remitted to me.

At the election of the County of L'Assomption, in eighteen hundred and fifty-four, I acted as Deputy Returning Officer for the Parish of St. Sulpice, and not for that of Repentigny. The initials "J. N. E.," which occur in the account forming part of the file produced at the enquiry, before the words "Deputy Returning Officer," at the foot of the first page of the said account, are the same initials as those of my three first names. I see also, by the said account, that the Parish of Repentigny is found therein to be twice mentioned, as if there were two parishes of this name, while there is but one in the said County. After the election of eighteen hundred and fifty-four, I did not present any written account. Mr. Archambault told me that it was not necessary; he told me either that he would do it, or that he had done it, as well as I can remember. I answered, "it is well, so that you give me what I ask for."

Some time afterwards, happening to be at Mr. Louis Archambault's, he said to me, I have some money for you, and thereupon he counted out to me a sum of money; that is, eighteen or nineteen dollars, as near as I can recollect: it was not more than nineteen dollars. He paid me this sum for what was due to me as Deputy for the said Parish of St. Sulpice; he asked me if I was satisfied, and I replied that I was. The poll was held at St. Sulpice, in the hall of the presbytery; I believe it is a public hall. I did not appoint any constables. The Clerk of the Poll was François Xavier O'Brien; it was I who paid him the sum which I had received as abovementioned; I paid him only four dollars for his fees; I paid him nothing for his journey to the poll; it was I myself who brought him there. I paid nothing for the use of the hall where the poll was held. I paid something like five shillings for the construction of the Hustings. I received my commission as Deputy, and the poll books, at the village of L'Assomption, where I was then residing. I made a copy of the poll book for Mr. Louis Archambault;

I did not charge him anything, and I am under the impression that it was arranged beforehand between us. I took the oath of office at the Village of L'Assomption. On the sixth of May last I gave to Mr. Louis Archambault a receipt, wherein I acknowledged to have been paid to my satisfaction for the years 1851 and 1854, without mention of the sum.

Mr. Louis Archambault declines any cross-examination of the witness.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) J. N. E. FARIBAULT.

(Allowed, 15s.)

Sworn before me, at L'Assomption,
the 26th day of June, 1855.

And the deposition acknowledged on the 27th day of June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

L'ASSOMPTION, 27th June, 1855.

The Inquiry opened. Present—Mr. PAPIN and M. LOUIS ARCHAMBAULT.

Personally came and appeared, Mr. THOMAS GAREAU, Notary, of the Parish of St. Lin, in the County of L'Assomption, aged upwards of twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

At the time of the election for the County of Leinster, in 1851, I acted as Deputy Returning Officer for the Parish of St. Lin. It seems to me that I presented to Mr. Louis Archambault, after the election, an account which is now shewn me, and which forms part of the file marked X. I was not paid by Mr. Louis Archambault the entire amount of this account; I received only about sixteen or seventeen dollars. I do not recollect whether, when I was paid, I claimed a larger sum, or whether I subsequently declared myself satisfied; nor do I recollect whether Mr. Louis Archambault told me why he did not pay me the entire amount of the account which I had presented to him. It appears to me that when I was paid, I did not call to mind even the amount of my account. On looking over the account to-day, I see that it amounted to nine pounds twelve shillings and eight-pence. During the said election I appointed several Constables. When Mr. Louis Archambault paid me, there was no mention, so far as I recollect, of any item in particular; he paid me *en bloc* the sum above stated, without deducting any particular item, and I was satisfied. There was nothing paid for the hire of a house, in which to hold the poll. This is the mode in which I disposed of the money which I received:—I calculated the amount which the law allowed me as Deputy, and retained it for myself; then the fees of the Clerk of the poll, which I paid to him; and the balance of the money remaining over, I paid to Josep Ethier, one of the Constables. I cannot say where I was sworn;

but I think it was at Mr. Louis Archambault's, at St. Roch. I think that I made a copy of the poll book; if I did, I charged nothing for it. After the election, I transmitted the poll books to L'Assomption.

BY THE COMMISSIONER:—

I believe that the figures 3 and 9 were changed by myself before sending in my said account. I think that the words "and hire of house," which occur in the said account, are in my writing; still, I could not say the word "house" is in my writing. I must have stopped after the words "hire of" so as to add "conveyance, horses," or something else.

[Question by the Commissioner.]

Inasmuch as your account is £9 12s. 8d., and you received only a sum less than the half, how is it that you were satisfied?

Answer.—As I have already said, I considered this account as of small importance, and of a private nature. I depended on Mr. Louis Archambault the Returning Officer.

BY MR. PAPIN:—

I think as I have said that the figures 3 and 9 were changed by me, without, however, being quite positive about it. I am well-acquainted with the handwriting of Mr. Louis Archambault.

Question.—Are the words "and hire of house," or any of them, in the handwriting of Mr. Louis Archambault?

Answer.—I can state nothing positive in relation to the opinion which I may form of them myself. This writing resembles my own; I cannot recall to memory the writing of other persons, to be able to say it resembles theirs. The rest of the account is in my writing.

At the election of the County of L'Assomption, in 1854, I also acted as Deputy Returning Officer for the said parish of St. Lin. I do not recollect having presented any account in writing for my services on that occasion. I did not ask of Mr. Louis Archambault any fixed sum. He paid me between twelve and thirteen dollars. When Mr. Archambault gave me this money, I do not recollect having counted it, nor whether he told me how much he was giving me; I put it in my pocket with other money that I had. When I reached home, on counting over my money and separating what I had received from Mr. Louis Archambault, from what I had before, I concluded that Mr. Louis Archambault had given me twelve or thirteen dollars, and I am certain that he did not give me more than fifteen. I do not recollect whether I appointed constables in this election, and if I did appoint any, it was only at the end of the second day. I paid nothing for hustings or house hire. After the election, I transmitted the poll books to Mr. Louis Archambault, at St. Roch. The distance from my residence, at St. Lin, to St. Roch, is about three leagues and a half; some consider it to be only three leagues. Before the election, the poll books and my commission were sent to me at St. Lin, but I do not recollect by whom. I made a copy of the poll book, or had it made at my house; I charged nothing for this item, more than for any other in particular; and all that I have received consists of the sum which I have mentioned.

[Cross-examined.]

Over and above the sums which I received from Mr. Louis Archambault, I have been under the impression that the account which the family of D'Orsonnen's owed him, and which I was to pay, was also settled. I do not know since

when I have been under that impression; the family D'Orsonnen had told me that the amount of this account was one pound.

Question.—When you considered yourself satisfied with the sum which I paid you for your services as Deputy, did you intend to abandon to me the balance of your account to indemnify me for the trouble I had incurred, and the services I had rendered in your behalf?

Answer.—I did not know the amount of the account; but even had it exceeded the sum which I really received, I think that I should not have made any difficulty in giving the receipt which I did give. At the last election the *chef-lieu* was at L'Assomption.

[Re-examined by Mr. Papin.]

When Mr. Louis Archambault paid me, I do not recollect that there was any question between us about the account of the family D'Orsonnens; nor do I recollect, that since then there has been any question about it. It was about the twentieth or the twenty-first of last May, that I believe I gave to Mr. Louis Archambault the receipt of which I have spoken in my cross-examination. This receipt did not mention any sum; in it I declared, in substance, that I had been paid to my satisfaction for the two elections above mentioned.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) T. GAREAU.

(The witness being a Notary, asks 30s. for two days, 25s. for 7½ leagues for transport.—Allowed. 50s.)

Sworn before me, at L'Assomption,
the 27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JEAN BAPTISTE BEAUDRY, Cultivator, of the Parish of St. Charles Boromé, in the County of Joliette, aged above twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation, nor connection, nor in the service of either of them. I have no interest in this affair.

In eighteen hundred and fifty-one, at the time of the election of the County of Leinster, I was employed as constable, and sworn for the Parish of St. Lin. I served as such during the two days of the poll, as well as a certain Jean Louis Deslongchamps. I was never paid for the said services; I had requested the said Deslongchamps to draw my pay and send it me, but I never received anything.

Mr. Louis Archambault declares, that he has no questions in cross-examination to put to the witness.

And the said deposition being read over to the witness, he persists therein, and declares that it contains the truth, and states himself unable to sign.

JEAN BAPTISTE ^{his} BEAUDRY
mark.

(The witness asks 7s. 6d. for himself, and 20s. for the conveyance,—a distance of five leagues.—Allowed, 20s.)

Sworn before me, at L'Assomption,
27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JEAN LOUIS DESLONGCHAMPS, Cultivator, of the Parish of Repentigny, in the County of L'Assomption, aged above twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither relation nor connection, nor in the service of either of them. I have no interest in this affair.

In eighteen hundred and fifty-one, at the election of the County of Leinster, I was employed as Constable for the Parish of St. Lin. I was sworn on the first day of the poll, and continued to act in this capacity until the close of the election. A certain Jean Baptiste Beaudry, was also sworn on the same day, and served the same time as myself. There were no others, to my knowledge, on the first day; there were two others appointed, but I am not certain whether it was on the first or the second day. I was never paid for my services on this occasion. The said Beaudry had requested me to draw his pay at the same time that I drew my own. I applied to Mr. Gareau, who had held the poll, and who had engaged me as well as the said Beaudry, and I asked him, the following summer, for my pay, as well as for that of the said Beaudry. He refused to pay, saying that we did not deserve payment; subsequently, he told me that he would mention it to Mr. Louis Archambault, and that he would abide by what the latter said; that if he told him to pay me he would send me the money by post. I went to the Post Office twice, and found no money. I never addressed Mr. Louis Archambault on this subject.

Mr. Louis Archambault declares that he has no question to put to the witness.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and declares himself unable to sign.

his
JEAN LOUIS DESLONGCHAMPS.
mark.

(Allowed 15s. for two days.)

Sworn before me, at L'Assomption,
27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

ALEXANDER DALY, Farmer and Crown Lands Agent, of the Township of Rawdon, Parish of St. Patrick, aged above twenty-one years, being duly sworn, doth depose and say, as follows:—

I know the parties, Mr. Papin and Mr. Archambault. I am not related, nor allied to, nor in the service of any one of them. I am not interested in this affair.

I was Deputy Returning Officer of Ste. Julienne, of Rawdon, for the election for the County of Leinster in 1851. I believe I handed to Mr. Louis Archambault a written account of my fees and disbursements as such Deputy. I cannot say what the amount was. I did not receive the whole amount of it. The amount which I received from Mr. Archambault was five pounds twelve shillings and sixpence, less two shillings and tenpence, a commission which Mr. Louis Archambault charged for drawing the money. I cannot state exactly from memory the items which composed that account, but I give the items upon referring to notes which I took at that time, namely:—

For my own services as Deputy	£2	0	0
For my Clerk	1	0	0
For writing the Commission of Poll Clerk.....	0	2	6
Travelling to polling places	0	6	0
The same for Poll Clerk.....	0	6	0
Route transmitting poll book to the Village of Assomption, distance from twenty to twenty-four miles, charging only the distance from my residence to St. Roch, where Mr. Archambault then resided	0	18	0
For two Constables, two days each	1	0	0
Total	£5	12	6

I am sure the above amount, less two shillings and ten pence, as already stated, is the only sum which I received from Mr. Archambault. About the seventh or eighth May last, I gave him a receipt, but without mentioning any sum. I could not then ascertain the amount, as I was not at home.

[Cross-questioned.]

I took the oath of Deputy, at St. Roch, I understood at the time, that the polling house had been hired under the orders of Mr. Louis Archambault. I did not pay for it, nor do I know of whom it was hired. A complaint was made against me, respecting my accounts for that election. The nature of the complaint was that I had charged for the hire of a house, but I had not hired any house: also, that I had charged fifty-four miles travelling to take the oath of office, while I might have taken it in the parish where I resided, but I had made no such charge, I only charged eighteen miles: and that I had charged thirty-eight miles travelling to the polling place, while the distance (as stated in the complaint) was alleged only to be eight or nine miles. I only received six shillings for that item.

[Re-examined.]

In the account which I gave to Mr. Archambault, I charged, I think, the sum of eighteen shillings, which I believed to be conformable to the distance, (eighteen miles) but I did not receive that sum. This charge was made for going to take the oath of office, from my residence to Mr. Archambault's, at St. Roch. I was satisfied by what Mr. Archambault told me, that I might have taken my oath within about four miles of my own residence, and that I ought not to have made that charge; but as said before, I was not paid it; and Mr. Archambault gave this as a reason for not paying me. A man of the name of Joseph Edouard Beaupré, about six or ten months after the election, asked me for payment of the hire of the polling house, in the name of some other person, whom I do not recollect, to whom Beaupré said the rent was due, but I told him Mr. Archambault had not paid me the sum, and that he must apply to him.

And the foregoing deposition being duly read over to the witness, he persists therein, declaring the same to contain the truth, and hath signed.

(Signed,) ALEXANDER DALY.

(The witness asks £2, having travelled twenty-four miles.—Allowed 25s.)

Sworn before me, at the Village of L'Assomption,
this 27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

DENIS BOUTHILLIER, Merchant, of the Parish of St. Sulpice, in the County of L'Assomption, aged above twenty-one years, witness for the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am not related, nor allied to, nor in the service of either of them. I am not interested in this affair.

At the election of the County of Leinster in 1851, I acted as Deputy Returning Officer for the Parish of St. Sulpice. Mr. Louis Archambault having told me that Mr. DeLorimier, the Clerk of the Circuit Court, would pay me. I presented my account in writing to this latter. My account amounted to six pounds four shillings and sixpence. I had besides made, at the request of Mr. Louis Archambault, a copy of the poll book, for which I had not charged anything in my account, not knowing how much it was worth, nor how much Mr. Archambault would allow me. I spoke of this copy to Mr. DeLorimier when presenting my account to him. Mr. DeLorimier then offered me eighteen dollars on the part of Mr. Louis Archambault. I did not wish to accept them, because it was not the amount of my account; and I thought that when work was done for the Government, and the charge was not too high, it ought to be paid. This took place about four or five weeks after the election. About a month later I returned to Mr. DeLorimier, and asked him if he had seen Mr. Louis Archambault; he told me that he had, and that this latter told him that if I would not take the eighteen dollars, I might do what I liked; that he would give me no more, and that he had not received more from Government for me. I then accepted the eighteen dollars from Mr. DeLorimier. I believe I gave him a receipt at the time, but I do not quite recollect. The account which I presented, as above-mentioned, consisted of the following items, namely:—Two pounds for my fees; one pound for my clerk; eighteen shillings for thirty six miles gone over, from St. Sulpice, where I was living, to St. Roch, to get the poll books and take the oaths; having previously received my commission, which contained the order to go and be sworn in at Mr. Louis Archambault's, on Sunday, after mass; eighteen shillings mileage for my clerk, whom I brought with me to have him sworn at St. Roch, because Mr. Archambault, in sending me my commission, had not sent me the Election Act, and had told me to chose a clerk, without telling me by whom this clerk was to be sworn; one pound for two constables; and six shillings for twelve miles travelled over in transmitting the poll books after the election.

I would observe, with reference to this latter item, that in an affidavit which I gave in the month of May last, and which I sent to Mr. Papin, there is an error of three shillings, because I had then computed the distance mentioned in the last item only for going and not for returning. Since I received the eighteen dollars paid me by Mr. DeLorimier, I have never asked any other sum from Mr.

Louis Archambault. On the seventh of May last, Mr. Louis Archambault came to my house and asked me if I would give him a receipt for my fees during the election of 1851. I answered him that I could not give a receipt, because I had not received the full amount, but only eighteen dollars. He then asked me what was the amount of my account. I told him that I did not at the moment recollect, but that I was aware that he had received eight pounds four shillings and sixpence from Government for me. Mr. Louis Archambault then asked me whether, on giving me the balance of the amount which he had received for me, I would give him a receipt, dated in one thousand eight hundred and fifty-one, or else a receipt which would shew the Government that I was satisfied with the manner in which I had been paid. I declined doing so, and told Mr. Louis Archambault that I could not do it because I had already told an intimate friend, Mr. Piché, that I had not been paid in full. Mr. Louis Archambault then said to me, that I appeared to be endeavouring to injure him by refusing him this, that he was in a position to be able to aid me, and that he offered me his services if I required them, that he was appointed Commissioner under the Seigniorial Act, and that he was in a position to render me services. In fine, I refused what he asked me. I neither paid nor charged anything for hire of a house for the poll in 1851 at Sulpice. Before the election I received my Commission at my own house, but I do not recollect through whom.

[Cross-examined.]

I affirm that Mr. Archambault told me to take my account to Mr. DeLorimier, he told me this at the house of the latter, on the day that Mr. Viger was proclaimed Member of the County, and, at the moment when I returned the poll-books to Mr. Louis Archambault. There were three or four other Deputies present, but I do not remember which. I did not then say what my account amounted to, at least I do not recollect having done so; I believe, in fact, that it was not made out at this time. I presented my account to Mr. DeLorimier about a month after the election, but I cannot say exactly when. Mr. DeLorimier then told me, that Mr. Louis Archambault had charged him, to tell me, that he, Mr. Archambault, had not received from the Government, for me, more than the sum which Mr. DeLorimier then offered me, and that he, (Archambault) said that his account had been cut down by Government. The account or paper which I had in hand when I answered in my examination in chief, is what guided me in the detail which I gave of the amount of my account, but as to the sum total, I have stated it without referring to this paper, and I could have mentioned the items without looking at it, if I had thought it was necessary. This paper or account is not a copy which I made in 1851, but a copy which I made a few days ago from the original draught of my account, which I kept with me, and on which I made the account which I gave to Mr. DeLorimier. I swear positively that my commission contained the order to go to be sworn in at St. Roch; if the commission itself did not say this, the paper in which it was contained, told me to go and be sworn in at St. Roch; and at Mr. Louis Archambault's we found four of us Deputies there for the same purpose. When I mentioned the amount of my account in my affidavit, I made it at L'Assomption on the Election Act, and besides I recollected the amount with the exception of an error of three shillings, which I had made against myself; and in saying that I had not based my account on anything, in drawing it up, I mean, that I had not at that time about me any copy to guide me, my original draught being at my own house at St. Sulpice. When Mr. Archambault came to my house, as I have already mentioned, I told him that I did not recollect the amount of my account, but that I had a copy of it.

Question.—Did you not say on the contrary, on this occasion, that this copy was lost, and that you hoped to find it again?

Answer.—No. I did not say that it was lost. This is the answer that I gave to Mr. Louis Archambault. I said that I had a copy, and that I would look for it when I required it. I swear positively that I did not then say that Mr. Piché had informed me that he had received a telegraphic despatch from Mr. Papin, requesting him to see me, and inquire what was the amount of my account. What I said was, that Mr. Piché had come to my house, and that in speaking of the account, Mr. Piché asked me if I had any objection to his sending a telegraph to Mr. Papin, informing this latter of what I had said to Mr. Piché, with respect to the account.

Question.—Did you not then say to Mr. Louis Archambault, that Mr. Piché was come, or was at your house, and had asked you what was the amount of your account, and that you had answered Mr. Piché that you did not remember it?

Answer.—I do not recollect having said that to Mr. Louis Archambault.

Question.—Did you not say, at the same time, that Mr. Piché had asked you what was the amount which you had received from Mr. Louis Archambault, and that you had answered him that you did not recollect?

Answer.—I may, perhaps, have said so to him; but I do not recollect. I think, however, that if Mr. Piché had asked me that question, I should have answered him with precision, for I knew how much I had received.

Question.—Did you not tell me, at the same time, that it was afterwards that you had learned, by the information which had been furnished you by Mr. Alexandre Archambault, the amount which you had received from Mr. DeLorimier on my account?

Answer.—I have told you that I knew through Mr. Alexander Archambault the amount which you had received from Government for me.

Question.—Did you not tell me at that time that Mr. Alexander Archambault had gone to see you in the first instance, and subsequently on the visit of Mr. Piché, to ask you the amount received from me in your capacity of Deputy Returning Officer, and that, not being able to reply in the affirmative, he, Mr. Alexander Archambault, had returned to your house to inform you that Mr. DeLorimier had told him so, and had communicated to him a book or paper on which was inscribed the amount of the sum which had been paid to you by him, Mr. DeLorimier, for your expenses and fees in the election of 1851, and that it was only then that you knew how much had been paid to you by Mr. DeLorimier?

Answer.—No: I said what is contained in my last answer. I swear positively that Mr. Louis Archambault asked me for a receipt, dated one thousand eight hundred and fifty-one.

Question by Mr. Archambault.—Did I not say to you: Why did you not complain to me of not having received the full amount of your account?

Answer.—Yes, you did say so. I answered you, that as I knew you had authorised Mr. DeLorimier to settle this affair, I thought he would act for you.

I said that in giving a receipt, such as you asked, I should compromise myself and my friends. I did not mention to you who these friends were.

Question.—Did I tell you that if you would give me a receipt, I would employ you in the Seigniorial Commission?

Answer.—No. You did not tell me that.

And the said deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) DENIS BOUTHILLIER.

(Allowed seventeen shillings and sixpence.)

Sworn before me, at L'Assomption,
the 27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JOHN HORAN, Notary, of the Township of Rawdon, County of Montcalm, aged above twenty-one years, being duly sworn, doth depose and say, as follows:—

I know the parties, Mr. Papin and Mr. Louis Archambault. I am not related, nor allied to, nor in the service of either of them, nor have I interest in this matter.

At the election for the County of Leinster, in eighteen hundred and fifty-one, I acted as Deputy Returning Officer for the Parish of St. Patrick, of Rawdon, in the Township of Rawdon. After the said election, I presented to Mr. Louis Archambault an account or written statement of the fees and disbursements to which I considered myself entitled. This account, or statement, was in my own handwriting.

An account, forming part of the fyle marked (X), and entitled, "To John "Horan, Deputy Returning Officer of Rawdon," amounting to nine pounds fifteen shillings, being shewn to me, I declare that this account is not in my writing, that I have never presented, nor given it to Mr. Louis Archambault; nor did I present to him any account for the same amount. I cannot exactly recall to memory the amount of the account or statement which I presented to him, but I know that this amount was less than that of the account now shewn me. The items were the same, but some were slightly different. To the best of my knowledge the account or statement which I presented, did not exceed, if I recollect right, the sum of seven pounds twelve shillings and sixpence. I think, but am not certain, that this account was written in English. I received from Mr. Louis Archambault the full amount of my claim, and was satisfied with the manner in which he paid me. He paid me a few weeks after the election. I paid one pound for the lease of the place where the poll was held, and this to Mr. Luke Daly, it was the price agreed upon between us. But Hyppolite Morneau told me, that before the arrangement which I made with the said Daly, the said Morneau had spoken to the latter on the part of Mr. Louis Archambault to have a place to hold the poll in, and that the said Daly had told him, that he might have it for one pound; it was after this that I went to find the said Daly, and that I arranged with him for the said sum of one pound, which I afterwards paid him. In the account or statement which I presented to Mr. Louis Archambault, I charged one pound for the hire of the said polling place. I asked him to permit me to add ten shillings for a window which had been broken during the polling, but he refused; so that I charged and received, for the lease of the said hall for polling only, the said sum of one pound. I cannot recollect whether I gave a receipt to Mr. Louis Archambault when he paid me my account, but it is probable; I am certain that I did not give him any since that time, excepting that in the month of May, having received a letter from Mr. Louis Archambault

in which he asked me for an account or quittance of what he had paid me, adding that if I did not recollect the exact amount, he would like to have an acknowledgment that I had been paid to my satisfaction. I answered him that I did not recollect the exact amount of my account, but that I acknowledged to have been paid by him to my satisfaction. I made and gave to Mr. Louis Archambault, a duplicate of the poll book; for which I charged him nothing; because I did not consider that I was entitled to do so; he had given me the blanks to fill up.

[Cross-examined.]

It is very probable, although I not recollect it, that I told Mr. Louis Archambault to transcribe, or cause to be transcribed, the account which I tendered him, inasmuch as I did not consider it in form and had made it on dirty paper. I recollect well this latter circumstance.

[Re-examined.]

I did not ask or authorize Mr. Louis Archambault to change the amount of my account.

The foregoing deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) T. HORAN.

(The witness asks for a conveyance, 3 days at 10s., £1 10s. Three days for himself, at 20s., £3. Total, £4 10s.—Allowed £3 7s. 6d.)

Sworn before me, at L'Assomption,
the 27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

BARTHELEMY ROCHER, Notarial Clerk, of the Village of St. Roch, in the County of L'Assomption, aged above twenty-one years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them, and I am not interested in this affair.

At the election of the County of L'Assomption in 1854 I was Reputy Returning Officer for the Parish of St. Roch. The sum which I received from Mr. Louis Archambault for my fees and disbursements on that occasion, as well as for the fees of the clerk of the poll, was four pounds two shillings and sixpence. The poll was held in the public hall, for which I paid nothing; I made a copy of the poll book, for which I charged nothing. I did not appoint any constables; nor did I charge or receive anything for that object. After the election I gave the poll books to Mr. Louis Archambault, at St. Rochs, where I was living. I was then a clerk with him.

[Cross-examined.]

The *chef-lieu* of the County is at L'Assomption. I am aware that there was a hustings, which Mr. Louis Archambault undertook to pay: I think it was worth one pound.

The foregoing deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) BARTHELEMY ROCHER.

(The witness asks for two days and a-half, at 15s.; being Post Master, Clerk of the Court, and Secretary Treasurer, £1 17s. 6d. For his share of the conveyance, two days and a-half, at 10s., 8s. 4d. Total, £2 5s. 10d.—Allowed, 28s. 4d.)

Sworn before me, at L'Assomption,
the 27th day of June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

DENIS LAMARCHE, Esquire, Notary, of the Parish of St. Roch, in the County of L'Assomption, witness, called on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them, and am not interested in this affair.

At the election of the County of L'Assomption in 1854, I was Deputy Returning Officer for the Parish of L'Epiphanie. I received from Mr. Louis Archambault, for my fees and disbursements on this occasion, the sum of seventeen or eighteen dollars, and I gave him towards the end of April last, a receipt for the sum of seven pounds and some shillings. I received the seventeen or eighteen dollars last November, and I had not then given any receipt, but had declared myself satisfied. Subsequently, that is to say, at the time when I gave a receipt, Mr. Louis Archambault asked me for a receipt for the sum of seven pounds and some shillings, and I conceived that having received from him, before the reception of the monies which he paid me, considerations which I considered to be worth money, it was incumbent on me to give him that receipt.

Question.—What were these considerations?

Answer.—They were services which he had rendered me, and advice which he had given me in the exercise of my profession, as a junior notary, and by which I had profited in obtaining certain emoluments. This was not a matter of consideration when he paid me. I did not swear in any constables: I warned two, to keep themselves in readiness in case of trouble, and they remained at the poll till about noon, or two o'clock on the first day. They did not ask or receive payment. The poll was held in the school house. There was nothing to pay for the use of this building. After the election, I transmitted the poll books to L'Assomption, two leagues from my residence. I made a copy of the poll books, but agreeably to the understanding which I had with Mr. Louis Archambault, I received nothing for it.

Mr. Louis Archambault declares that he has no question to put to the witness.

The deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) D. LAMARCHE.

(The witness asks for two days and a-half, at 20s., £2 10s.; share of conveyance, 8s. 4d. Total, £2 18s. 4d.—Allowed, £2 5s. 10d.)

Sworn before me, at L'Assomption,
27th June, 1855,

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JOSEPH ARBOURG, Journeyman, of the Village of L'Assomption, in the County of L'Assomption, aged above twenty-one years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them; nor have I any interest in this affair.

I recollect the election for the County of Leinster, in eighteen hundred and fifty-one. I was then living at Ste. Julienne de Rawdon. The poll was held in a house belonging to Mr. Edward Beaupré, and which I occupied with my family. Mr. Beaupré asked me if I would give the use of this house for holding the poll, at the rate of ten shillings per diem. I consented, but have never received anything.

Mr. Louis Archambault declares, that he has no question to put to the witness.

The deposition being read over to the witness, he persists therein, says that it contains the truth, and professes to be unable to sign.

(Signed,) JOSEPH ^{his} ARBOURG.
mark.

Sworn before me, at L'Assomption,
27th June, 1857.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

LOUIS LIBEAU, Carter, of the Parish of St. Roch, in the County of L'Assomption, aged above twenty-one years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them. Nor am I interested in this affair.

It was I who conveyed and posted up, at the request of Mr. Archambault, Returning Officer at the last election for the County of L'Assomption, the different notices of election. He gave them to me at the Parish of St. Roch, where he was at that time residing. I left St. Roch, and repaired to St. Lin, a distance usually estimated at nine miles. At St. Lin, I put up, I believe, six notices. Thence I went to the chapel of LaPlaine at Mascouche, a distance of six miles; where I put up a notice. Thence I went to the Moulin du Rapide, a distance of three miles; where I put up another. Thence to the church of Mascouche, a distance of one mile; where I put up six notices; one at the church, and five others at different houses in the vicinity of the church. Thence I proceeded to Lachenaie, a distance of six miles; where I put up three notices. From Lachenaie I went to the end of the island, a distance of about three miles; where I put up two notices. Thence to the little Village of Repentigny, a distance of two miles; where I put up three notices. Thence I proceeded to the church of Repentigny, a distance of one mile and a-half; where I put up three notices. Thence I went to St. Sulpice, a distance of nine miles; where I put up four notices. Thence I proceeded to the Village of L'Assomption, a distance of six miles; where I put up about fifteen. Thence I went to L'Épiphanie, a distance of six miles; where I put up two notices at the two mills. Thence I returned home, a distance of six miles. The entire distance travelled over by me to put up the said notices, is about sixty miles. For my services, I received from Mr. Louis Archambault, himself, the sum of sixteen francs, including the ferries, making thirteen shillings and four-pence. All these notices were in duplicate, that is to say:—in English and in French.

Mr. Louis Archambault declines cross-examining the witness.

The foregoing deposition being read over, the witness persists therein, says that it contains the truth, and declares himself unable to sign.

his
LOUIS X LEBEAU.
mark.

(Allowed to the witness, two days and a half, at 6s., 15s. For his conveyance, 8s. 4d.—Total, £1 3s. 4d.)

Sworn before me, at L'Assomption,
the 27th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JOSEPH LAMARCHE, Esquire, Notary, of the city of Montreal, aged above twenty-one years, witness summoned on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the parties, Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them; nor am I interested in this affair.

At the election for the County of Leinster in 1851, I acted as Deputy Returning Officer for the Parish of St. Calixte de Beauport. I do not recollect how much I received for my fees and disbursements on that occasion; I cannot recall it to memory. The poll was held in the house of a certain Mantas, as nearly as I can recollect; I paid nothing for the hire of the house; he told me that he would look to Mr. Louis Archambault. I did not appoint any constables during this election. I took the oath of office before Mr. Louis Archambault, at St. Roch, where I was then residing; it was also there that I received my commission, and the poll books. I think that the distance from my residence to the polling place, was from six to eight leagues, but I am not quite positive. After the election I returned the poll books to Mr. Louis Archambault, at St. Roch. I made a copy of the poll-book, for which I made no special charge. I did not make out any account or ask any fixed sum. I was satisfied with the amount which I then received. Towards the end of May last, at the request of Mr. Louis Archambault at Montreal, I gave him a receipt for the sum of ten pounds and some shillings, to the best of my recollection. I gave the receipt for the sum in block, without any detail.

Question.—Did you receive from Mr. Louis Archambault the sum for which you gave him this receipt?

Answer.—I do not know whether I received this sum. I have already said that I did not recollect the sum received.

Question.—Is it possible that you received from Mr. Louis Archambault for your fees and disbursements as Deputy Returning Officer, for the said parish of St. Calixte, a sum amounting to ten pounds and some shillings?

Answer.—I do not think that I alone received the amount of this sum, but it is quite possible that it was paid, inasmuch as Mr. Louis Archambault was charged with the hire of the polling house.

Mr. Louis Archambault gave me nothing when I gave him this receipt.

Mr. Archambault declines cross-examining the witness.

The deposition being read over to the witness, he persists therein, declares that it contains the truth, and hath signed.

(Signed,) J. LAMARCHE.

(Expense of journey to Montreal, 20s. One day and a half's salary, 15s.—Allowed 35s.)

Sworn before me, at L'Assomption,
28th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

ALEXANDER ARCHAMBAULT, Esquire, Advocate, of the Village of L'Assomption, in the County of L'Assomption, aged above twenty-one years, witness summoned on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the parties, Plaintiff and Defendant. Mr. Papin and myself are married to two sisters. I am neither related nor allied to Mr. Louis Archambault; I am not in the service of either of the parties in this cause; nor am I interested in this affair.

At the election for the County of Leinster in 1851, I acted as Deputy Returning Officer for the Parish of L'Assomption. I made an account of my fees and disbursements as such Deputy. Having examined an account forming part of the file X, amounting to the sum of seven pounds seventeen shillings and three-pence, drawn up in my name. I declare that this account is in my handwriting, and that it is that which I presented or sent to Mr. Louis Archambault after the said election. I did not receive the amount of this account; I received only the sum of six pounds two shillings and sixpence, which was paid me by Mr. DeLorimier, Deputy Registrar and Clerk, on the 4th of March, 1852. I was not satisfied with the payment of this sum. Mr. DeLorimier told me that he had received from Mr. Louis Archambault the order to pay me the said sum of six pounds two shillings and sixpence. I took this sum from the hands of Mr. DeLorimier, being quite decided to take measures to secure myself payment of the balance, unless Mr. Louis Archambault assured me that he had only received for me, from Government, the sum which had been paid me by Mr. DeLorimier. In effect, I wrote to Mr. Louis Archambault on this subject, and received a letter in reply, but I do not know where it is at present: I shall look for it. I did not receive any money from Mr. Louis Archambault, nor from any one else for him, but the said sum of six pounds two shillings and sixpence.

On the 17th of May last, Mr. Louis Archambault came to my house to ask me for a receipt. I told him that I could not give him any because I had not received the entire amount of my account, adding that I would give him one, proving that I had presented him with an account of seven pounds seventeen shillings and three-pence, and that he had only allowed me six pounds two shillings and sixpence. He did not accept the receipt which I offered him in this manner. He then asked me for a receipt in the following terms, or very nearly so,—“Received from Mr. Louis Archambault the sum of six pounds two shillings and sixpence, on account of that of seven pounds seventeen shillings and three-pence, the amount of the account which I presented to him as Deputy Returning Officer in 1851.” I refused to give him any such receipt, observing to him that a receipt made in this manner would inform the Government that I had been satisfied, and that I had given him credit for the balance.

Mr. Louis Archambault spoke to me of his affairs, and told me that he was in a critical position,—that I ought to give him a similiar receipt,—that his name was the same as my own,—that if in this affair he should eventually be found guilty, it would reflect on the name of Archambault, and that those who were not acquainted with us, might think that we were of the same family. He said many things besides to me, which I do not now recollect. I answered, that I would not for any consideration give him such a receipt as he asked, and that I was sorry for it. He then, that is to say, on the seventeenth day of May last, assured me that he had not received more than the sum which he had paid me. I said in reply, “How is that? Mr. Papin has assured me, that you had received “for me the sum of seven pounds, fourteen shillings and sixpence.” He answered, that if the Government had paid this sum for me, he (Mr. Louis Archambault) had not received it; that when he had drawn these monies from Government, he had an agent at Quebec, a Mr. Langevin, and that this latter had written to him, that the items which he (Mr. Louis Archambault) had deducted from me, had been deducted by Government. He mentioned to me, as being one of these items, that charged for the constables. I do not recollect that he told me what were the other items cut off by the Government.

Before the said election, I took the oath of Deputy at St. Roch. I went to this place to be sworn, because Mr. Louis Archambault asked me to do so some days before, at L'Assomption, when he had told me that he appointed me Duputy. At Mr. Louis Archambault's, at St. Roch, I met three other Deputies, Messrs. Boutillier, Horan and Moreau; it was on Sunday, and it was then that he transferred to me, at his house, the poll book and my commission.

[Cross-examined.]

The distance from L'Assomption to St. Roch, is twelve miles.

Question.—You state in your account that you travelled twenty-four miles to be sworn in, and you say that the distance from L'Assomption to St. Roch is twelve miles: you were of opinion, therefore, that you were entitled to charge the journey going and coming, since you inserted it in your account?

Mr. Papin objects to this question as having no other end than to obtain an opinion from the witness.

Question permitted, inasmuch as it appears to tend to furnish the witness with an opportunity of explaining the charge which he has made.

Answer.—I understand by the law of elections that a Deputy is entitled to charge sixpence per mile, going and coming, to take the oath. I charged in my account twelve shillings, for twenty-four miles travelled over to take the oath, because I was sworn in at St. Roch. I would not have charged that item if Mr. Louis Archambault had not told me, verbally, to go to St. Roch, to take the poll books there and be sworn in. I consider that I have really and necessarily gone over that route, because Mr. Louis Archambault told me to go to be sworn in, to take the poll books, and acquire the necessary information for the fulfilment of my office of Deputy Returning Officer, in a manner conformable to law and similar to the other Deputies. On the seventeenth of May last, when Mr. Louis Archambault asked me for a receipt, worded in the manner above-mentioned, I said that I should compromise myself by giving him such a receipt, because from the moment I discovered that Mr. Louis Archambault had received from Government more than the sum which he had paid me, I began to act against him actively in this affair. I mean by the word “actively,” it would be to compromise myself, and to act in contrariety to what I had done. And although I had not taken an active part in this affair, having discovered that he had deceived me in 1851, I could not in consequence give him a similar receipt unless he convinced me, by authentic proof, that he had not deceived me. Mr. Louis

Archambault then told me that he had a letter from Mr. Langevin, by which he would convince me that he had not deceived me, but that he had not got it about him. I did not claim anything from Mr. Louis Archambault, because he answered me by letter, as he assured me later that he had not received from Government more than the sum of six pounds two shillings and sixpence.

Question.—Did I tell you that Mr. Langevin had written me that other items besides the constables had been deducted from your account?

Answer.—Yes; but you did not mention to me any other items than the item of constables.

Question.—Did I not tell you, that the letter which I had received from Mr. Langevin informed me that twenty shillings had been deducted for constables, on the account of the Deputy Returning Officers; and that I had been under the conviction that this deduction of twenty shillings should apply also to your account?

Answer.—You told me that you would shew me, by the letter of Mr. Langevin, that twenty shillings had been deducted from my account for constables, and you spoke to me of another Deputy who was in the same position as myself; I do not recollect his name, you said, as appears by this letter from Mr. Langevin.

Question.—Did you receive a letter from Mr. Papin, in which he asked you to tell him what was the amount received by you from me; for your services as Deputy?

Answer.—Yes. I received one.

Question.—Did you recollect, at that time, the amount which you had received from me?

Answer.—No; but I recollect very well that you had deducted something from my account. Some time afterwards I recollect that you had given an order to Mr. DeLorimier, to pay me the sum which he then paid me; and that this order must be inscribed in a book relating to the Registry Office. One evening I went to Mr. DeLorimier, and while speaking of your affair, I observed to him that it was he who had paid me by your order in 1851, as might be verified by a book which you and Mr. DeLorimier keep with respect to the Registry Office. Mr. DeLorimier told me that he did not recollect it, and that he did not think so. The book was then brought, and at the page of "February, 1852," we saw an order on Mr. DeLorimier, expressed nearly in these terms:—"Mr. DeLorimier will please pay to A. Archambault the sum of six pounds two shillings and ten pence;" and in the margin of this page, these words, in the hand-writing of Mr. DeLorimier:—"Paid to Alex. the 4th March, 1852." These latter words were opposite the above order. This order was not signed.

Question.—Did you never ask Mr. Bouthillier what was the amount of his account as Deputy Returning Officer, in 1851.

Answer.—Yes. I do not remember at what time I asked him, but I recollect perfectly that it was during the present year. I recollect that it was since I became aware that Mr. Papin had brought accusations against you. It was not at the request of Mr. Papin, or of any one else, that I asked this of Mr. Bouthillier. He replied that he did not at the moment recollect, and that he had not his account in his pocket. I also asked Mr. Bouthillier how much he had received from Mr. Louis Archambault. He answered that he did not recollect at the moment. I then told him that I had seen in the book of Mr. DeLorimier, that he (Mr. Bouthillier) had received, by order of Mr. Louis Archambault, four pounds ten shillings; he then answered me, that this was the sum which he had received, adding, "I recollect now." I have said that it was by your order, because Mr. DeLorimier told me that the order was in the writing of Mr. Louis Archambault. After I had informed Mr. Papin of the steps taken by Mr. Louis

Archambault, in reference to Mr. Bouthillier, to obtain a receipt, Mr. Papin asked me by letter to see Mr. Bouthillier, to know whether he would consent to give his affidavit on what had passed between himself and Mr. Louis Archambault, when the latter had asked him for a receipt; thereupon I got Mr. Bouthillier to come to my house, and asked him whether he would give his affidavit; he told me that he would. It was myself who wrote the affidavit and sent it to Mr. Papin. After having learned by Mr. Urgel Archambault, my brother, what had passed between Mr. Louis Archambault and Mr. Bouthillier, I went to this latter to know from him how it was. I did all in my power to procure information, in relation to the accusation brought against Mr. Louis Archambault, to communicate them to Mr. Papin, and assist him in his proceeding. I have continued to do so since the inquiry has commenced.

The foregoing deposition being read to the witness, he persists therein, declares that it contains the truth, and hath signed.

(Signed,) ALEX. ARCHAMBAULT.

(The witness asks three days, at one pound per diem, £3.—This sum is allowed, £3.)

Sworn before me, at L'Assomption,
the 28th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General,
Commissioner.

LOUIS GUSTAVE DELORIMIER, Esquire, Clerk of the Circuit Court, and Deputy Registrar of the village of L'Assomption, in the County of L'Assomption, aged above twenty-one years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say as follows, to wit:—

I know the parties Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them; nor am I interested in this affair.

I am not the same person as Louis Gustave Thomas DeLorimier, who was sworn to act as Clerk to this inquiry.

I have been for about sixteen years Clerk, first to the Court of Requête, as also to the Inferior District Court of Leinster, and subsequently of the present Circuit Court for the L'Assomption Circuit. I have also been Deputy Registrar for the County of Leinster, since the month of April one thousand eight hundred and forty-three, since which time I have kept the Registry Office; the Registrar, Mr. Louis Archambault, having lived in the Parish of St. Roch during this period, up to the month of June instant.

At the time of the election for the County of Leinster in 1851, I was appointed election Clerk by Mr. Louis Archambault; in consequence I assisted at the nomination and proclamation which took place at this election. This nomination and proclamation took place on the gallery of the house which I then occupied in the Village of L'Assomption, and which at that time belonged to Mrs. Widow Fari-bault, from whom I rented it. I occupied this house for my residence and that of my family. I also kept there the Registry Office, and a part of the same house served for the sittings of the Circuit Court. At the time of the said nomination and proclamation, no preparation or work was done to the said gallery, which remained in its usual state for these occasions. I did not ask or receive

anything from Mr. Louis Archambault, or from any other person for the use of the said gallery on the two occasions above-mentioned.

I was authorized by Mr. Louis Archambault to pay after the said election, Mr. Denis Bouthillier, Mr. Camille Archambault, and Mr. Alexandre Archambault, who had all three acted as Deputies during the said election. Mr. Louis Archambault had told me what amount I was to pay to each of them, and these amounts are, as follows:—1st. To Mr. Camille Archambault, six pounds seven shillings and sixpence. 2nd. To Mr. Alexandre Archambault, six pounds two shillings and sixpence. 3rd. To Mr. Denis Bouthillier, four pounds ten shillings. I paid to each of these gentlemen the amount which I had received orders to pay them, as above-mentioned. On referring to the book which I keep, and which I then kept, to enter item by item what I receive for the registration of deeds, I find an order there, written in the following terms, and in the hand-writing of Mr. Louis Archambault:—"Mr. DeLorimier will please pay to Mr. Camille Archambault, on my account, the sum of £6 7s. 6d."

(Signed,) LOUIS ARCHAMBAULT.

Below this order is a receipt, in the following terms:—

"Received the sum of £6 7s. 6d., as above."

(Signed,) CAMILLE ARCHAMBAULT.

16th November, 1854.

This order and this receipt related to the payment of Mr. Camille Archambault, as Deputy, for the election of the County of L'Assomption, in 1854. The former part of my deposition being read, I declare that it was not till after the election of 1851, that I was charged to pay Messieurs Bouthillier and Alexander Archambault, and that it was only for the election of 1854, that I was instructed to pay Mr. Camille Archambault. On referring to the same book, I find there an order written by Mr. Louis Archambault, in the following terms:—"Mr. DeLorimier will please pay to A. Archambault, £6 2s. 6d." I paid this sum to Mr. Alexandre Archambault on the fourth of March, 1852; and I then wrote in the margin opposite the above last mentioned order the following words, "Paid to Alex., the 4th of March, 1852. L. G. DeL."

Lower down, on the same page, is another order, written in the hand-writing of Mr. Louis Archambault, and in the following terms:—

"He will pay to Mr. Bouthillier, Deputy Returning Officer, fees..	£2	0	0
"Commission of the Clerk	0	2	6
"Clerk	1	0	0
"Constables	1	0	0
"Journey	0	7	6

On examining the details of the above order, I perceive that the different sums therein contained form the said sum of four pounds ten shillings, which I paid as aforesaid to Mr. Bouthillier. When Mr. Bouthillier came to me to be paid, he objected to the said sum of four pounds ten shillings, saying that he claimed a larger sum, which I do not recollect, and that he would not accept the said sum of four pounds ten shillings. I answered that such were the instructions of Mr. Louis Archambault, and that I would refer to the latter; he then went away without taking the money: subsequently I saw Mr. Archambault, to whom I mentioned what I have just stated, and, to the best of my recollection, Mr. Archambault directed me to offer him (Mr. Bouthillier) the said sum of four pounds ten shillings, and to tell him that he would not get more. Sometime afterwards the said Mr. Denis Bouthillier came back and accepted the four

pounds ten shillings which I tendered him, after I had told him of what Mr. Archambault had said to me. I rendered an account to Mr. Louis Archambault of the sums which I had thus paid to Mr. Bouthillier and to Mr. Alexander Archambault; I cannot state, without referring to my book, the precise time at which I rendered these accounts, but I am certain that it was during the year one thousand eight hundred and fifty-two. On referring to my book, I find that I gave Mr. Louis Archambault an account of these two sums on the 31st of March, one thousand eight hundred and fifty-two. I am well-acquainted with the writing of Mr. Louis Archambault. An account, forming part of the file X, and entitled, "St. Lin, 18th December, 1851. Memorandum of costs, fees, and disbursements of the Deputy Returning Officer of the Parish of St. Lin, in the County of Leinster," amounting to the sum of nine pounds twelve shillings and eight pence, and signed, "T. Garault, Deputy Returning Officer, St. Lin," being shewn to me, and the following question being put to me:—

Question.—Examine the account which has just been shown to you, and particularly the words, "and hire of house," which are at the beginning of a line opposite the figures which form the total amount of the said account, as added up; and state if you know in whose writing are the said words, "and hire of house," or any one of the said words?

Answer.—To the best of my knowledge, I believe that these words are in the handwriting of Mr. Louis Archambault, but I cannot swear positively. I could swear positively, if one or two lines were written by the same hand, whether it is the writing of Mr. Louis Archambault or not.

[Cross-examined.]

I am obliged, by my engagement with Mr. Louis Archambault, as his Deputy Registrar, to furnish him a house for the Registry office.

Question.—Without your engagement to supply me with a house in which to hold my Registry office, would you have permitted me to allow the use of your house, for the election of eighteen hundred and fifty-one, gratis?

Answer.—Yes. I would have permitted it, as I permitted Mr. Camille Archambault, in eighteen hundred and forty-eight, and because you are both intimate friends. I would not have permitted it else. I consider that the use of my house for this object, was worth a considerable sum, from the experience which I have in those matters. I consider that it should be worth not less than twenty or thirty dollars.

Question.—Do you recollect that some time before the election of eighteen hundred and fifty-four, Mr. Papin said to me, in your presence, that if I came forward as a candidate at the election, he would not present himself, because I would have every chance of success, because I deserved to be elected Member of Parliament for this County?

Mr. Papin objects to this question, as having no reference to the present inquiry. Question disallowed, as tending to turn the inquiry to subjects altogether foreign to it.

Question.—If I had presented myself against Mr. Papin, as candidate at the said election of eighteen hundred and fifty-four, do you think that I should have had a chance of success against him, Mr. Papin?

Question disallowed.

Question.—In what estimation, as to integrity, both as citizen and as a public man, have I always been held in this county?

Answer.—I have never heard anything bad said against you until now.

Question.—How does it happen, and who permitted you to show to Mr.

Alexander Archambault, a book which I placed in your hands, in which to keep the accounts of the Registry office?

Answer.—I told you privately, on a former occasion, how that happened, and I now repeat it to you under oath. On one occasion, at my house, Mr. Alexandre Archambault, with a few other friends, was spending the evening with me. The conversation turned on the affair now made a subject of inquiry. Mr. Alexandre Archambault maintained, that I had paid him on an order from you. I affirmed the contrary, and even said that I had not paid him; on which Mr. Alexandre Archambault told me he was certain that the order was entered in a book kept between you and myself; I even offered to bet that this order was not in the book. At length, some one went for the book, and the order was found in it; that is how Mr. Alexandre Archambault had access to the said book. If I had known that the order was inscribed in it, I should have prevented the said Mr. Alexandre Archambault from having access to it. For no one, to the best of my knowledge, has ever seen the book which concerns only us two.

[Re-examined.]

When I stated that the labor and value of the materials of the hustings of 1854 were worth about twenty dollars, I meant to say that it would be worth a certain sum for the contractor, if he furnished the materials, and that these materials would either not be returned to him, or would be of no further use. On a letter, which I received from Mr. Louis Archambault, I had this hustings made by a certain Joseph Bousquet, a joiner, of the Village. He asked me eight dollars for it, which I paid him. I do not recollect that Mr. Louis Archambault came before the day of nomination, to see after the completion of the said hustings.

The foregoing deposition being read over to the witness, he persists therein, declares that it contains the truth, and hath signed.

(Signed,) L. G. DELORIMIER.

(The witness asks for four days, at 15s. per diem, £3.—Allowed.)

Sworn before me, at L'Assomption,
the 28th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General,
Commissioner.

FRANÇOIS DESRIVIERES, Esquire, Merchant, of St. Damase, County of St. Hyacinthe, aged above twenty-one years; witness called on behalf of the Plaintiff, being duly sworn doth depose and say, as follows, to wit:—

I know the parties, Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them, nor am I interested in this affair.

At the time of the election of the County of Leinster, in eighteen hundred and fifty-one, I acted as Deputy Returning Officer for the Parish of St. Esprit. I did not make out any account, nor ask any fixed sum for my fees and disbursements on this occasion. Sometime after the election, Mr. Louis Archambault paid me a certain sum, the exact amount of which I do not recollect, but I am certain that it was not less than three pounds, nor more than four pounds fifteen shillings. I have memoranda stating the amount, but they are not with me. When Mr.

Louis Archambault paid me this sum, I did not give him any receipt. I was not satisfied with the amount which he gave me. When I returned him the poll books, I told him that I would make out my account and give it to him; he then told me that he would take it upon himself, that is, that he would take it upon himself to make it out. When he paid me, I remarked to him that the sum was rather low; he replied to this, that it was all that he had received for me from the Government. This answer did not satisfy me. I spoke of it to Mr. Viger, the representative who had been elected at the said election. Mr. Viger told me to write to him, and to send him my account, and that he would undertake to get me paid the balance, if it were due me. I returned home, and sent Mr. Viger my account, which amounted to seven pounds and some shillings. I received no answer since. About three weeks ago, a Mr. Dugal, of Terrebonne, came to my house and gave me a letter on the part of Mr. Louis Archambault. I read this letter,—it is without date. This letter has reference to my account, as Deputy Returning Officer at the election of the County of Leinster, in eighteen hundred and fifty-one. There is nothing in the said letter irrelevant to the said account. I have this letter with me at the present moment.

Mr. Papin asks that the witness be enjoined to produce the letter to which he has just referred, or to read it under the oath which he has taken.

The witness declares that he would not wish to produce this letter, but reads the following lines from it, to wit:—"I seize the opportunity afforded by Mr. Dugal, "of writing to you, requesting you to have the goodness to give me a receipt, "worded in conformity to the form which I send you," and the witness proceeding to continue the reading of the letter, and Mr. Archambault objecting thereto, the Commissioner, to whom the witness was willing to communicate the letter, maintains the objection, inasmuch as the form mentioned in the beginning is not forthcoming, and the rest of the letter would afford no proof in this affair.

The witness continues his examination as follows:—

This letter inclosed a form of receipt, which I now produce on the order of the Commissioner, and which is worded as follows:—

I the undersigned, acknowledge to have received from Louis Archambault, Esquire, Returning Officer for the election of the County of Leinster in 1851, the amount of my account as Deputy Returning Officer for the Parish of St. Esprit, not remembering the precise sum, but recollecting perfectly to have been paid in full, to my satisfaction, having remitted the agency charges.

I have not, on any occasion, received any other sum of money or consideration than that which I have mentioned.

Question.—Did Mr. Louis Archambault offer, or cause to be offered to you, any sum of money in relation to the said account?

(Objected to by Mr. Louis Archambault, because it might lead to the mention of some other person who might have made offers without my permission.)

The witness is permitted to answer, inasmuch as his answer has reference to any offer made to the witness by Mr. Louis Archambault himself, and as to what might relate to any offer made to the witness by a third person, claiming to be authorised by Mr. Louis Archambault, and of a nature to compromise this latter; it is permitted to the witness to state that such person (naming him) has made him an offer, but not to state the sum, nor the observations which accompanied this offer.

Answer.—I cannot exactly recal to mind that Mr. Louis Archambault has offered me any sum of money: in an interview, however, which we had together, he told me that this matter would be arranged, that is to say, the account in question. I have no recollection, to the best of my knowledge, that any other person made

me any offer on the part of Mr. Louis Archambault. I did not sign the receipt, of which Mr. Archambault sent me the form, nor any similar receipt.

Towards the end of May or the commencement of June of the present year, I gave Mr. Louis Archambault, himself, a receipt at the foot of an account, amounting to seven pounds and some shillings, and composed of the items which the law allowed me for my fees and disbursements as Deputy Returning Officer for the Parish of St. Esprit in 1851. These items were the following, to wit:— For my fees, two pounds; for the Clerk of the poll, one pound; for the Commission of my Clerk, two shillings and sixpence; to the Deputy, twelve miles travelled over for taking the oath, six shillings; to the same for transport of the poll books, fifteen miles, seven shillings and sixpence; for two Constables, one pound; for the hustings and hire of the poll house, ten dollars. This is all that I recollect. It was at Montreal that I gave this receipt to Mr. Louis Archambault. I gave him this receipt on the promise, which I have already mentioned, that he made me, of arranging this account. In consequence, I gave on this occasion a receipt for a sum which I did not really receive. I trusted to the promise which Mr. Louis Archambault then made me, that he would pay me the balance when I came to L'Assomption. I have not since, until to-day, been at L'Assomption. He is, therefore, held by his promise to pay me now. I have not asked him for this payment since my arrival. On referring to my notes, which I had not with me when I commenced my examination, and which I have since been to get, I perceive that the exact amount paid me by Mr. Louis Archambault, after the said election, was four pounds six shillings, and I swear that this is the only sum which I have hitherto received for the said account. When Mr. Louis Archambault paid me this sum, he shewed me a memorandum in the form of an account, which he had made of the different items composing the said sum of four pounds six shillings. I did not at that time take any copy, but I kept them in memory, and some weeks afterwards I made the account which I presented to Mr. Viger, and which I have this day in my possession. The items of the account of four pounds six shillings, which Mr. Louis Archambault had made for me, and which he paid me, are as follows, to wit:—

For my fees, two pounds; for those of the clerk of the poll, two pounds; for the commission appointing a clerk, two shillings and sixpence; for one journey, six shillings; for the hire of the house, ten shillings. All these items formed a sum of four pounds eighteen shillings and sixpence, on which Mr. Louis Archambault retained a commission, for having drawn these monies from Government. I do not recollect how much he kept for his commission, but I am quite certain that, at any rate, I did not receive the full amount of the said sum of four pounds eighteen shillings and sixpence; I probably received four pounds eight shillings and sixpence. I am aware that Mr. Dugal, who came to my house to bring me the letter and form of receipt, of which I have spoken above, is the brother-in-law of Mr. Louis Archambault.

Question.—Did this Mr. Dugal make you any offer on the part of Mr. Louis Archambault, with reference to the said account?

Answer.—He may have done so, but I do not remember.

I took the oath of office before the said election, at Mr. Louis Archambault's, at St. Roch, six miles from the Village of St. Esprit, where I was at that time residing; and it was also at St. Roch that I returned the poll-books after the election. I also made and gave to Mr. Louis Archambault a copy of the poll books, for which I charged him nothing.

[Cross-examined.]

In the interview which I had with Mr. Archambault at Montreal, I observed to him, that the reason I had not sent any receipt was, that I had not been paid

the full amount of my account. Mr. Louis Archambault then told me that he did not recollect the amount of my account, nor how much he had paid me. He then explained to me that he found himself in a difficult position, and that Government asked him for receipts which he had not taken from the Deputies. He then asked me what was the amount of my account, and how much he had paid me; he requested me at the same time to make out my account in detail, which I did in consequence. I told Mr. Archambault that I had notes at my own house, which would shew me the amount which I received from the latter, Mr. Louis Archambault then told me that he did not at all recollect what he had paid, and that when I had shewn him my notes he would engage to pay me the balance. The account for which I then gave a receipt, was an account which I wrote from the dictation of Mr. Louis Archambault. We did not agree on certain items; I wished to charge two pounds for the clerk of the poll and Mr. Louis Archambault made me put one pound; I wished to charge two pounds for the hire of the house, and he made me put two pounds ten shillings; on the other items we agreed. The account which I sent to Mr. Viger was not made out from the dictation of Mr. * Louis Archambault, or of any other person, but in accordance with the law, which I followed as my guide. I made it out at my own house. I cannot say positively, that the account which I have already detailed as having been paid by Mr. Louis Archambault, was precisely similar to that which he showed me, when he paid me. The said account is not a copy of the account which Mr. Louis Archambault presented to me, but these items are contained in the account which I presented to Mr. Viger. It was only on looking at the account which I shewed to Mr. Viger, that I recollected the items of Mr. Louis Archambault. I certainly think that the notes which I then took and which recall to my recollection what Mr. Louis Archambault paid me are correct, but I cannot swear it positively. The notes which I have mentioned were not in writing, but I retained them in my memory.

The foregoing deposition being read over to the witness, he persists therein, says that it contains the truth, and hath signed.

(Signed,) FRANÇOIS L. DESRIVIÈRES.

(The witness asks for his conveyance from St. Damase to L'Assomption, 15 leagues, £2 10s.; for his time, two days and a half, at 20s. per diem, £2 10s.—Total, £5. Allowed for his conveyance, 15 leagues at 3s. per league, £2 5s.; for the ferry charges, 5s.; for 3 days at 10s. per diem, £1 10s. Total allowed, £4. This money to be remitted to him by post to his address at St. Damase, County of St. Hyacinthe.)

Sworn before me, at L'Assomption,
the 28th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General,
Commissioner.

I, the undersigned, acknowledge to have received from Louis Archambault, Esquire, Returning Officer for the election of the County of Leinster in 1851, the amount of my account as Deputy Returning Officer for the Parish of St. Esprit, not recollecting the precise sum, but remembering perfectly well to have

* The words, Louis Archambault, are not in the original.

received in full all that was owing to me, to my satisfaction, having remitted the agency charges.

Receipt produced by the witness DesRivières,

(Signed,) D. R.

L'ASSOMPTION, 30th June, 1855.

The Inquiry opened. Present—Mr. PAPIN, and Mr. LOUIS ARCHAMBAULT.

EUGÈNE COURTEAU, Esquire, Physician, of the Parish of St. Roch, in the County of L'Assomption, aged above twenty-one years, witness called on behalf of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am not related, nor allied to, nor in the service of either of them. Nor am I interested in this affair.

I think that I know the writing of Mr. Louis Archambault, because I have often seen him write it in my presence.

Question.—Examine the account now shewn to you, and which forms part of the fyle (X), dated “St. Lin, the eighteenth day of December, one thousand eight hundred and fifty-one, and signed, T. Garault, Deputy Returning Officer, St. Lin,” and particularly the words “and hire of house,” which occur at the commencement of a line opposite to the figures which form the total amount of the said account, as added up, and state if you know in whose hand-writing are the said words “and hire of house” or any of them?

Answer.—On my oath, I believe that they are in the writing of Mr. Louis Archambault, and it is especially the word “hire” which makes me recognize more particularly the writing of Mr. Louis Archambault; if there were several lines, I should speak with still greater certainty. The word “hire” appears to me in a more distinct manner to be in the writing of Mr. Louis Archambault than the word “house,” though I believe that all four words are in his writing.

[Cross-examined.]

Question.—Are you quite positive in saying that the said words “and hire of house” are in the writing of Mr. Louis Archambault?

Answer.—Yes. I sincerely believe so.

Question.—Are you positive in stating that it is the writing of Mr. Louis Archambault?

Answer.—Yes. All the four words induce me to believe that it is the writing of Mr. Louis Archambault, but more particularly the word “hire.”

Question.—Without the word “hire” would you have been as positive in saying that it is the writing of Mr. Louis Archambault?

Answer.—Not so much so.

The foregoing deposition being read over to the witness, he persists therein, declares that it contains the truth, and has signed.

(Signed,) EUGÈNE N. COURTEAU.

(The witness asks for 4 leagues, 10s.; his time, 15s.—Allowed £1 5s.)

Sworn before me, at L'Assomption,
the 30th June, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General; Commissioner.

HYPOLITE MORNEAU, Bailiff, of the Parish of St. Roch, in the County of L'Assomption, aged above twenty-one years, witness called on part of the Plaintiff, being duly sworn, doth depose and say, as follows, to wit:—

I know the Plaintiff and Defendant. I am neither related, nor allied to, nor in the service of either of them; nor am I interested in this affair.

In 1851, at the time of the election for the County of Leinster, I was employed to put up Notices of Election in the Parishes of St. Lin, St. Calixte de Beauport, St. Esprit, St. Julienne, in the Townships of Rawdon and Chertsey. I started from my residence at St. Roch, and went over the following distances, in putting up the said Notices:—from St. Roch to St. Lin, nine miles; from St. Lin to St. Calixte de Beauport, ten or eleven miles; from St. Calixte to Chertsey, nine miles; from Chertsey to Rawdon, six miles; from Rawdon to Ste. Julienne, six miles; from Ste. Julienne to St. Esprit, six miles; from St. Esprit to St. Roch, six miles, forming altogether from fifty-two to fifty-three miles. I put up Notices in each of the said Parishes and Townships. For the above services I received from Mr. Louis Archambault the sum of five dollars. Mr. Louis Archambault had directed me, at the same time, to find and hire houses to hold the polls in. I hired one at St. Calixte de Beauport from a certain Mantas, for the sum of ten shillings for the two polling days; I hired another at Ste. Julienne from Mr. Edouard Beaupré, in which Joseph Arbourg was living, for one pound for the two days; I did not hire any other, excepting at Rawdon, at a Mr. Daly's; for the latter I did not myself pay anything, he said he would arrange with the Deputy.

[Cross-examined.]

I have a perfect recollection of all the facts which I have related in my examination in chief.

The foregoing deposition being read over to the witness, he persists therein, declares that it contains the truth, and hath signed.

(Signed,) H. MORNEAU.

(The witness asked for 15 leagues of transport, at 1s. 6d., £1 2s. 6d.; two days at 6s. 3d., 12s. 6d.—Allowed, £1 15s.)

Sworn before me, at L'Assomption,
the 30th day of June, 1855.

(Signed,) DUNBAR ROSS,
Commissioner.

Mr. Papin requests permission to produce a letter which he received in March last from Louis Charles Beaumont, Esquire, Deputy Returning Officer for the Parish of Lachenaie, at the election for the County of Leinster in 1851, and of the County of L'Assomption in 1854, alleging that the said L. C. Beaumont died since the month of March last.

BY THE COMMISSIONER:—

Assuming that this letter was received at the time stated in the application, and that the author is dead, I cannot admit this letter as proof in this matter.

Mr. Papin declares his inquiry closed with the exception of two witnesses whom he had caused to be summoned, to prove that nothing was paid for the use or hire of the public hall of the Parish of St. Roch, as a polling house, at the time of the election for the County of Leinster in 1851; that these two witnesses, who have not arrived, are Messrs. Jean Baptiste Labelle, *Curé* of the said Parish, and Toussaint Baudry, Churchwarden, in office of the said Parish in 1851.

Thereupon Mr. Louis Archambault admits that he has paid nothing to the *Fabrique* of the said parish, to which the hall belongs, for the use or hire of the said hall in the election of 1851.

In consequence, Mr. Papin declares his inquiry closed, and the Commissioner requires Mr. Louis Archambault to proceed on his part.—Eleven o'clock of the forenoon.

Mr. Louis Archambault, in answer to this demand, states, that he did not receive intimation that the inquiry ordered against him would be commenced on the twenty-fifth instant until the morning of that day; that he was obliged to remain constantly present at the inquiry; that it is impossible for him to examine the voluminous depositions which have been produced in support of the accusation; that he requires a reasonable time to examine these depositions, and to summon witnesses, so as to be able to defend himself with success against this accusation; and that he requires at least a delay until the ninth of July next, and that he produces his affidavit of the impossibility of his being able to make out his proof in support of his defence.

PROVINCE OF CANADA, }
DISTRICT OF MONTREAL. } **L** LOUIS ARCHAMBAULT, Esquire, Notary, of the Parish of L'Assomption, in the County of L'Assomption, having been sworn on the Holy Evangelists, doth depose and say:—

That from the mass of evidence produced in support of the accusation brought against him, and inasmuch as the inquiry on the part of the accusation itself has not been closed on the twenty-eighth of June instant, it is impossible for him to examine the voluminous depositions which have been produced in support of the accusation: it is impossible for the deponent to examine these depositions, and summon the witnesses, so as to defend himself victoriously against this accusation before the ninth day of July next. If the deponent is compelled to enter upon his proof before that time, he considers that it is better for him to make no proof, lest it should be insufficient for want of time: and he declines any defence against the accusation, and hath signed.

(Signed,) **LOUIS ARCHAMBAULT.**

Sworn before me, at L'Assomption,
30th June, 1855,

(Signed,) **DUNBAR ROSS,**
Commissioner.

Mr. Papin declares that he does not consent.

BY THE COMMISSIONER:—

The objection taken by Mr. Louis Archambault, as to the time of the notification of the inquiry, should have been made at the time of the opening of the pro-

ceedings of this Commission : that it was in his power to take cognizance of the facts which have been deposed to against him during the course of the inquiry : that he was even notified by the Commissioner on several occasions, to make such arrangements as that his witnesses (if he intended to produce any) might be prepared to give their evidence, immediately on the plaintiff closing his inquiry : and that inasmuch as Mr. Archambault has issued subpoenas, summoning his witnesses to appear to-day ; and as he manifests no proof of diligence ; the Commissioner, on the refusal to consent by the adverse party, refuses his demand, declaring at the same time, that he is ready to hear any witness that Mr. Archambault is prepared to produce, and to receive any other proof which he may have to furnish.

The Commissioner asks Mr. Louis Archambault, whether he has any witnesses to examine.

Mr. Louis Archambault, in answer to the Commissioner's question, declares that he has no witness to examine at the time.

I, the undersigned, protesting my non-culpability, the insufficiency of the accusation itself, and of the proof offered against me, declare that I have no proof to offer against the deponents for the accusation, inasmuch as a sufficient delay has not been given me for the production of my proof.

(Signed,) LOUIS ARCHAMBAULT.

L'ASSOMPTION, the 30th day of June, 1855.

The Commissioner hereupon declares the inquiry closed.

(Signed,) DUNBAR ROSS,
Solicitor General,
Commissioner.

Marcel Poirier, Esquire, Notary, of the Parish of St. Jacques, County of Montcalm ; witness summoned on the part of the Defendant, produces his copy of *subpana*, and asks to be taxed.

The witness asks.—For his carter	£0 7 6
For his time.....	0 15 0
Allowed	<u>£1 2 6</u>

Witness on behalf of the accused.

Cecil Morin, Cultivator and Justice of the Peace, of the Parish of St. Jacques, witness summoned on the part of the accused, asks to be taxed.

For his carter	£0 10 0
Time	0 5 0
Allowed	<u>£0 15 0</u>

Joseph Octave Alfred Turgeon, Esquire, Advocate, of the Parish of Terrebonne, witness summoned on behalf of the Defendant, to prove the ordinary manner of drawing up the accounts of a Returning Officer, as having been himself a Returning Officer in 1848. The witness asks to be taxed.

For his carter	£0 10 0
Himself	2 10 0
	£3 0 0
Sum allowed	£2 5 0

Pierre Octave Roy, Esquire, Merchant, of the Parish of St. Roch, witness summoned on behalf of the accused, to prove his character; produces his copy of *subpœna*, and asks to be taxed.

For his carter	£0 7 6
Himself	1 0 0
	£1 7 6
Sum allowed	£0 17 6

Jean Baptiste Gauthier, Esquire, Physician, of the Parish of St. Jacques de l'Achigan, witness summoned on the part of the accused to prove his character, produces his copy of *subpœna*, and asks to be taxed.

For his carter	£0 10 0
Himself	1 10 0
	£2 0 0
Allowed	£2 0 0

On this tenth day of September, one thousand eight hundred and fifty-five, at eleven o'clock of the forenoon, the Inquiry was opened.

LOUIS GUSTAVE DELORMIER, Advocate, Esquire, Clerk of the Circuit Court for the Circuit of L'Assomption, was sworn as Clerk.

Present:—JOSEPH PAPIN, Advocate, Esquire, M.P.P., and LOUIS ARCHAMBAULT, Esquire, Notary and Registrar of the County of Leinster, assisted by LOUIS SIMEON MORIN, Advocate, of Montreal, Esquire.

JOSEPH GUILBAULT, Bailiff, of L'Assomption, witness produced by Louis Archambault, being duly sworn, doth depose and say:—

I am sixty years of age. I am neither related, nor allied to, nor in the service of the parties in this affair, nor have I any interest in this affair. I know the Plaintiff and Defendant.

By MR. ARCHAMBAULT:—

The distance from the Village of L'Assomption to the church of St. Sulpice is five miles, making ten miles going and coming. The distance from the Village of L'Assomption to Bout de l'Isle is nine miles, making for going and returning, eighteen miles. From the same point to the house of a certain Dumais in the Parish of Lachenaie, thirteen miles, making twenty-six miles in going and returning. From the same point to the mill in the Parish of Mascouche, seventeen miles, making, for going and returning, thirty-four miles. From the Village of L'Assomption to St. Lin, twenty-one miles: from the same point to Kilkenny, that is to say, St. Calixte de Beauport, thirty-four miles: from the same point to the Village of St. Roch, twelve miles: from the Village of St. Roch to the house of Jean Louis Archambault, in the same parish, four miles: from L'Assomption to St. Esprit, by Mr. Viger's road, fifteen miles, and by St. Roch eighteen miles. From the church of St. Esprit to the mill of St. Esprit, one mile. From the Village of L'Assomption to Ste. Julienne, twenty-one miles: this distance is calculated by Mr. Viger's road, which is the shortest, and by St. Roch twenty-four miles. It is thirty years since I went by Mr. Viger's road. From L'Assomption to the Village of Rawdon, twenty-four miles, and thence to the house of a trader one mile. From the Village of L'Assomption to St Jacques, twelve miles: from St. Jacques to the house of Narcisse Landry, trader, three miles. From L'Assomption to St. Alexis, fourteen miles. From L'Assomption to the chapel of the Township of Chertsey, about thirty-four miles, but I am not certain. All these distances which I have just mentioned, should be doubled for going and returning.

[Cross-examined.]

It is to my knowledge that the public have passed by Mr. Viger's road for the last thirty years, the same as by any other public road.

Further Deponent saith not, and the foregoing deposition having been read over to him, he declares that it contains the truth, and hath signed.

(Signed,) JOSEPH GUILBAULT.

Sworn before me, at L'Assomption,
10th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

PIERRE RAPHAEL FAUTEUX, Merchant, of the Parish of L'Assomption, witness called on behalf of Mr. Archambault, being sworn on the Holy Evangelists, doth depose and say:—

I am forty years of age. I know the Plaintiff and Defendant in this affair. I am neither a relation, nor connection, nor in the service of the parties in this affair; nor am I interested in the result.

By MR. MORIN:—

I know the house at present occupied by Mr. Archambault, and formerly occupied by Mr. L. G. DeLorimier. It is one of the most important houses in the village. I recollect the election of one thousand eight hundred and fifty-one; I was residing in the parish. I recollect that there were three candidates for the representation of the County. I am aware that the contest was carried on to the

close. It is to my knowledge that the Proclamation calling on the electors to make choice of a representative was made on the gallery of that house. I am in possession of a house of nearly equal value to that where the Proclamation was made. There was a great number of people on the gallery of the house, which at that time was used as a Circuit Court. I think that the nomination took place in the month of December, one thousand eight hundred and fifty-one. I am of opinion that for the use of the gallery and apartments of the Circuit Court, at the risk of the tenant, was worth, certainly, thirty dollars. For in the event of rioting, or in case of much excitement, injury might be done to a much greater extent. I believe that it was more advantageous at that season, the house being more comfortable than a hustings in the open air for the facility of carrying on the proceedings. If I had been obliged to purchase a hustings, it would not certainly have been for a sum of thirty dollars; especially if it was like that erected for election of one thousand eight hundred and fifty-one, which was of planks and canvass.

Question.—In case you had not bought the materials, but had borrowed them, do you believe that a charge of thirty dollars would be excessive for the risk incurred of their being broken, and the cost of their construction?

This question objected to by Mr. Papin, as being suggestive, and putting the answer in the mouth of the witness.

By THE COMMISSIONER:—

The question appears to me somewhat open to objection from its form, and is rather faulty in having reference to a suppositious case; but the accused being entitled to every possible latitude in his defence, I permit it.

Answer.—If they had been broken, I consider it would have been worth the sum at which I have estimated the hustings.

I saw the hustings of one thousand eight hundred and fifty-four. In my opinion it was worth thirty dollars, including the materials and labor.

[Cross-examined.]

I do not know whether Mr. Louis Archambault paid anything for the use of the gallery and house where the nomination of the Candidates took place, in one thousand eight hundred and fifty-one. I am equally ignorant how much it cost him to erect a hustings in 1854.

And further Deponent saith not. The foregoing deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) P. R. FAUTEUX.

Sworn before me, at L'Assomption,
10th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

CAMILLE ARCHAMBAULT, Esquire, Notary, of the Parish of L'Assomption, witness for the Defendant, being duly sworn on the Holy Evangelists, doth depose and say:—

I am thirty-five years of age. I know the parties, Plaintiff and Defendant, in this affair. I am neither related, nor allied to, nor in the service of either of them; nor interested in this affair.

I have been already heard as witness on behalf of the Plaintiff.

By MR. MORIN:—

I was Returning Officer for the election of one thousand eight hundred and forty-eight.

Question.—Who were the Deputy Returning Officers in 1848?

Objected to this question, as having nothing to do with the present inquiry.

By THE COMMISSIONER:—

I cannot see that the question has much to do with the merit of the accusation in question. Nevertheless, as the answer may have some effect on the consequences of this inquiry, I do not think the question should be rejected.

Answer.—The Deputy Returning Officers for the County of Leinster were as follows:—For L'Assomption, L. Eugène Ecrément; for St. Sulpice, Denis Boutilier; for Repentigny, Benjamin Moreau; for Lachenaie, Louis Charles Beaumont; for Mascouche, Philip Mount; for St. Roch, Joseph Beauchamp; for St. Esprit, François des Rivières; for St. Lin, Carolus Laurier; for Rawdon, Alexander Daly; for St. Jacques, Marcel Poirier. The dimensions of the County of Leinster were the same in 1848 as in 1851.

Question.—What is the amount of the account which you submitted to Government, for the expenses of the election of 1848?

Objected to this question by Mr. Papin, for the same reason as to the preceding.

By THE COMMISSIONER:—

As to the amount which may be considered strictly speaking apart from the contents of the account,—I see no great objection to it; I admit the question.

Answer.—As near as I can remember, I asked one hundred and sixty-six pounds and some shillings, and to the best of my recollection, I drew from Government only the sum of one hundred and twenty-four pounds five shillings, as appears by the public accounts of one thousand eight hundred and forty-eight. For the receipt of this sum of one hundred and twenty-four pounds five shillings. The exhibit, No. 1, which is now shewn to me, is the same as that already shewn to me, and on which I was examined in June last. The sum at the foot of this account is one hundred and sixty-six pounds six shillings. By exhibit No. 2, I see that it appears the sum of my account against the Government is one hundred and sixty-six pounds six shillings. I do not remember whether the exhibit No 1 contains the same items as the original account, presented to the Government, but I do not think so.

Question.—What are the alterations of the items between Exhibit No. 1 and the account filed with Government for the Election of 1848, and in what respects do they differ?

Answer.—It is impossible for me to say what are the alterations; I do not remember.

Question.—On what are your remarks founded, when you state that you do not think the Exhibit No. 1 is not an exact copy of the account which you filed with Government, if you do not recollect.

Answer.—On other drafts of account which I have at my own house.

Question.—Have you any objection to produce these drafts of account which you have at your own house, which may establish a variation between the Exhibit No. 1 and the account which you produced to Government.

Answer.—I do not think myself obliged to produce them.

Question.—Do you refuse, peremptorily, to produce them?

Answer.—Yes, I refuse.

Question.—Were you consulted by Mr. Louis Archambault on the manner in which the accounts of the Returning Officers were made?

Answer.—I have already declared that I was consulted by Mr. Louis Archambault.

Question.—On lending to Mr. Louis Archambault the exhibit No. 1, or on some subsequent occasion, did you not tell him that this draft of account had been prepared, or inspected by the Clerk of the Crown in Chancery?

Answer.—It may be so: I do not recollect.

Question.—Did you not consult the Clerk of the Crown in Chancery, on the manner of making this account?

[Objected to by Mr. Papin.]

By THE COMMISSIONER:—I permit the question.

Answer.—As well as I can remember, I believe I said to Mr. Archambault that I had consulted the Clerk of the Crown in Chancery, as near as I can recollect, I think that I consulted him.

Question.—Is it not true that you, yourself, made out the accounts of your Deputies before having received any information from them, assuming as a basis in this matter, the accounts of Returning Officers who had preceded you as such in the County, or who had acted at the same time with yourself in other Counties?

By THE COMMISSIONER:—I reject this question.

Question.—Is it not, to your knowledge, that Returning Officers furnished to Government accounts of the Deputies of their County, before having received information from these latter, basing their accounts on those of the Returning Officers who had acted in the same County for the preceding elections?

Objected by Mr. Papin to this question—1st, as being the same, although less direct than the preceding: 2nd, as being foreign to the present inquiry: 3rd, as being too vague and too general: 4th, as tending to place the witness on his trial, inasmuch as he has already himself declared, that he had been Returning Officer: 5th, as being unable to prove anything having any influence on the merit of the accusations brought against the accused.

By THE COMMISSIONER:—

Permitted; excepting that part which has reference to the account of the witness.

Answer.—No.

Question.—Did you not yourself furnish your account in this manner?

[Objected to by Mr. Papin.]

By THE COMMISSIONER:—

Rejected because it tends to inculpate the witness, and the fact wished to be established is not pertinent to the inquiry, and because it is in the form of a reproach to the witness by the party making it.

Question.—Is it not true that Mr. Carolus Laurier, *dit* Cotineau, your Deputy at St. Lin for the election of the County of Leinster in 1848, presented an account to you, the amount of which you drew from Government, and that you kept a part of this account?

Objected to by Mr. Papin, for the reasons mentioned in the last decision of the Commissioner on the preceding question.

BY THE COMMISSIONER:—

Question rejected as not pertinent, and tending to destroy the character of the defendant's own witness.

Question.—Is it not true that Mr. Carolus Laurier Cotineau, your Deputy at St. Lin, told you that he had made inquiries of Government to know the exact amount of the account which you drew for him, and that he had ascertained that you had received for him a larger sum than that which you had remitted him?

BY THE COMMISSIONER:—I refuse to admit this question.

Question.—Is it not true that Mr. Carolus Laurier Cotineau declared to you that if you did not immediately pay him the balance of his account, he would forthwith inform the other Deputies of the County, and that steps would be immediately taken to obtain justice?

BY THE COMMISSIONER:—Question rejected.

Question.—Is it not true that on these threats you paid him the amount of his account?

BY THE COMMISSIONER:—Question rejected.

Question.—Is it not true that in the month of May or June last you yourself reported to Mr. Louis Archambault the above facts, having reference to Mr. Carolus Laurier Cotineau, as mentioned in the preceding question?

BY THE COMMISSIONER:—Question rejected.

Question.—Have you had occasion to see your account since it has been filed with Government?

Answer.—No.

Question.—Have you said that this account was burned in the fire of 1848?

Answer.—Yes; I said so. and Mr. Louis Archambault said the same thing to me. I knew it when he told me.

Question.—Could you name the person who gave you this information?

Answer.—I do not recollect who gave me this information.

Question.—Is it possible for you, at the present moment to declare the name of any person who spoke to you of the disappearance of this document, besides Mr. Louis Archambault?

Answer.—I believe that Mr. Edouard Faribault spoke to me about it, as well as my brother Eugène Archambault.

Question.—Is it not true that in the month of June, or about that time, you had an interview with Mr. Melassippe Prévost, Representative of the County of Terrebonne, and that you inquired of him, whether your account was really destroyed?

Answer.—After Mr. Archambault had informed me that my account was really destroyed, Mr. Prévost confirmed me in what Mr. Archambault had said to me; this was in the end of June; the inquiry in this affair was commenced.

Question.—Is it not true that Mr. Melassippe Prévost, Representative of the County of Terrebonne, told you that he had seen your account, or at least a copy?

Answer.—No.

Question.—Did you receive two pounds from Government, for two constables, at the time of the holding of the poll, for the election of 1848?

BY THE COMMISSIONER:—Question rejected.

Question.—Did you ask for an inquiry to be made on the amount of the account which you produced for the expenses of the election of 1848, for the County of Leinster, and if so, at what time did you make this demand?

By THE COMMISSIONER:—Question rejected.

Question.—Is it not true that when you made this demand, you had had the interview with Mr. Prévost, of which you have spoken?

[Objected to, by Mr. Papin.]

By THE COMMISSIONER:—Question rejected.

Question.—Is it not true that when you made this demand you had been assured by Mr. Joseph Papin, that your account had disappeared or had been burnt?

Mr. Papin having desired that the witness should answer to this question, it is permitted, and the witness answers: No.

Question.—Did you not know it at that time from other persons?

[Objected to by Mr. Papin.]

By THE COMMISSIONER:—

Permitted to reply, as to the names of the persons who may have informed the witness that his account had disappeared.

Answer.—I have said that Mr. Louis Archambault, Edouard Faribault, and Eugène Archambault, spoke to me about it.

Question.—What is the cost of hiring a house to hold the poll in, and what are the usual expenses incurred to prepare what is necessary for the holding a poll therein?

Answer.—I charged three pounds for my house when I acted as Deputy, in eighteen hundred and fifty-four. I found that this was reasonable.

Question.—Do you think that this charge is only the value of any other house serving the same purpose?

Answer.—I do not know what it may be worth for other houses; but I asked only that for myself.

Question.—Can you recollect what are the sums charged for your Deputies for the election of eighteen hundred and forty-eight—for house hire?

Objected to by Mr. Papin, because this question is not pertinent, and is foreign to the present inquiry.

By THE COMMISSIONER:—Permitted to reply.

Answer.—As nearly as I can remember, I paid myself, to Mr. Horan, for the use of his house in the Parish of L'Assomption, and for a stove and table, between two pounds and two pounds ten shillings; and I think that Mr. Laurier Cotineau charged me nearly the same sum for St. Lin. For St. Roch, I do not recollect how much—any more than for St. Sulpice, nor for Lachenaie. As to Mascouche, I paid something, but I cannot say how much. For St. Esprit, I do not recollect. Nor do I recollect for Rawdon, and I cannot say what sum I paid.

Question.—Can you state what sums were exacted by your Deputies for constables?

Answer.—No. I believe, however, that some exacted charges for constables, but I do not know whether they all did so.

Question.—To the best of your knowledge, did not the Deputies charge you the expense of two constables?

Answer.—Not all the Deputies.

Question.—How much did the Deputies exact for the payment of each constable?

Answer.—Those who made a charge, charged ten shillings a day for each constable, conformably to the law of eighteen hundred and forty-two, which was at that time in force.

Question.—To the best of your knowledge, can you swear that these different sums charged by your Deputies were allowed by Government, on the production of these accounts?

This question objected to, as not pertinent.

By THE COMMISSIONER :—Permitted to reply.

Answer.—I do not know.

Question.—Were the deductions made by Government on the account of one hundred and sixty-six pounds six shillings, which you have produced, made on your own account, or on the account of your Deputies?

[Objected to by Mr. Papin.]

By THE COMMISSIONER :—Question permitted.

Answer.—Partly on my own account and partly on the account of the Deputies, as nearly as I can recollect.

Question.—To what item of the account of the Deputies did the reduction made by Government more particularly apply?

Answer.—To the travelling and boarding expenses, as nearly as I can remember.

Question.—When you made this copy of the account produced as exhibit No. 1, had you received from your different Deputies their several accounts?

[Objected to by Mr. Papin.]

By THE COMMISSIONER :—Question rejected.

Question.—Has this copy of account (Exhibit No. 1) any reference to the expenses of the election, for the County of Leinster, in the year 1848?

Answer.—It is possible that this draft of account has served me as a base for the original account, which I presented to Government, for the election of the County of Leinster, in 1848.

Question.—Can you swear, that in this account, produced by yourself, you have not received for house hire, constables' salaries, sums which have not been expended for this purpose, and which have remained as fees with yourself?

[Objected to by Mr. Papin.]

By THE COMMISSIONER :—The witness is not obliged to answer.

Answer.—I do not think myself obliged to reply.

Question.—Do you refuse to answer this question?

Answer.—I refuse. If I were myself the subject of the present inquiry, I should be ready to answer this question.

Question.—Can you swear that your Deputies, in their accounts, charged you for the payment of board?

This question objected to as frivolous by Mr. Papin.

By THE COMMISSIONER :—Question permitted.

Answer.—In the reductions which were made for the Deputy of the Parish of L'Assomption, I understood, as nearly as I remember, that the reductions made

were for travelling and board expenses, and I may have misinterpreted the English words mentioned in the reductions.

Question.—You have stated that the English words, as signifying travelling and board expenses, had reference to the account of the Deputy of L'Assomption, who was residing at St. Jacques—will you now tell us the name of this Deputy?

Answer.—His name is J. E. Ecrément.

And further Deponent saith not; and the present deposition being read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) CMLLE. ARCHAMBAULT.

(Taxed, 15s.)

Sworn before me,
the 11th of September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

PHILIPPE MOUNT, Burgess of the Parish of St. Henry de Mascouche, being duly sworn on the Holy Evangelists, doth depose and say:—

I am about sixty years of age; I know the Plaintiff and Defendant in this affair; I am neither related nor allied to, nor in the service of the parties in this cause; nor am I interested in this matter. I have already been heard as a witness on behalf of the Plaintiff.

By MR. MORIN:—

I was Deputy Returning Officer for the Parish of Mascouche, for the election of a Member for the County of Leinster, for 1848. I acted as such also in 1851, and also for the election of the County of L'Assomption in 1854. I do not at all recollect what I received from Mr. Camille Archambault for the election of 1848. To the best of my knowledge it was about four pounds ten shillings, but not more than five pounds.

Question.—Did you appoint constables in 1848?

[Objected to by Mr. Papin.]

By THE COMMISSIONER:—Question rejected.

Question.—Is it to your knowledge that the salary of two constables in each polling place is charged in the election accounts furnished by the Returning Officers, even when constables have not been appointed?

This question objected to by Mr. Papin, as tending to prove a practice directly contrary to the spirit and letter of the law.

By THE COMMISSIONER:—Question permitted.

Answer.—No. I do not think they should be paid, when there have been no constables; if no constables have been named, there should be none charged, and I am not aware that such is the practice. I would not give my property for a polling place for ten pounds.

From the Rapid of Mascouche to the school of Ruisseau des Anges, there may be a distance of four miles.

Further Deponent saith not; the present deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) PH. MOUNT.

(Taxed at 22s. 6d.)

Sworn before me, the
11th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

BENJAMIN MOREAU, Merchant, of the Parish of Repentigny, having been sworn on the Holy Evangelists, doth depose and say:—

I am fifty-one years of age. I know the Plaintiff and Defendant in this affair. I am neither related, nor allied to, nor in the service of the parties in this affair; nor am I interested in this affair.

I have already been heard as a witness on behalf of the Plaintiff.

I consider that the lease of a house for holding the poll, with all the risks, is worth eight or ten pounds a day, and I would not give mine for less. I was Deputy Returning Officer for the election of the County of Leinster, in eighteen hundred and forty-eight.

Question. — What is the amount which you furnished, in your quality of Deputy to Mr. Camille Archambault, Chief Returning Officer?

Objected to by Mr. Papin, inasmuch as the accused has not the right of changing the present inquiry on his own accounts, into an inquiry on the accounts of another Returning Officer.

By THE COMMISSIONER:—Question rejected as not pertinent.

Question. — What is the amount which you received from Mr. Camille Archambault as Deputy?

[Objected to by Mr. Papin.]

By THE COMMISSIONER:—Question rejected.

I have had occasion to examine accounts of Returning Officers, and to see the charges made for constables and house hire. These charges varied and differed much. For house hire, from three to eight pounds, and for constables it was five shillings a day, when there were any sworn; to my knowledge there were not more than two paid for each parish. I consider that a sum of three pounds, for the hire of houses where polls are held, is a moderate sum. At the last election I was also Deputy Returning Officer. At none of the elections of 1848, 1851, and 1854, did I make any arrangement with the proprietor for the hire of the house where I held the poll; I only spoke about it to the *Curé*. No account was ever presented to me, but I consider myself responsible and liable to payment, if it is asked of me. I do not think that a sum of three pounds would be excessive for hire, for each of the said years.

[Cross-examined.]

In the elections of 1848, 1851, and 1854, the poll was held in the said Parish of Repentigny, in the public hall of the said parish.

Question.—Do you recollect that in the deposition which you gave before the present Commission of Inquiry, you stated that you had charged Mr. Louis Archambault something for your expenses, for the place where the poll was held at Repentigny in 1851 and in 1854?

Answer.—I do not remember; but I incurred expenses for the hustings and for fuel. No one ever asked me anything, nor did I pay anything for the use or lease of the said public hall, where I held the poll in the three abovementioned elections. If there was anything paid for this object, it must have been to the *Fabrique*, to whom the said hall belongs.

And further the said deponent saith not; the present deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) BENJ. MOREAU.

(Taxed, 15s. for this day, and 15s. for the 26th June last.)

Sworn before me,
this 11th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

On this twelfth day of September, one thousand eight hundred and fifty-five, at half past nine in the forenoon.

Present,—JOSEPH PAPIN, Esquire; and LOUIS ARCHAMBAULT, Esquire; assisted by L. S. MORIN, Esquire, his Counsel.

The witnesses summoned by Mr. Archambault, having been called, and not appearing, and the report and signification made by the bailiff having been read; seeing the proof of diligence given by the defendant, the inquiry is adjourned to two o'clock in the afternoon, at the request of Mr. Morin, and without the consent of Mr. Papin, who objects to the said adjournment.

And it being two o'clock in the afternoon, the witnesses summoned not having appeared, Mr. Papin asks that, inasmuch as half an hour has elapsed since the time to which Mr. Morin, the Counsel of the accused had requested that the proceedings should be adjourned, the proceedings be now resumed and continued. Thereupon Mr. Morin requests that on the *rapport verbal*, made by the bailiff, that the witnesses summoned this morning, would be here at two o'clock, and inasmuch as they are absent, that the proceedings be suspended till to-morrow at nine o'clock in the forenoon, to take such proceedings as the law allows, to oblige the witnesses, who have received summonses, to appear.

The inquiry is adjourned till to-morrow, the thirteenth instant, at ten o'clock in the forenoon, saving, in the event of some of the witnesses in default arriving before six o'clock this afternoon, in which case, the party accused shall immediately give notice thereof, to the Commissioner and to the plaintiff, so as to proceed forthwith to hear them.

JOSEPH ANTOINE EUGÈNE ECREMENT, Notary, of the Parish of St. Jacques, having been duly sworn on the Holy Evangelists, doth depose and say:—

I am thirty-eight years of age; I know the Plaintiff and Defendant in this affair; I am not related nor allied to, nor in the service of either of the parties; nor am I interested in this affair. I have already been heard as a witness on the part of the Plaintiff. I have been three times Deputy Returning Officer, twice in the County of Leinster and once in the County of Montcalm; in the County of Leinster, the first time I acted as such for the Parish of L'Assomption, and the second time for the Parish of St. Jacques.

Question.—Can you inform us what are the expenses occasioned in these circumstances for costs of election in these different parishes, where you have acted as Deputy Returning Officer, and what are the sums which you have received?

[Objected to by Mr. Papin.]

Question rejected, so far as relates to the expenses incurred, because they may be proved by public documents. Permitted as respects the amount which he received in the elections of eighteen hundred and fifty-one, as Deputy for the Parish of St. Jacques.

Mr. Morin withdraws the question, as modified by the Commissioner.

Question.—Were you Deputy Returning Officer for the Parish of L'Assomption in eighteen hundred and forty-eight.

Answer.—Yes.

Question.—What are the expenses incurred in this parish for the same year, and what sums did you receive as Deputy Returning Officer.

This question objected to by Mr. Papin as foreign to the inquiry, and as tending to institute an inquiry into the accounts of eighteen hundred and forty-eight.

Question permitted; inasmuch as these documents are adhered to as having reference to the practice followed.

Answer.—I am not aware what expenses were incurred that year in the Parish of L'Assomption, but I recollect perfectly well the sum which I received; namely, the sum of two pounds currency. What makes me positive in saying that I received two pounds, is, that the other day I met Mr. Camille Archanbault, who told me that I had received only two pounds. Mr. Camille Archanbault was the Chief Returning Officer for this election.

The value of house hire for holding a poll, depends much on circumstances,—on the value of the house, and on the risk to be incurred, according as the election is more or less warmly contested.

Question.—What price would you ask for the hire of your house for holding a poll in, for two days?

Answer.—I would not ask less than seven or eight pounds, if I was compelled to assume the risks.

Question.—Do you believe that the sum of three pounds for hire of house for the use of a poll, is an excessive amount?

Objected to by Mr. Papin, as being a leading question.

Question permitted.

Answer.—No.

[Cross-examination.]

I am not aware how much the hire of the house, where the poll for St. Jacques was held in eighteen hundred and fifty-one, cost. It was in the Public Hall, and no one ever asked me for anything.

Further Deponent saith not; and the present deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed;) J. E. ECREMENT.

(Taxed at 22s. 6d.)

Sworn before me,
the 13th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

MARCEL POIRIER, Notary, of the Parish of St. Jacques, witness for the Defendant, being duly sworn on the Holy Evangelists, doth depose and say:—

I am forty-three years of age; I know the Plaintiff and Defendant in this affair; I am neither related nor allied to, nor in the service of either of them, nor am I interested in this affair.

Before proceeding to examine the witness, Mr. Morin requires that it be permitted him, to bring again before this commission, the witness Benjamin Moreau, to answer the following questions which were yesterday declared inadmissible during his examination. The questions are the following:—

1st.—What is the amount which you furnished in your quality of Deputy to Mr. Camille Archambault, chief Returning Officer?

2nd.—What is the amount which you received from Mr. Camille Archambault, as Deputy?

Mr. Morin declares that by this witness he is prepared to establish that Mr. Camille Archambault has kept part of the money drawn from Government for his Deputy, the said Benjamin Moreau.

Mr. Papin objects to this application being granted, as being ill-grounded in all respects, and as having no other object on the part of the accused, than that of making malicious insinuations against a Returning Officer who is not on his trial.

By THE COMMISSIONER:—The application is refused.

I was Deputy Returning Officer in 1848, for the Parish of St. Jacques.

Question.—What are the expenses incurred this year for the said Parish of St. Jacques, and what sum did you receive as Deputy Returning Officer?

The latter part of the question, concerning the amount received by the witness, objected to by Mr. Papin.

By THE COMMISSIONER:—The first part is permitted, the second rejected.

Answer.—I cannot say, precisely; all that I know, is that there was no house hired to hold the poll, nor any special constables appointed.

Question.—Are the expenses of election for each parish usually settled by the Deputy Returning Officer?

Answer.—I cannot say.

Question.—Was it yourself who made out the account of election expenses in the parish where you acted as Deputy Returning Officer?

This question objected to by Mr. Papin, as tending to prove a particular fact, foreign to this inquiry.

BY THE COMMISSIONER :—Question refused.

Question.—Have you any reason on which to base a precise opinion on the amount of expenses incurred for the Parish of St. Jacques, in eighteen hundred and forty-eight?

Answer.—I have no personal knowledge of any facts on which I could base an opinion of this kind.

Question.—What was the amount of the expenses which you incurred in the Parish of St. Jacques, in eighteen hundred and forty-eight, in your capacity of Deputy Returning Officer?

Answer.—As near as I can recollect, it was about eleven or twelve dollars for my own share, not including the fee of the clerk of the poll, who was not paid by me.

Question.—Do you swear that this is the exact sum which was remitted you as Deputy Returning Officer in eighteen hundred and forty-eight?

[Objected to by Mr. Papin.]

BY THE COMMISSIONER :—Question rejected.

In respect to the risks to be incurred, the value of an ordinary house for holding the poll, is three or four pounds,—it should be worth more for a larger house.

Further Deponent saith not. The foregoing deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) M. POIRIER.

(Taxed at 22s. 6d.)

Sworn before me, the
13th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

JOSEPH ALFRED OCTAVE TURGEON, Advocate, Prefect of the County of Terrebonne, in the District of Montreal, Esquire, having been duly sworn on the Holy Evangelists, doth depose and say :—

I am forty years of age. I know the Plaintiff and Defendant in this matter. I am neither related nor allied to, nor in the service of either of the parties; nor am I interested in this affair. I acted as Returning Officer in an election which took place at Terrebonne in 1848.

Question.—When you prepared your account of election, in your capacity of Returning Officer, had you occasion to consult any of your colleagues on the

manner in which these accounts should be made?—what was your opinion on the manner of charging the distances?

This question objected to by Mr. Papin, as being foreign to the present inquiry.

By THE COMMISSIONER:—Question permitted.

Answer.—Before drawing up my account, I consulted several old Returning Officers, and also several of my colleague Returning Officers on the manner of making up these accounts, and among the latter I recollect to have been in communication with my friend Mr. Camille Archambault, without however saying that it was on this particular point in relation to the distances. As to this point, I have never had the smallest doubt that I was entitled to charge the distances, going and coming, from the centre to each point of the circumference. It appeared to me then, as it does now, that a Returning Officer had the same rights as a bailiff.

Question.—Had you occasion to examine the accounts of the Returning Officers and establish the ordinary expenses incurred in the different parishes in the contested elections, and can you tell us the amount of the expenses at each poll of these different counties whose accounts you inspected?

[This question objected to by Mr. Papin.]

By THE COMMISSIONER:—Question permitted.

Answer.—I had occasion to see and examine the accounts of the different Returning Officers for twenty counties for the elections of 1848 and of 1854, and, by the statement which I am prepared to furnish, they all charged and received a sum proportionably higher than that which has been received by Mr. Archambault, and especially for 1848.

[The Commissioner having objected to this proof unless the original accounts in question are produced, Mr. Archambault produces and files certified copies of certain election accounts.]

Berthier, for fifteen polls, one hundred and ninety-seven pounds fifteen shillings; for Megantic, for eight polls, eighty-four pounds fourteen shillings. Bonaventure, for nine polls, ninety-five pounds fourteen shillings; Nicolet for eight polls, one hundred and thirty-five pounds twelve shillings; and in one thousand eight hundred and fifty-four, for Hochelaga, five polls, eighty pounds eighteen shillings and sixpence; Terrebonne, ten polls, seventy-six pounds eleven shillings; Beauce, for eleven polls, one hundred and eight pounds; Huntingdon, seven polls, fifty-four pounds eleven shillings; Champlain, ten polls, one hundred and fifteen pounds fifteen shillings; Megantic, seven polls, fifty-seven pounds thirteen shillings; Ottawa, twelve polls, one hundred and sixteen pounds fourteen shillings; Lotbinière, nine polls, sixty-nine pounds eight shillings; Portneuf, twelve polls, one hundred and fifteen pounds twelve shillings; two Mountains, eleven polls, ninety-eight pounds ten shillings; Vaudreuil, five polls, fifty six pounds three shillings and three-pence halfpenny; Beauharnois, five polls, seventy-five pounds seven shillings; St. Maurice, eight polls, sixty-pounds nine shillings; Montmorency, eleven polls, one hundred and six pounds fourteen shillings and nine-pence; Sherbrooke, ten polls, eighty-four pounds nine shillings and eight-pence; Temiscouata, eight polls, sixty-three pounds thirteen shillings and sixpence. All these sums have reference solely to the accounts of the Deputy Returning Officers, and to rectify any error in figures, if there be any. I refer to the accounts now shewn to me, and on which I have based my answer. These accounts are marked from letter A to letter T inclusive. I am inclined to think that two pounds ten shillings and three pounds is but an ordinary charge

for house hire, in each parish where the poll is held. It should be worth that sum.

Question.—In case the poll was held in a house belonging to the Returning Officer, to one of his friends, or to some one under obligation to him, who would not exact payment out of consideration for him, do you think that the Returning Officer would be justified in charging the value to Government?

Answer.—Certainly.

Question.—Is it not to your knowledge that this practice still obtains ; and if so, state whether it appears unjust.

Answer.—I am not aware whether this practice obtains at the present day. I know that it has existed, and I see nothing unjust in it.

Question.—Is it not true that it often happens, that the Deputy Returning Officers do not transmit any account in writing to the Returning Officer, and do not give him any verbal information before he transmits their accounts to the Government?

Answer.—Yes, very often. There are some who do not transmit any at all, and leave to the Returning Officer the task of doing it.

Question.—For the circumstances alluded to in the preceding question, is it not usual for the Returning Officer to make out this account on ordinary data?

Answer.—There is no other means.

Question.—Does it not often happen from consideration for the Returning Officer, that those of the *Fabrique* place their hall at his disposition gratis ; and if so, do you believe the Returning Officer is justified in charging the value of the occupation of these halls as polling places?

Answer.—When private parties, or those of the *Fabrique*, charge nothing for this object, it is always a matter of consideration for the Returning Officer, who, to indemnify himself for many other troubles for which he is not paid, should be held justifiable in charging for such object.

Question.—Is it not true, that it is usual to retain the amount of these fees when the proprietors do not exact it themselves?

Answer.—I do not know whether it is usual, but in that case no one would lose by it, neither the Government nor the proprietors ; the only person who would profit by it, would be the Returning Officer, who is bound under a heavy penalty, to accept an onerous and sometimes dangerous office.

Question.—In case the Returning Officer being under the necessity of appointing constables, should appoint some of his employées, would he be justified in drawing the salary allowed them by law?

Answer.—The Returning Officer would be certainly justified in so doing, if he appointed his employées as those who would not exact payment.

Question.—If the Returning Officer should be the friend or benefactor of his Deputies, and these latter should exact no fee from him for these considerations, would the Returning Officer be justified in claiming payment of the fees allowed him by law?

Answer.—In all cases where the Deputies do not exact payment of their fees from the Returning Officer, it should be in his favor, unless they mention specially that they are willing to make a present of them to Government.

[Cross-examined.]

Question.—For how many years have you practised as advocate in Lower Canada?

Answer.—Since the thirty-first of December, one thousand eight hundred and thirty.

Question.—Is it from a legal point of view that you have given the opinions expressed in your answers in your examination in chief, in relation to the rights of the Returning Officers?

Answer.—I have never understood that a witness in a cause was called upon to give his legal opinion.

Question.—It is not then as a legal opinion that you have enunciated these propositions?

Answer.—I shall at no time profit by these occasions to give a legal opinion.

Question.—Do you believe that the opinions which you have thus given are based on the law, or conformable to law?

Answer.—I do not consider myself obliged to give a legal opinion.

Mr. Papin requires that the witness answer distinctly the question, and the Commissioner decides that the witness is bound to reply; the witness then makes the following answer.

Answer.—I do not think them contrary to law, and in any case they are based on justice.

Question.—Do you believe that a Returning Officer in chief is entitled to charge to Government the salary of constables who have never been appointed nor sworn, and who have not acted?

Answer.—In the case where a citizen is obliged, under a considerable penalty, to accept an office which, as I have said, is very onerous, and may at times become dangerous, and in which the Government refuses to grant for other items which might merit payment, I think he would be entitled to charge for these items to indemnify himself for the others: and in fact Government does not pay more, since if these constables had been appointed or had acted, the Returning Officer would have received payment for them; besides, in the event of its being necessary to appoint more than two, the Returning Officer, by following the letter of the Statute, could not be reimbursed for what he might have paid to those, above two, whom he might have appointed.

Question.—Do you believe that when the account of the Deputies is made out by the Returning Officer in chief, the latter is entitled to keep for himself the half of the amount which he has received for them from the Government, or a portion nearly as large?

Answer.—The Deputies, being paid the amount which they have asked, do not suffer from the Returning Officer having the advantage of it, and he has the right of keeping it to indemnify himself for that which he is not paid for by the Government.

Question.—Are you one of those who believe there is no harm in robbing the Government?

THE COMMISSIONER—Does not permit this question.

Question.—Do you believe that according to the law now in force, and since one thousand eight hundred and forty-nine, the Returning Officers have the right of charging for distances in the manner which you have already mentioned?

Answer.—I have not lately consulted the letter of the law, but my impression is that they have the right.

Question.—Look at the 66th section of the 12th Vic. chapter 27; consider that part which fixes the fee of the Returning Officer for the distances which he

has to go over, and state if you think that by this law the Returning Officer is entitled to charge for distances longer or other than those which he has really gone over?

Answer.—On referring to the law abovementioned, I think that the Returning Officer has not the right of charging for distances longer than those which he had to go over to convey himself from one place to another. I think that he is entitled to charge all the distances for going to any place whatever and returning from it, without being obliged to go over in one and the same journey the entire circumference of the county in which he is acting as Returning Officer.

Question.—In case he should go over in one single journey, the entire circumference of the said County, do you think that, agreeably to the said law, he would be entitled to charge as if he had made a separate journey in each parish, setting out from the centre and returning to it each time?

Answer.—He is then in the same circumstances as a Bailiff, who has several notices to serve, and to whom the law and the courts grant so many journeys, and this interpretation of the law is as equitable as when it has been pretended that a municipal councillor might swear that he was holding *feu et lieu*, because he was prevented therefrom by some greater hindrance, as fire.

Question.—Do you believe that when the law says that a Returning Officer is entitled to sixpence for each mile that he shall really and necessarily have gone over, he is entitled to charge in like manner for another number of miles which he has not gone over, but which he might have gone over, without necessity?

Answer.—This depends on the law, which is variously interpreted. In the clause which has been cited to me, the strict letter of the law might allow for only each mile really and necessarily gone over, but the intention of the legislature in granting but sixpence a mile, must have been to accept in account all the distance to be gone over.

Question.—Do you believe that in pursuance of the said clause, the Returning Officer is entitled to charge for distances which he has not gone over?

Answer.—He is entitled to charge for the distances which he is considered to have gone over, and which he must necessarily have gone over to transport himself from one place to another, and to return.

Question.—Do you believe that in pursuance of the said clause, he is entitled to charge for distances which he has not gone over?

Answer.—In the case of a Returning Officer being constrained to accept a charge in which his goods, and even his life may be endangered, I am not of opinion that a restricted sense should be given to any of those clauses of the law which provide for his indemnification; and by giving it a liberal interpretation, I am of opinion that he is entitled to exact payment for distances which he may have gone over to get from one place to another, and to return.

Question.—In the figures which you have given, as the amount of the sums charged by the Deputies in the different accounts which you have enumerated, did you previously deduct from this amount the different sums deducted by Government?

Answer.—My impression is that they were deducted, but the accounts should speak for themselves.

And further Deponent saith not. The present deposition having been read over to him, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) J. ALFRED O. TURGEON.

(Allowed for carter, 15s., for himself, £1 15s.—Total, £2 10s.)

Sworn before me, the
13th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

The 14th day of September, 1855.

LOUIS GUSTAVE DE LORIMIER, Advocate, and Clerk of the Circuit Court for the Circuit of L'Assomption, Esquire, being duly sworn on the Holy Evangelists, doth depose and say:—

I am forty-seven years of age. I know the Plaintiff and Defendant in this affair; I am neither related, nor allied to, nor in the service of either of them; nor am I interested in this matter.

I have already been heard as a witness in this affair on the part of the Plaintiff; I have held for some years past, and still hold, a place under the Government of this Province.

Question.—Is it not usual, and do you not think the public officer entitled to draw from Government the fees which the law allows for obtaining the assistance of other persons in the exercise of his duty, when by activity and by more than ordinary labour he has supplied the absence of those persons whose assistance he might have obtained?

This question objected to by Mr. Papin as tending to obtain from the witness a legal opinion, and as foreign to this inquiry.

By THE COMMISSIONER:—Question permitted.

Answer.—I cannot say.

Question.—Do you know whether at times it happens that the Clerk of a Circuit Court, who himself looks after the keeping of the apartments of the Court, charges to Government the fees of a warden, as if he had appointed one?

By THE COMMISSIONER:—I cannot permit this question.

Question.—Did you not yourself, in your capacity of Clerk of the Circuit Court for the Circuit of L'Assomption, charge the sum of seven pounds ten shillings for a warden, when no one was appointed by you to that office?

By THE COMMISSIONER:—I refuse the question.

Question.—Is it not true that you have drawn from Government, according to account presented the first of May, one thousand eight hundred and fifty-four, the sum of seven pounds ten shillings for fuel for the Court?

By THE COMMISSIONER:—Question refused.

Question.—Is it not true that the apartments serving for the Circuit Court have been only warmed during the sessions of the Court during the two last years, and that these sessions have only taken place at two different times in the winter season, that is in November and in March, and that each of them only lasted three or four days in a Term?

BY THE COMMISSIONER :—I refuse the question.

Question.—Is it not true that you presented an account to Government in 1854 claiming for ‘*Enquête*’ clerks the sum of nine pounds, currency, and that you did not pay this sum to two ‘*Enquête* clerks,’ as mentioned in your account?

BY THE COMMISSIONER :—

The advocate of the Defendant having been notified, before this question was reduced to writing, that the Commissioner could not permit him to enlarge further on that subject, and inasmuch as this question tends to inculcate his own witness, by interrogating him on matters altogether foreign to this inquiry, he refuses the question and declares that he will not permit any more of the same kind.

Question.—Can you swear positively, that in 1851 you did not receive, for trouble occasioned to you at the time of the nomination and proclamation of the candidates, on the gallery of the house which you occupied, the sum of one pound currency?

Answer.—No; at least I do not recollect, and I do not think so. I have no idea of the time at which Mr. Denis Bouthillier presented me with his account.

[Cross-examined.]

The hire of the house, on the gallery of which the nomination and proclamation of the candidates in 1851 took place, was paid me by Government, and it was in this house that the circuit court was held.

Question.—Did Mr. Louis Archambault ever speak to you of the accounts which form the subject of the present inquiry, or of the accusations brought against him, since the inquiry of the plaintiff was closed? and did he ever tell you anything tending to establish that he himself knew he had acted contrary to law and usage, or anything else of a similar character?

This question objected to by Mr. Morin as having no relation to the facts on which the witness was examined, in his examination in chief, and as being questions that should have been asked at the time of the hearing of the present witness, in support of the inquiry made by accusation.

BY THE COMMISSIONER :—

Permitted to reply in reference to what the accused may have said subsequently to the closing of the inquiry of the Plaintiff, and which may relate to the facts proved by the Defendant in his defence, and to the practice which it tends to establish, and provided that this witness, for this purpose, be regarded as a witness of the Plaintiff.

Answer.—I do not recollect any conversation which I may have had with the accused, since the close of the Plaintiff's inquiry on this subject.

And further Deponent saith not; and having read the present deposition, he declares that it contains the truth, persists therein, and hath signed.

(Signed,) L. G. DELORIMIER.

Sworn before me, the
14th September, 1855.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

Mr. Morin, on behalf of Mr. Louis Archambault, files, in addition to those already filed yesterday, seventeen specimens of Returning Officers' accounts, to establish that the charges in his account are ordinary and usual charges, which are allowed by Government, and declares and protests that he was prepared to establish by Returning Officers, that in the greater number of cases, their accounts contain an item for constables, house hire, and hustings, when expenses for these objects were not incurred; that these different amounts remain in their hands as fees, but that he is prevented by the decision of the Commissioner, pronounced on several occasions during the inquiry for the defence; more particularly in the examination of Camille Archambault, Benjamin Moreau, and Marcel Poirier; and prays, as a measure of justice, that an inquiry take place on the accounts of the different Returning Officers, copies of which are filed, as well as on three other accounts of Returning Officers, filed with the Government for the elections of 1848, 1851, and 1854; and moreover, Mr. Morin, on behalf of the Defendant, declares his inquiry closed.

The Commissioner asks the Plaintiff whether he has any other proof to adduce. The Plaintiff replies in the negative.

Thereupon the Commissioner declares the Inquiry under the Commission closed, at L'Assomption, on the 14th day of September, one thousand eight hundred and fifty-five, at eleven o'clock in the forenoon.

(Signed,) DUNBAR ROSS,
Solicitor General, Commissioner.

(Signed,) L. G. DELORIMIER,
Clerk to the Commission.

BB.

PROVINCIAL SECRETARY'S OFFICE,
Quebec, 8th September, 1855.

Sir,—The account of Mr. Archambault, Returning Officer for the County of Leinster, to which you allude in your letter of the 31st ultimo, is not to be found in the Public Departments.

I send you the account of Mr. Archambault in the same capacity for 1851, which was not among those last forwarded to you.

I have the honor, &c.,

(Signed,) GEO. ET. CARTIER,
Secretary.

T. J. J. LORANGER, Esquire, M.P.P.,
Quebec.

HER MAJESTY'S GOVERNMENT, *D^r*. to CAMILLE ARCHAMBAULT,
Returning Officer for the County of Leinster.

		£	s.	d.
December 14, 1847..	Oath, in writing, of the Registry Officer.....	0	5	0
	18 Proclamations, English and French, for the different Parishes and Townships in the County, requiring the presence of the Electors, at 5s.....	12	0	0
	The endorsement on the Writ	0	5	0
	Letter to the Clerk of the Crown in Chancery, acknowledging receipt of Writ, &c.....	0	5	0
	Returning Officer's messenger, for the carriage of these Proclamations	5	10	0
	Posting and reading Proclamations	4	0	0
do 27, do ..	Commission appointing Election Clerk.....	0	5	0
	Oath, in writing, of Clerk	0	5	0
	For the Returning Officer, for the nomination day	1	5	0
	For the Election Clerk and 2 Constables	2	0	0
	20 Commissions appointing Deputy Returning Officers and Poll Clerks	5	0	0
	12 Proclamations fixing the days on which the Polls would be held, and the places for polling, at 5s.....	3	0	0
	For preparing 10 Poll Books, at 60s.....	20	0	0
	10 copies of Poll Books, at 10s.....	5	0	0
	10 Orders and Precepts, addressed to the Deputy Returning Officers.....	2	10	0
	Messengers, for the conveyance of the Poll Books, Commissions, and Precepts; and, also, for the conveyance of a Commission appointing a person at St. Jacques to act as Deputy Returning Officer for the Parish of L'Assomption, it being impossible to procure a person for that purpose in the latter Parish.....	6	5	0
	To the Deputy Returning Officer for L'ASSOMPTION, J. E. Erement, as per his account.....	5	0	0
	For a Poll Clerk.....	2	0	0
	Two Constables	2	0	0
	Hire of a house for the hustings	2	10	0
	2.—PARISH OF ST. SULPICE.			
	To the Deputy Returning Officer and Clerk, for 2 days' services receiving votes	4	0	0
	Two Constables	2	0	0
	Messenger for conveyance of Poll Books	1	0	0
	3.—PARISH OF REPENTIGNY.			
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Messenger	1	5	0
	4.—ST. JACQUES.			
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Messenger for conveying Poll Books	2	0	0
	5.—ST. ROCH.			
	To the Deputy Returning Officer and Clerk	6	0	0
	Two Constables	2	0	0
	Cost of a hustings	2	10	0
	Messenger for returning Poll Books.....	1	5	0

HER MAJESTY'S GOVERNMENT, *Dr.* to CAMILLE ARCHAMBAULT,
&c.—(Continued.)

		£	s.	d.
6.—LACHENAIE.				
December 27, 1847..	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Hustings	1	10	0
	Messenger for returning Poll Books	1	0	0
7.—St. HENRI DE MASCOUCHE.				
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Hustings	1	10	0
	Messenger for Returning Poll Books	1	0	0
8.—St. ESPRIT.				
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Hustings	1	10	0
	Messenger for returning Poll Books twice, the necessary formalities not having been complied with on the first Return	1	10	0
9.—St. LIN.				
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Hustings	2	10	0
	Messenger for returning Poll Books	1	10	0
10.—RAWDON.				
	To the Deputy Returning Officer and Clerk	4	0	0
	Two Constables	2	0	0
	Hustings	1	5	0
	Messenger for returning Poll Books	1	15	0
January 7, 1848..	For the Returning Officer, on the day fixed for the Proclamation, for his attendance to adjourn the meeting, the Returns from St. Esprit not having been received.	1	5	0
	For a Clerk and two Constables on the same day	2	0	0
	To the Returning Officer, for his services on the day of the Proclamation, and consequently, of the closing of the Election	1	5	0
	For a Clerk and two Constables on that day	2	0	0
	Two Indentures	0	10	0
	Messenger, for the return of the Poll Books, Writ of Election, &c.....	1	10	0

(Signed,) CAMILLE ARCHAMBAULT,

Returning Officer,
County of Leinster.

L'ASSOMPTION, 16th January, 1848.

LIST of ACCOUNTS produced at the Investigation, this 14th September, 1856.

1854 ..	County of Waterloo	marked	V.
do ..	do of St. Hyacinthe	do	X.
1854 ..	do of Rimouski	do	Y.
1848 ..	do of Rouville	do	Z.
do ..	do of Portneuf	do	AA.
do ..	do of Montreal	do	BB.
1854 ..	do of do	do	CC.
do ..	do of Kamouraska	do	DD.
1848 ..	do of Huntingdon	do	EE.
1854 ..	do of Montcalm	do	FF.
1848 ..	do of Lanark	do	GG.
do ..	do of L'Islet	do	HH.
1854 ..	do of Drummond and Arthabaska	do	II.
do ..	do of Bonaventure	do	JJ.
do ..	do of Chicoutimi	do	KK.
do ..	do of Berthier	do	LL.
1848 ..	do of Beauharnois	do	MM.

(Signed,) LOUIS MORIN,
for M. ARCHAMBAULT.



LIST of ACCOUNTS produced at the investigation, and filed in support of the evidence of J. O. A. TURGEON, on the 13th September, 1855.

1848 ..	County of Berthier	marked	A.
do ..	do of Megantic	do	B.
do ..	do of Bonaventure	do	C.
do ..	do of Nicolet	do	D.
1854 ..	do of Hochelaga	do	E.
do ..	do of Terrebonne	do	F.
do ..	do of Beauce	do	G.
do ..	do of Huntingdon	do	H.
do ..	do of Champlain	do	I.
do ..	do of Megantic	do	J.
do ..	do of Ottawa	do	K.
do ..	do of Lotbinière	do	L.
do ..	do of Portneuf	do	M.
1854 } 1848 }	do of Two Mountains	do	N.
1854 ..	do of Vaudreuil	do	O.
do ..	do of Beauharnois	do	P.
do ..	do of St. Maurice	do	Q.
do ..	do of Montmorency ..	do	R.
do ..	do of Sherbrooke	do	S.
do ..	do of Temiscouata	do	T.

(Signed,) LOUIS MORIN,
for M. ARCHAMBAULT.



NAMES of the different RETURNING OFFICERS whose ACCOUNTS were produced at the Investigation, in the matter of Mr. ARCHAMBAULT, by J. O. A. TURGEON, Esquire, on the 13th and 14th September, 1855; shewing the amount demanded; the amount deducted; and also the amount finally allowed.

Names of the Return- ing Officers.	Names of Counties.	Amount Demanded.			Amount Deducted.			Amount Allowed.		
		£	s.	d.	£	s.	d.	£	s.	d.
A. D. Bondy	Berthier	359	4	0	115	12	0	243	12	0
Daniel Burray	Megantic	152	3	0	26	10	0	125	13	0
Philip Vibert	Bonaventure	196	12	10	59	16	6	136	16	4
Basile Lupien	Nicolet	201	4	6						
George H. Ryland	Hochelaga	166	9	0	45	0	0	121	9	0
Joseph Lachaine	Terrebonne	145	10	9	19	11	0	125	15	9
Richard A. Fortier	Beaucé	151	5	6	No deduction ..			151	5	6
L. H. Masson	Huntingdon	106	1	10	5	16	10	100	5	0
Ferdinand Filteau	Champlain	182	10	10	6	19	0	175	11	10
John R. Lambly	Megantic	102	16	0	No deduction ..			102	16	0
J. F. Taylor	Ottawa	146	10	4	4	0	0	142	10	4
R. S. Noël	Lotbinière	115	16	6	5	5	0	110	11	0
R. Lelièvre	Portneuf	142	4	6	No deduction ..			142	4	6
Daniel De Hertel	Two Mountains	163	9	6	24	12	0	138	17	6
H. F. Charlebois	Vaudreuil	102	15	0	4	15	0	90	0	0
Owen Lynch	Beauharnois	105	6	9	34	11	11	70	14	11
L. G. Duval	St. Maurice	125	5	6	12	10	0	112	15	6
P. G. Lefrançois	Montmorency	144	11	2	9	0	6	135	10	8
W. H. Webb	Sherbrooke	177	18	9	4	9	0	173	9	9
John Heath	Temiscouata	111	11	6	1	18	4	109	13	2
Alexander D. Forlyce	Waterloo	201	9	9	37	13	9	163	10	0
S. T. Lespérance	St. Hyacinthe	The account was not cast up.								
L. F. Garon	Rimouski	135	2	6	4	0	0	131	2	6
H. Aubertin	Rouville	135	6	9	12	13	9	122	13	0
N. Gauthier	Portneuf	168	15	0	7	15	0	161	0	0
W. B. Hartley	Montreal	322	12	6	175	0	0	147	12	6
John Boston	City of Montreal	430	0	0	86	14	3	343	9	3
J. G. Taché	Kamouraska	143	1	5	7	19	0	135	2	5
J. B. Varin	Huntingdon	256	4	0	80	1	0	176	3	0
Magloire Granger	Montcalm	102	6	6	2	2	6	100	4	0
Anthony Leslie	Lanark	145	19	2	4	15	8	141	3	6
B. Pouliot	L'Islet	106	14	0	4	0	0	102	14	0
Edward Cox	Drummond	181	14	6	0	1	6	181	13	0
Joseph G. LeBel	Bonaventure	216	12	0	49	18	0	166	14	0
Ovide Bossé	Chicoutimi	133	5	0	No deduction ..			133	5	0
J. Baptiste Chalut	Berthier	110	11	6	11	10	0	91	1	6
Robert H. Norval	Beauharnois	171	13	0	14	18	0	156	15	0

L'ASSOMPTION, 15th September, 1855.

CC.—CHARGE A, (Nos. 1 and 2).—MILEAGE.—(Continued.)

		£	s.	d.	£	s.	d.
<i>Brought forward</i>					11	9	6
1851.—ELECTION NOTICES.—(Continued.)							
	Benjamin Moreault, account				0	15	0
	— Dorval, do				0	4	6
	— Gareault, do				0	11	10½
	A. Daly, do				4	0	0
	— Faribeault, do				0	12	0
	— Lamarche, do				1	4	0
	— DesRivières, do				1	10	0
				£	20	6	10½
1854.—ELECTION NOTICES—Charged miles 174							
	Real Distance do 60	4	7	0			
		1	10	0			
	Gareault, account				2	17	0
	Rocher, do				0	5	3
	DesRivières, charged	1	16	0			
	Real distance	0	12	0			
				£	1	4	0
				£	4	18	3

DD.

B.—(No. 4).—Hustings, Poll Houses, and Constables.

£	s.	d.	1851.	£	s.	d.		£	s.	d.		£	s.	d.
			L'Assomption ..	7	10	0	St. Jacques	3	0	0	Mascouche	1	0	0
						Repentigny	2	0	0	St. Roch	1	0	0	
						St. Roch	3	0	0	St. Lin.	1	0	0	
						St. Lin.	3	0	0	St. Calixte ..	1	0	0	
						St. Julienne ..	3	0	0	L'Assomption ..	1	0	0	
						St Sulpice	2	10	0	St. Alexis.....	1	0	0	
						St. Patrick	2	0	0					
						St. Calixte	3	0	0					
						St. Esprit.....	2	0	0					
37	0	0	£	7	10	0	£	23	10	0	£	6	0	0
1854.														
			L'Assomption ..	5	10	0	Mascouche	2	10	0	Mascouche	1	0	0
						St. Sulpice ...	2	15	0	St Sulpice ...	1	0	0	
						St. Lin.	1	10	0	St. Lin.	0	10	0	
						St. Roch	1	10	0	St. Roch	1	0	0	
						Epiphany	3	0	0	L'Assomption ..	1	0	0	
						L'Assomption ..	1	0	0	Epiphany	1	0	0	
										St. Jacques....	1	0	0	
24	5	0	£	5	10	0	£	12	5	0	£	6	10	0
£61	5	0	£	5	10	0	£	12	5	0	£	6	10	0

EE.

C.—(No. 3).—DEPUTIES.

1851.	£	s.	d.
B. Moreau	2	0	6
J. Erement	3	11	6
M. Dorval	1	12	6
P. Mount	3	7	6
—Gaurcault	5	7	8
A. Daly	6	9	0
—Bouthillier	3	14	6
John Horan	2	11	0
—Archambault	1	17	0
DesRivières	4	17	6
	£ 35	8	8
1854.			
C. Archambault	1	15	0
B. Moreault	0	14	0
P. Mount	3	9	0
—Faribeault	2	19	6
—Gaureault	2	1	6
—Roche	2	2	0
—Lamarche	3	4	6
	£ 16	5	6
	35	8	8
	£ 51	14	2

G.

SCHEDULE OF AGGREGATES OF CERTAIN CHARGES IN THIRTY-NINE COUNTIES.

Year.	C O U N T Y.	Mileage.		Poll Houses.		Constables.		Hustings.		Polls No.	Total Returning Officer.		Total Deputy Returning Officer.		Total Charged.		Disallowed.		Allowed.	
		£	s. d.	£	s. d.	£	s. d.	£	s. d.		£	s. d.	£	s. d.	£	s. d.	£	s. d.	£	s. d.
1848	Beauharnois.....	48	5 0	15	8 0	27	0 0	6	0 0	11	68	10 0	108	2 0	171	13 0	14	18 0	156	15 0
do	Berthier.....	89	15 0	42	13 0	50	0 0	7	10 0	14	137	17 0	231	6 0	359	3 0	115	12 0	243	12 0
do	Bonaventure.....	28	13 4	25	10 0	25	0 0	.....	.....	5	101	8 10	95	4 0	196	12 10	59	16 6	136	16 4
do	Huntingdon.....	20	14 0	30	0 0	30	0 0	2	0 0	15	136	19 6	119	4 6	256	4 0	80	1 0	176	3 0
do	Lanark.....	16	3 6	.....	.....	35	0 0	.....	.....	22	24	19 2	121	0 0	145	19 2	4	15 8	141	3 6
do	L'Islet.....	15	5 6	3	13 6	18	10 0	7	10 0	8	50	6 0	56	8 0	106	14 0	4	0 0	102	14 0
do	Megantic.....	33	18 0	16	0 0	18	0 0	.....	.....	8	86	3 0	66	0 0	152	3 0	26	10 0	125	13 0
do	Montreal.....	11	15 0	41	10 0	20	0 0	8	17 6	9	209	5 0	113	7 6	322	12 6	175	0 0	147	12 6
do	Nicolet.....	33	12 6	33	0 0	40	0 0	.....	.....	8	60	14 0	140	10 6	201	4 6	68	18 0	136	4 6
do	Portneuf.....	37	9 6	29	5 6	26	0 0	.....	.....	12	53	17 6	114	17 6	168	15 0	7	15 0	161	0 0
do	Rouville.....	20	16 0	5	6 3	24	0 0	1	17 9	11	54	19 6	80	7 3	135	6 9	12	13 9	123	13 0
do	St. Hyacinthe.....	56	7 0	7	13 9	47	0 0	2	0 0	10	122	17 0	76	10 7 1/2	199	7 1/2	75	0 10	136	11 3
do	Two Mountains.....	37	5 6	10	10 0	26	0 0	1	0 0	11	64	19 6	98	10 0	163	9 6	24	12 0	138	17 6
do	Waterloo.....	50	9 6	.....	.....	42	0 0	5	0 0	20	57	12 9	143	17 0	201	9 9	37	13 9	163	16 0
	Total of 1848.....	£	505 9 4	260 10 0	428 10 0	41 15 3	168	1220 8 9	1560 4 10 1/2	2780 14 7	707 6 6	2089 11 7								
1854	Beauce.....	65	1 6	17	10 0	6	0 0	2	0 0	11	50	17 6	100	8 0	151	5 6	.....	.....	151	5 6
do	Beauharnois.....	4	10 6	27	0 0	11	0 0	17	10 0	3	57	0 3	48	6 6	105	6 9	.....	.....	70	14 10
do	Berthier.....	22	12 6	10	0 0	6	0 0	4	10 0	8	54	8 0	56	3 6	110	11 6	11	10 0	99	1 6
do	Bonaventure.....	113	7 0	23	10 0	12	0 0	.....	.....	11	115	14 6	100	17 6	216	12 0	40	18 0	166	14 0
do	Champlain.....	58	8 0	40	9 4	9	0 0	12	10 0	10	67	0 0	115	10 10	182	10 10	6	19 0	175	11 10
do	Chicoutimi.....	67	15 0	13	16 0	6	0 0	6	0 0	6	83	2 6	83	2 6	133	5 0	.....	.....	133	5 0
do	Drummond and Arthabaska.....	59	4 6	28	2 6	22	0 0	5	0 0	17	47	19 0	134	14 0	182	13 0	.....	.....	182	13 0
do	Hochelaga.....	28	4 0	47	5 0	6	0 0	7	10 0	5	85	10 6	80	18 6	166	9 0	45	0 0	121	9 0

C.—SCHEDULE OF AGGREGATES OF CERTAIN CHARGES IN THIRTY-NINE COUNTIES.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.			Hustings.			Polls—No.	Total Returning Officer.			Total Deputy Returning Officer.			Total Charged.			Disallowed.			Allowed.		
		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1854	Huntingdon	14	0	0	16	15	0	6	0	0	7	10	0	7	45	19	4	60	2	6	106	1	10	5	16	10	100	5	0
do	Kamouaska	37	4	0	14	9	6	14	5	0	12	18	6	12	34	19	6	108	1	11	148	1	5	7	19	0	135	2	5
do	Lotbinière	31	16	0	19	5	0	6	10	0	9	15	0	9	46	8	0	69	8	0	115	16	0	5	5	0	110	11	0
do	Mégantic	25	2	6	18	5	0	8	0	0	7	4	0	7	45	3	0	57	13	0	102	16	0	...	...	102	16	0	0
do	Montreal	26	18	0	10	0	0	6	10	0	8	4	0	8	47	6	0	55	0	6	102	6	6	2	2	6	100	4	0
do	Montmorency	39	19	6	35	18	6	7	10	0	11	...	...	11	37	16	5	106	14	9	144	11	2	9	0	6	135	10	8
do	Montreal	20	19	3	193	6	2	43	0	0	21	7	5	0	88	18	5	341	5	1	430	3	6	86	14	3	343	9	3
do	Ottawa	47	16	0	19	19	4	12	0	0	12	0	0	12	48	5	0	97	15	4	146	10	4	4	0	0	142	10	4
do	Portneuf	39	8	0	18	0	0	12	0	0	11	69	17	0	69	17	0	72	7	6	142	4	6	...	...	142	4	6	6
do	Rimouski	45	18	6	10	12	6	14	0	0	11	...	...	11	45	11	0	89	11	6	135	2	6	4	0	0	131	2	6
do	Sherbrooke and Wolfe	85	9	6	13	0	0	7	10	0	10	6	0	10	93	15	0	84	3	9	177	18	9	4	9	0	173	9	6
do	St. Maurice	23	10	0	15	15	0	9	0	0	8	4	0	8	64	16	6	60	9	0	125	5	6	12	10	0	112	15	2
do	Temiscouata	39	3	6	12	7	6	6	10	0	8	4	2	6	47	18	0	63	13	6	111	11	6	1	18	4	109	13	2
do	Terrebonne	52	14	11	24	5	0	7	5	0	10	5	10	0	68	18	10	76	11	11	145	10	9	19	15	0	125	15	9
do	Vaudreuil	36	0	0	25	0	0	6	0	0	5	...	...	5	41	1	6	61	13	6	102	15	0	4	15	0	98	0	0
	Total of 1854	986	2	8	654	11	4	244	0	0	224	1	0	109	1	9	2124	13	1	3472	8	11	310	5	10	3164	4	6	6
1851	Leinster	64	18	0	37	10	0	14	0	0	13	7	10	0	88	10	6	133	8	6	221	19	0	83	8	0	188	11	0
do	L'Assomption	14	11	0	20	0	0	9	0	0	8	7	10	0	51	11	6	59	7	0	110	18	6	...	...	110	18	6	6

D.

SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.

[For Hustings, *Vide* Schedule of Aggregates, there being generally only one item for each County.]

Year.	COUNTY.	Milcage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
1854..	BEAUHARNOIS	1	5	0	2	0	0	2	0	0
		1	5	0	2	0	0	2	0	0
		1	0	0	2	0	0	1	0	0
		2	0	0	2	0	0	1	0	0
		2	0	0	1	10	0	2	0	0
		0	10	0	0	8	0	2	0	0
		1	4	0	2	0	0	2	0	0
		1	0	0	1	10	0	3	0	0
		1	10	0	2	0	0	2	0	0
		2	0	0	.....	.....	.....	2	0	0
		0	15	0	.....	.....	.....	2	0	0
		2	10	0	.....	.....	.....	2	0	0
		9	9	0	.....	.....	.....	2	0	0
		1	10	0	.....	.....	.....	1	0	0
		7	16	0	.....	.....	.....	1	0	0
		6	6	0						
		1	10	0						
		1	5	0						
		1	0	0						
		2	10	0						
	£	48	5	0	15	8	0	27	0	0
1848..	BERTHIER	8	4	0	3	15	6	1	0	0
		8	4	0	3	10	0	2	0	0
		12	6	0	3	7	6	2	0	0
		12	6	0	4	15	0	2	0	0
		12	6	0	3	5	0	2	0	0
		12	6	0	2	17	6	2	0	0
		0	15	0	2	12	6	2	0	0
		1	7	0	2	5	0	2	0	0
		1	7	0	2	5	0	2	0	0
		1	4	0	3	10	0	2	0	0
		1	4	0	3	10	0	2	0	0
		1	7	0	3	10	0	2	0	0
		1	7	0	3	10	0	2	0	0
		1	5	6	.....	.....	.....	2	0	0
		1	5	6	.....	.....	.....	2	0	0
		1	2	6	.....	.....	.....	1	0	0
		1	2	6	.....	.....	.....	20	0	0
		1	4	0						
		1	4	0						
		1	2	6						
1	2	6								
0	19	6								
0	19	6								
0	9	0								
1	10	0								
2	5	0								
	£	89	15	0	42	13	0	50	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1848.	LANARK.....	3	12	6	.....	.....	.....	2	0	0
		3	6	6	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	2	0	0
		2	4	6	.....	.....	.....	2	0	0
		0	14	0	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	2	0	0
		0	7	0	.....	.....	.....	2	0	0
		0	9	0	.....	.....	.....	2	0	0
		2	10	0	.....	.....	.....	2	0	0
					.....	.....	.....	2	0	0
					.....	.....	.....	2	0	0
					.....	.....	.....	1	0	0
					.....	.....	.....	1	0	0
		£	16	3	6	35	0	0
1848.	L'ISLET.....	2	6	0	1	15	0	1	0	0	
		0	15	0	0	6	0	1	0	0	
		0	5	0	0	5	0	2	0	0	
		3	4	0	0	7	6	2	0	0	
		1	10	0	1	0	0	2	0	0	
		1	4	0	.....	.....	.....	2	0	0
		0	15	0	.....	.....	.....	2	0	0
		0	9	0	.....	.....	.....	2	0	0
		0	15	0	.....	.....	.....	2	0	0
		0	18	0	.....	.....	.....	2	0	0
		0	4	6	.....	.....	.....	2	10	0
		2	11	0	.....	.....	.....	
		0	9	0	.....	.....	.....	
		£	15	5	6	3	13	6	18	10	0
		1848.	MEGANTIC.....	3	0	0	16	0	0	18	0	0
1	0			0							
1	0			0							
1	3			4							
1	6			8							
0	15			0							
10	6			6							
10	6			6							
5	0	0									
£	33	18	0	16	0	0	18	0	0		

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Milage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
1848..	MONTREAL	2	15	0	.....	.....	.....	2	0	0
		9	0	0	41	10	0	18	0	0
	£	11	15	0	41	10	0	20	0	0
1848..	NICOLET	3	0	0	1	7	6	1	0	0
		3	0	0	1	17	6	1	0	0
		5	13	0	5	10	0	2	0	0
		2	16	6	4	17	6	2	0	0
		2	16	6	5	10	0	2	0	0
		2	16	6	4	17	6	3	0	0
		2	16	6	3	10	0	2	0	0
		0	15	0	5	10	0	4	0	0
		0	9	0						
		0	9	0						
		0	15	0						
		0	7	6	.....	.....	.....	2	0	0
		0	7	6	.....	.....	.....	2	0	0
		0	7	6	.....	.....	.....	2	0	0
		0	15	0	.....	.....	.....	4	0	0
		0	15	0	.....	.....	.....	4	0	0
		0	5	0	.....	.....	.....	2	0	0
		0	5	0	.....	.....	.....	2	0	0
		0	5	0	.....	.....	.....	2	0	0
		0	5	0	.....	.....	.....	5	0	0
		0	5	0						
		0	15	0						
		0	8	6						
		0	8	6						
		0	5	0						
		0	5	0						
		0	15	0						
0	15	0								
0	10	0								
0	7	6								
0	7	6								
2	8	0								
2	8	0								
	£	38	12	6	83	0	0	40	0	0
1848..	PORTNEUF	1	6	0	1	0	0	2	0	0
		2	11	0	1	10	0	24	0	0
		2	8	0	2	0	0			
		2	2	0	2	0	0			
		5	17	0	1	10	0			
		3	6	0	1	10	0			
		2	12	6	2	0	0			
		3	15	0	2	0	0			
		0	17	0	1	16	0			
		0	16	0	1	5	0			
	£	25	10	6	16	11	0	26	0	0

Carried over

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1848..	PORTNEUF.—(Continued.) ...	Brought over	25	10	6	16	11	0	26	0	0
			0	9	0	1	17	9			
			2	4	0	1	3	8			
			2	5	0	1	6	0			
			1	10	0	1	9	11			
			1	13	0	0	16	6			
			1	10	0	1	12	5			
			1	16	0	0	19	9			
			0	12	0	1	8	0			
			£	37	9	6	29	5	6	26	0	0
1848..	BONAVENTURE,—A Dis. £1...	3	6	8	2	10	0	0	10	0	
		0	18	0	2	10	0	0	10	0	
		0	15	0	2	0	0	0	10	0	
		2	6	8	2	10	0	6	0	0	
		1	18	0	4	0	0	2	0	0	
		2	14	0	3	0	0	3	10	0	
		1	15	0	4	0	0	2	0	0	
		2	16	0	2	0	0	2	0	0	
		1	0	0	3	0	0	2	0	0	
		1	10	0	.....	.....	.....	2	0	0
		2	10	0	.....	.....	.....	2	0	0
		0	10	0	.....	.....	.....	2	0	0
		0	10	6							
		0	4	6							
		0	18	0							
		0	9	0							
		1	9	0							
1	2	6									
1	2	6									
1	0	0									
	£	28	13	4	25	10	0	25	0	0	
1848..	HUNTINGDON.....	5	8	0	30	0	0	1	0	0	
		3	19	6	.....	.....	.....	28	0	0
		0	10	0	.....	.....	.....	1	0	0
		2	19	6							
		1	1	0							
		5	3	6							
		0	4	6							
		0	8	0							
		0	10	0							
		0	10	0							
	£	20	14	0	30	0	0	30	0	0	

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	COUNTY.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1848..	ROUVILLE	2	10	0	5	6	3	1	0	0	
		4	7	0	.....	.....	.....	2	0	0
		4	7	0	.....	.....	.....	20	0	0
		7	16	0	.....	.....	.....	1	0	0
		1	16	0	.....	.....	.....	
		£	20	16	0	5	6	3	24	0	0
1848	ST. HYACINTHE	12	0	0	2	0	0	2	0	0	
		4	0	0	1	0	0	24	0	0	
		1	0	0	1	0	0	1	0	0	
		1	12	0	1	10	0	2	0	0	
		2	0	0	0	3	9	2	0	0	
		1	4	0	2	0	0	2	0	0	
		1	0	0	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	2	0	0
		1	8	0	.....	.....	.....	2	0	0
		1	12	0	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	2	0	0
		1	0	0	.....	.....	.....	1	0	0
		5	2	0	.....	.....	.....	1	0	0
		10	4	0	.....	.....	.....	2	0	0
		1	0	0							
		1	19	0							
		1	5	0							
		3	0	0							
		1	4	0							
		1	10	0							
		0	15	0							
		0	15	0							
		0	18	0							
		1	1	0							
		1	4	0							
		0	6	0							
		0	1	6							
		0	5	0							
		0	18	0							
		0	10	0							
		0	6	5							
		0	5	0							
		0	15	0							
0	5	0									
1	4	0									
0	5	0									
1	4	0									
0	10	0									
1	10	0									
0	10	0									
0	6	0									
0	10	0									
0	5	0									
<i>Carried over</i>		£	53	4	6	7	13	9	47	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1848..	ST. HYACINTHE.—(Continued).	<i>Brought over</i>	53	4	6	7	13	9	47	0	0
			0	15	0						
			0	15	0						
			0	5	0						
			1	1	0						
			0	5	0						
			0	1	6						
	£	56	7	0	7	13	9	47	0	0	
1848..	TWO MOUNTAINS.....	1	16	0	1	0	0	2	0	0	
		1	16	0	1	0	0	2	0	0	
		0	15	0	1	10	0	2	0	0	
		1	4	0	1	0	0	2	0	0	
		0	18	0	1	0	0	2	0	0	
		0	18	0	1	0	0	2	0	0	
		0	9	0	1	0	0	2	0	0	
		1	8	6	1	0	0	2	0	0	
		1	7	0	1	0	0	2	0	0	
		0	15	0	1	0	0	2	0	0	
		0	15	0				2	0	0	
		0	12	0				2	0	0	
		1	10	0				2	0	0	
		0	15	0							
		0	9	0							
		0	9	0							
		0	18	0							
		2	5	0							
		0	15	0							
		0	18	0							
		0	6	0							
		0	6	0							
		0	15	0							
		1	13	0							
		0	13	0							
		0	8	0							
		0	8	0							
		0	8	0							
		1	0	0							
		1	6	0							
		1	6	0							
		0	12	0							
		0	9	0							
0	18	0									
0	12	0									
0	16	0									
0	16	0									
1	4	0									
0	13	6									
0	13	6									
0	9	0									
0	9	0									
0	3	0									
0	3	0									
0	6	0									
	£	37	5	6	10	10	0	26	0	0	

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Milcage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
1848..	WATERLOO	24	17	6	.....	.....	.....	38	0	0
		19	15	6	.....	.....	.....	4	0	0
		4	1	6						
		1	15	0						
		£	50	9	6	42	0	0
1854..	BEAUUCE	8	13	0	0	15	0	1	0	0
		4	16	0	2	0	0	1	0	0
		1	13	0	0	15	0	1	0	0
		4	16	0	2	0	0	1	0	0
		1	16	0	2	0	0	1	0	0
		1	16	0	1	0	0	1	0	0
		0	10	0	1	0	0			
		0	9	0	2	0	0			
		1	4	0	2	0	0			
		1	4	0	2	0	0			
		0	6	0	2	0	0			
		1	10	0	2	0	0			
		1	10	0	7					
		1	1	0	0					
		1	1	0	0					
		1	11	0	0					
		1	11	0	0					
		0	15	6	0					
		2	17	0	0					
		0	5	0	0					
		0	14	0	0					
		0	14	0	0					
		2	10	0	0					
		4	2	0	0					
		4	2	0	0					
		2	1	6	0					
		0	3	0	0					
		2	14	0	0					
		4	10	0	0					
		2	5	0	0					
0	9	0	0							
0	3	0	0							
0	9	0	0							
0	9	0	0							
1	4	0	0							
£	66	1	6	17	10	0	6	0	0	
1848..	BEAUHARNOIS	0	19	0	4	10	0	0	10	0
		1	2	6	10	10	0	0	10	0
		2	0	0	12	0	0	2	0	0
		0	9	0	.....	.....	.....	3	0	0
								5	0	0
£	4	10	6	27	0	0	11	0	0	

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Mileage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
	<i>Brought forward.....</i>	96	5	0	23	10	0	12	0	0
1854..	BONAVENTURE.—(Continued)..	0	1	0						
		0	2	0						
		0	19	0						
		0	18	0						
		1	7	0						
		0	3	6						
		0	3	6						
		0	11	0						
		0	2	0						
		3	10	0						
		0	6	0						
		0	3	0						
		3	18	0						
		0	6	0						
		0	3	0						
		4	4	0						
		£ 113	7	0	23	10	0	12	0	0
1854..	CHAMPLAIN	1	10	0	6	9	0	1	0	0
		7	5	0	3	0	0	1	0	0
		0	19	0	5	5	0	1	0	0
		1	7	0	3	12	10	1	0	0
		1	7	0	3	2	6	1	0	0
		7	6	0	4	0	0	1	0	0
		1	7	0	5	7	6	1	0	0
		3	12	0	1	2	6	1	0	0
		0	16	0	4	5	0	1	0	0
		2	5	6	2	0	0			
		0	9	0	4	5	0			
		0	7	6						
		0	9	0						
		0	9	0						
		0	7	0						
		0	9	0						
		0	9	0						
		0	9	0						
		0	3	0						
		0	9	0						
		0	9	0						
		0	9	0						
		0	7	6						
		0	6	0						
		0	6	0						
		0	4	6						
		0	17	6						
	<i>Carried over.....</i> £	36	0	6	40	9	4	9	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Milcage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
	<i>Brought over</i>	36	0	6	40	9	4	9	0	0	
1854..	CHAMPLAIN.—(Continued)	0	7	6							
		1	10	0							
		0	15	0							
		1	10	0							
		1	10	0							
		1	10	0							
		1	0	0							
		0	11	0							
		0	12	0							
		0	13	0							
		0	11	0							
		0	16	0							
		0	16	0							
		1	2	0							
		0	9	0							
		0	18	0							
		1	10	0							
		1	10	0							
		0	12	0							
		1	10	0							
		0	12	0							
		0	12	0							
		1	10	0							
		£	58	8	0	40	9	4	9	0	0
1854..	CHICOUTIMI	9	0	0	1	0	0	1	0	0	
		7	13	0	1	0	0	1	0	0	
		2	0	0	0	6	0	1	0	0	
		2	0	0	2	7	6	1	0	0	
		7	13	0	0	10	0	1	0	0	
		5	0	0	3	10	0	1	0	0	
		0	15	0	0	2	6				
		0	15	0	2	0	0				
		0	15	0	3	0	0				
		6	0	0							
		3	0	0							
		6	0	0							
		0	0	6							
		0	2	0							
		0	2	6							
		0	2	0							
		0	2	0							
		0	2	0							
		0	4	0							
		0	12	0							
		0	12	0							
		5	3	0							
	<i>Carried forward</i>£	58	8	0	13	16	0	6	0	0	

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1854..	<i>Brought forward</i>	58	8	0	13	16	0	6	0	0	
	CHICOUTIMI.—(Continued)	0	6	0							
		0	4	0							
		0	2	0							
		0	1	0							
		0	9	0							
		0	4	6							
		0	10	0							
		3	15	0							
		1	10	0							
		1	10	0							
		0	15	0							
	£	67	5	0	13	16	0	6	0	0	
1854..	DRUMMOND & ARTHABASKA.	1	10	0	2	10	0	1	0	0	
		9	11	6	1	10	0	1	0	0	
		3	16	0	5	0	0	1	0	0	
		2	10	0	1	5	0	10	0	0	
		0	10	0	1	10	0	1	0	0	
		0	6	0	2	0	0	1	0	0	
		0	6	0	2	0	0	1	0	0	
		0	10	0	1	0	0	1	0	0	
		0	4	0	1	10	0	1	0	0	
		0	4	0	0	12	6	1	0	0	
		0	8	0	1	10	0	1	0	0	
		1	0	0							
		1	0	0	1	10	0	2	0	0	
		0	2	0							
		0	10	0	1	0	0				
		0	5	0							
		0	15	0	0	15	0				
		0	16	0							
		0	10	0	1	0	0				
		0	10	0							
		1	15	0	1	10	0				
		0	13	0							
		0	3	0	2	0	0				
		1	17	0							
		0	3	0							
		1	13	0							
		1	13	0							
		0	16	0							
		0	10	0							
		0	4	0							
		1	4	0							
	1	4	0								
	1	0	0								
	2	10	0								
	0	5	0								
	<i>Carried over</i>	£	40	13	6	28	2	6	22	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
1854..	Brought over.....	40	13	6	28	2	6	22	0	0
	DRUMMOND & ARTHABASKA.	0	5	0						
	—(Continued.).....	3	0	0						
		0	12	0						
		2	10	0						
		0	3	0						
		0	3	0						
		3	15	0						
		4	1	0						
		0	16	0						
		0	5	0						
		2	10	0						
		0	5	0						
		£	59	4	6	28	2	6	22	0	0
1854..	HOCHELAGA	7	0	0	5	0	0	1	0	0
		0	7	6	5	0	0	0	10	0
		1	5	0	6	0	0	0	10	0
		1	5	0	10	0	0	1	0	0
		0	7	6	11	5	0	1	0	0
		3	10	0	.....	.....	.....	1	0	0
		0	6	6	.....	.....	.....	1	0	0
		0	6	6						
		0	3	6						
		0	5	0						
		1	0	0						
		0	10	0						
		0	10	0						
		0	5	6						
		0	9	0						
		0	9	0						
		0	18	0						
		0	9	0						
		0	18	0						
		0	9	0						
		0	18	0						
	0	18	0							
	0	18	0							
	0	4	6							
	£	28	4	0	47	5	0	6	0	0
1854..	HUNTINGDON.....	0	2	0	2	0	0	1	0	0
		0	12	0	3	7	6	1	0	0
		0	4	0	2	7	6	1	0	0
	Carried forward.....£	0	18	0	7	15	0	3	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Milage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1854..	<i>Brought forward</i>	0	18	0	7	15	0	3	0	0	
	HUNTINGDON.—(Continued) ..	0	2	0	2	0	0	0	10	0	
		0	6	0	1	0	0	0	10	0	
		0	4	0	2	10	0	1	0	0	
		1	0	0	3	10	0	1	0	0	
		0	6	0							
		0	2	0							
		0	3	0							
		0	15	0							
		0	3	0							
		0	2	0							
		0	9	0							
		0	3	0							
		0	3	0							
		0	5	0							
		0	5	0							
		0	3	0							
		0	6	0							
		0	6	0							
		0	3	0							
	0	12	0								
	0	12	0								
	0	6	0								
	1	12	0								
	3	0	0								
	1	17	0								
	£	14	0	0	16	15	0	6	0	0	
1854..	KAMOURASKA	3	7	0	2	0	0	0	10	0	
		2	6	0	1	10	0	0	10	0	
		2	5	0	1	0	0	1	0	0	
		2	10	6	0	11	0	1	0	0	
		0	12	0	0	12	6	1	0	0	
		0	9	0	1	10	0	1	0	0	
		0	9	0	1	10	0	1	0	0	
		0	12	0	2	5	0	1	0	0	
		0	18	0	1	16	0	1	0	0	
		1	4	0	1	15	0	0	10	0	
		1	4	0	.....	.....	.....	2	15	0
		0	1	0	.....	.....	.....	1	0	0
		0	1	0	.....	.....	.....	1	0	0
		0	2	6	.....	.....	.....	1	0	0
		1	10	0	.....	.....	.....	
		1	10	0	.....	.....	.....	
		0	4	6	.....	.....	.....	
		0	2	0	.....	.....	.....	
		0	4	6	.....	.....	.....	
		<i>Carried over</i>	£	19	12	0	14	9	6	14	5	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
	<i>Brought over.....</i>	19	12	0	14	9	6	14	5	0
1854..	KAMOURASKA.—(Continued.)..	0	4	6						
		0	18	0						
		0	18	0						
		0	3	0						
		1	16	0						
		0	6	0						
		0	11	0						
		0	11	0						
		0	12	0						
		0	5	0						
		0	5	0						
		0	18	0						
		0	5	0						
		0	18	0						
		0	2	0						
		0	1	0						
		0	1	6						
		0	18	0						
		0	1	0						
		0	2	0						
		0	1	0						
		0	18	0						
		0	12	0						
		0	2	0						
		0	18	0						
		0	1	0						
		0	12	0						
		0	1	0						
		0	18	0						
		1	16	0						
		1	16	0						
	£	37	4	0	14	9	6	14	5	0
1854..	LOTBINIERE	10	5	6	.....	.....	.....	1	0	0
		3	0	0	2	0	0	1	0	0
		0	0	6	0	10	0	1	0	0
		0	5	0	2	0	0	0	10	0
		1	3	0	1	10	0	1	0	0
		0	0	6	1	5	0	1	0	0
		0	2	0	2	0	0	1	0	0
		0	2	0	10	0	0			
		0	12	0						
		0	9	0						
		0	9	0						
		0	2	0						
		0	9	0						
		1	14	6						
	<i>Carried forward.....</i> £	18	14	0	19	5	0	6	10	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
	<i>Brought forward.....</i>	23	17	6	35	18	6	7	10	0	
1854..	MONTMORENCY.—(Continued.)	1	3	0							
		0	18	0							
		0	18	0							
		1	4	0							
		1	10	0							
		1	1	0							
		0	15	0							
		1	1	0							
		0	16	0							
		0	16	6							
		0	15	0							
		1	1	0							
		0	16	6							
		0	15	0							
		0	6	0							
		0	14	0							
		0	5	0							
		0	0	6							
		0	11	6							
		0	15	0							
		£	39	19	6	35	18	6	7	10	0
1854..	MONTREAL	5	0	0	10	0	0	10	0	0	
		6	5	0	16	5	0	3	0	0	
		2	12	6	5	12	6	3	0	0	
		1	10	0	7	10	0	3	0	0	
		0	0	6	9	0	0	3	0	0	
		0	3	9	8	10	0	1	0	0	
		0	2	0	8	0	0	1	0	0	
		0	4	0	10	0	0	1	0	0	
		0	0	6	6	0	0	1	0	0	
		0	7	0	7	10	0	1	0	0	
		1	0	0	12	12	6	1	0	0	
		1	2	6	12	10	0	1	0	0	
		0	2	6	7	0	0	1	0	0	
		0	2	0	7	10	0	1	0	0	
		0	2	0	8	18	9	1	0	0	
		0	1	0	10	0	0	1	0	0	
		0	2	0	16	0	0	1	0	0	
		0	2	0	15	11	2	2	0	0	
		0	2	0	12	10	0	1	0	0	
		0	2	0	2	6	3	1	0	0	
		0	1	0	.....	.....	.....	1	0	0
		0	5	0	.....	.....	.....	1	0	0
		0	5	0	.....	.....	.....	1	0	0
		1	5	0	.....	.....	.....	1	0	0
		£	20	19	3	193	6	2	43	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1854..	OTTAWA	10	9	0	1	0	0	1	0	0	
		8	9	0	1	5	0	1	0	0	
		0	4	0	0	17	6	2	0	0	
		0	4	0	1	0	0	1	0	0	
		0	0	0	0	8	0	0	0	0	
		0	4	0	3	10	0	1	0	0	
		0	3	0	3	0	0	1	0	0	
		0	7	0	8	0	0	1	0	0	
		1	15	0	2	18	10	1	0	0	
		0	15	0	.....	.....	.....	1	0	0
		2	3	0	.....	.....	.....	1	0	0
		0	10	0	.....	.....	.....	
		1	5	0							
		0	6	0							
		0	12	0							
		0	8	0							
		0	2	0							
		0	19	6							
		0	4	0							
		0	19	6							
		0	6	0							
		0	6	0							
		0	14	0							
		0	14	0							
		0	14	0							
		0	1	0							
		0	1	0							
		2	5	0							
		0	2	0							
		0	3	0							
		0	10	0							
		0	2	0							
		0	2	0							
		0	10	0							
		0	10	0							
		2	11	0							
		0	8	0							
		0	8	0							
		0	4	0							
		0	5	0							
0	5	0									
0	4	0									
0	4	0									
0	2	0									
0	2	0									
1	10	0									
1	10	0									
0	10	0									
0	8	0									
0	15	6									
0	15	6									
			47	16	0	19	19	4	12	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	COUNTY.	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1854..	RIMOUSKI.—(Continued.)	Brought over.....	26	7	6	10	12	6	14	0	0
		1	16	0							
		0	18	0							
		1	16	0							
		2	8	0							
		1	4	0							
		2	8	0							
		0	19	6							
		0	19	6							
		0	0	6							
		0	12	0							
		0	19	6							
		0	0	6							
		0	0	6							
1	10	0									
1	10	0									
1	10	0									
	£	45	18	6	10	12	6	14	0	0	
1854..	SHERBROOKE AND WOLFE...	5	4	0	3	0	0	1	0	0	
		5	4	0	2	10	0	1	0	0	
		3	8	0	1	10	0	0	10	0	
		3	8	0	1	10	0	1	0	0	
		2	10	0	1	10	0	1	0	0	
		2	10	0	1	0	0	0	10	0	
		2	10	0	.....	.....	.....	1	0	0
		2	10	0	0	10	0	1	0	0	
		7	0	0	1	10	0	0	10	0	
		2	10	0							
		4	8	0							
		2	4	0							
		3	0	0							
		1	5	0							
		6	0	0							
		1	7	0							
		1	0	0							
		3	7	0							
		1	0	0							
		1	0	0							
		1	4	0							
		2	10	0							
		2	10	0							
		0	7	0							
		1	14	0							
		1	10	0							
		5	4	0							
		0	12	0							
		0	16	0							
		0	12	6							
3	0	0									
2	0	0									
0	8	0									
1	2	0									
0	12	0									
0	8	0									
	£	85	9	6	13	0	0	7	10	0	

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y.	Mileage.			Poll Houses.			Constables.		
		£	s.	d.	£	s.	d.	£	s.	d.
	<i>Brought over.....</i>	25	5	0	12	7	6	6	10	0
1854..	TEMISCOUATA.—(Continued) ..	1	10	0						
		0	18	0						
		1	10	0						
		0	1	0						
		0	6	0						
		0	1	0						
		1	10	0						
		1	10	0						
		0	7	6						
		0	7	0						
		0	7	0						
		0	7	6						
		0	2	6						
		0	16	6						
		0	1	0						
		0	17	6						
	£	39	3	6	12	7	6	6	10	0
1854..	TERREBONNE.....	0	1	0	2	5	0	0	10	0
		0	1	0	2	0	0	0	5	0
		0	1	0	3	15	0	1	0	0
		0	2	0	2	0	0	1	0	0
		3	6	0	2	5	0	1	0	0
		2	1	0	2	0	0	1	0	0
		9	0	0	4	0	0	1	0	0
		0	1	0	2	0	0	0	10	0
		1	1	0	1	0	0	1	0	0
		5	7	0	2	0	0			
		6	0	0	1	0	0			
		0	15	0						
		0	4	0						
		0	5	0						
		0	2	0						
		0	1	0						
		1	0	0						
		0	15	11						
		0	4	0						
		1	4	0						
		0	18	0						
		0	4	0						
		0	12	0						
		1	4	0						
		0	2	0						
		0	2	0						
		0	5	0						
		0	5	0						
		0	5	0						
		0	1	0						
	<i>Carried forward.....</i> £	35	9	11	24	5	0	7	5	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
	<i>Brought forward.....</i>	35	9	11	24	5	0	7	5	0	
1854..	TERREBONNE.—(Continued.)...	0	15	0							
		0	2	0							
		0	13	0							
		1	4	0							
		0	19	0							
		1	10	0							
		0	2	0							
		0	13	0							
		1	4	0							
		0	2	0							
		1	4	0							
		0	1	6							
		1	13	0							
		1	13	0							
		0	12	0							
		0	1	6							
		0	13	0							
		0	18	0							
		0	6	0							
		0	14	0							
		1	9	0							
		0	1	0							
		0	1	0							
		0	2	0							
		0	2	0							
		0	2	0							
		0	2	0							
		0	2	0							
		0	6	0							
		£	52	2	11	24	5	0	7	5	0
1854..	VAUDREUIL	9	7	6	5	0	0	1	0	0	
		0	7	6	4	10	0	1	0	0	
		0	2	0	5	10	0	1	0	0	
		0	2	0	4	10	0	1	0	0	
		0	18	0	5	10	0	1	0	0	
		0	2	0							
		0	15	0							
		0	4	0	.....	.....		1	0	0
		1	16	0	.....	.....		1	0	0
		1	1	0							
		1	17	6							
		1	17	6							
		1	15	0							
		1	15	0							
		3	0	0							
		2	0	0							
		£	36	0	0	25	0	0	6	0	0

D.—SCHEDULE OF DETAILS.—ELECTIONS, 1848 and 1854.—(Continued.)

Year.	C O U N T Y .	Mileage.			Poll Houses.			Constables.			
		£	s.	d.	£	s.	d.	£	s.	d.	
1851..	LEINSTER.....	14	11	0	2	10	0	£	1	0	0
		10	16	0	3	0	0	1	0	0	0
		0	6	0	2	10	0	1	0	0	0
		0	6	0	2	10	0	1	0	0	0
		0	9	0	3	0	0	1	0	0	0
		0	6	0	3	0	0	1	0	0	0
		0	12	0	3	0	0	1	0	0	0
		0	15	0	3	0	0	1	0	0	0
		0	18	0	3	0	0	1	0	0	0
		0	18	0	3	0	0	1	0	0	0
		0	4	0	3	0	0	1	0	0	0
		0	18	0	3	0	0	1	0	0	0
		0	18	0	3	0	0	1	0	0	0
		0	18	0	3	0	0	1	0	0	0
		1	1	0	.....	.....	.....	1	0	0	0
		1	1	0							
		0	12	0							
		1	4	0							
		1	4	0							
		0	12	0							
		0	18	0							
		0	18	0							
		0	12	0							
		0	12	0							
		1	7	0							
		0	19	0							
		1	7	0							
		0	19	0							
		1	7	0							
		0	2	0							
1	7	0									
0	12	0									
0	12	0									
0	12	0									
0	6	0									
0	12	0									
4	1	0									
4	1	0									
5	5	0									
	£	64	18	0	37	10	0	14	0	0	
1854 .	L'ASSOMPTION	4	7	0	3	0	0	0	10	0	
		4	7	0	4	0	0	0	10	0	
		0	6	0	1	10	0	1	0	0	
		0	6	0	3	0	0	1	0	0	
		0	9	0	3	0	0	1	0	0	
		0	6	0	1	10	0	1	0	0	
		0	6	0	1	0	0	1	0	0	
		0	18	0	3	0	0	1	0	0	
		0	3	0	.....	.....	.....	1	0	0	
		1	5	0	.....	.....	.....	1	0	0	
		1	4	0							
		0	12	0							
		0	6	0							
		0	6	0							
	£	14	11	0	20	0	0	9	0	0	