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EMIGRATION.
(NORTH AMERICAN AND AUSTRALIAN COLONIES.)

COPIES or EXTRACTS of any DESPATCHES relative to EMIGRATION to the NORTH AMERICAN and AUSTRALIAN COLONIES; in continuation of the Papers presented to this House in August 1848 and February 1849.

(*Mr. Monsell.*)

COPIES or EXTRACTS of any DESPATCHES relative to EMIGRATION to the NORTH AMERICAN and AUSTRALIAN COLONIES, since those moved for on the 15th day of May last.

(*Mr. Hawes.*)

(PART II.—*North American Colonies.*)

Ordered, by The House of Commons, to be Printed,
31 July 1849.

[*Price 1 s.*]

593.—II.

Under 16 oz.





225⁵⁰

EMIGRATION.
(NORTH AMERICAN AND AUSTRALIAN COLONIES.)

RETURNS to Two Addresses of the Honourable The House of Commons,
dated 15 May and 27 July 1849; viz.

ADDRESS, 15 May.

“COPIES OF EXTRACTS of any DESPATCHES relative to EMIGRATION to the
NORTH AMERICAN and AUSTRALIAN COLONIES; in continuation of the
Papers presented to this House in August 1848 and February 1849.”

(*Mr. Monsell.*)

ADDRESS, 27 July.

“COPIES OF EXTRACTS of any DESPATCHES relative to EMIGRATION to the
NORTH AMERICAN and AUSTRALIAN COLONIES, since those moved for on
the 15th day of May last.”

(*Mr. Hawes.*)

Colonial Office, Downing-street, }
31 July 1849.

B. HAWES.

(PART II.—*North American Colonies.*)

Ordered, by The House of Commons, to be Printed,
31 July 1849.

C A N A D A.

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THE EARL OF ELGIN.

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RELATIVE TO

EMIGRATION TO THE NORTH AMERICAN AND AUSTRALIAN
COLONIES.

PART II.—*North American Colonies.*

C A N A D A.

CANADA.

Despatches from Governor-General the Right Honourable the Earl of Elgin and Kincardine.

— No. 1. —

(No. 31.)

COPY of a DESPATCH from Governor-General the Right Honourable the Earl of *Elgin* to *Earl Grey*.

Government House, Montreal, 14 March 1849.

(Received, 4 April 1849.)

My Lord,

I HAVE the honour to transmit herewith a duplicate of my despatch of the 2d instant, with a copy of a Bill relating to immigration, in case the original, which was forwarded by New York, should not have reached your Lordship.

To the information contained in that despatch I have merely to add, that this Bill has now passed both Houses of the Provincial Legislature, and only awaits my sanction, which it will receive on an early day, to become law.

I have forwarded copies of the Bill to the Lieutenant-governors of Nova Scotia, New Brunswick and Prince Edward's Island.

I have, &c.

(signed) *Elgin & Kincardine.*

No. 1.
Earl of Elgin to
Earl Grey,
14 March 1849.

Enclosure 1, in No. 1.

(No. 28.)

My Lord,

I HAVE much satisfaction in transmitting to your Lordship the accompanying draft of an Immigration Bill, which has been read a second time in the House of Assembly, and passed through committee. It reduces the tax on immigrants from an indiscriminate rate of 10s. per head to a rate of 7s. 6d. for adults, of 5s. on immigrants between the ages of 5 and 15, and it exempts altogether from charge children under the age of 5. The clauses which your Lordship considered objectionable in the Act of last year, are all omitted, as well as those which imposed increased rates on passengers detained in quarantine, or arriving late in the year. I trust that this measure, which is framed in a most liberal spirit, will have the effect of removing the prejudice against the port of Quebec, which seems to have been excited by the stringent provisions of the Act passed last year.

I have, &c.

The Right hon. the Earl Grey,
&c. &c. &c.

(signed) *Elgin & Kincardine.*

Encl. 1, in No. 1.

Enclosure 2, in No. 1.

AN ACT to repeal certain Acts therein mentioned, and to make further Provision respecting Emigrants.

Encl. 2, in No. 1.

WHEREAS it is necessary to repeal certain Acts hereinafter mentioned, and to make such further provision with reference to emigration as will tend to prevent the introduction into this province of a pauper emigration labouring under disease, and at the same time to encourage the introduction of a more healthy and useful class of emigrants: Be it therefore enacted, &c.

Preamble.

Repeal of the Acts
4 & 5 Vict. c. 13,
and 11 Vict. c. 1.

And it is hereby enacted, by the authority of the same, that the Act of the Legislature of this province passed in the session held in the fourth and fifth years of Her Majesty's reign, and intituled, "An Act to create a Fund for defraying the Expense of enabling Indigent Emigrants to proceed to their Place of Destination, and of supporting them until they can procure Employment," and the Act of the said Legislature, passed in the 11th year of Her Majesty's reign, and intituled, "An Act to make better Provision with respect to Emigrants, and for defraying the Expenses of supporting Indigent Emigrants, and of forwarding them to their Place of Destination, and to amend the Act therein mentioned," be and the same are hereby repealed.

A rate or duty to be
paid on each Emi-
grant or Passenger
coming from Europe
into this province
by sea.
7s. 6d.

II. And be it enacted, that there shall be raised, levied and collected a rate or duty, payable in the manner hereinafter prescribed, by the master or person in command of every vessel arriving in the port of Quebec or in the port of Montreal from any port of the United Kingdom, or of any other part of Europe, with passengers or emigrants therefrom, and such rate or duty shall be 7s. 6d. currency for every adult passenger or emigrant, and 5s. for every other passenger or emigrant between the ages of 5 and 15 years, who shall have embarked from any port in the United Kingdom under the sanction of Her Majesty's Government, ascertained by a certificate from one of the officers of Her Majesty's Customs at the port at which such vessel shall have cleared, and 10s. currency for every passenger or emigrant who shall have embarked without such sanction; and such rate or duty shall be paid by the master or person in command of such vessel, or by some person on his behalf, to the collector or other chief officer of the Customs at the port at which such vessel shall be first entered, and at the time of making such first entry, which shall contain on the face of it the number of passengers actually on board the vessel; and no such entry shall be deemed to have been validly made, or to have any legal effect whatsoever, unless such rates or duties be so paid as aforesaid: Provided always, that no child under the age of five years shall be reckoned among the number of passengers; and provided also, that any draft, order or other document made or signed by any person in the United Kingdom aforesaid, duly empowered to that effect by Her Majesty's Government, and directed to Her Majesty's Commissary-general or other officer having charge of the military chest in this province, and authorizing the payment to the collector or chief officer of the Customs aforesaid, of the rate or duty which would otherwise be payable by the master of any vessel for any emigrant or any number of emigrants on board such vessel, shall be taken and accepted by the collector or chief officer as payment of the rate or duty payable on such emigrant or emigrants; and the sum mentioned in such order shall thereafter be received by such collector or chief officer, and paid over and applied in the same manner as other money raised under the authority of this Act.

10s.
By whom payable.

Proviso: children
under five years
exempted.

Proviso:
Drafts drawn by
order of the Govern-
ment to be taken in
payment of the duty.

Increased rate to be
payable for pas-
sengers not on the
ship's passenger list.

III. And whereas, masters of vessels are in the practice of embarking passengers after the vessel has been cleared and examined by the proper officer at the port of departure, and without delivering lists of such additional passengers to some officer to whom by law the same ought to be delivered; for the prevention and punishment of such practice, be it enacted, that for every passenger not included in the list of passengers delivered to the collector or officer of Her Majesty's Customs at the port of departure, or at the port where such additional passenger may have been embarked, or at the port at which such vessel may have touched after the embarkation of such passenger, the master or person in command of such vessel shall, in addition to the rate or duty payable as aforesaid, and at the same time and under the same penalties, pay to the collector or chief officer of the Customs at the port of Quebec or Montreal, at whichever the said vessel shall be first entered, the sum of 40s. currency, for each passenger so embarked as aforesaid, and not included, in one of the said lists.

40s.

Passengers not to
leave the ship until
the duty is paid.

IV. And be it enacted, that no master or person having the command of any vessel arriving in either of the ports last-mentioned, shall permit any passenger to leave such vessel, until he shall have delivered to the collector or other chief officer of Her Majesty's Customs at such port, a correct list of all passengers on board of such vessel at the time of her arrival at such port, nor until such list shall have been certified to be correct, and a certificate of such correctness, and a permission to allow his passengers to leave the vessel, and a receipt for the duties payable by him under the provisions of this Act, shall have been given to him by the said collector or other chief officer, under a penalty of not less than 5*l.*, and not exceeding 25*l.* currency, to be paid by such master or person having the command of the vessel, for every passenger leaving the same contrary to the provisions of this Act: Provided always, that the said list shall contain the name of each head of a family being a passenger on board such vessel, his profession or trade, his country, and the place of his destination, and the number of grown persons and children belonging to his family on board such vessel, and the name of each person not belonging to any family, with the like particulars of country, trade, profession and destination.

Penalty for contra-
vention, 5*l.* 25*l.*

Proviso: List of
passengers to com-
prise certain par-
ticulars.

Certain further
particulars as to
passengers likely to
become chargeable
upon the public.

V. And be it enacted, that in addition to the particulars hereinbefore required in the list of passengers to be delivered on each voyage by the master of any vessel carrying passengers and arriving in either of the ports of Quebec or Montreal, to the collector or chief officer of Her Majesty's Customs at such port, the master shall report in writing to the said collector or chief officer, the name and age of all passengers embarked on board of such vessel on such voyage, who shall be lunatic, idiotic, deaf and dumb, blind or infirm, stating also whether they are accompanied by relatives likely to be able to support them; and in case any such master or person having the command of any such vessel shall omit or neglect to report the particulars herein specified, or shall make any false report in any such

Penalty for omitting
such particulars and
stating them falsely,
&c.
5*l.* 25*l.*

such

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such particulars, he shall incur a penalty of not less than 5*l.*; and not exceeding 25*l.* currency, for every such passenger in regard to whom any such omission or neglect shall have occurred, or any such false report or statement shall be made, for which the owner or owners of every such vessel shall also be liable jointly and severally, and which may be sued for and recovered as hereinafter provided.

Who shall be liable for penalty.

VI. Provided always and be it enacted, that nothing in this Act contained shall prevent the master or person having the command of such vessel from permitting any passenger to leave the vessel at the request of such passenger before the arrival of the vessel in the harbour of Quebec, but in every such case, the names of the passengers who shall so leave shall be entered in the manifest on the list of emigrants made out at the time of the clearing of the vessel from the United Kingdom or other part of Europe as aforesaid, and shall be certified under the signatures of the passengers so leaving the vessel; and if the number of passengers remaining on board on the arrival of the vessel in the harbour of Quebec, do not correspond with that mentioned in such manifest, after deducting the number who shall have so left the vessel, the master or person having the command of such vessel shall incur a penalty of 5*l.* currency for each passenger not found on board or entered on the manifest as having left the vessel as aforesaid.

Passengers may be allowed to leave the ship at their own request on certain conditions.

Penalty for contravention.

5*l.*

VII. And be it enacted, that the said report shall further contain the name, age and last place of residence of any person who may have died during the passage of such vessel, and shall specify whether such passenger was accompanied by relatives or other persons, and the names of such relatives or other persons, who were entitled to take charge of the moneys, goods and effects which may have been left by such passenger, and if there shall have been no such relatives or other persons entitled to take charge of the same, then the said report shall fully designate the quantity and description of such property, whether money or otherwise, which shall have been left by such passenger, and the said master or person in command of any such vessel shall pay over and fully account for the same, to the collector or chief officer of Customs for the port at which the said vessel may be entered; and the said collector or chief officer of Customs shall thereupon grant unto such master a receipt for all such moneys, goods or effects as may be so placed in his hands by such master, which receipt shall contain a full description of the nature or amount thereof; and in case any master or person in command of any such vessel shall neglect or refuse to make such report, or to pay over and account for any such moneys, goods or effects as required by this section, he shall incur a penalty of not less than 5*l.*, and not exceeding 250*l.* currency, for every such case of neglect or refusal.

Further particulars as to persons dying on the passage.

Certain monies of emigrants to be paid over to the collector in certain cases.

Penalty for contravention.

5*l.* 250*l.*

VIII. And be it enacted, that every passenger on board any vessel arriving in the harbour to which the master or person in command of such vessel shall have engaged to convey him, shall be entitled to remain and keep his baggage on board such vessel during 48 hours after her arrival in such harbour, and every such master who shall compel any passenger to leave his vessel before the expiration of the said term of 48 hours, shall incur a penalty of not exceeding 5*l.* currency, for every passenger he shall so compel to leave his vessel, nor shall any master or person in command of such vessel, remove or cause to be removed, before the expiration of the said 48 hours, any berthing or accommodation used by his passengers under a like penalty.

Passengers entitled to remain on board the ship for a certain time after her arrival.

Penalty for compelling them to leave sooner.

5*l.*

IX. And be it enacted, that every pilot who shall have had charge of any vessel having passengers on board, and shall know that any passenger has been permitted to leave the vessel, contrary to the provisions of this Act, and shall not within 24 hours after the arrival of such vessel in the harbour to which he shall have engaged to pilot her, inform the collector or other chief officer of Her Majesty's Customs at such place, that a passenger or passengers has or have been so permitted to leave the vessel, shall incur a penalty not exceeding 5*l.* currency, for every passenger with respect to whom he shall have wilfully neglected to give such information.

Penalty on pilots knowing passengers have left the ship, and not reporting the fact.

5*l.*

X. And be it enacted, that it shall be the duty of the medical superintendent at the quarantine establishment in this province, forthwith after the arrival thereof of any vessel carrying passengers, to examine into their condition, and for that purpose the said medical superintendent, or such other competent person or persons as may be thereunto appointed, shall have authority to go on board and through any such vessel, and to inspect the said list of passengers, and the bill of health, manifest, log-book or otherwise of the said vessel, and, if necessary, to take extracts from the same; and if, on examination, there shall be found among such passengers any lunatic, idiotic, deaf and dumb, blind or infirm person not belonging to any emigrant family, and any such person shall, in the opinion of such medical superintendent be likely to become permanently a public charge, the said medical superintendent shall forthwith report the same officially to the collector or other chief officer of the Customs at the port of Quebec or of Montreal, at whichever the vessel is first to be entered, who shall require the master of such vessel, in addition to the rate or duty payable for the passengers generally to execute jointly and severally, with two sufficient sureties, a bond to Her Majesty in the sum of 75*l.* currency for every such passenger so specially reported, conditioned to indemnify and save harmless this province or any municipality, village, city, town or county, or charitable institution within the same, from any expense or charge which shall or may be incurred within the space of three years from the execution of the said bond, for the maintenance and support of any such passenger; and the said sureties shall justify before and to the satisfaction of the said collector or chief officer, and by their oath or affirmation (which such collector or officer is hereby authorized to administer) shall satisfy him that they are respectively residents in this province, and

Medical superintendent to go on board and examine ships and to report certain particulars.

Passenger lunatic, idiotic, &c.

Master to give security as to such passengers.

75*l.*

Justification of the sureties.

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each worth double the amount of the penalty of such bond over and above all their debts and liabilities, personal and real.

Money paid for the support of any such passengers may be recovered under the bond.

XI. And be it enacted, that in case any passenger, for whom any bond shall have been given as aforesaid, shall, at any time within three years from the execution thereof become chargeable upon this province, or upon any municipality, village, city, town or county, or upon any charitable institution within this province, the payment of such charge or expense incurred for the maintenance and support of such passenger shall be provided for out of the moneys collected on and under such bond, to the extent of the penalty therein contained, or such portion thereof as shall be required for the payment of such charges or expenses.

Penalty on master neither giving the bond.

XII. And be it enacted, that if the master of any vessel, on board of which such passenger specially reported as aforesaid shall have been carried, shall neglect or refuse to execute the said bond forthwith, after the said ship shall have been reported to the said collector or chief officer, such master shall incur a penalty of 100*l.* currency, and the said vessel shall not be cleared on her return voyage until the said bond shall have been executed, nor until the said penalty shall have been paid, with all costs which shall have been incurred on any prosecution for the recovery thereof.

100*l.*

Bond to be transmitted to Receiver-general and kept by him.

XIII. And be it enacted, that after the said bond shall have been executed as aforesaid, the said collector or chief officer shall transmit the same to the Receiver-general of this province, to be by him kept and held during the said period of three years from the execution of the said bond, or until the payment of the penalty therein mentioned (if incurred) shall be enforced; and for the purpose of ascertaining the necessity of such enforcement, it shall be the duty of the chief emigrant agents in Upper and Lower Canada, upon representation made to either of them, as the case may be, in their respective portions of the said province, to ascertain the right and claim to indemnity for the maintenance and support of any such specially reported passenger, and to report the same to the Executive Government of this province, and the said report shall be final and conclusive in the matter, and shall be evidence of the facts therein stated, and the said penalty, or so much thereof as shall be from time to time sufficient to defray the expense incurred for the maintenance and support of any passenger for whom the said bond was given as aforesaid, shall be prosecuted for and recovered by suit or information in Her Majesty's name, in any court in this province having jurisdiction in civil cases to the amount for which such suit or information shall be brought.

A certain duty assigned to the emigrant agents in Upper Canada and Lower Canada.

How the penalty incurred may be recovered.

Medical Superintendent and other quarantine officers to have no interest in any contract, &c., connected with emigration matters.

XIV. And be it enacted, that no person being medical superintendent at the said quarantine establishment, nor any person thereat employed under him and remunerated for his services from the public moneys of the province, shall, directly or indirectly, by himself or others, be concerned or have any interest in the said quarantine establishment whatever, nor in any public works thereat, nor in any contracts relating thereto, nor in vending or furnishing supplies or necessaries of any kind therefor, nor to any emigrant or emigrants arriving thereat, nor trade in any respect as such superintendent, or as such other officer thereat, either directly or indirectly, for his or their benefit, under the penalty, in case of contravention hereof, of dismissal from his office or employ at the said quarantine establishment, and of being for ever thereafter incapable of being again employed and of serving thereat, and that each and every person herein offending, shall moreover be held and taken to be guilty of a misdemeanor, and on conviction thereof, be, in the discretion of the court, liable to punishment by fine not exceeding 100*l.* currency, or imprisonment for any period not exceeding six calendar months.

100*l.*

Passengers to be landed within certain limits and at certain hours.

XV. And whereas inconvenience and expense are occasioned by the practice of masters of vessels carrying passengers anchoring at great distances from the usual landing-places in the port of Quebec, and landing their passengers at unreasonable hours; be it therefore enacted, that all masters of vessels having passengers on board shall be held, and they are hereby required to land their passengers and their baggage free of expense to the said passengers at the usual public landing-places in the said port of Quebec, and at reasonable hours, not earlier than six of the o'clock in the morning, and not later than four of the clock in the afternoon; and such vessels shall, for the purpose of landing their passengers and baggage, be anchored within the following limits in the said port; to wit, the whole space of the river St. Lawrence from the mouth of the river St. Charles to a line drawn across the said River St. Lawrence, from the flag-staff on the citadel on Cape Diamond, at right angles to the course of the said river, under a penalty of 10*l.* currency for any offence against the provisions of this section.

10*l.*

Duties and penalties to be a special lien upon the vessels.

XVI. And be it enacted, that all and every the rates or duties, penalties or forfeitures imposed or declared under the authority of this Act shall be a special lien upon the vessels by reason whereof such monies shall have become payable, and the master whereof shall have become liable in such penalty, and may be enforced and collected by the seizure and sale of the ship, her tackle or furniture, under the warrant or process of the justices or court before whom the same may have been sued for and recovered, and shall be preferred to all other liens or hypothecations, except mariners' wages.

How enforced.

To whom moneys levied under this Act shall be paid over.

XVII. And be it enacted, that the monies levied under the authority of this Act shall be paid by the collector or other chief officer of the Customs by whom they shall have been received, into the hands of the Receiver-general, for the purposes hereinafter mentioned.

For what purposes such monies shall be applied.

XVIII. And be it enacted, that the monies raised, levied and received under the authority of this Act, shall be applied by such officers or persons, and under such rules and regulations as the Governor, Lieutenant-governor or person administering the Government shall appoint from time to time for that purpose, in defraying the expenses of medical attendance and examination of destitute emigrants on their arrival.

XIX. And

XIX. And be it enacted, that all penalties imposed by this Act may be sued for and recovered, with costs, on oath of one credible witness other than the prosecutor, in a summary manner, before any two justices of the peace in the city of Quebec, or in the city of Montreal; and such justices may commit the offender to the common gaol of the district until such penalty and costs shall be paid; and one moiety of every such penalty shall belong to Her Majesty, her heirs and successors, and shall be paid into the hands of the Receiver-general, to be applied to the purposes to which the other moneys levied under the authority of this Act are hereby appropriated, and the other moiety shall belong to the prosecutor.

How penalties under this Act shall be recovered and applied.

XX. And be it enacted, that upon complaint being made in any case over which two justices have jurisdiction as aforesaid, before any one justice of the peace, he shall issue a summons requiring the party offending or complained against to appear on a day and at an hour and place to be named in such summons, and every such summons shall be served on the party offending or complained against, or shall be left at his place of residence or business, or on board any vessel to which he may belong; and either upon the appearance or default to appear by the party offending or complained against, it shall be lawful for any two or more justices to proceed summarily upon the case, and either with or without any written information; and upon proof of the offence or of the complainant's claim, either by confession of the party offending or complained against, or upon the oath of at least one credible witness other than the prosecutor (which oath such justices are hereby authorized to administer), it shall be lawful for the justices to convict the offender, and upon such conviction, to order the offender or party complained against, to pay such penalty as is imposed by this Act, according to the nature of the offence, and also to pay the costs attending the information or complaint; and if forthwith upon such order the moneys thereby ordered to be paid be not paid, the same may be levied, together with the costs of the distress and sale, by distress and sale of the goods and chattels of the party ordered to pay such moneys, the surplus, if any, to be returned to him upon demand; and any such justices may issue their warrant accordingly, and may order also such party to be detained and kept in safe custody until return can conveniently be made to such warrant of distress, unless such party shall give security to the satisfaction of such justices for his appearance before them on the day appointed for such return, such day or days not being more than three days from the time of taking such security; but if it shall appear to such justices by the admission of such party or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid, they may, if they think fit, refrain from issuing such warrant of distress in such case, or if such warrant shall have been issued, and upon the return thereof such insufficiency as aforesaid shall be made to appear to the justices, or to any two or more of such justices, then such justices shall, by warrant, cause the party ordered to pay such monies and costs as aforesaid, to be committed to gaol, there to remain without bail for any term not exceeding three months, unless such monies and costs ordered to be paid, and such costs of distress and sale as aforesaid be sooner paid and satisfied: Provided always, that such imprisonment in the case of a master of any vessel shall not discharge the said vessel from the lien or liability attached thereto by the provisions of this Act.

Mode of proceeding in cases of contravention of this Act.

What proof shall be sufficient.

Costs allowed.

Penalty how levied.

Detention of the defendant in certain cases.

He may be committed to gaol for want of sufficient distress.

Proviso.

XXI. And be it enacted, that no conviction or proceeding under this Act shall be quashed for want of form, or be removed by appeal or *certiorari* or otherwise into any of Her Majesty's superior courts of record within this province; and no warrant of commitment shall be held void by reason of any defect therein, provided it be thereby alleged that the party has been convicted, and there be a good and valid conviction to sustain the same.

Proceedings not to be removed or quashed for want of form.

XXII. And be it enacted, that every person to whom shall be entrusted the expenditure of any portion of the monies hereby appropriated, shall make up detailed accounts of such expenditure, showing the sum advanced to the accountant, the sum actually expended, the balance (if any) remaining in his hands, and the amount of the monies hereby appropriated to the purpose for which such advance shall have been made, remaining unexpended in the hands of the Receiver-general, and that every such account shall be supported by vouchers therein distinctly referred to by numbers corresponding to the numbering of the items in such account, and shall be made up to and closed on the 1st day of December in each year during which such expenditure shall be made, and shall be attested before a justice of the Court of Queen's Bench, or a justice of the peace, and shall be transmitted to the officer whose duty it shall be to receive such account, within 15 days next after the expiration of the said period respectively.

Accounting clause.

XXIII. And be it enacted, that the due application of the monies received for the public uses of the province under the authority of this Act, shall be accounted for to Her Majesty, her heirs and successors, through the Lords Commissioners of Her Majesty's Treasury for the time being, and in such manner and form as Her Majesty, her heirs and successors shall direct; and that a detailed account of all such monies shall be laid before the several branches of the Provincial Legislature within the first 15 days of the next session thereof.

Due application clause.

XXIV. And be it enacted, that the word "Master," whenever used in this Act, shall be held to apply to any person in command of a vessel; the word "Vessel" shall include all ships, vessels or craft of any kind carrying passengers; the word "Passengers" shall apply to emigrants usually and commonly known and understood as such, and not to troops or military pensioners and their families who are carried in transports or at the expense of the Imperial Government; the word "Quarantine" shall apply to Grosse Isle, or other places at

Interpretation clause.

CANADA.

which such quarantine shall be directed to be performed; and any word importing the singular number shall include a plurality of persons or things, unless there be something in the context inconsistent with such interpretation.

— No. 2. —

COPY of a DESPATCH from Governor-General the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Montreal, 24 April 1849.
(Received, 13 May 1849.)

My Lord,

As some misconception seems to exist in England with respect to the amount of tax levied under a recent decision of the Supreme Court of the United States on immigrants landing at New York, I have the honour to transmit for your Lordship's information, the copy a letter on the subject, which has been addressed to the President of the Executive Council of the Province, by a gentleman of New York, whose authority may be relied on.

I have, &c.

(signed) *Elgin & Kincardine*.

Enclosure in No. 2.

My dear Sir,

New York, 10 April 1849.

Encl. in No. 2.

YOUR favour of the 2d instant, is to hand. Since the late decision of the Supreme Court of the United States, adverse to the hospital-tax levied from immigrants, ships landing passengers at this port, decline paying this tax of 50 cents a head.

A bill of it is still handed in, and the money asked by the Hospital Commissioners, but payment is not insisted on.

The Commutation Tax of \$ 1 per passenger, to the Commissioners of Emigration, is still levied here. The late decision, it is held, does not touch the law under which the tax is levied, though it is quite clear that it rests on the very same principle, and is liable to the same objections as the other.

The above were levied under the laws of the State of New York, not of the United States.

W. H. Merritt, Esq., Montreal.

Your's, truly,
(signed) *Rich Irrell*.

— No. 3. —

(No. 40.)

COPY of a DESPATCH from Governor-General the Right Honourable the Earl of *Elgin* to Earl *Grey*.

Government House, Montreal, 1 May 1849.
(Received, 22 May 1849.)

My Lord,

WITH reference to your Lordship's despatch, No. 341,* of the 16th March, I have the honour to transmit herewith a copy of a letter and enclosures, from the Chief Emigrant Agent, reporting on the points respecting which further information is required by the solicitor to the Board of Customs, in relation to the alleged infraction of the law in the case of the emigrant vessel "St. John."

I have, &c.

(signed) *Elgin & Kincardine*.

Enclosure 1, in No. 3.

Sir,

Emigration Office, Quebec, 24 April 1849.

Encl. 1, in No. 3.

I HAVE to acknowledge the receipt of your letter of yesterday, enclosing the order of reference from Mr. Assistant-secretary Parent, on the case of the brig "St. Johns," and requesting that I should furnish you with the particulars of the proceedings taken by me against Captain Oliver, for the alleged infraction of the Imperial Passengers' Act.

I have

I have to state, that on the receipt of your letter of 2d June last, transmitting Mr. Fife's report of the excess of passengers on board this vessel, which I herewith enclose you, I immediately submitted the case to Mr. Duval, Q. C.; a copy of my letter you have herewith, and instructed him to institute proceedings against the master. The case was heard before W. K. McCord, Esquire and Captain C. Alleyn, R. M., the sitting magistrates on the occasion. The case was however dismissed, for the reasons stated in their judgment, a copy of which I enclose.

With reference to the quality of the provisions on board this vessel, I can only state that on the arrival of the passengers from Grosse Isle, some time after the vessel had reached this port, where they had been detained in consequence of sickness, a general complaint was made by them respecting the provisions supplied by the ship. I consequently visited the vessel to inquire into the correctness of these charges, and found a quantity of biscuit and a number of sacks of flour. The biscuit was of very inferior quality, and the greater part of it mouldy; the flour was sour, mouldy, and all in large lumps, and altogether unfit food for human beings. The first mate, who was in charge of vessel, stated that these provisions were part of the supplies put on board for the use of the passengers. I, after some persuasion, induced a few of the passengers to remain as witnesses, in order that I might proceed against the master; but the great majority objected, as, in consequence of their long detention in quarantine, they did not wish to be subject to any more delay, for which they would receive no adequate compensation. The parties who had promised to remain were, I found afterwards, bribed by one of the owners of the vessel to leave the city, and I was consequently obliged to discontinue further proceedings.

I can only say, that a more gross infraction of the Passenger Act has not come under my notice for some years. In a report which I made to Mr. Assistant Secretary Parent, on the 2d of August last, I gave him full particulars of this case, and at the same time forwarded a copy of the judgment, the original of which I now enclose (Paper, No. 3). I herewith annex an extract from my letter to Mr. Parer t.

" On the arrival of this vessel in port, it was found that she had brought out an excess of passengers over her legal compliment, equal to 64 persons calculated under the Act 11 Vict., c. 6; the master stated that he was cleared by the officer of customs at the port of Galway, under the Act 5 & 6 Vict., c. 107, but even under this Act (which had expired on the 28th March) it was found that there was an excess of 12½ adults over her legal number, owing to 16 persons having been cleared out as cabin passengers, who, it was ascertained from their own admission, and the acknowledgment of the master, were not cabin passengers; as with the exception of five, who merely slept in the cabin, they all messed and occupied the steerage.

I have, &c.

(signed) *A. C. Buchanan.*

H. Jessopp, Esq., Collector, &c.

Enclosure 2, in No. 3.

Sir,

Customs Québec, Quebec, 31 May 1848.

I HAVE the honour to report the arrival of the brig "St. John's," B. Oliver, master, from Galway, having 156 passengers, who were landed at Grosse Isle; there was not a medical practitioner on board. It appears by the certified list, the superficial space, 1,184 feet, that she can legally carry per Act 11 Vict., c. 6, 84½ passengers; deduct 7 infants from 156, exhibit an excess of 64½ passengers. The master states the vessel was cleared outwards at the port of departure, under the provisions of the old Act.

Encl. 2, in No. 3.

149.

I have, &c.

(signed) *John Fife,*
Tidewaiter.

H. Jessopp, Esq.,
Collector H. M. Customs, Quebec.

Enclosure 4, in No. 3.

Sir,

Emigration Department, Quebec,
2 June 1848.

I HAVE the honour to enclose you the list of passengers that arrived at Grosse Isle, on board the brig "St. John," B. Oliver, master, from Galway. I also enclose you the report of Mr. Fife, the tide-surveyor of this port, with reference to the excess of passengers on board this vessel. The master, however, states, in justification, that he was cleared out under the old Act, 5 & 6 Vict., c. 107, which permits vessels to carry one adult passenger for every ten superficial feet. This would allow her 118. There are, however, 16 passengers, equal to 12½ adults, on board, entered as cabin passengers, who are not so, as the greater part, if not the whole, occupied the steerage of the vessel, and, moreover, did not mess with the captain, nor pay the usual cabin price; they cannot, in any way, be considered as cabin passengers within the meaning of the Act. This vessel has, consequently, under the old

Encl. 4, in No. 3.

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Act, had 12½ adults over her legal complement. I may further state, that she is reported to have arrived at Grosse Isle in a very sickly and filthy state, 13 passengers having died at sea, and seven at Grosse Isle, and 28 sick were sent to hospital there.

Under the second clause of the 5 & 6 Vict., c. 107, the master is liable to a penalty not exceeding 5*l.* for each adult over his legal number. I have therefore to request that you will take the necessary legal steps to enforce the penalty of the law against the master.

I have, &c.

(signed) *A. C. Buchanan,*
Chief Agent.

J. Duval, Esq., Q. C.

DISTRICT OF QUEBEC.

WHEREAS Alexander Carlisle Buchanan, of Quebec, Esquire, Government Emigration Agent, on the 13th day of June in the year of our Lord 1848, at the city of Quebec, in the county and district of Quebec, came before William King M'Cord, Esquire, one of Her Majesty's Justices of the Peace for the said district of Quebec, and the said A. C. Buchanan, for our Sovereign Lady the Queen, in that behalf complained, prosecuted and informed the said justice aforesaid, that on or about the 1st day of April last past, Bartholomew Oliver, now at Quebec, mariner, then being the master and commander of a certain brig called the brig "St. John," of the registered tonnage of 267 tons, and measuring 1,184 superficial feet in several compartments set apart for the passengers on deck, at the port of Galway, in that part of the United Kingdom of Great Britain and Ireland called Ireland, did take and receive on board of the said brig "St. John," divers passengers, to wit 149 passengers, on the deck upon which passengers live, to be conveyed in the said brig from the said port of Galway to the port of Quebec, in the province of Canada, and that afterwards, to wit, on the said 1st day of April last past, the said brig "St. John," the said Bartholomew Oliver being the master and commander thereof, did sail from the said port of Galway to the port of Quebec, not having on board a surgeon duly qualified by law to practice in the United Kingdom of Great Britain and Ireland as a physician, surgeon or apothecary, but having the said 149 passengers on board thereof, and arrived at the aforesaid port of Quebec, to wit, on the 31st May last past, with the said 149 passengers on board thereof: and the said complainant further averred that the said Bartholomew Oliver, being such master and commander of the said brig "St. John," did, on the passage aforesaid, from the port of Galway aforesaid to the said port of Quebec, carry more passengers on the deck upon which the passengers live on board of the said brig than in the proportion of one passenger to every 14 superficial feet of the space occupied by the said passengers, and appropriated to their use, and unoccupied by stores, not being the personal luggage of the said passengers, that is to say, 64 passengers more than the due proportion allowed by law, against the form of the statute in such case made and provided: and whereas the said Bartholomew Oliver, being duly summoned to answer the said charge, appeared before us William K. M'Cord and Richard Israel Alleyn, Esquires, two of Her Majesty's justices of the peace for the said district of Quebec, on the 16th day of June aforesaid, at the Court House in the city of Quebec, in the said district of Quebec, by Joseph Power Bradley, Esquire, his attorney, and the said Alexander C. Buchanan, by John Francis Duval, Esquire, his attorney, also then and there attended before us, for the purpose of proving the offence charged upon the said Bartholomew Oliver in and by the said complainant; we, the said justices, do hereby certify, that on the 17th day of June in the year aforesaid, having heard what the said Alexander Carlisle Buchanan had to allege in that behalf, and the evidence adduced by him in proof of the said offence, and having also heard what the said Bartholomew Oliver then and there alleged in his defence, and it manifestly appearing to us that although the said Bartholomew Oliver did commit the offence mentioned in the said information and complaint, yet he did not do so knowingly, inasmuch as the vessel sailed from the port of Galway, in Ireland, on the 1st of April, whilst the law he had contravened was only passed on the 24th day of March previous, in London, consequently he could not have been aware of its existence, we are therefore of opinion that he has not offended against the spirit and intention of the said law, and accordingly we dismiss the said complaint, without costs.

Given under our hands, at the said city of Quebec, this 17th day of June 1848.

(signed) *William K. M'Cord, J. P.*
R. I. Alleyn, J. P.

Despatches from the Right Honourable Earl Grey,
Secretary of State.

— No. 1. —

(No. 337.)

COPY of a DESPATCH from Earl Grey to Governor-General the Right Honourable the Earl of *Elgin*.

My Lord,

Downing-street, 1 March 1849.

I HAVE the honour to acknowledge your Lordship's despatch, No. 154*, of the 25th of December last, accompanied by 176 returns of vessels arrived at Quebec with emigrants during the season of 1848.

No. 1.
Earl Grey to the
Earl of Elgin,
1 March 1849.

2. Having referred these returns for the report of the Emigration Commissioners, it is gratifying to me to learn that in almost every case they find that Mr. Buchanan's report of the state of the vessels, and the manner in which they were supplied, is very satisfactory.

3. It appears that, in the great majority of cases, the vessels did not carry the full complement allowed by law; the number, in several instances, scarcely exceeding one-half of that which might have been legally taken. Observing, however, that in 22 instances, 16 of which were from Limerick, there was a slight excess over the legal number, arising apparently from persons being fraudulently stowed away at the time of sailing, the Commissioners felt it their duty to call for an explanation from their officer at Limerick.

4. I now enclose a Report from the Commissioners containing that officer's explanations, which appears to account for a few persons finding their way into vessels on their progress down the Shannon, without any want of vigilance on his part. I agree with the Board of Emigration that, under these circumstances, the only check is to be found in any control which it may be in the power of the officers of Customs to exercise over the ships after they leave Limerick itself, and in that additional vigilance on the part of masters which may be produced by the course which the emigration officers in Canada have adopted in enforcing the fine of 40s. for each passenger beyond the legal complement. I have caused a communication to be made to the Board of Customs with a view to any steps which it may be in their power to take on this subject, and I request that you will convey to Mr. Buchanan my approval of his course in enforcing strictly the penalty for all passengers beyond the legal number.

20 February 1849.

I have, &c.
(signed) Grey.

Enclosure 1, in No. 1.

Colonial Land and Emigration Office,
20 February 1849.

Sir,

In our letter of the 2d instant we stated that we had called on the emigration officer at Limerick for a report on the cases of evasion of the Passenger Act in vessels sailing from that port, and that we should submit the result for Earl Grey's information. We have, accordingly, the honour now to enclose the copy of a letter received from Mr. Lynch on the subject.

Enci. 1. in No. 1.

2. The charge against Mr. Lynch was, that of 22 vessels that arrived at the port of Quebec last season having more than the legal complement of emigrants on board, 16 were from the port of Limerick. Mr. Lynch, it will be seen, vindicates himself from the apparent neglect by pointing out the peculiarity of the port of Limerick, in being situated 60 miles up a river, both banks of which, the whole way to the sea, afford easy access to vessels at anchor. We cannot deny that there is much weight in this vindication, and that it would be

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be almost, if not quite, impossible for any one to discharge the duties of Emigration Officer at Limerick, and at the same time to keep a watch on vessels lying at anchor in the Shannon many miles below the city. The only effectual remedy would be through the Customs' officers and increased vigilance on the part of the masters, and the principal inducement to such vigilance must be the apprehension of the penalties denounced against such violations of the Act by the colonial authorities. We have, therefore, observed, with satisfaction, Mr. Buchanan's statement, that the penalty of 40s. a head has been inflicted in every case of this description; and we would submit that it might be desirable to notice this circumstance with approbation, that the agents in British North America may be encouraged to use equal vigilance and strictness on all future occasions.

3. We would also suggest, that copies of this correspondence should be communicated to the Board of Customs, and that the assistance of their officers stationed in the mouth of the Shannon should be obtained. By the 17th section of the Passengers' Act, the master of every ship is obliged to carry a list of the passengers on board, when the ship cleared; and he would have to account for any excess that afterwards might be found on mustering to be in the vessel.

Herman Merivale, Esq.,
&c. &c. &c.

We have, &c.
(signed) *Thos. C. Murdoch.*
C. Alexander Wood.

Enclosure 2, in No. 1.

Government Emigration Office, Limerick,
6 February 1849.

Sir,

Encl. 2, in No. 1.

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, with the names of 16 vessels which have sailed from this port to Quebec during 1848, which vessels had a greater number of passengers than the law allowed.

Of the 16 cases comprising the list of vessels which had over their legal number of passengers on arrival at Quebec, and on which complaint is grounded, all of which are for having passengers not certified for.

On this point, I beg to state, for the information of the Commissioners, that it is utterly impossible for me to prevent such occurrences, so many facilities are afforded to persons anxious to obtain a passage by stealth, for getting on board vessels in this river after their departure from the quays of Limerick, that unless the Emigration Officer be furnished with an efficient staff to accompany the vessel down the river, and muster the passengers prior to their final departure, the Board will not surely hold him accountable for what he cannot in any degree control; it is no uncommon occurrence for vessels with passengers to lay wind-bound for a week or more at Tarbert or Scatterry, where there is constant communication with the shore.

On the master and other officers of the ship the duty of guarding against such persons obtaining access on board should devolve, I invariably advise and caution them on this head, as also to have a final strict muster and search before departure, instances have been known of persons having been turned out of vessels when mustering in the port of Limerick, who afterwards followed her by land, and got on board at Tarbert or Scatterry, a distance of nearly 50 miles, at night, and secreted themselves in her.

With respect to the three cases of children of two to four years old, having been passed as infants, I have been most careful in my inspection, such as admitted of any doubt of their being over the age of 12 months, in such a case I have had the opinion of the doctor, and in others have made the parents produce depositions as to their age, before passing them; however, I will endeavour that no complaint on this point, shall again occur.

I beg to say, that the port of Limerick differs widely from almost all other ports from which emigrants depart; Limerick being a distance of 60 miles from the sea, with a facility of communication from both sides of the Shannon nearly the whole distance.

In conclusion, I have to observe, that the importance of the duty I have to perform prevents me from quitting Limerick more than a few miles, where a ship may anchor to get clear of the bustle of a crowd at the quays. In former years I did so, and found it attended with great inconvenience to the ships preparing for sea. The Board were pleased to approve of my not quitting my station, as the Commissioners will please to observe, by Mr. Walcott's letter of the 3d of April 1841, to which I beg to direct your kind attention.

I have, &c.
(signed) *Richard Lynch.*

John Walpole, Esq.,
9, Park-street, Westminster.

—No. 2.—

CANADA.

(No. 339.)

Copy of a DESPATCH from Earl Grey to Governor-General the Right Honourable the Earl of *Elgin*.

My Lord,

Downing-street, 10 March 1849.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 14,* of the 18th of January, enclosing a memorandum from the Inspector-general of Public Accounts, explanatory of the circumstances under which the sum of 14,738*l.* 2*s.* 10*d.* sterling had been omitted from the account previously sent home, and of which a settlement has been made by Her Majesty's Government, in respect of the expenses occasioned by the emigration of the year 1847.

Having referred this statement for the consideration of the Lords Commissioners of the Treasury, I now transmit a copy of the reply, which has been returned to me by their Lordship's direction, and in order to enable Her Majesty's Government to form an opinion upon the propriety of acceding to this fresh demand upon the funds of this country, I have to request that you will call upon the Inspector-general to furnish the requisite information upon the points adverted to by the Lords Commissioners of the Treasury.

I have, &c.
(signed) *Grey*.

Enclosure in No. 2.

Sir,

Treasury Chambers, 6 March 1849.

IN reply to your letter of the 7th ultimo, I am directed by the Lords Commissioners of Her Majesty's Treasury to state, for the information of Earl Grey, that my Lords have had under consideration the application, in the despatch of 14th ultimo, from the Governor-general of Canada, which was enclosed in your communication requesting that a sum of seventeen thousand nine hundred and thirty-one pounds eight shillings and two-pence currency, equal to fourteen thousand seven hundred and thirty-eight pounds two shillings and ten-pence sterling, stated to be the amount of expenditure on account of emigration from the United Kingdom in the year 1847, beyond the amount specified in the Governor-general's previous despatches, and in the Reports from the successive Inspectors-general of Accounts to which those despatches referred, should be allowed to the credit of the provincial Treasury.

Encl. in No. 2.

Currency,
£. 17,931. 8*s.* 2*d.*
Sterling,
£. 14,738. 2*s.* 10*d.*

I am to request that you will observe to Lord Grey, that my Lords having had every reason to believe that the statement submitted in the Governor-general's despatch of 17th March 1848, which, including an estimated sum for charges unsettled at the date of the Inspector-general's Report, amounted to 157,283*l.* currency, would comprise everything chargeable to Her Majesty's Government, and having accordingly caused an application founded upon that statement to be submitted to Parliament, they cannot but express their surprise at the further demand now brought forward; especially as the additions are in some respects such as it would seem that the Provincial Department of Accounts might have been fully cognizant of, when the former statement was prepared; as, for instance, the erection of sheds and fittings at Montreal and Quebec, and Grosse Isle; and I am further to state, that there are also other charges now brought forward under the head of "Orphans of Emigrants," and of "Clergy Expenses," which, with the information at present before this Board, do not appear to my Lords to come within the intention of the Legislature of this country, in making the grant of the last session, and respecting which further explanatory information is requisite.

On these points, therefore, my Lords must request that explanation may be obtained from the Canadian Government; although, even with such explanation, they cannot conceal from Lord Grey the difficulty which there will be in obtaining from Parliament a further vote for a service, which both Her Majesty's Government and the Legislature had every reason to consider as having been already adequately provided for.

I am also to state, that in concurrence with the suggestion in the Report of the Inspector-general of Provincial Accounts of 16th January last, my Lords will instruct the officer in charge of the Commissariat in Canada to make such investigation of the accounts of the expenditure to the amount of 75,304*l.* 17*s.* currency, stated to have been incurred by various Boards of Health throughout the province, as will enable him to report the specific nature of the charges included in that amount, and the manner in which they were authorized and vouched, in order that Her Majesty's Government may be put in possession of the information adverted to in the communications from this department to Lord Grey of 31st March and 24th June 1848.

H. Merivale, Esq.,
&c. &c. &c.

I am, &c.
(signed) *C. E. Trevelyan*.

* Page 43, of Papers on North American Emigration, by Command, February 1849.

CANADA.

—No. 3.—

No. 3.
Earl Grey to the
Earl of Elgin,
16 March 1849.

(No. 341.)

COPY of a DESPATCH from Earl Grey to Governor-General the Right Honourable the Earl of Elgin.

My Lord,

Downing-street, 16 March 1849.

* Page 9.

28 February, in
Land Board,
10 March.

WITH reference to my despatch, No. 337,* of the 1st instant, I have the honour to transmit, for your Lordship's information, the copy of a letter from the Solicitor to the Board of Customs, enclosing a Report from the officers of Customs at Galway relative to an alleged infraction of the law in the case of the vessel "St. John," which sailed from Galway for Quebec in April last; and I have to request that your Lordship will call upon the proper officers to furnish the requisite information upon the points adverted to by Mr. Maclean.

I have, &c.

(signed) Grey.

Enclosure 1, in No. 3.

Colonial Land and Emigration Office,
10 March 1849.

Sir,

Encl. 1, in No. 3.
* Page 9.

WITH reference to our letter of the 20th ultimo,* on the subject of the ship returns enclosed in Mr. Buchanan's Report of 22d December last, we have the honour to enclose, for Earl Grey's consideration, the copy of a letter which we have received from the Commissioners of Customs, with reference to an alleged infraction of the law, in regard to the quality of the provisions in the ship "St. John," which sailed from Galway for Quebec in April last.

2. We would submit that a copy of this letter and its enclosure should be communicated to the Earl of Elgin, in order that the points to which the Solicitor of the Customs has referred, as necessary to be ascertained before the bond can be put in suit, may be inquired into.

We have, &c.

(signed) Thos. C. Murdoch.
C. Alexander Wood.Herman Merivale, Esq.,
&c. &c. &c.

Enclosure 2, in No. 3.

Sir,

Custom-House, 28 February 1849.

Encl. 2, in No. 3.

HAVING laid before the Board your letter of the 3d instant, enclosing an extract of the ship return of the vessel "St. John," which sailed from Galway on the 6th April last from Quebec, I am recommended to transmit to you, for the information of the Commissioners of Emigration, copy of the Report of the officers of this revenue at Galway, in return to the Board's inquiries on the subject, and I am to observe, that the solicitor to this department states, that if the bond, which appears to be forfeited, be put in suit, the evidence to support the proceedings must be had from Quebec, but it is necessary in the first instance, that further information should be obtained, particularly as to the number of passengers in excess of the number allowed by law, whether the penalty incurred on that account was recovered, and what evidence there is as to the compromise with the passengers respecting the provisions.

I am, &c.

(signed) W. Maclean.

Stephen Walcott, Esq.,
&c. &c.

Honourable Sirs,

Custom-House, Galway, 12 February 1849.

WE beg respectfully to report that the collector, as emigration officer, did, with the assistance of the tide surveyor, examine the provisions shipped on board the "St. John," for Quebec, that they found the same sufficient for the number of passengers, and of fair quality at the time of shipment; but from some cause, whether arising from heating of the meal, or the biscuits not having been sufficiently baked, it appears the provisions were found of

of inferior quality on the vessel's arrival at Quebec; this vessel was cleared with us on the 1st April last, and did not come under the regulations of the Act 11 Vict., c. 6, which had not been received here at the time; and it appears, on a reference to the copy of the passengers' list for said ship, that there were not more persons on board than allowed by the Acts 5 & 6 Vict., c. 107, and 10 & 11 Vict., c. 103, the space being stated 1,184 feet, with 118 adults, the tonnage being 267 tons.

CANADA.

Respectfully submitted,
(signed) *J. Richardson*, Collector.
Alex. Thomson, Comptroller.

The Honourable the Commissioners of Customs,
&c. &c., London.

— No. 4. —

(No. 345.)

COPY of a DESPATCH from Earl Grey to Governor-General the Right Honourable the Earl of Elgin.

My Lord,

Downing-street, 14 April 1849.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch, No. 11,* of the 17th of January last, enclosing the usual Annual Report of the Chief Agent of Emigration, for the year 1848, together with an approved minute of your Executive Council, embodying the views of your Government on this subject.

I am glad to learn from Mr. Buchanan's Report, that so few cases have occurred during the past emigration season, which called for the institution of proceedings for violation of the Passengers' Act.

With regard to the minute adopted by the Executive Council, I have merely to state, that I read the expression of their opinions with much interest, and am very sensible of the importance of many of the remarks contained in this document. As respects the question of the Immigrant Tax Act, I have since received with great satisfaction the intelligence which you have forwarded to me of the spirit in which that measure has been modified.

I have, &c.
(signed) *Grey*.

No. 4.
Earl Grey to the
Earl of Elgin,
14 April 1849.

— No. 5. —

(No. 369.)

COPY of a DESPATCH from Earl Grey to Governor-General the Right Honourable the Earl of Elgin.

My Lord,

Downing-street, 30 May 1849.

WITH reference to the last paragraph of my despatch, No. 337,† of the 1st of March last, I transmit for your Lordship's information, copies of two Reports from the Commissioners of Customs, together with a copy of the answer which I have caused to be returned to the Board of Treasury, on the subject of certain evasions of the Passengers' Act, which occurred last season in the case of vessels proceeding from the port of Limerick to Canada.

I have, &c.
(signed) *Grey*.

No. 5.
Earl Grey to the
Earl of Elgin,
30 May 1849.
† Page 91.

In Treasury, letter
of 23 May 1849.
Ibid, 26 May.
Colonial Office,
30 May 1849.

Enclosure 1, in No. 5.

Sir,

Treasury Chambers, 23 May 1849.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you the copy of a report from the Commissioners of Customs, dated the 7th instant, in order that it may be submitted for the information and consideration of Earl Grey, with reference to your communication of the 6th of last March, upon the subject of certain evasions of the Passengers' Act which occurred last season, in the case of vessels proceeding to Canada from the port of Limerick.

Encl. 1, in No. 5.

Herman Merivale, Esq.
&c., &c., &c.

I am, &c.
(signed) *C. E. Trevelyan*.

* Page 25, of Parl. Paper, North American Emigration, by Command, February 1849.

CANADA.

Enclosure 2, in No. 5.

May it please your Lordships,

Encl. 2, in No. 5.

YOUR Lordships having referred to us the annexed letter from Mr. Merivale, transmitting by command of Earl Grey, the copy of a report and of its enclosure, from the Commissioners of Colonial Land and Emigration, on the subject of certain evasions of the Passengers' Act which occurred last season in the case of 22 vessels, 16 of which had sailed from Limerick to Canada, in which report the Commissioners allude to the easy access which the situation of the port of Limerick affords to vessels before they finally sail, and that the only effectual remedy against vessels going to sea from the Shannon with more than the legal complement of emigrants on board, would seem to depend on any check which can be exercised by the Customs Officers, and on increased vigilance on the part of the masters, and Mr. Merivale having signified the request of Earl Grey, who concurs in the above opinion, that your Lordships would communicate the same to this Board, in order that we may issue such directions to our officers as we may think expedient for checking the practice referred to so far as it may be in our power to do.

We report,—That there being no Custom's Water-guard force on the Shannon lower than Limerick, we have communicated with the Comptroller-general of the Coast-guard on the subject, and it has been suggested to us, as the emigrant vessels generally remain for some time in Scatterry Roads, previously to leaving the Shannon, that the masters should be required to report themselves to the chief officer at that station, who would then make a final muster of the passengers, and leave two Coast-guard officers on board to prevent any boats from having further communication with the vessel, and accompany her to Kilcredane, and to be there landed by the master; and these suggestions appearing to us fully to meet the case, we have requested the Comptroller-general of the Coast-guard to issue the necessary directions accordingly, with the understanding that the Inspecting Commander at Kilrush may occasionally order a cruiser outside Scatterry to perform the duty when such can be more conveniently done than by the chief officer of the station, it being also clearly understood that no emigrant vessel shall be permitted to leave the Shannon without being subjected to a final and careful muster at the mouth of the river, on the responsibility of the Inspecting Commander of the Coast-guard of the Kilrush District.

With reference to the infraction of the law which has taken place on the part of the 16 vessels which sailed from Limerick with passengers last season, we submit whether, in addition to the penalty of 40s. for each passenger in excess of the legal number imposed on the masters of the said vessels in Canada, the owners or charterers of the vessels should not be proceeded against under the bond entered into by them pursuant to the provisions of the 35th section of the Passengers' Act of 5 & 6 Vict. c. 107.

(signed)

Thos. F. Fremantle.
W. Dickenson.
S. G. Lushington.
J. Goulburn.

Custom-House, 7 May 1849.

Enclosure 3, in No. 5.

Encl. 3, in No. 5.

Sir, I AM directed by Earl Grey to acknowledge the receipt of your letter of the 23d instant, enclosing a Report from the Commissioners of Customs, on the subject of the evasions of the Passengers' Act, which occurred last season, in the case of vessels proceeding to Canada from the Port of Limerick; and with reference to the last paragraph of that Report, I am to request that you will state to their Lordships, that Lord Grey is of opinion that the cases have been adequately met, and that his Lordship does not consider that it is necessary or advisable on the present occasion to proceed under their bond against the masters or charterers of the vessels.

Downing-street, 30 May.

I have, &c.
 (signed) *H. Merivale.*

Sir C. E. Trevelyan, K. C. B.

Enclosure 4, in No. 5.

Encl. 4, in No. 5.

Sir, I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit the copy of a Report from the Commissioners of Customs, No. 676, dated the 17th instant, in order that it may be submitted for the consideration of Earl Grey, with further reference to the subject of your communication of the 6th of March, respecting certain evasions of the

Treasury Chambers, 26 May 1849.

the Passengers' Act which occurred last season, in the case of vessels proceeding to Canada from the Port of Limerick.

Their Lordships desire me to request that you will move Earl Grey to apprise them of the directions which his Lordship may see fit to give upon the suggestion of the Inspecting-commander of the Coast-guard at Kilrush, as to the appointment of a medical practitioner to attend with him the masters of the vessels proceeding to sea with emigrants.

I am, &c.
(signed) *C. E. Trevelyan.*

Herman Merivale, Esq.
&c. &c. &c.

Enclosure 5, in No. 5.

To The Lords Commissioners of Her Majesty's Treasury.

In our report to your Lordships dated the 7th instant, No. 623, in return to a reference upon a communication from the Commissioners of Colonial Lands and Emigration, on the subject of certain evasions of the Passengers' Act on the part of vessels which had sailed from Limerick last season, we stated that directions had been issued to the officers of the Coast-guard at Scatterry and Kilrush, for the due muster of the passengers of vessels before leaving the Shannon, in future. Encl. 5, in N

We beg now to report to your Lordships, that the Inspecting-commander at Kilrush has represented the necessity of having a medical practitioner to attend the muster of such vessels during the prevalence of cholera and fever, a case of death from the latter disease having taken place on board one of the vessels, and the Inspecting-commander having at the same time suggested that Dr. Thomas Elliott, the Admiralty Surgeon and Agent, would be a suitable person to be appointed Emigration Agent at Kilrush, many vessels sailing without a surgeon.

We take leave to submit the above propositions for your Lordships' consideration, and to request your directions thereon.

(signed) *Thos. F. Fremantle.*
G. R. Dawson.
H. Richmond.
S. G. Lushington.

Custom-House, 17 May 1849.

NEW BRUNSWICK.

NEW BRUNSWICK.

Despatches from Lieutenant-Governor Sir Edmund Head.

— No. 1. —

(No. 14.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart.,
to Earl *Grey*.

(Answered, 10 May 1849, No. 127, page 67.)

Government House, Fredericton,
3 February 1849.

(Received, 20 February 1849.)

My Lord,

No. 1.
Lieut.-Governor
Sir E. Head to
Earl Grey,
3 February 1849.

IN obedience to your despatch of the 26th of October last, No. 68,* I have laid the Report of the Agent for Emigration, before my Executive Council, and I have now the honour to transmit such Report † to your Lordship, accompanied by a copy of a Report on Emigration, adopted by the Council.

A map of the kind referred to in the circular despatch of 16 October, has been prepared, and is sent by this same mail for the use of the Colonial Land and Emigration Commissioners.

I have, &c.

(signed) *Edmund Head*.

Enclosure in No. 1.

In Council, 1 February 1849.

Present :—His Excellency the Lieutenant-Governor, &c. &c. &c.

Encl. in No. 1.

SUBMITTED the report of the Committee on the subject of Immigration and the Settlement of Wild Lands in this province, as follows :—

May it please your Excellency,

The Committee of Council on Immigration and Settlement, having considered the subjects, beg leave to submit the following remarks for the consideration of your Excellency.

We have been led into a consideration of the causes which have hitherto operated against us in preventing the immigration to this province of capitalist farmers, a great number of whom are constantly passing by us every year to Canada and the United States, while those who come to and remain in this province, consist chiefly of the labouring classes.

The principal cause for such a state of things we believe to be the want of information as to our position and resources. As compared with Canada and the United States, New Brunswick is an unknown country, and the fault lies with ourselves.

In almost every town and village in Great Britain, and in many parts of Ireland, there have been circulated for several years past, either by state authority, or individual enterprise, innumerable pamphlets, setting forth the fertility of the soil, and the field for agricultural and mechanical labour which are to be found in Australia, Canada, the United States, and other parts of the world, while nothing of the kind has been done with respect to this province, which we are disposed to believe offers a soil and climate more congenial to the habits and constitution of the British farmer, than any of the countries above-mentioned.

We are quite sure that even among those of our countrymen at home who have heard of this province, many erroneous ideas are entertained as to the situation and extent of our settlements, our social condition and the general character of the country.

Some of the prevailing ideas among those who have not seen the province, appear to be, that the settlements are very few and remote from each other; that they are separated by dense forests abounding with beasts of prey; that there are great numbers of Indians, to
whose

* See page 48, of Parl. Paper on North American Emigration, presented to both Houses of Parliament by Command, February 1849.

† Memorandum.—The Report referred to has not been received.

whose depredations the settlers are constantly exposed; that there are no churches or schools, except in the towns; that good roads are nowhere to be found; that the cold of our winters is so intense, that the inhabitants are continually in danger of being frozen to death, and, very often, dare not venture out of their houses; that no such field crops can be grown here as are cultivated in Great Britain; that our soil is of a very inferior quality; and that we are subject to all the epidemics and agues which afflict the southern and western portion of this continent from Florida to Lake Huron.

It is no wonder, therefore, that with such impressions, the emigrant seeks for other countries, and will not cast his lot among us, involved, as he supposes, in such adverse circumstances.

But these impressions are altogether erroneous; in every part of the province there are extensive and continuous settlements, as may be seen by reference to the accompanying map, where the cultivated districts are coloured green. There are upwards of 500 parish, besides other schools, scattered over the rural districts, and upwards of 200 churches and chapels of different denominations of christians. There is no danger to be apprehended from beasts of prey, or from the Indians, very few of whom now survive. No colony of the empire, and no state of the neighbouring Union is better provided with roads than New Brunswick; every kind of field and garden crops cultivated in England, can be grown in this province, with the addition of Indian corn.

More persons, we believe, have perished from cold in England and Scotland in 20 years, in proportion to the population, than in this colony.

Many parts of the province will compare in fertility of soil with the best districts in Great Britain and Ireland; and, more than all, we can safely assert, that no part of the United States and no colony of the Empire, can surpass us in point of salubrity. Epidemics are little known among us, and fever and ague is a stranger to the province, even in the marsh districts of Westmorland and Albert.

Since writing the above, we have seen the report of Major Robinson, on the line of railway from Halifax to Quebec, wherein he says, of the "climate, soil and capabilities of New Brunswick, it is impossible to speak too highly; there is not a country in the world so beautifully wooded and watered," and further, that "for any great plan of immigration or colonization, there is not another British colony which presents such a favourable field for the trial as New Brunswick."

Our geographical position is important to be borne in mind; bounded on the south-west by the State of Maine, and on the north-east by the Bay Chaleurs, between the 45th and 48th degrees of latitude, we lie between Nova Scotia and Canada on the east and west, and contain an area of 25,000 square miles. English mails for Canada traverse this province from its eastern to its western extremity, and letters have been received in Fredericton on the 11th day after being written in London.

We are so near to England, and enjoy such facilities of communication, that a voyage may be made to Great Britain and back in less time and for a less sum than would be required for the passage to Australia, the Cape of Good Hope, or to New Zealand.

Agricultural operations are generally commenced about the middle of April, and cease about the middle of November. From this period the prevalence of frost and snow prevents the labours of the husbandman as respects the soil. Yet the industrious farmer can always find employment during the winter, as it is the most favourable season for cutting and hauling fuel, and rails for fences, and for transporting grain and other produce to market; and so far from condemning the climate because of our winters, there is not a farmer in the country who would dispense with them, although some might prefer them of shorter duration.

RIVERS.

Although the province is well watered in every direction, yet the principal rivers are the St. John, the Miramichi and the Restigouche. The first empties into the Bay of Fundy, and is navigated by steamers to the Great Falls, a distance of upwards of 200 miles, and is navigable from that point upwards to the American territory, and to within 26 miles of the St. Lawrence by the Madawaska River. Upwards of 1,800 miles of tributary streams pour their waters into this noble and beautiful river.

The Miramichi empties into the Gulf of St. Lawrence, is navigated by ships of a large class for 50 miles. It then branches into two rivers of great extent, the south-west portion of which extends a distance of 100 miles into the interior.

The Restigouche empties into Chaleur Bay, and extends upwards of 100 miles in a westerly direction, until its waters are found within three miles of some of the tributaries of the Upper St. John.

Speaking of the Restigouche River, Major Robinson, in the report above referred to, says, "for beauty and richness of scenery, this river and its branches are not surpassed by anything in Great Britain; its lakes are numerous and most beautiful; its surface is undulating, hill and dale, varying up to mountain and valley.

NEW BRUNSWICK.

A most extraordinary proof of the ignorance prevailing in Great Britain as to our rivers, is to be found in the Geography compiled for the use of teachers and advanced classes of the National Schools of Ireland. Ed. 1845, where it is stated that the most remarkable rivers in New Brunswick are the St. John, the Anapolis, and the Shubenacadie; when the two latter are in the province of Nova Scotia. It is as great an error as if it were said that the most remarkable rivers in England were the Thames, the Shannon and the Liffey.

SITUATION AND EXTENT OF SETTLEMENTS.

The River St. John runs through six counties, and from its mouth to the Madawaska River, a distance of 230 miles, the settlements extend along both banks in an almost unbroken contiguity, with good roads on both sides of the river, and following up the numerous tributaries on the right and left, thrifty settlements are found in every direction along their banks.

We shall now take a brief view of each county, specifying the most eligible tracts for settlement, and beg to refer to the accompanying map, compiled and prepared by Messrs. Grant and Inches of the Land Office, in illustration of our remarks.

The county of St. John, on the western shore of the Bay of Fundy, contains an area of 586 square miles, and a population of about 45,000, with 48 parish schools.

The city of St. John, including the suburbs, contains about 30,000, and is accessible by ships of the largest class at all seasons of the year. Although this county is much broken and rocky, yet many fine farms attest the success which follows persevering industry.

Very little ungranted land fit for settlement is found in this county, except at the north-east extremity near the county of Albert, where a good tract, possessing many superior advantages, is open to application. The salmon, shad and herring fisheries of the Bay of Fundy, are very valuable, and although they yield a large and profitable return to those who engage therein, they have never yet been prosecuted to that extent which their value and importance demand.

King's County, the next in order, contains 1,328 square miles, with a population of about 19,000, and 64 parish schools.

Many parts of this county are highly cultivated, and present some of the finest scenery in the province.

The principal part has been granted, and the remainder is being rapidly disposed of. Its proximity to the city of St. John has given it a market which has insured a ready sale for its surplus produce. The great road from Halifax to Quebec passes through this county for a distance of 75 miles, and a line of railway is projected, and has been recently surveyed, passing through this county from St. John to the Gulf of St. Lawrence, which, when opened, will unite with the contemplated trunk line from Halifax to Quebec, and will greatly contribute to the general interests of this section of the province.

The next on the St. John River is Queen's County, containing 1,502 square miles, and a population of 10,000, with 47 parish schools.

Some of the best farms in the province are found in this county, and large tracts of good land are yet undisposed of.

Several leases of coal-mines have been lately granted on the Grand Lake, and extensive operations are being commenced, which promise to create a valuable trade, and to give employment to a large number of operatives.

A road has been explored between the head of the Grand Lake and Richibucto, in the county of Kent, which will open up a valuable tract of country for settlement, presenting to settlers a choice of markets between St. John and Richibucto.

This locality is strongly recommended for immediate settlement, if a good class of emigrants can be had for the purpose.

The county of Sunbury contains an area of 1,222 square miles, a population of 5,000, and 24 parish schools.

Extensive and valuable farms are seen on both banks of the river, and some good tracts of ungranted land remain for sale.

The River Oromocto, with its branches, present some flourishing settlements.

This county and Queen's, contain an immense extent of the finest alluvial land, and some of the most productive and fertile islands in the River St. John.

The county of York contains an area of 3,440 square miles, with a population of 21,000, and 60 parish schools. The city of Fredericton, the seat of Government, is in this county, on the right bank of the river, distant from St. John, by the river 75, and by the road 66 miles.

Five steamers, with numerous sailing vessels, ply night and day with freight and passengers, during the navigation, between Fredericton and St. John.

The tract of land granted to the Nova Scotia and New Brunswick Land Company, has left but a small portion at the disposal of the Government on the eastern side of the river below

below the Nackawick. Extensive settlements are found on the Nashwalk and Keswick Rivers, and on the rear land between those rivers, and the upper line of the county. On the western side of the river, there are numerous back settlements.

At the distance of 24 miles from Fredericton, on the great road to St. Andrew's, is the Harvey Settlement, formed in 1837 by emigrants from Northumberland (England), and which, by its present thriving condition, proves what can be done by sober and industrious men, even on an inferior quality of soil.

Accompanying this, is a tabular return * of the state of the settlement in 1843, with the remarks of the Commissioner. * Page 23.

With such settlers for our ungranted lands, the most astonishing and gratifying results would soon be manifest.

In the vicinity of Harvey, is an Irish settlement, formed in December 1841, under the gratuitous management of the same Commissioner, whose report and return accompany those of the Harvey Settlement, and furnish an additional proof of the success attending persevering industry.

Some good tracts of land are still ungranted beyond the Harvey, on the Magadavic River and its branches and lakes, and in the vicinity of the contemplated railway between St. Andrew's and Woodstock.

A few miles below Eel River, the Howard Settlement is forming, in the midst of a tract of excellent land, and capable of settling several hundred additional families.

At a distance of 48 miles from Fredericton, commences the county of Carleton, which extends upwards to the frontiers of Canada and the United States. This county has been more rapidly cleared and improved within the last 15 years, than any other county of the province; it contains an area of 4,050 square miles, and a population of 21,000.

On the western side of the river, up to the Arestook, some of the settlements extend back to the American frontier, and nearly all the land has been granted.

Several large tracts belonging to absentees, present a great obstruction to the settlement of this district, which will not probably be removed for a long time, unless by legislative interference.

The soil throughout this section of country is deep and rich, and under good cultivation would soon render it one of the most productive portions of the province.

This county is rich in iron ore, and a company recently formed, for the purpose of working a mine near Woodstock, is now in operation, and from the superior quality of the ore, and the facility for working and bringing it to market, an extensive business will, ere long, be carried on in the manufacture of iron.

Two steamers now run between Fredericton and Woodstock, and a third will be put on next year to ply between Woodstock and the Grand Falls, a distance of 60 miles.

The Tobique River, which empties into the St. John about 40 miles above Woodstock, is of great extent, and offers superior facilities for immediate settlement on a large scale. Gypsum and freestone of the finest quality, are found on this river.

An extensive tract of good land lies on the eastern side of the St. John, from the county line upward, past the Grand Falls, which, if opened by roads, would form an attractive and valuable locality for settlers.

To the southward of York, Sunbury, Queen's and King's, lies the county of Charlotte, containing an area of 1,224 square miles, with a population of about 22,000, and 69 parish schools. This county contains many extensive and valuable settlements, but very little good land remains ungranted.

The counties of Westmorland and Albert lie to the northward and eastward of St. John and King's, and contain a population of about 25,000, with 98 parish schools, and cover an area of 2,112 square miles. The most extensive and valuable marshes in the province are in Westmorland, and furnish facilities for grazing of unrivalled value; and although the agricultural community of this county is esteemed the richest in the province, they have never yet availed themselves as they might have done of the resources of their uplands, which lie in many instances comparatively neglected.

The shad fishing of this district is not surpassed by any other in the world. Cannel coal, of a superior quality, has been discovered in Albert, and promises an extensive and valuable trade.

The greater part of Albert is ungranted, and embraces a large tract of land of the finest quality, presenting one of the most eligible situations for immediate settlement in that section of the province.

The county of Kent covers an area 1,260 square miles, and contains about 9,000 inhabitants, with 35 parish schools.

NEW BRUNSWICK.

Extensive cultivation is found along the coast, and on the Richibucto River, but a large tract of ungranted land, of a good description, still remains, and through which the line of projected railway from Halifax to Quebec passes.

The coal formation extends to this county, and may be worked at small expense.

The harbour of Richibucto is safe and commodious, and the river admits of vessels of the largest class for some distance.

Northumberland includes an area of 5,000 square miles, with 20,000 inhabitants, and 53 parish schools.

This county presents a large extent of cultivated land, and some of the best specimens of husbandry in the province.

A vast tract of ungranted land is contained within this county, the most eligible whereof, for immediate settlement, is on the north-west and south-west branches of the Miramichi River, in rear of the front lots. An excellent road affords communication between this county and the seat of Government.

Gloucester and Restigouche, the two most northern counties, lie on the Gulf of St. Lawrence and the Bay Chaleurs, and include an area of about 4,000 square miles, with a population of only 15,000, and 37 parish schools.

The quality of the soil is generally good, and in many parts of a very superior description. For many years past, this has been the best wheat-growing district in the province.

The settlements in these counties are principally along the coast, but the extent of ungranted land in the rear from Shippegan to the head of the Restigouche River, and the superior quality of the soil, with the valuable fisheries of the bays and rivers, recommend this district as one of the most desirable in the province for the immediate settlement of large bodies of emigrants.

The country above Dalhousie is principally settled by Scotch, who are in very prosperous circumstances, and contented with their situation.

The projected line of railway from Halifax to Quebec, passes through these counties, down the Nepisiguit to Bathurst, and from thence to a point above Campbell Town, and when opened, will soon render this section of country in an agricultural point of view, the most valuable and prosperous of any in the province.

The vast tract lying between the Restigouche and the St. John Rivers, containing several millions of acres, presents a wide field for settlement, and which could be opened and made available as soon as a sufficient number of approved settlers were found to enter upon and cultivate the land.

In addition to the ungranted wilderness lands, there are always in different parts of the province, improved lots, with dwelling-houses and barns, which can be purchased at a reasonable rate; and if an agency were established for the purpose, a great number of emigrants could be provided with such lots, at a cost ranging from one to five pounds currency per acre, including the unimproved land.

To persons possessing 150 l. and upwards, this course would be most desirable for themselves, and most advantageous to the province, should the purchasers be skilful agriculturists, as in such case, any improved system they might introduce would soon recommend itself, and be adopted by those around them.

Notwithstanding the defective system of agriculture generally pursued in the province, the average produce per acre is large, which proves the natural strength and fertility of the soil; but in those cases where the system of rotation has been adopted with high cultivation, the average produce will compare with some of the best districts in Great Britain.

Take, for example, the following crops per acre, which have been produced in different parts of the province:—

Wheat	-	-	-	40 bushels, some weighing 68 lbs. per bushel.
Barley	-	-	-	40 "
Oats	-	-	-	60 "
Indian Corn	-	-	-	75 bushels per acre.
Buckwheat	-	-	-	75 " "
Peas	-	-	-	40 " "
Turnips	-	-	-	1,000 " "
Potatoes	-	-	-	800 " "
Carrots	-	-	-	30 tons.
Mangel Wurtzel	-	-	-	30 "

Having briefly pointed out the most eligible sites for settlement in different parts of the province, and touched upon our varied resources, we would submit a few observations and suggestions upon the important subject of the sale and settlement of the ungranted lands; and

and should they be considered worthy of adoption, a Bill will be prepared to lay before the Legislature to authorize the Government to carry them into effect. NEW BRUNSWICK.

The allotment of the public lands has heretofore been frequently characterized by some great defects; the evil consequences of which, though not fully developed, are already grievously apparent.

First in order is the extreme length of the lots, as in the Kingsclear and Mangerville grants, where they extend back from the river seven miles, and in many instances are but 30 rods wide.

Secondly, the sale of large blocks of valuable land to those who are not disposed to improve, but are holding them for sale at some future day, when they shall have acquired an additional value by the labour of the hardy settlers in their vicinity.

Thirdly, the absence of continuous and connected surveys of near lots, whereby the settlers are often detached from one another, and labour under difficulties which would have been prevented by the survey and sale of contiguous allotments.

These defects are now so manifest, that they imperatively require such a course to be pursued as will avoid them for the future.

In surveys hereafter to be made, something like the concession system of Canada, or the township plan of the United States, should be adopted whenever practicable.

The lots should be of less magnitude than heretofore, and large sales to those who do not intend to settle and improve, should be most carefully avoided.

The accompanying plan* has been suggested by Mr. J. A. Beckwith, of the Audit Office, a practical surveyor, and is strongly recommended as the best that can be devised for future settlements.

* See Earl Grey's Despatch on this subject, No. 127, 10 May 1849, at page 68.

Each square mile gives eight lots of 80 acres each, and when occupied and improved will present a compactness of settlement and neighbourhood which is on every account most desirable, while the contemplated "reserves" for schools and churches will place those buildings within a mile and a half of every settler.

Recommending this plan of survey and allotment for adoption, the next point is—the sale and mode of payment.

Viewing our wilderness land as a raw material, which is only rendered valuable by the application of labour, and considering that the addition of every industrious settler largely enhances the productive value of the province, it is deemed of more importance that our wilderness land should be at once brought into cultivation, even without producing a direct revenue from the sale, than that it should remain in its present unproductive and comparatively valueless condition.

But it is not considered that the free granting is necessary to ensure its early occupation and improvement, as it may be so disposed of as to yield a large return to the province, and yet be less difficult of acquisition by the settler than under the present system.

It is universally admitted to be indispensable to the prosperity of every settlement, that it have good roads of communication; and the Provincial Legislature, prompted by this consideration, has from time to time appropriated large sums of money for roads even in districts where the population is scattered; so that, in fact, many parts of the province have received more public money towards the making of the roads than has been paid to the revenue for the purchase of lands through which those roads pass.

It will be in vain to expect that our millions of ungranted acres will be disposed of for centuries to come, unless opened up by roads; and as the provincial revenue is not in a condition to advance a sufficient amount for the purpose, it becomes necessary, nay, indispensable, to devise some other mode whereby the roads may be opened and the settlement at once proceeded with.

The question then arises, can the land be made to open the roads? This may undoubtedly be accomplished; but in order that it may be done effectually, the utmost caution and the most stringent regulations will be required, and every failure of performance on the part of the settler must be followed by absolute forfeiture, and the allotment resold.

The price recommended for a lot of 80 acres is 4s. per acre; which will give 16 L.; of this amount, but 1s. per acre, amounting to 4 L., should be paid on the application being complied with, which will be sufficient to cover the expense of survey, preparing the grant, &c.; the remaining 12 L. to be paid by the settler in labour upon the roads, as near as may be to his own lot; not by day's work but at a stipulated rate per rod, and to be performed according to such specifications as may be furnished by the Government.

It is recommended, however, that the grant should not issue until, in addition to the road-work, at least four acres of the lot be cleared and put into crop, and a house built thereon; and upon a certificate being produced to the Government, properly vouched that the work has been satisfactorily performed on the roads, and the other conditions fulfilled, the grant shall

NEW BRUNSWICK. shall immediately issue. The settlement duties should be performed within two years from the date of the application.

Supposing that 32 settlers were to take up four miles on the centre road, as in the accompanying plan; if there were no expensive bridges to build, their proportions of labour, at 6s. per rod, would make a good road of 18 feet wide, between ditches, for the whole distance.

This price, as compared with the average auction rates, would be a liberal allowance, and thus each allottee would be required to make 40 rods of road, and two opposite settlers would complete their road across their whole front.

In laying out such a settlement, great pains should be taken in fixing the line of the first main road, so as, if possible, to make it straight, and still carry it through a good tract of land.

A body of settlers coming out to take advantage of the above system, should arrive here early in June, and, under judicious advice and directions, they could open the road by removing the trees, chop down four acres each, preparatory to crop the following spring, and put up a log-house before the winter season.

The road thus cleared of trees would answer for the winter, and could be finished during the next summer after the crops were in, so that within 18 months each settler might entitle himself to his grant, have a good road, and gather in his first crop.

If the settlers had the money to spare, they could employ labourers to do their road-work for two-thirds, or probably one-half of the rate above-mentioned; and in such case they could apply their own labour to the clearing of their lots and the erection of their houses.

But whatever regulations may be devised, and however advantageous may be the site selected, every thing will depend upon the character and conduct of the settlers. If they are sober and industrious men, and determined to succeed, they will soon acquire a comfortable independence, and be contented and happy.

But if, on the other hand, they are persons of idle and intemperate habits, they will be sure to fail, and ultimately become a burden to the province.

Hundreds of instances could be particularized of men who have gone back into the wilderness, at the time far from roads and settlements, with no capital but their industry, and no implements but their axe, who are now in independent circumstances; their farms well cultivated, their barns and cellars filled with produce, and now surrounded by others, who, following in their track, have also made for themselves a comfortable home in the wilderness.

Blessed with a healthy climate and a fertile soil in this country, every industrious agriculturist can live and thrive.

Go where you may throughout the province, and a farmer cannot be found who has applied himself exclusively to his agricultural pursuits, who is not in a comfortable and thrifty condition; while there are many who, from a generous soil, have accumulated a large amount of property and are in affluent circumstances.

(signed) *L. A. Wilmot.*
J. R. Partelow.
W. B. Kinnear.

3 January 1849.

Enclosure 2, in No. 1.

HARVEY SETTLEMENT.

Report from Honourable *L. A. Wilmot*, Commissioner for Harvey Settlement.

Encl. 2, in No. 1.

May it please your Excellency,

Fredericton, 9 February 1844.

I HAVE the honour to lay before your Excellency a Statistical Return of the Harvey Settlement for the past year, including also the new settlers in the rear lots.

The great success which has followed the labours of these industrious and valuable settlers, is an unquestionable proof of what may yet be done on our millions of wilderness lands.

The Return shows that from land where not a tree had been felled in July 1837, there have been taken, during the past autumn, 260 tons of hay and straw, and 15,000 bushels of grain, potatoes and turnips.

It

It is desirable that the accompanying Return may be circulated among the settlers' friends and countrymen in the north of England, as well as in other parts of the United Kingdom, so that the capabilities of our new land soil may appear, and that it may also be made known that we have at least 5,000,000 acres yet undisposed of—a great portion of which is of better quality than the land at Harvey, whereon the sober and industrious emigrant may create a home under the protection of British laws, and in the enjoyment of British institutions.

I have, &c.
(signed) *L. A. Wilmot,*
Commissioner.

His Excellency
Sir W. M. G. Colebrooke, K. H.,
&c. &c. &c.

RETURN of HARVEY SETTLEMENT for the Year 1843.

NAMES.	Acres in Crop, 1843.	Acres new Land for Crop next Year.	Acres in Meadow this Year.	Acres in Pasture.	Tons of Hay.	Tons of Straw.	Bushels Potatoes.	Bushels Wheat.	Bushels Oats.	Bushels Barley and Buckwheat.	Bushels Turnips.	Bushels other Roots.	Cows.	Oxen.	Horses.	Sheep.	Swine.	Young Cattle.	Dwelling-Houses.	Barns.	Other Out-Houses.	Number in Family.	Estimated Value of Land and Improvements.		
																							£.	s.	d.
William Embleton	6	3	3	1	3	3	300	12	100	6	3	1	2	-	-	4	2	2	1	1	-	7	60	-	-
James Mowatt	8	4	8	3	3	3	300	4	90	14	-	-	1	-	-	4	3	2	1	1	1	4	100	-	-
William Messer	14	8	12	3	5	5	400	6	250	31	-	1	2	-	1	7	4	1	1	1	2	8	155	-	-
Thomas Herbert	16	10	12	6	14	5	600	13	250	34	70	3	4	1	2	7	6	2	1	2	4	8	180	-	-
John Cockburn	6½	5	4	12	3	2	40	5	50	18	4	1	1	1	1	5	5	1	1	1	3	7	118	-	-
David Letford	6½	4	7	2	6	4	200	12	70	1	6	1	2	2	1	2	2	1	1	1	2	6	100	-	-
John Thomson	15	10	12	2	12	6	700	16	300	50	6	3	2	2	1	3	9	3	1	1	10	165	-	-	
Robert Wilson	11½	5½	13	3	9	6	200	8	130	8	13	1	1	1	1	3	3	3	2	1	5	5	150	-	-
Henry Craigs	6	5	6	1	3	3	100	5	120	14	9	1	2	2	1	2	2	1	1	1	5	5	130	-	-
William Bell	8	4	3	1	1	1	200	12	100	42	1	1	1	1	1	2	2	2	1	1	2	6	92	-	-
Thomas Mowatt	5	1½	14	6	2	2	160	7	20	16	-	-	1	1	1	1	2	2	1	1	2	2	150	-	-
James Wisbet	10	4	2	1	1	4	150	15	100	44	-	-	1	1	2	5	5	1	1	1	8	8	100	-	-
Alexander Hay	6½	2	6	1	1	1	60	4	50	-	-	-	2	2	1	3	3	3	1	1	3	4	150	-	-
Andrew Montgomery	11	5	7	2	6	6	400	24	200	48	6	3	1	2	1	8	4	1	1	1	3	5	135	-	-
Matthew Percy	9	5	6	4	3½	4	200	19	100	7½	3	1	2	2	1	4	4	1	1	1	8	8	126	-	-
James Corne	6½	3	3	1	3	3½	235	12	90	26½	2½	1	2	2	1	2	2	2	1	1	3	4	73	-	-
Thomas Kay	4	3	2	1	2	2	150	4	70	10	10	1	2	1	1	1	3	3	1	1	1	3	75	10	-
George Davidson	5	2	6	2	2	2	80	8	80	11	1	1	1	1	1	3	3	1	1	1	1	2	90	10	-
John Scott	8	4	5	5	8	6	300	15	100	15	12	3	3	1	1	9	5	2	1	1	2	4	180	10	-
Thomas Percy	6	2	3	1	1½	2	200	7	50	25	1	1	1	1	1	2	2	1	1	1	1	7	92	-	-
John Carmichael	7	3	4	1½	6	3	300	4	100	15	10	1	2	1	1	3	3	1	1	1	2	6	135	-	-
John Wightman	10	5	10	5	5	5	300	6	100	8	10	1	2	1	6	7	5	1	1	1	2	8	130	-	-
John Nesbitt	10	3	-	-	3	3	300	5	70	15½	-	-	1	1	1	5	5	1	1	1	2	2	70	-	-
Robert Tait	10	4	6	1	5	3	330	16	100	15	-	-	2	2	1	4	4	1	1	1	2	3	120	-	-
William Patterson	10	6	4	-	3	3	450	25	230	30	10	-	2	1	1	7	7	1	3	1	2	11	130	-	-
William Robison	219½	111	158	49½	115	91½	6,955	270	2920	504	160	20	41	19	9	59	97	40	28	26	47	147	3,007	10	-
Robert Embleton	7	4	1	-	1	4	200	16	100	15	14	-	1	-	-	-	4	-	1	1	3	1	78	-	-
George Nesbitt	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	5	72	-	-
George Embleton	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
George Cockburn	7½	5	1½	-	1	4	200	12	130	8	-	-	1	2	-	-	2	2	1	1	1	4	100	-	-
James Swan	6	5	4	-	3	3	180	10	130	-	-	-	1	2	-	-	2	1	1	1	1	5	100	-	-
Thomas Briggs	14	13	4	-	4	7	700	20	300	-	3	-	1	1	-	-	35	3	1	1	1	1	149	-	-
Matthew Little	6	3	2½	1	2	1½	300	5	70	-	-	-	1	1	-	-	2	1	1	1	1	1	90	-	-
James Little	9	13	2½	3½	3½	6	570	-	240	-	-	-	2	1	-	-	2	2	1	1	1	1	133	-	-
William Little	4½	11	6	-	7	2	350	3	60	3	-	-	2	2	-	-	2	2	1	1	1	1	138	-	-
David Little	3	2	-	-	-	1½	200	-	50	-	-	1	1	1	-	-	2	2	1	1	-	3	64	-	-
A. Hughen	3	7	-	-	-	-	-	-	-	-	-	-	1	1	-	-	1	1	-	-	-	5	50	-	-
Luke Craigs	3	6	-	-	-	-	130	-	30	-	-	-	1	2	-	-	3	3	1	1	1	4	58	-	-
James Craigs	-	7	-	-	-	-	-	-	-	-	-	-	1	-	-	-	2	2	1	-	-	3	50	-	-
John Moffat	6	4	-	-	-	2	100	5	50	-	-	-	-	2	-	-	2	2	1	1	1	1	50	-	-
Thomas Brown	6	4	-	-	-	-	30	-	-	30	-	-	-	-	-	-	-	-	1	-	-	-	150	-	-
M. Gill	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
William Cockburn	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Robert Piercy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	72½	100	21	11½	23½	31	2,960	71	1160	56	17	1	13	8	1	3	72	16	13	10	7	35	1,282	-	-

REMARKS.—The estimated value of improvements is made up exclusive of the buildings, and no one settler would part with his lot at the stated value. There is a good school in the middle of the settlement, and the average attendance of scholars during the past year was 30. The settlers accompany the original Return with the following observations:—"The climate of New Brunswick agrees well with the constitution of Englishmen; the air is salubrious, and the water as pure and wholesome as any in the world. During the six years of our location there has occurred but two deaths, while there have been 39 births without the presence of medical aid.—Six years' experience have convinced us, that notwithstanding the privations to which new settlers are exposed, diligence and perseverance must ensure success."

9 February 1844.

(signed) *L. A. Wilmot,*
Late Commissioner

NEW BRUNSWICK.

RECAPITULATION.

	Old Settlement.	Back Settlers.	TOTALS.
Acres in crop - - - - -	219½	72	291½
Acres new land for crop next year - - - - -	111	100	211
Acres in Meadow - - - - -	158	21	179
Acres in Pasture - - - - -	49½	11½	61
Tons of Hay - - - - -	115	23½	138½
„ Straw - - - - -	91½	31	122½
Bushels Potatoes - - - - -	6,955	2,960	9,915
„ Wheat - - - - -	270	71	341
„ Oats - - - - -	2,920	1,160	4,080
„ Barley and Buckwheat - - - - -	504	56	560
„ Turnips - - - - -	160	17	177
„ Other Roots - - - - -	20	1	21
Cows - - - - -	41	12	54
Oxen - - - - -	19	8	27
Horses - - - - -	9	1	10
Sheep - - - - -	59	3	62
Swine - - - - -	97	72	169
Young Cattle - - - - -	40	16	56
Dwelling-houses - - - - -	28	12	41
Barns - - - - -	26	10	36
Out-houses - - - - -	47	7	54
Number of Souls - - - - -	147	35	182
Estimated Value of Improvements, exclusive of Buildings - - - - -	£. 3,007 10 -	£. 1,282 - -	£. 4,289 10 -

Fredericton, February 1844.

(signed) L. A. Wilmot,
Commissioner.

Enclosure 3, in No. 1.

TEETOTAL SETTLEMENT.

Report from Honourable L. A. Wilmot, Commissioner for Teetotal Settlement.

May it please your Excellency,

Fredericton, 25 January 1844.

Encl. 3, in No. 1.

I HAVE the honour of herewith laying before your Excellency a Tabular Return of the improvements, crop, stock, &c. of the "Teetotal Settlement," up to the close of the last year.

The results of this, the second effort in which I have been engaged, in forming settlements in the wilderness, have afforded me the most unmingled gratification.

Where but two years ago stood a dense forest, there have been gathered by 35 settlers during the past autumn 7,276 bushels of grain, potatoes and turnips.

The accompanying Return shows an estimated value of 1,137*l.* in buildings and clearings, and when there is added to this the market value of the crop, exceeding 800*l.*, we have about 2,000*l.* return (exclusive of the making of 4½ miles of road) from a tract of land, which, in its wilderness state, would not in the same time have produced one shilling.

I cannot now consider the successful occupation of our wild lands by associated bodies of settlers, having the privilege of making their own roads at a reasonable rate, as a doubtful experiment. No antagonist theory can prevail against the practical experience which can now be referred to.

Similar management must produce similar results, and I am well persuaded that no other system is so well calculated to promote the improvement of our millions of wilderness acres, and thus to advance the population and commerce of the province.

I have, &c.
(signed) L. A. Wilmot,
Commissioner.

RETURN

RETURN of THE TOTAL SETTLEMENT for the Year 1843.

NAMES.	Houses.	Out-Houses.	Acres Cleared.	Acres Cropped.	Bushels Potatoes.	Bushels Turnips.	Bushels Oats.	Bushels Wheat.	Bushels other Grain.	Cows.	Other Cattle.	Swine.	Number in Family.	Estimated Value of Improvements.
James Barrett - - -	1	1	2	2	crops lost	-	-	-	-	-	-	-	1	14
Daniel Donovan - - -	1	2	7	5	130	-	60	10	-	-	-	-	1	44
Richard Davis - - -	1	2	3	4	150	20	30	5	10	1	-	-	5	32
John Sullivan - - -	1	2	3	2	20	12	30	-	-	-	-	-	1	14
Michael Sullivan - - -	1	2	5	5	300	30	40	10	17	-	-	4	2	30
James Crane - - -	1	2	5	4	200	20	40	-	-	1	-	-	3	35
James Cailey - - -	1	1	4	2	-	-	-	-	-	-	-	-	1	25
Michael O'Brien - - -	1	-	5	2	50	12	-	-	-	-	-	-	2	24
Cornelius Clancy - - -	1	1	5	4	130	-	40	-	-	-	-	-	1	35
Cornelius M'Donald - - -	-	-	3	2	40	12	20	-	-	-	-	-	1	14
David Scanlin - - -	1	1	3	3	200	15	30	5	-	-	-	-	4	27
Michael Crowley - - -	1	1	5	3	100	-	25	-	-	-	-	1	2	31
Jeremiah Crowley - - -	1	1	6	4	200	20	30	-	-	1	-	1	4	37
James Gorman - - -	1	1	7	5	300	25	45	12	-	1	horse	3	2	43
Owen Smith - - -	1	1	5	3	140	12	40	-	-	-	2 horses	-	1	31
Daniel O'Brien - - -	1	1	4	4	200	12	50	4	-	-	-	-	1	33
John Mahony - - -	1	2	4	4	200	20	30	-	-	1	-	3	5	33
Dennis Riorden - - -	1	1	5	3	180	15	25	-	-	1	-	-	2	31
John O'Brien - - -	-	1	4	3	150	-	20	-	-	-	-	-	1	23
George Wynne - - -	1	1	5	4	140	20	-	9	-	-	-	3	1	33
Miles O'Leary - - -	-	1	4	-	-	-	-	-	-	-	-	-	-	8
Simon O'Leary - - -	-	-	5	3	-	-	-	-	-	-	-	-	-	22
Michael Mahoney - - -	1	2	5	3	150	12	30	-	-	-	-	1	4	31
Daniel Hurley - - -	1	2	4	3	120	15	20	8	-	1	-	2	4	29
John Driscoll, 1st - - -	-	-	3	2	-	-	25	-	-	-	-	-	-	14
James Driscoll - - -	1	1	5	4	150	-	25	-	-	-	-	-	1	35
Daniel Coughlan - - -	1	2	5	3	130	12	20	-	-	-	-	-	5	31
Jeremiah Donovan - - -	-	-	3	2	-	-	-	-	-	-	-	-	1	14
John Driscoll, 2d - - -	1	1	5	3	130	13	20	-	-	1	-	-	3	31
John Barry - - -	1	1	6	4	230	20	40	10	-	-	-	1	3	37
Edward Connor - - -	1	1	5	3	200	15	25	-	-	-	-	1	4	31
John M'Curdy - - -	1	1	4	3	200	20	-	-	-	-	-	1	4	29
Daniel Sullivan - - -	1	1	6	4	150	15	25	6	10	-	-	-	4	37
John Kingston - - -	1	1	4	2	100	12	15	-	-	1	-	2	6	25
Timothy Daly, 1st - - -	1	1	5	4	250	20	30	6	-	1	-	-	4	35
John Coughlan - - -	1	1	5	4	300	20	40	10	-	1	-	1	4	35
John Russel - - -	1	2	4	5	330	25	40	-	-	-	-	1	2	37
Timothy Daly, 2d - - -	1	-	3	3	200	20	30	-	-	-	-	1	3	24
James Mahon - - -	1	-	3	2	100	-	16	-	-	-	-	2	7	20
Henry Wynne - - -	-	-	3	2	130	-	20	-	-	-	-	-	1	14
TOTALS - - -	33	41	177	127	5,700	464	980	95	37	11	3	29	101	£1,137

REMARKS.—The valuation is exclusively confined to the improvements, and does not include the purchase-money to the Crown. In making up the estimate, each house is valued at 6*l.*, out-house, 3*l.*, and 4*l.* per acre is allowed for the land thoroughly cleared, and 2*l.* per acre for that only partially cleared.

RECAPITULATION.

Houses - - - - -	33	Oats - - - - -	980
Out-houses - - - - -	41	Wheat - - - - -	95
Acres cleared - - - - -	177	Other Grain - - - - -	37
Acres cropped - - - - -	127	Cows - - - - -	11
Bushels Potatoes - - - - -	5,700	Horses - - - - -	3
Turnips - - - - -	464	Swine - - - - -	29

TOTAL NUMBER of SOULS in the SETTLEMENT - - - - - 101.

(signed) L. A. Wilnot,
Commissioner.

(No. 32.)

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to Earl *Grey*; dated Government House, Fredericton, 31 March 1849.

(Received, 1 May 1849.)

No. 2.

Lieut.-Governor
Sir *E. Head* to
Earl *Grey*.
31 March 1849.

“ OF all the colonies of England which present any field for settlement, New Brunswick is accessible at the cheapest rate. Its climate is vigorous, but perfectly healthy; no emigrant brought here with his family could complain on that score. The sum required to take a man with his wife and two children to Australia would far more than defray his passage hither, and give him a fair start on his own resources, with a log hut and a crop in the ground. I am supposing that by an arrangement, which in connection with a railroad could be made on a large scale, a certain number of rough log huts were built, and a certain number of patches of ground tilled and planted in the spring before the emigrant arrived, so that he might derive from the crop thus raised the means of living through the first winter.

“ Fuel is at his door, and although hard work and hard fare would be his lot, it is evident that if he were thus able to wait for the commencement of railroad work in the following year, he would have a clear course before him. The annexed memorandum marked (A.), contains a rough estimate of the probable cost of making the preparations necessary for receiving and housing an emigrant family in the first winter.

“ All this, however, would require great care. The men must be *bonâ fide* able-bodied labourers; they must not be burthened with excessive families, or with aged or sickly relatives, and they must be selected by some person strictly responsible for their fitness. Without these precautions, the scheme would inevitably fail, and would be unjust to the colony as well as to the men themselves. The better plan would be to offer them a certain number of acres of land on which they should be placed on their first arrival, on the express condition that they worked at wages on the railroad for a given time; say, three years, and that their conduct during that time was good. The grant of the land should not issue until that time had expired, but they should in the interval occupy only on sufferance, and be allowed to clear and till whatever their spare time enabled them to deal with. It would be necessary that rather arbitrary powers of control over these individual labourers should be vested in the persons entrusted with the construction of the line, and a system of marks, accelerating or postponing the time for conveying to each his right of property, might easily be devised. Some provision for public worship and for a school at certain central spots would also be essential.

“ I do not delude myself with the expectation, that settlers of the higher or middle classes would be obtained in this country, and in this manner. In fact I believe that no considerable emigration of these classes in a mass ever took place in ancient or modern times, unless under circumstances totally different from any now existing. A political quarrel among the parties of a Greek city, or religious or political persecution of the rich as well as the poor in the mother country, have driven the higher and middle class to emigrate in a body to new countries, and similar causes would again produce similar effects, especially if they could, as was formerly done, carry with them or acquire by plunder slaves to perform the hard work for them; such were the exact circumstances attending the colonization of this very province by the American Loyalists in 1784.”

Enclosure in No. 2.

Encl. in No. 2.

AVERAGE produce of an acre of potatoes, first year of clearing, planted amongst the stumps?

The land being good, well cleared and cropped, 200 bushels might be looked for.

Average cost of clearing half an acre, burning the rough wood, and fitting the land for planting?

Good hard wood land would take 10 or 11 days to prepare it for crop, and if done by the job, would cost from 3 l. 10s. 10d. to 3 l. 15 s. per acre.

Quantity of seed for half an acre of potatoes?

The seed being carefully planted, 10 bushels would be required, at say, 2s. 1 d. per bushel.

Rate

Rate per day of labour if hired ?

In a short period, 3 s. 4 d. without board, and 2 s. 3½ d, with board.

Average cost of rough log hut ?

A log hut, 18 × 12 feet, shingled, but without chimney or flooring, would cost 8 l. 6 s. 8 d., including two windows and one door; a hut of the same dimensions, with chimney, double flooring and ceiling, with a cellar, would probably cost 15 l., or 16 l. 13 s. 4 d.

— No. 3. —

(No. 39.)

Copy of a DESPATCH from Lieutenant-Governor Sir *E. Head*. Bart., to Earl *Grey*.

Government House, Fredericton,
13 April 1849.

(Received, 1 May 1849.)

No. 3.
Lieut.-Governor
Sir *E. Head*, to
Earl *Grey*,
13 April 1849.

My Lord,

I HAVE the honour to transmit to your Lordship a copy of a Report upon the present state of the Crown lands in this province, which has been made by the Surveyor-general, and laid before the Legislature during the present session.

I have, &c.

(signed) *Edmund Head*.

Enclosure in No. 3.

REPORT of the SURVEYOR-GENERAL of *New Brunswick*, upon the present state of the CROWN LANDS, with suggestions for their more efficient and ready settlement, and for rendering that branch of Public Property more advantageous and profitable as a source of Revenue.—(Laid before the House of Assembly by command of his Excellency Sir Edmund Walker Head, Bart., Lieutenant-governor, &c. &c. &c.) Encl. in No. 3.

May it please your Excellency,

Surveyor-General's Office,
7 February 1849.

IN November 1847, I was called upon by his Excellency Sir William Colebrooke, to submit to him a report on the state of the Crown lands of this province; which report was laid before the Honourable the House of Assembly on the 28th January 1848, and with that document I believe your Excellency is already acquainted.

As the time however appears to have arrived when the voice of those will be heard who desire to promote the agricultural interests of the province, and render it less dependent on foreign countries for bread-stuffs, I trust I may be excused, if, in submitting to your Excellency this Report of the transactions of the land department during the past year, I shall exhibit some statistics connected with the improvement and permanent settlement of the province; and should my remarks be considered as scarcely belonging to me officially, I have to crave your Excellency's indulgence, and if it be a fault, that it may be attributed to the love I bear the province, and not to any attempt impertinently to interfere in matters which do not strictly appertain to my office.

The transactions of this department may be classed under three heads; viz.—Lands, Timber and Minerals.

The number of petitions received for the purchase of land from 1st January 1848 to 1st January 1849, is 969, which, on an average of 100 acres each, would comprise 96,900 acres. Of this number, 838 have required to be surveyed at the expense of the applicant, of which 510 are not yet returned as surveyed, and consequently no further action has been had upon them. The total number of acres which have been surveyed within the year is 31,350, at a cost to the applicants of 831 l., averaging about 6½ d. an acre, or 2 l. 14 s. 2 d. per lot of 100 acres, a sum far exceeding that for which the same work could be performed by the Government under a systematic arrangement of survey.

Having so frequently entered my protest against the present mode of allowing every person to cause a survey to be made of Crown lands in any shape and in any position he may see fit, upon which, in too many cases, no money is paid into the revenue, I have nothing more to urge at the present moment beyond the assertion, that the man does not live on the face of the earth who can correctly compile those surveys; and the truth of this will one day appear.

The whole quantity of land purchased during the year 1848 amounted to 26,761½ acres, of which 14,777 acres have been paid for in full, and upon which 1,789 l. 19 s. 3 d. have been received; leaving 11,984½ acres which have been sold under the instalment system, and upon which 473 l. 3 s. 4 d. have been received.

I feel it my duty at this place to state, that no less a sum than 22,831 l. 13 s. 3 d. appears, by the books of my office, to be still due upon previous land transactions, but many of the original purchasers (I have reason to believe) have abandoned the land and left the country, and yet their names still remain on the books and plans of this office, as having a

NEW BRUNSWICK. claim to the land in question. The area covered by their claims cannot be less than 150,000 acres.

In addition to the above quantity of land, most of which is held in breach of the conditions of purchase, I have to report, that from returns made to me, I estimate that no less than 1,600 heads of families have taken unauthorized possession of Crown lands, comprising an extent of 168,000 acres, which, at 3s. per acre, may be reckoned at 25,200*l.*

These two items therefore present the sum of 48,121*l.*, upon which but little interest is paid, and only a small portion of the principal, to all appearance, will ever reach the Provincial Chest.

I am far from wishing to deal harshly with actual settlers upon the waste lands of the Crown, and I would cheerfully bestow 50 acres upon every man who is or should be willing to become an actual and permanent settler; but while I would extend this consideration to the *bonâ fide* settler, I cannot think that it is dealing fairly with the man who purchases and pays the whole amount down, agreeably to the Government regulations of May 1843, to allow unauthorized possession of any extent of the Crown lands; because it is, in fact, lowering the value of the land to him who bought and paid for it according to regulations, to permit its gratuitous occupation by another who sets laws and regulations at defiance.

It is, I am aware, a difficult question to deal with, but it is equally certain that the longer its settlement is delayed, the more embarrassing will it become.

The great impediment to the due administration and management of the Crown estate for some years past, has appeared to me to have been the dread of incurring expense, because, however judicious the expenditure may be, objections are easily raised, and the measure is condemned before its results could possibly be ascertained; hence the reluctance of the Executive Government to embark in any general and extensive measures for the amelioration of the province, as connected with its wild lands, and the settlement of the wilderness, is attributable to the labour of the squatters, and those few settlers who are honest enough to pay for the land they have purchased and occupied.

It may be considered as a fact, that this province presents eight millions of acres of vacant Crown lands, of unexceptionable quality, fit for agricultural purposes; and the question has to be determined whether this valuable estate shall be thrown open to improvement by a judicious expenditure of the public money in roads and surveys through the most eligible tracts, so as to connect distant settlements, and encourage the occupation of the intervening spaces, or whether the mere squatter shall be permitted to continue, in point of fact, the chief engineer of the province, for it is undeniable that, wherever these poor people settle, there the Bye-road Money soon finds its way.

It is right that the poor man should receive all the assistance that the public funds are able to afford in improving that home in the wilderness, in which he must suffer so many bitter privations; but while the Crown estate has been given up to meet the expenses of the Civil List, the public at large have a right to demand that those resources should be duly cared for, judiciously developed, and fairly administered for the general good.

It has ever appeared to me to be unreasonable to suppose that a vast estate, comprising an area equal to that of Ireland, can possibly be advantageously and properly managed without the annual expenditure of a considerable sum of money; and experience has shown, that when the expenditure was the greatest, the revenue was also in the same proportion.

That the province is worthy and capable of great improvement will not, I trust, be disputed, and that being conceded, it becomes a duty to inquire how those improvements can be most beneficially and economically effected.

I have always been of opinion, that the first step in the improvement of a wilderness country should be the construction of roads from one town to another, or from one settlement to another, as nearly in a right line as possible, having regard to the quality of the land through which the road should pass. With the view of acquiring all the information in my power to enable the Executive Government to deal with the question, I addressed the accompanying circular letter to many of my deputies, requesting information on the subject; and herewith I have the honour to append the fund of information I have received, accompanied by a map, more clearly to set forth and elucidate their views.

I am fully aware of the difficulties which have ever presented themselves in endeavouring to improve the country by any regular and systematic outlay of public money, the beneficial results of which may be deemed remote. Yet, it appears to me, that a valuable and extensive tract of land lying between Boies Town and Dalhousie, and between the Grand Falls and Newcastle, must remain an uninhabited wilderness for ages, unless aided by some such means. The distance from the Grand Falls to Newcastle may be estimated at 120 miles, and a road could be opened from one point to the other for about 125*l.* per mile, or 15,000*l.* for the whole distance. By connecting these two important sections of the country, a healthy stimulus would be given to both, and the increased value of the land would soon repay the cost; but if only 5,000*l.* were expended, and persons taking up land on the road should be permitted to pay for the same by work upon the road, allowing every alternate lot to be reserved for sale by cash payments, I cannot but think that the road could be so constructed, and the adjoining land be so improved, as really in a few years to leave a balance in favour of the undertaking.

The importance of connecting the upper part of this province with Miramichi would also, I think, be apparent, and productive of much good.

It may not be out of place here to state my opinion, that the low price of the Crown lands, instead of tending to settle the country, is really productive of a very opposite effect, so far as inducing emigrants of any capital to proceed to New Brunswick. Little is known

of this province in Britain beyond the fact of its exporting large quantities of timber, and having to depend almost entirely for its bread-stuffs upon a foreign country. It can, therefore, be scarcely expected that any of the surplus agricultural population, possessing any capital, should resort hither. We have no agents in any of the shipping ports or elsewhere, to explain to the people that we have millions of acres of excellent land in a healthy climate, open for their exertions.

It would almost appear that we require no addition to our agricultural wealth, and that our prosperity is insured so long as the lumber merchant can keep his British creditor contented by shipments of timber and deals. To whatever extent the province may in years past have benefited (and I fully admit that benefit has accrued to a certain extent), yet to make that trade our sole dependence is, in my humble opinion, folly in the extreme. It is with the view, therefore, of enabling the Executive Government to develop the agricultural resources of the province, that I have so far ventured to dilate upon the capabilities of New Brunswick.

As I before observed, we have eight millions of acres of good land to be turned to account. The question would naturally present itself, how are we to raise funds to improve this domain? I should say that there could be no difficulty in raising 100,000*l.* or 200,000*l.* upon security of this very estate, and by the judicious expenditure of that money the value of the whole could be so increased as to enable the province to repay the debt and interest.

The timber licenses for the past year, and which will expire on 1st May next, cover an area of 2,157 square miles, at an average rate of 16*s.* 8½*d.* per mile, producing to the end of the year 1,992*l.* 8*s.* The highest rate paid for any one lot was 20*l.* 1*s.* per square mile, being a license for nine square miles, situate on the left bank of the River St. Croix, about 25 miles above St. Stephen. The quantity of land under license in 1847 was 5,360 square miles, which produced the sum of 3,585*l.* 7*s.* 9*d.*, the highest price paid per square mile being 5*l.*, the whole quantity averaging only 10*s.* 5½*d.* per square mile. By the above your Excellency will perceive that the system of auction has this past year produced some beneficial results, having increased the rate from 10*s.* to 16*s.* 8½*d.* per square mile, although only 68 lots were contested.

The Export Duty Act, intended to alleviate all the evils under which the province suffered, has, to a great extent, proved highly injurious to the trade. The auction system in previous years has only been so in name, as the cases are rare where the revenue has derived any benefit therefrom; and as in the performance of my official duty I never could reconcile it to my ideas of common sense that 640 acres of well-timbered land should be permitted to be worked over for 12 months for 10*s.*, so I have always considered that a most pernicious stimulant was thereby given to the speculator in the lumber trade. The simple question may be asked, would any man in his senses so dispose of his private property, and if not, why should the public lands be so dealt with? The lumber trade should not be the only branch of industry receiving such protection, which, in practice, has proved injurious by enticing into the woods a larger amount of men and money than the market could possibly remunerate.

I pray your Excellency's pardon for these remarks, which, perhaps, may be considered as inconsistent with the subordinate duties required of a Surveyor-general; but I wish to raise my humble voice, now that the opportunity offers, of correcting the evil; for past experience has convinced me, that should such an improvement take place in the lumber market at home as would present the least prospect of profit, vast numbers of persons would again rush into the woods, in the vain hope of recovering what they had lost. Again the market would be overstocked, and again the same results would occur.

Independent of the prejudicial effects of the Export Duty Act, it is unjust in its operation; for whatever may be the intrinsic value of the commodity, the duty is the same. If, therefore, the export duty is still to continue, I cannot but hope that some more equitable scale may be established; for while the large square timber could well bear a much higher rate, the deals can hardly pay even 6*d.* per 1,000 superficial feet of one inch thick.

Numerous objections have been raised against the manner in which the Crown estate was managed previous to the year 1837. A reference to the accompanying statement of receipts for the last 20 years will, at least, show that the revenue for the first nine years, viz. from 1st January 1829 to 31st December 1837, amounted to 203,719*l.*, while that derived from the same source for the 11 subsequent years has only reached the sum of 145,357*l.*

The mining transactions of this department may be stated to be 23 leases now extant; viz. one in Gloucester, four in Carleton, two in York, two in Sunbury, six in Queen's, one in Northumberland, two in Kent, one in St. John, one in Westmorland, one in Albert, and two in Charlotte. The whole have realised the sum of 365*l.* 10*s.* Two rights only were sold during the last year, one for 35*l.* and the other for 5*l.* All these leases are held subject to the regulations which existed at the several periods when they were taken out.

I believe the province of New Brunswick possesses vast wealth in her minerals, and that in the course of several years a large revenue will be derivable from that source. Coal and iron of the best quality, as also plumbago, salt and silver, have already been discovered and only require the application of capital to work them to advantage; but I respectfully state my opinion, that for the next 15 or 20 years the utmost liberality should be extended to those who are willing to commence such enterprises; and I cannot conceal my belief that if the owners of all granted lands in the province were allowed five years in which to make discovery of any minerals within their respective grants, and permitted the right or pre-emption of taking out a lease for 100 years, upon certain conditions, that it would prove

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Although the revenue collected for the past year does not equal that of former periods, yet the whole result of the proceeds of the casual and territorial revenues from 1837 to the end of 1847, I am happy to say, leaves the province nothing to complain of, but really exhibits a balance in favour of the province after the payment of the Civil List, as will appear by the annexed statement taken from authentic documents; neither can I entertain the slightest doubt that, under proper management, the territorial revenue of the province would be far more than equivalent to the sum granted for the Civil List.

Herewith, also, I have the honour to transmit the detailed accounts of this department for the past year, which I trust will prove satisfactory.

I have, &c.

(signed) *Thomas Baillie*, Surveyor-general.

His Excellency Sir Edmund W. Head, Bart.,
Lieutenant-governor, &c. &c. &c.

CIRCULAR to DEPUTIES respecting the Formation of Roads, Settlements, &c.

Sir,

Crown Land Office, 16 November 1848.

THE importance of greater attention being paid to agriculture in this province has now become so apparent, that I consider it my duty to submit to the Executive Government the propriety of opening up various parts of the country for settlement. The practice which has prevailed for some years past of allowing every person to select his own land, without reference to any general plan or system by which the country at large would be benefited, in the formation of roads to connect the different settlements, has always appeared to me very objectionable.

While using my best endeavours, however, to supersede a system which I consider so pernicious, it may be considered my duty to suggest some more beneficial plan.

My experience has taught me, that in connecting, by roads passing through good land, two or more settlements already formed, you add to their prosperity, induce the occupation of the intermediate space, and give a superior character to the whole.

I am desirous, therefore, of receiving from you recommendations having those objects in view; and in doing so you will state particularly the settlements you propose to connect, the length of roads necessary for that purpose, the quality of the land, and the probable expense to be incurred in making the connexions, with the number and extent of the bridges which will be necessary, and the probable cost of construction.

In order to identify your interest with your recommendation, I beg to inform you, that should you be employed to make the survey of any number of lots of land on such lines of proposed road, I should recommend that you would not receive pay for your services until one-half of the lots should be taken up.

In forwarding recommendations of this nature, I do not think it necessary that the roads you propose should be in a straight line from one settlement to another, because I consider the quality of the land the primary object, and to that, of course, you will pay particular attention. I also wish that you note, at the same time, any other good tracts of land which you can recommend, and which you think, if surveyed, would soon be occupied.

I should wish to receive these suggestions from you by the 20th of December next.

I have, &c.

(signed) *Thomas Baillie*, Surveyor-general.

KING'S COUNTY.—Deputy *Fairweather's* Report.

Honourable Sir,

Springfield, 8 December 1848.

In obedience to your circular of the 16th ultimo, I beg leave to transmit you the following report thereon:

Your views relative to the importance of a greater attention to agriculture in this province, and your suggestion of a more beneficial plan of settling Crown land, I perfectly coincide with. The connecting, by roads passing through good land, two or more settlements, is of vital importance to the new settler—is the mainspring of encouragement to occupy and settle the intermediate space, even if the land, in part, should be of an inferior quality.

King's County does not embrace any large tracts of good land unoccupied; the largest tract lies between the road formerly opened between the head of Mill Stream and New Canaan Settlement and Spring Hill Settlement; there is good land on both sides of this road; the distance between those settlements is about eight miles, and embraces Thorn's Brook, &c. &c. In many parts of this tract there is good land for agricultural purposes, and in other parts the land is of an inferior quality; but there can be no doubt, that in case those settlements were connected by good roads, eventually the whole would be occupied. There is also some good land between the Baskin Settlement, north-east of Dutch Valley, and the
Mechanics'

Mechanics' Settlement. As I have never explored this section of country, all the information I possess is derived from other sources. I am also informed there is good land north-east of the old Shepody Road, and also south-east thereof, extending nearly to the bay shore, but I am unable to give any correct statement thereof.

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All of which is respectfully submitted, &c.

Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

(signed) *Samuel Fairweather,*
Local Deputy, King's.

ST. JOHN.—Deputy *Cunningham's* Report.

Sir,

St. John, 29 November 1848.

I HAVE the honour to acknowledge the receipt of your circular letter of the 16th instant, to which I now proceed to reply.

At the eastern extremity of the county of St. John a considerable stream, called Goose River, empties into the Bay of Fundy; at its mouth there is a good harbour, well sheltered, where vessels can lie at all times in perfect safety. There is in this harbour an admirable site for ship-building, and it would form a good station for prosecuting the fisheries in its vicinity.

I propose that a road should be laid out from this harbour, up the valley of Goose River, and wholly on the western side of that river, to the southern range of lots in the Mechanics' Settlement.

From the harbour to a point on the Shepody Road, where my survey in 1842 connected with that road, is about 12 miles, in which distance no bridge would be necessary.

After leaving the sea-coast the road would pass along a table-land, covered with heavy timber, and possessing a deep soil of good quality. The country is well watered, and in every respect fit for settlement and cultivation.

At about half the distance from the bay to the Shepody Road, the road I propose would intersect and cross a new road running easterly from the Londonderry Settlement to Shepody, and a communication would thus be opened with both those settlements.

The proposed road would be of great advantage to the Mechanics' Settlement, by opening a short and easy communication with the sea, at a safe harbour.

In the southern ranges of the Mechanics' Settlement, the best land in that settlement is to be found; but very little of it has yet been taken up, owing to the want of access; as this fine tract would be laid open by the proposed road, it would soon be sold and settled, while the whole settlement would be benefited in every way.

I may mention, that I recently left the harbour of St. John at 10 o'clock, A. M., in a pilot boat, and with a moderate breeze reached the anchorage at Goose River at 6 P. M.

The advantage of such a water communication between the city of St. John and the Mechanics' Settlement, as well as with all the rest of the wilderness country in its vicinity, cannot be too highly appreciated.

I have reason to believe that a similar line of road from the mouth of Point Wolfe River, up the valley of that river, to the interior, might be laid out with great advantage, but as it is not within my district, I merely allude to it.

There is considerable vacant land at the western extremity of this county as yet almost unexplored and unknown. As there are no settlements with which it could be connected advantageously, I am unable at present to make any recommendation respecting it.

My experience in land surveying leads me to concur most fully in your views of the most objectionable practice of permitting individuals to select land under warrants of survey after the fashion now in use.

Instances have come under my notice, where a party, by selecting 100 acres of choice intervalle land on the banks of a river or stream, has so located it as to prevent the sale of any land in the vicinity, or the formation of a settlement in an eligible situation.

The party thus securing the first 100 acres, virtually obtained the control of the whole district; such practices cannot be reprehended too strongly.

I have, &c.

The Hon. Thomas Baillie, Sur.-gen.

(signed) *John Cunningham.*

ALBERT COUNTY.—Deputy *Stiles*' Report.

Sir,

Hopewell, 8 December 1849.

IN conformity with your honour's commands respecting a circular dated the 16th day of November, 1848—

There is no part of the county of Albert where a road would be of more importance than from the Shepody Road, to commence near where the road from Salmon River comes into the Shepody Road, and extending north to Coverdale River, a distance of about five or six miles, as the land is very level, and of an excellent quality for settling, and it would open a short and convenient communication for all the settlers in the parish of Elgin to the County Buildings, and also to the Shepody River and Salmon River, where it is navigable for vessels all seasons in the year. There would be no bridges of any consequence, or very little swampy land, and the road might be made on a north line till it comes near the banks of the Coverdale, and the lots laid out east and west; and I am of an opinion that this road might be made for about 100 L. And if once opened, it would be immediately settled, and would be of more benefit than all that contemplated line of road from the Ferry Point to the Mechanics' Settlement. And as the road from Hopewell to Hammond River runs so near the heads of the streams leading from the bay shore to clear the vaults, that there is nothing to prevent running a number of roads back on a north line to the Coverdale River, through a large level tract of land, and the best land for settling in the county; and if roads were once opened through this tract, I think it would be immediately settled, as the land to the north of the road leading from Hopewell to Hammond River, near the Coverdale River, is far superior to the land on that road; and if laid out with roads running north and south, would be quite convenient to harbours on the bay shore, and would connect the parish of Elgin to Harvey and Hopewell, and shorten the distance about 40 miles from the road now travelled, round by Hillsborough.

The opening of a road from Point Wolf, down the bay shore, to connect with the road leading up the bay from Quaco, would open a road to the harbours, and then by extending roads north between the streams, would open roads through a large tract of wilderness land, which, I think, would be shortly settled, as your Honour will see, by the land on the bay shore from Roshea to Point Wolf, as fast as the road is made down the shore, it is immediately settled, as a great part of the land is of good quality for settling.

The old system of laying out roads is for a few settlers to go into the wilderness, and take up their land, and then mark out a road to the nearest settlement they can get, and then call upon the Commissioners to establish the same, without any reference of opening roads for other settlers, when, if the roads were properly laid out by the system proposed by your Honour, it would open roads for other settlers, and prevent the great waste in expending the public money by so many different alterations, as your Honour will see pointed out in my Report on roads in February 1847.

I have, &c.

(signed) *Reuben Stiles*, Local Deputy.

The Hon. Thomas Baillie, Sur.-gen.,
&c. &c. &c.

CARLETON COUNTY.—Deputy *Harley*'s Report.

Sir,

Grand Falls, 20 December 1848.

IN reply to your circular of the 13th November, I beg to acquaint you, that I have endeavoured to obtain all the information that I possibly could, respecting the new settlements of this locality—

1st Settlement commences about two miles above the Grand Falls, on the easterly side of the River St. John, on the second and third tier of lots.

2d Settlement	-	-	-	-	6 miles above the Grand Falls.
3d Settlement	-	-	-	-	14 miles above the Grand Falls.
4th Settlement	-	-	-	-	20 miles above the Grand Falls.
5th Settlement	-	-	-	-	26 miles above the Grand Falls.
6th Settlement	-	-	-	-	32 miles above the Grand Falls.

From the superior quality of the excellent tract of country lying between the 1st and 4th settlements, I have every reason to believe that the intermediate spaces will be taken up before 12 months. From what I can learn, we shall have the greater part of young Frenchmen (who are now living on the American side), locating themselves on our back settlements.

The intervening rivers between the first and fourth settlement are the Sagasse and Grand River. To bridge Grand River would cost about 200 L., and Sagasse about 100 L.; and opening 20 miles of road from the Grand Falls to the fourth settlement, 12 feet wide, from the roots of the trees upwards, would average about 1 s. 6 d. per perch, is equal to 480 L. for 20 miles. It would not be necessary to bridge the above rivers until the lands were settled about three tiers deep.

In

In all my travelling through the interior of this province, particularly in the north-eastern part of it, I have not met with such a large tract of beautiful country as that lying between the Salmon River and Green River, extending back about from 10 to 15 miles, thence extending itself on a parallel course with the River St. John upwards of 30 miles. Allowing a fifth of this tract for waste land, which may not be, probably, fit for settlement, it would be capable of containing 2,300 families, giving to each family 100 acres. * * *

In order to afford a facility of improvement in this section of the country, it would be essentially necessary to bridge the main River St. John, about 200 yards below the great pitch of the Grand Falls, the cost of which would be amply paid in a very short time by the sale of the Crown lands, and the other additional revenues that would arise therefrom.

* * * * *

I have, &c.

(signed) *Michael Harley*, D. L. Surveyor.

The Honourable Thomas Baillie.

GLoucester COUNTY.—Deputy *Carruthers*' Report.

Sir,

Bathurst, 8 December 1848.

In reference to your circular of 16th November last, the receipt of which I have the honour to acknowledge, I beg to state that the evils flowing from the present scattering mode of settlement, and the benefits to be derived from concentration, have been generally admitted on all hands. The appropriations for roads are generally found insufficient to complete the necessary communication for any one new settlement, while partial attempts are made to many. This is found a great obstacle to the favourable progress of new settlers.

If a system of concentration be adopted in Gloucester, I would recommend the following tracts, as they possess the advantage of rich soil and convenience to market, viz:—

A line of road from Teague's Brook, connecting the settlements on the bay shore with the settlement on the Innishannon Brook, and thence to the upper part of Caraque Settlement, would pass through a fine rich tract of country, and if surveyed, would be speedily occupied. Distance from Teague's Brook to Smith's, on the Innishannon, six miles; thence to the Caraque Settlement about seven miles. This road, if opened, would form the great road of communication from Bathurst to the Ports of Caraque and Shippegan. The bridges required on this line would be small in extent, three in number, and probable cost, 40 *l*. The land extending south from the Innishannon, and the south branch of Caraque to the Pockmouche River, are of a superior quality, and I think, if a portion of them were surveyed, would soon be occupied. The road leading from Smith's, on the Innishannon, to the bay shore, passes through a good tract of land, and if surveyed, would readily be occupied.

A prolongation of the line of road leading through the Rose Hill Settlement, on the south side of the Tattagouche River, would open up a fine tract of country, being only a short distance from the town of Bathurst. If surveyed, this tract would be settled at once; only one small bridge would be required; cost, 6 *l*. to 8 *l*.

A disposition seems general to settle the district of land stretching from the Nigado River to the St. John's Settlement in rear of Green Point; this is also a desirable tract of country, and doubtless would be speedily settled, if communication through it was opened up—distance four miles; a road might also connect this tract with the bay shore—distance two miles. One bridge only would be required across the Elm-tree River; probable cost, 20 *l*.

From the Anderson Settlement, in rear of Belle-dune, a road may be extended to connect with the settlements west of the line dividing the counties; this would open up a good tract of land, and induce to the settlement thereof; distance four miles.

A line of road from Smith's, on the Middle River, passing through block 12, range 14, on Little River, thence on to the Pabineau River; thence extending on towards the Big River of Nepisiquit, would open up an excellent tract of country for settlement.

Good roads equal to any in the province, stumped, levelled and properly thrown up, or turnpiked, 20 feet in width, can be made through all the aforesaid tract of land, at the rate of from 3 s. 6 d. to 4 s. 6 d. per rod.

I would most respectfully suggest, as the best mode to effect concentration, that applicants for land should be confined to the districts laid off for the purpose, by refusing the accommodation of paying by instalments all persons elsewhere.

I am, &c.

(signed) *Matthew Carruthers*.

The Honourable Thomas Baillie, Surveyor-general,
&c &c. &c.

NEW BRUNSWICK.

SUNBURY COUNTY.—Deputy *C. L. Hatheway's* Report.

Sir,

Maugerville, 5 November 1848.

I HAVE the honour to acknowledge the receipt of your Honour's circular of the 16th November last, requiring information and recommendations of the best probable method of settling the ungranted lands for agricultural purposes.

Having been employed in surveying and exploring the forest to a considerable extent for the last 30 years, and having from early life taken much interest in an improved system of agriculture, I have witnessed with much regret the effect of that bad system, which you, by experience, have found so objectionable.

I shall endeavour to confine my recommendations to such as may be advantageously attended to for the future agricultural interest of the country, consistently with its ordinary means.

As the most of the surveys have been made along streams which were only navigable for timber driving, and the lots laid out in a hasty manner to save expense, surveyors have generally had but a limited means of acquiring a knowledge of the interior, or of the exact distance from one settlement to the other, which is best ascertained by the condensed plans in the Surveyor-general's office.

Roads through good land will certainly facilitate the settlement of the country; but I have observed along some of the great roads barren land has been settled, merely because there was a good road to it, and afterwards abandoned on account of its sterility.

The road from the mouth of Nashwalk to Little River, is settled on the rear of the lots of the old grant, and some are settled on lots more recently surveyed, while there is much better land for settlement on the third tier of lots back from the road. From this settlement, I would recommend a road to be opened to the Peoniack Settlement, distant probably about four miles: from the Penniack to Little River, distant, probably about 11 miles, ending at or near the Smith Settlement at Hungry Brook, and nearly parallel to the present great road; and to intersect this road, I would recommend one from the mills on Little River to Bear Brook, probably about nine miles, and ultimately to extend to the Fork Stream, between which and Bear Brook, is an excellent tract of land for agricultural purposes.

Along these roads, I would recommend laying out lots of 100 acres each, 20 chains in width, with frequent roads along their lines, where a second tier of lots may be desirable.

If one or all of these roads were opened, these lots would be purchased by industrious labourers, who would earn the means of purchasing the land by labour on the roads.

Having seen so much greater evil arise from crooked roads than straight ones, I would recommend all roads in the interior to be laid out, either parallel, or at right angles to other roads, and on straight lines, only to be departed from through extreme necessity.

The roads here recommended, would be through land generally very level, not intersected with large streams requiring expensive bridges, and pass through many good tracts of land for agricultural purposes, which, with its proximity to Fredericton, and other local advantages, surrounded on three sides by mills and manufacturing establishments, and no part of it more than 10 miles from an old settlement, affords a field for improvement seldom equalled in other parts of the province.

A road opened from the north-west branch of Oromocto River to the Cork Settlement, would be of great benefit to both settlements, by opening a communication between them through much good land fit for cultivation. It has proved a great drawback on the benefit of emigration to this province, that most of the capitalists among the emigrants, if they were only able to purchase a pedlar's pack, have preferred speculation to agriculture, and while the farmers could only afford 2*l.* per month, the lumberers would give 4*l.* to migratory labourers, thus sending the specie out of the province, and fixing the rate of wages far above its real value.

I think it might be useful in each new settlement, to give a good tract of land for a large farm to individuals who should receive a grant, gratis, upon condition of making certain specified improvements in a given time.

Such a system might encourage capitalists to undertake, and would have a salutary influence in any settlement. The wages earned in cultivating such a farm, would be expended in purchasing small farms in its vicinity, and the settlements increased, schools and public establishments would increase, affording contentment, and encouraging enterprise.

But unless roads are opened there will be no schools, and if no schools, a discouraged peasantry will desert their locations, or otherwise, deserted by their posterity as soon as they are able to leave an unpromising home, they will be left in poverty, a tax on their neighbours.

I find in all our new settlements, they require first encouragement, next instruction in agriculture, and then prosperity invariably succeeds.

The former method of granting a location ticket has proved a bad one. In addition to the ordinary disappointment of a new settler, the consciousness of his still being in debt for his land is a great tax on his comfort, and has frequently induced him to abandon his location.

I know

I know of many other good tracts of land for agricultural purposes, above and below the Grand Falls, and some in the county of St. John, all which will probably be described by surveyors from those places, but I know of no other so deserving of immediate attention as those I have first described.

All which is respectfully submitted by your Honour's obedient servant,

(signed) *C. L. Hatheway, D. L. S.*

The Hon. T. Baillie, Surveyor-general, &c.

WESTMORLAND COUNTY.—Deputy *Wilmot's* Report.

Sir,

Salisbury, 12 December 1848.

Your circular of the 16th ultimo duly came to hand, and its contents noted.

I cannot but coincide with you in the opinion, that it is highly necessary that some measure should be adopted to direct the attention of the people to agriculture; and it appears to me that no scheme can be prosecuted with so fair a prospect of a happy result, as the opening of roads through good settlement land, and, when practicable to connect settlements already formed.

The first two settlements I would recommend to be connected, are what are called the "Steves' Mountain Settlement," and the "M'Lauchlan Road Settlement." The former of these settlements is in the second tier of lots, on the Petitcoudiac River, on the north base of the grants to Christian and Frederick Steves, in Moncton. The latter is in the neighbourhood of the M'Lauchlan Road. It would take about 14 miles of road to make this connection, and about 25s. per mile to make the survey. Though I have never travelled this route myself, I have collected my information from such respectable authority, as to induce me not to hesitate in recommending the land. There will be no considerable expense in the forming of bridges, as there are no considerable streams to cross.

The next two settlements I would recommend the connexion of, are the Butternut Ridge, and that part of the North River Settlement which is situated on the north base of the second division of lots on that river; about three miles would make this connexion. No streams to cross, consequently no bridges required; about 25s. per mile will make the connexion.

There is a considerable tract of land, of a good quality, lying on the south side of Nevers' Brook; for a description of this brook, I would refer you to my return of Steves' and Boyd's Mill Reserve. This tract is about 10 miles long, east and west. A road four miles in length would reach this tract of land, commencing at the North River bridge on the Albert Settlement road, and extend north.

I am, &c.

Honourable Thomas Baillie, Sur.-gen.

(signed) *S. S. Wilmot, D. S.*

YORK COUNTY.—Deputy *John Davidson's* Report.

Sir,

Dumfries, 20 December 1848.

In reply to your circular of the 16th of last month, I have to state, that in addition to my own information on the subject, I have made inquiries of those that I thought it likely I could get information from, who do not know of any land there would be a prospect of being generally settled beyond those I previously recommended surveying between the Howard Settlement and the Eel River, which I have surveyed, and looked out a suitable line of road, which might, at an expense of 30*l.* or 35*l.*, put in suitable hands, cut the road out 10 or 12 feet wide, and fix the bad places, that you might ride from the Howard Settlement to the mill on Eel River, a distance of between six or seven miles, which would be a great advantage to both settlements.

* * * * *

I am, &c.

(signed) *John Davidson.*

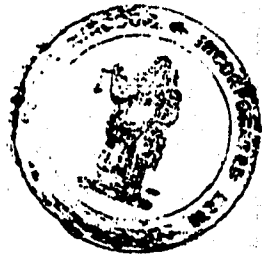
Deputy *M'Lean's* Report.

Sir,

Nashwaak, 14 December 1848.

In compliance with your request, I should recommend that a road be opened, commencing at or near Wm. M'Leod's, on the Miramichi portage, and to extend in an easterly direction to the third tier of lots in block No. 1, distance about one and a quarter miles; there is about eight 100 acre lots surveyed, some of them improved upon. The land good; about 40*l.* would open a road, as the land is level, and no bridges to be made.

2d. To commence at or near Alex. M'Pherson's, and to extend eastward, passing along or near the upper line of lands granted to Alex. Campbell, in block No. 2; thence to continue on to the third tier, distance about four miles; thence to extend roads north and south



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at the commencement of every tier; by that means you would open into a fine tract of country, where many settlers would be accommodated; a road could be made for about 40*l.* per mile, as there would be no bridges of any size to be made, and the land level.

3d. It would be well to extend the Durham road a few lots further back; there is a good road as far back as lands granted to Fowler; 30*l.* or 40*l.* laid out would be the means of encouraging more settlers, as the land is good.

4th. It would be advisable that a road be opened on the lower side of what is called McLean's Brook, as there are a number of settlers in that direction, and good land, where many more may be accommodated; the banks on the brook being so high, renders it impossible to get to the Durham road; this line may be extended eight miles back, as the greater part of the land is good full that distance back. It would be worth 40*l.* per mile to make a road on this line; there would be no bridges of any size.

I am, &c.

(signed) *Allan M'Lean, D.L.S.*

The Hon. Thomas Baillie, Sur.-gen.

RESTIGOUCHE COUNTY.—Deputy *James Montgomery's* Report.

Sir,

Dalhousie, 13 December 1848.

In answer to your circular of the 16th November, requesting information with regard to opening up certain good tracts of land, and connecting, by roads passing through one or more settlements, I would recommend the following; viz.—

The road commenced between Rorety and Russell, Belledune Settlement, to be continue on the course of the front lots to rear of same; thence running a true south course through a tract of land between Elm-tree and Jacquet Rivers; from information I have had, I am led to believe this tract of land is from 10 to 14 miles deep, of the very best quality.

The road commenced between Ultican and Quinn, to be also continued on the course of front lots to rear: thence due south, crossing the above tract at two miles distance from Rorety's road, and a road on the west side of Armstrong's Brook, at two miles from Ultican's, on the same course as the above-mentioned road. These in connexion with a road from Elm-tree in a westerly direction towards Jacquet River, would open up and cause to be settled a large section of country. Although there is some parcels of land between Jacquet and Charloe Rivers, I could not in the mean time recommend any road that would forward settlement, and ultimately be beneficial, as this is for the most part rough in front, and the mountains in some places extend a considerable distance back.

I would recommend the continuation of the road between the second and third tiers, Colebrook, in rear of Campbelltown, and thence through a valley back of the flat lands towards the mouth of Upsalquitch; this road would open up a very extensive and valuable tract of land, and I feel satisfied the road itself would ultimately be of the very greatest importance, as being a more direct line than the present road along shore. I would further recommend a line to be opened from Marl Lake Road west, by magnet, passing two miles back of the Forks, Eel River, between the 4th and 5th concessions, Colebrooke (and two miles distance from the road between the 2d and 3d concessions), extending to Christopher's Brook, and to connect with Dalhousie and Campbelltown, by completing the roads already commenced between Searle and Davis, at Eel River Forks and to Lilly Lake, till they cross the two last-mentioned roads. This, I am satisfied, if opened up, would all be settled in a few years, and from the fact of its being very superior land, would become one of the most flourishing settlements in the province.

I would also suggest the valley of Christopher's Brook as a suitable place for a road, extending towards the mouth of the north-west Upsalquitch; this, I am informed, is an excellent tract of land, and if a road were formed in this direction, it would not only settle the land in its immediate vicinity, but also cause settlements on the various branches of the Upsalquitch above it, more particularly on the south-east, near which river the land is good, and especially towards the head of Charloe and Jacquet Rivers.

I cannot, without exploring, say anything about the number of bridges that would be on these lines, consequently I can give no accurate statement of the cost of making the roads, but would say that a good line of road can be made for 120*l.* per mile, exclusive of bridges, say

For cutting out and stumping 320 rods, 30 feet wide, at 5 <i>s.</i> ,	
and for turnpiking, 2 <i>s.</i> 6 <i>d.</i> , is - - - - -	£. 120 - -
Allow extra per mile for bridges - - - - -	10 - -
	<hr/>
	£. 130 - -

This being the amount of outlay required, allow me further to state the probable amount of profit likely to accrue to the Government.

Allowing 12½ chains, or 50 rods front, for 100 acres, there will be 1,280 acres in a mile, at 2*s.* 5*d.*; the price pur., when paid down, is 154*l.* 15*s.*, from which subtract the cost as above, leaves the sum of 24*l.* 15*s.*; say further, for commission and all other charges 10*l.*, and you have still the sum of 14*l.* 15*s.* per mile profit.

While I acknowledge the value of opening up a country for settlement, by making roads through it, I would also suggest the propriety of a regular exploration previous to marking out

out any road, as it has been found by experience in this part of the province, that, with false ideas of economy, those who have had the expending of sums of money on bye-roads, have commenced a road without any kind of survey, and totally ignorant of the description of land beyond, or practicability of carrying a road through it, their knowledge being altogether confined to the place of beginning; this is frequently the result, no doubt, of a desire in the commissioner to accommodate and favour certain parties from private reasons; it thus follows, that often roads are only made a short distance, and abandoned as useless; or if continued, the alterations and windings, in order to make it useful, require a larger sum of money than would have made a good serviceable road originally, had it been surveyed; by these means large sums of public money are annually thrown away uselessly; even this has been the case, to a great extent, on the great road in this county, the money expended on it these few years back for alterations, would, I am convinced, have paid for surveying and opening up a better line.

I would beg leave further to observe, that under the present system, the sale of Crown lands does not nor ever will, in my opinion, pay for opening roads through the country. Whereas, were an efficient exploration made, and roads laid off in suitable localities only, the sale of the lands would not only make the roads, but, in all probability, as I have shown, leave an overplus.

There are also many settlers and others desirous of obtaining land, so poor that they cannot procure money by any means, however willing to pay for their grants; those persons would gladly avail themselves of the chance of road-making, were the proceeds of their labour to go towards the payment of their land. By exploration, the cost of making the roads, the number and cost of bridges, &c., could be pretty accurately ascertained, and the line given in lots at a valuation, or to the lowest bidder, among those settling on the land bordering on it.

I enclose a tracing herewith, showing the extent and connection of the proposed line of road.

I have, &c.
(signed) *James Montgomery.*

Honourable Thomas Baillie,
Surveyor-general.

QUEEN'S COUNTY.—Deputy *Colling's* Report.

Sir,

Gagetown, 21 December 1848.

In compliance with your circular of the 16th November last, wherein you express a desire that I should recommend any district in this county where I consider it would advantage and promote the settlement of the country, by connecting settlements, and to open the wilderness in districts where the land is fit for cultivation, as an inducement for emigrants to remain and settle in the country—

I have long been of the opinion, that nothing would promote more to the settlement of the province than that judicious explorations should be made of the wilderness land, and where they are found of a good quality, and fit for cultivation, that main roads should be laid out to induce and enable the emigrants, or in fact any other settler, to enter the wilderness, and then, as the land is occupied, to open cross roads leading to other main roads or settlements.

The line of road I would recommend, with every prospect of your approval, would be to commence at or about Picket's Cove, Washademoak Lake, from thence to the North Forks, Canaan River, near Taylor's mill, the distance will be about 25 miles, course about east (Mag.), it will go through a fine ridge of ungranted land; of my own knowledge I shall say four-fifths will be found fit for settlement, generally very level, no streams of any consequence, except a few brooks, therefore requiring no bridges of any amount, except one on the North Forks, and it could be built for 20*l.* at the outside, at least I was informed that Mr. Price or Mr. Clarke, some time ago, had offered to build one for that sum. This road will connect the different Settlements on the Grand Lake with those of the Washademoak Lake, Canaan River and settlement, which would be of the greatest advantage and convenience to the inhabitants of those settlements; also opening some very convenient and good land for settlement. Picket's Cove also, at the present time, stops, or nearly so, the communication on that part of the side of the lake, the Cove being too wide, and not sufficient travelling to pay for keeping a regular ferry, and there being as yet no road, not even a path round it. The line of road I recommend would make an excellent connection here. I also think, by referring to a plan of this part of the county, you see it embraces more advantages than mere local ones; it seems to me to be a more direct and nearer route than the present unfinished one from the bend of the Petitcodiac to Fredericton, by Coal Creek, Salmon and Newcastle Rivers, &c., without the disadvantages and expenses of the ferries, bridges, &c. on that rout, the line I recommend not having a single ferry or bridge except the bridge on the North Forks. You wish also I should give an estimate of the expense. I must say I have not been much engaged in road-making, but have always taken an interest in the subject, and have been in the habit of seeing roads let, and inquiring what such and such roads have cost. I have seen very good roads, well formed and turnpiked, that Major Foshay has informed me he had got done at 2*s.* 6*d.* per rod from the stump; he had the trees taken.

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taken out by the roots, and the ground levelled the first year, at, I think, something less than 1 s. 3 d. per rod; the second year he had it formed and turnpiked for about the same money; it is generally considered the best and most economical plan not to work or turnpike till the second year, as the soil works easier, the smaller roots decaying, &c. &c. I have also inquired of some experienced road-makers, who tell me they have no doubt but the road on this line would be done at 2 s. 6 d. per rod; it is generally not heavy timbered; but say 3 s. 6 d. per rod, including bridging (but not the one on the North Forks), will be 56 l. per mile; so 25 miles will be 1,400 l.; but call it 1,500 l., to include the bridge at the Forks; then, taking this outside estimate, it will not take half of the ungranted land on this line to pay for the making and bridging of this road, allowing eight lots to one mile, of 100 acres each, 80 rods front; so, 25 miles will give 200 lots, at 15 l. per lot (the present upset price), will give 3,000 l., more than double the amount that would be required for making and bridging the road. As for the question in a general way, whether the land will pay for the making of the roads, I think, admits of no doubt. There are two instances of it paying the Government well in this county; I mean the Nerepis Road, great road between Fredericton and St. John, for one; how quick were settlements made after this road got into operation? which neither could nor would have been the case if no such roads had not first been made. The other instance is more recent, viz. the road on the county line between this county and Sunbury, extending from the River St. John to the Nerepis Great Road, through the Victoria Settlement. I think I am very safe in saying there would not have been 100 acres taken up, at least in this county, if that road had not been previously made; now there are several settlers there who have bought and paid the whole amount for their land, and applications monthly for more in each county; for instance, this present month there are 600 acres in this county, and 500 in Sunbury, advertised for sale next month; the applicants in both counties being respectable farmers' sons, the most of whom will pay the whole amount down. Not having the proper documents to refer to, I cannot say for a certainty, but I am sure there must already have been more money paid for land in this settlement already than has been expended on making the road.

You also wish me to point out any other tract of good land, if surveyed, that would soon be occupied. I have no doubt, if a connecting line was extended from the settlement on the Gagetown Road to the Sunbury County Line Road, 50 chains S.W. of the Spry Grant, so as to admit lots on each side of the road; also the vacant land between this Spry Grant and the aforesaid County Line Road, I know there is some good land which would be immediately taken up, the lines of the Spry not being known, applicants do not like to apply for it upon an uncertainty.

As I expect to be at the office in a week or two, I shall be happy to give you personally more particulars, and explain myself more plainly than I can by writing.

With the greatest respect, &c.

(signed) *John Colling,*
Deputy-surveyor.

The Honourable Thos. Baillie, Surveyor-general,
Fredericton.

Deputy Kerr's Report.

Sir,

Fredericton, 10 December 1848.

In compliance with a circular received from you of the 16th November 1848, I beg leave to state, that I and several individuals have explored the Queen's Lake Settlement, in the parish Pennfield, Charlotte County, and I am of opinion that if there was encouragement in opening out a road through this part of the province, it would be settled. A great part of the timber is the old growth of hard wood, some excellent spruce logs, and some parts a little stoney, but I think not discouraging to agricultural pursuits. The line of road necessary to be opened in order to get to St. John, on a course south, 50° or 55° E., to intersect the Nerepis Road, between Grand Bay and Mather's old establishment, which is a distance of about eight miles; no bridges of importance except small ones; thence from the Queen's Lake Settlement, north about five miles, to the interior of Craftville Settlement; thence north-easterly, until it intersects the road leading from Nerepis Road to South Branch of Oro-mocto, near the Patterson Settlement, distance about four miles, expense of connexion about 20 s. per mile, opening and repairing said line of road, about 4 s. per rod. I am prepared to comply with the terms of the Government in making the connexion.

I have, &c.

(signed) *James Kerr,*
Deputy-surveyor.

P.S.—I will take 200 of land in payment.

(signed) *J. K.*

Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

Deputy

Deputy *Snell's* Report.

Sir.

Grand Lake, Queen's, 9 December 1848.

I HAVE the honour to acknowledge the receipt of your circular of the 16th ultimo, desiring me to furnish you with information on the following heads:—1st. The different settlements which might be connected by roads, passing through good land.—2d. The length of road necessary for that road.—3d. The quality of the land, and the probable expense of making the connexions.—4th. The number and extent of the bridges which will be necessary, and the probable cost of construction. Further wishing me to state any other good tract of land which I think, if surveyed, would soon be occupied.

In obedience to your instructions, I would recommend that the Grand Lake and New Canaan be connected by a road leading from the Upper Settlement of Cumberland Bay to the Forks of Canaan. The length of road to pass through good land, would be about 16 miles, and the expense of making about 1,200 L., there being no bridges of any consideration on this proposed line.

I would also recommend that the Gaspereaux Settlement and Salmon Creek be connected by a line of road commencing near the upper Gaspereaux Mills, and crossing the North Branch of Salmon Creek, the distance being about six miles; the expense of connecting, including bridges, would be about 500 L., and the land is of a superior quality.

I would recommend that the Gaspereaux and Cain's River be connected by a line crossing the Gaspereaux about 12 miles from the mouth, which would pass through good land, forming a convenient and extensive settlement; I think the distance would be about 20 miles; the cost of connexion would not exceed 100 L. per mile, including the bridges.

I would particularly recommend that the Salmon River and Richibucto be connected by a line crossing the Big Forks Stream, about 10 miles from the mouth, thence running a little to the eastward and crossing the Little Forks. From my knowledge of this tract of land, I am aware that a line might be explored, passing through large tracts of excellent land; but as this proposed road has been recently explored by Mr. Beckwith, I consider it unnecessary to make any further remarks.

I would recommend that the front land on the south-east side of Salmon River to the mouth of the Little Forks be surveyed for settlement; this land would soon be occupied, and a survey would prevent squatters from improving on land so irregularly.

There is also an excellent tract of land situate between Salmon River and Coal Creek, extending up stream about 20 miles, which, I think, if surveyed, would soon be occupied, and also prevent squatters from settling irregularly, as they now are.

Having recommended the above tracts of land to be surveyed for settlement, without any regard to my own personal interest, I beg leave to remark, that I am highly pleased with the idea of having the present pernicious system of surveying superseded by a more beneficial one, yet I despair of ever seeing the county settled under the present system of disposing of the Crown lands. I would recommend that labour performed in opening the roads, and clearing a certain quantity of the wilderness lands, be a sufficient remuneration (under proper system) to entitle the hardy and industrious settler to a grant of a certain quantity of land.

I am, &c.

(signed) *Robert Snell*, Deputy.Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.KENT COUNTY.—Deputy *Douglass's* Report.

Sir,

Buctouche, 7 December 1848.

IN answer to your circular of the 16th of November last, I beg leave to inform you, that in the district in which I reside, I know of no settlement that is not connected either to the Buctouche or the Cocagne by roads already made, but they are of a very inferior quality.

There is at present no inducement for young men to enter on agricultural pursuits, on account of roads not being opened through good lands. They say a mere line will not entice us to enter into the forest to take up land, but if roads were once opened so that we could immediately improve it, we would take pleasure in purchasing.

There are several good tracts of land, through which, if roads were opened, would in a short time be taken up, and would, no doubt, make extensive settlements.

I am not much acquainted with the vacant Crown land lying between the Cocagne and Buctouche Rivers. All the information I can give you respecting it, I have received from men who have travelled those woods in search of lumber.

There are four sites for roads to which I would call your attention (the accompanying plan will elucidate more clearly).

1st. On the south side of the Cocagne River, from S. Cornea's Grant to J. Griffin's Grant in Irish Town.

2d. On the northern side of the same river, commencing at the rear of R. M'Lelland's Grant, and running a direct course till it meets with the M'Lauchlan Road, at the same distance from the river.

3d. To commence at the St. Anthony's Settlement, and running parallel to the last mentioned line, so that two ranges of lots may be contained between.

NEW BRUNSWICK.

The 4th. On the south side of the Big Buctouche River, commencing at the rear of Thomas Bechard's Grant (lot 43), thence till it strikes the McLauchlan Road about one mile south of the South Branch. All the above-mentioned sites would be continuations of other roads already made, and would pass through excellent land.

With respect to the expenses that would be incurred I have no idea. The bridges over the small streams would be insignificant, and men's wages at the present would be at a very low rate.

This move that your Honour has now in contemplation, if carried into effect, will give general satisfaction, and as for the pay, should I be called upon to make the survey, I think myself bound to agree with your wishes so far as I have it in my power so to do.

I am, &c.

(signed) *Robt. Douglass.*

Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

Deputy *Layton's* Report.

Sir,

Richibucto, 11 December 1848.

I HAVE the honour to acknowledge the receipt of your circular, bearing date the 16th November last, in which I am directed to transmit to you my recommendations and suggestions for connecting settlements, &c., in this district.

In obedience to which, I beg to suggest the prolongation of the road already laid out in the Louisburg Settlement on the south branch of St. Nicholas to the Cockburn Road. I cannot speak from my own knowledge of the quality of the land through which it would pass, but have every reason to believe, from reports which I have heard, that the tract is a very eligible one. There would be nothing but small rivulets to cross, requiring no bridges of any magnitude; the probable expense of construction would be very difficult for me to estimate, as so much must depend on the manner in which they are to be built; but I am of opinion that it might be opened eight feet wide, levelled and made passable as a winter road, at an average cost of 40*l.* per mile. This road will be in length three and a half miles, thus requiring the sum of 140*l.*

It will be seen, upon reference to the sketch which accompanies this, that a road has already been surveyed by me, connecting that part of Louisburg which is on the west branch of the St. Nicholas with the Cockburn Road, also that a road has been surveyed, joining together these two settlements, and which I have particularly to recommend should be prolonged so as to connect with the settlements on Mill Creek, Buctouche. Such a road will ere long be made; but if left to Bye-road Commissioners, with their present system, it cannot be expected that they will make anything of it but a bungle. The length of this road would be four miles, and would require about 160*l.* to make it passable as a bridle-road, running in its whole distance through an entire tract of excellent land. From this point, a very advantageous connexion might be made with the great road at the Chockpish Settlement, which would also pass through an entire tract of good land.

I have made the above recommendations with a full conviction of their great utility. One evil only will arise, an evil which is more or less felt in every settlement throughout this part of the province. I allude to "forestalling;" for no sooner is a settlement formed, or a road opened, than these forestallers pounce upon the best and most convenient tracts, and keep them in reserve for their children, thus profiting by the toil of the poor settler, and retarding the general progress, by preventing others from becoming settlers in consequence of there being no vacant land adjoining the settlement. I beg to suggest, for your consideration, that if some measures could be devised to check this forestalling, that the real settlement of the country would thereby be very much accelerated.

I know of other good tracts of land in this district, but which are as yet too remote from other settlements to be thought of at present.

I have, &c.

(signed) *J. G. G. Layton, D. S.*

The Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

Deputy *Merzerall's* Report.

Sir,

Richibucto, 15 December 1848.

I HAVE the honour to acknowledge the receipt of your circular of the 16th November last, and beg leave to submit the following suggestions:—

Although I have had no opportunity lately to make myself acquainted with the general locality of the interior part of this county, yet I remember, when running some of the meridian lines for the late W. J. Layton, in 1836, that I passed through some fine tracts of land.

land. The greatest part of the country, however, is unfit for settlement, being cut up with thick spruce barrens and cedar swamps. NEW BRUNSWICK.

There are no remote settlements of any note in my district, the settlers confining themselves chiefly to the banks of the different rivers and their tributaries. The greatest obstacle which prevents parties from going farther up the country to settle, is the want of roads to encourage them to do so.

I have conversed with several persons lately on the subject of laying out roads, &c., as proposed by you, and I am glad to find that they are mutually in favour with the plan.

I would suggest, that if a road be run due west from the post road about one mile south of Martin Flanagan's for about five miles, and roads laid off north and south, at proper distances, laying out lots, would pass through good land, and would connect a fine ridge of hard-wood land that lies south of the Bay du Vin River with the post road.

That a road be run west from the mill on the little Black River (Kouchibouguac), until it would strike the post road, laying off lots as the land would suit; it would also connect the settlement on the Black River with the post road.

That a road be run westerly from the upper settler on the north side of the Kouchibouguac River, and roads to run north and south between Tweedie's and M'Innis' Brook, would pass through good ridges of land.

That a road be run on the south side of the Kouchibouguac River, commencing at the upper settlement, running up stream until it would cross the eastern meridian of Range 10 of "Layton's great Survey," and thence roads to run north and south, laying off lots as the land would permit.

That a road be run westerly from the upper settlers on the south side of the Aldouane River, for about two miles, passing through a hard-wood ridge, which is already applied for.

That a road be run westerly from the upper settlers on the north side of the Molus River, for about seven miles, and roads to run north and south at proper distances, and laying out lots as the land would permit.

That a road be run westerly from the upper settlers on the south side of the Bass River, for about five miles, crossing the above-mentioned meridian, and roads to run north and south, at proper distances, and laying off lots as the land would permit, would go through good ridges of land.

The expense of running these different roads would not be so much, as some of the lines of "Layton's great Survey" would in many instances answer, by retracing them, and replacing the boundaries of the lots where they have been cut and knocked down by lumber-men.

The expense of the bridges would also not be as would be imagined, as the largest rivers the roads would cross, do not exceed one chain in width.

I have, &c.

(signed) *Peter Merzerall,*
Deputy-surveyor.

The Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

NORTHUMBERLAND.—Deputy *James Davidson's* Report.

Sir,

Miramichi, 4 December 1848.

I HAVE the honour to acknowledge the receipt of your circular of the 16th ultimo, requiring me to furnish you with information as to good tracts of land for settlement, &c. There is an excellent tract of land in rear of the granted lands from Burnt Church to Neguac, extended back towards Stymist's Mill Stream, and easterly to the granted land on the west side of Tabusintack River. There is also a good tract of land on the north side of Little Tracaday River, above the head of the tide, extending upwards, and back towards Pocomouche River. There is also an extensive tract of good land between Pocomouche River and the south branch of Caraquet River, extending from the upper settlement on Caraquet River, I think, to the Bathurst Road; and if a road were opened from the upper settlement on the south branch of Caraquet to the Bathurst Road, about eleven miles south of Bathurst, it would pass through a fine tract of hard-wood land. The whole distance would be about 24 miles, and I am not aware of any bridges, except small ones, that would be required in the whole distance.

* * * * *

I have, &c.

(signed) *James Davidson,*
Deputy-surveyor.

Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

NEW BRUNSWICK.

Deputy *C. J. Peters*' Report.

Sir,

Chatham, 13 December 1848.

IN reply to your circular of the 16th ultimo, I beg to state, that I agree with you in the importance of attention being paid to agriculture in the present depressed state of business of all kinds in this province. I also agree that the system of each person being allowed to select his land without reference to any general plan or system by which the country at large would be benefited, and cause the roads to be laid out to the best advantage, both as to the best ground for making them, and also going through the best country for settlement, and at the same time fronting as many lots as possible on said roads, instead of having to make roads as at present in many cases where there are but three or four settlers, which takes more money out of the public chest than the purchase of their lands brings into it.

There can be no doubt, that by opening connecting roads, passing from one settlement to another, and also through good land for settlement, you add to the prosperity of the country, and induce people to go back and settle, knowing that they have, or may depend on having, a good road to their places.

The best way, in my opinion, this could be done, would be to explore and mark out the best lines of road that can be found from one settlement to another (as was the case last year, from Dixon's Ferry to Curry's at Bartibog, where the whole of the good land that was vacant, was immediately applied for, to front on the road), and through some of the best tracts for settlement that might be approved of, and after making a plan of said road, the deputy to mark out on the plan his idea of the most approved way of laying out the lots, to be submitted to the office for approval there, in case of application for land, or the Government should wish to lay the whole in lots agreeable to that plan, or to any alteration they may think proper to make, this would remedy the present evil, and enable you to have the lots laid off as regular as the nature of the land would permit. There are large tracts in this as in all other counties, that it would be useless to lay out lots on, and in some cases the road must cross them; but by picking the best lines, most of the lots would have some good land.

The plan I should recommend, if it could be carried into effect, would soon open and settle large tracts in this quarter, which I do not think, from the great scarcity of money and means of getting it amongst the middling and poorer classes that would wish to settle, can do so without something of the kind being done; viz. instead of insisting upon the applicant paying for a lot he may want, in money, at 12*l.* down, or 15*l.* by instalments, and afterwards calling on the province to make roads for him, let the lot be sold at public auction to the person that will make the greatest number of rods of good turnpike-road 23 feet wide, and not less than 80 rods for each 100 acres, except when there is any heavy bridge to be made in such place as shall be pointed out at time of sale. This you would get hundreds to do, when they could not pay two pounds in cash. The same distance of road, if made by the Commissioners of Bye or Great Roads, would cost not less than 20*l.* for 80 rods. This would open the country for settlement without having to draw any money out of the public chest, and enable those that have money to buy for money when there is good roads, and those that have not money to pay for their land by labour, and pay for their grant, instead of paying one instalment, as many now do with difficulty, and allow the remainder to stand with the interest accumulating on them yearly, and others from want of means to pay one instalment, settle without paying anything, and are better off than those that pay, as they have no interest to pay.

The road I should recommend to be explored in the first place, would be the continuation of the road through the Wilfield Settlement, crossing Black River below the mouth of Vondy's Brook, and to extend to the upper settler on Barnabie's River, a distance of about six miles from where the road is passable in summer; there would be but one bridge of any note across Black River from this road. Roads could be laid off, in several directions, through fine land for settlement, say between Barnabie's River and the Bay du Vin River, near the mouth of Big Hole Brook, and from thence to the Richibucto Road, also to extend up the several branches of Barnabie's River, and to the fine tract of land on Sabbie's River called the Dundan Ridge; the East Branch of Barnabie's River has great advantages for settlers, having large and fine intervals, in addition to its fine uplands.

I am, &c.

(signed) *Charles J. Peters.*The Honourable Thos. Baillie, Surveyor-general,
Fredericton.Deputy *Price*'s Report.

Sir,

Ludlow, 20 December 1848.

IN pursuance of the suggestions contained in your circular of the 16th November last, I proceeded to explore, in a summary manner, such ungranted lands in this part of the county of Northumberland, as appeared to me to afford the greatest facilities for successful settlement, should any suitable measures be adopted by the Legislature to make them at once available for that purpose; and beg now to recommend to the consideration of the Government,

Government, the advantages that would attend the connecting, by a road, the large tracts of excellent upland and intervale which are situated on the small streams on the northerly side of the south-west branch of the river Miramichi, between the settlement in the vicinity of the Land Company's village of Campbell, and the scattered settlements on the Bartholomew's and Dungarvon. In no part of the county of Northumberland is there so large a quantity of good land as is situated on this route, and as a great part of it lies at an easy distance from the capital of the province, and from the port of Miramichi, it could not fail, if once properly opened up, to become in a few years a flourishing agricultural district. I have for the present (being short of time) examined more particularly the lands lying between the lot occupied by John Small, near the western extremity of the Bredalbane Settlement, as marked on the accompanying sketch, and the lot granted to Michael Carmody, one of the most westerly settlers on the south-west branch Miramichi. Through the whole of this distance, as marked out by me for a road on the enclosed sketch, I find, with very trifling exceptions, excellent land for settlement, and a good line for a road. The part of this district, which I conceive to be the most worthy of immediate attention, is an unbroken tract of upwards of 4,000 acres of upland of the best quality, extending from the grant to Carmody to the north-west angle of the reserve to R. Payne, on Porter's Brook. The growth on this land consists of maple, ash, elm and birch, slightly intermixed with cedar and other soft-wood trees; it is exceedingly well watered, has a south-east aspect, and is, on the surface, comparatively free from stone. Wherever stone appears, it is silicious limestone. The road through it would cost 60*l.* per mile. A short road to connect this tract of land with Boiestown, is desirable; and I have explored a route for that purpose, four and a half miles in length, on which there would be required 80 feet of bridges. This line could be completed for 40*l.* per mile. These roads need not be turnpiked more than 12 feet in width, and wherever the land is level and dry, nothing more would be necessary for the present than to clear out and level to that width. On the whole route to Small's, 90 feet of low bridges would be sufficient, with the exception of mere drains. The road from Small's to Doak's Mills is already made in part, and hereafter, as means were forthcoming, the main line might be connected with the road coming out to Bartholomew's Mills, or it might cross to the north side of the Dungarvon, where there are large tracts of good land, and connect with the highway at Indian Town. The upper part of it would be a suitable route for a road leading to Dalhousie, which, to avoid the broken highlands to the northward, would, whenever made, require to be taken below the Falls on Dungarvon.

On the south side of the Miramichi River, there are also numerous detached tracts of good land in the rear of the Betts' Grant, between Doak's and Boiestown Mills, on which settlements are slowly forming, even under the present defective system.

I regret to say that it is out of my power to make surveys of settlement lands, without a prospect of early payment for my services, but being a practical farmer, and well acquainted with whatever tracts of good land are in this part of the county, and moreover, as my interests are in a great degree dependent on the future agricultural prosperity of Northumberland, I should be careful, if employed in surveys by the Government, to make a selection of the best lands with which I am acquainted.

I have, &c.

(signed) *James L. Price.*

Honourable Thomas Baillie, Surveyor-general,
&c. &c. &c.

CHARLOTTE COUNTY.—Deputy *Wm. Mahood's* Report.

Sir,

St. Andrew's, 18 December 1848.

In obedience to your circular, dated the 16th November last, directing me to recommend you places, where, if roads were opened, the lands abutting thereon would be likely to be soon settled.

There are several extensive tracts of good land in this county, if through which roads were opened, would soon be settled upon; and I believe that it is for want of roads that they have not been settled upon before this time. However, the people in this county do not seem to be much inclined to settle upon new lands (witness the few sales of Crown lands which has taken place in this county for the last two years), and where they have settled, they do not improve very fast.

The extensive trade in cedar shingles which is carried on at St. Stephen's and Calais, has very much injured the settlement of the surrounding country. The merchants and traders there encourage the settlers to manufacture these shingles, for which they generally pay them in goods and provisions; this is apparently an advantage to the settler, as it would seem to be an easy means of providing provisions for the first year, but in the end it is ruinous to his farming interests, as the merchant generally manages to get the settler into his debt, so that he (the settler), is obliged to continue the manufacture, to keep his credit good, even at times when he ought to be either sowing, or securing his crops, and leaving him but very little time to clear and improve his farm.

This trade has also caused the Crown lands within 25 or 30 miles of St. Stephen's, to be all pillaged of the very fine cedar timber it contained, thereby rendering it of much less value when purchased for actual settlement.

NEW BRUNSWICK.

There is one tract of land which I wish particularly to bring under your notice ; it is situated to the north and west of Canoose River, and is bounded on the north and west by the River St. Croix ; it contains a large quantity of good land, enough to form a parish of itself. There is a new settlement on the Canoose River on the continuation of the Oak Hill Road, and a bridge was built over the stream at this place last summer, and should this road be continued on northerly along the east side of Captain Spearman's grant, and then in nearly a direct line to the Little Falls on the St. Croix River, below Porter's Meadows, where a bridge could be constructed at a small expense across the river, it would in that distance pass through large tracts of good land, and all the travelling from St. Stephen and Calais to the Great Lakes, and to the settlements on the American Townships on the opposite side of the river, would pass along it ; it would be a complete thoroughfare. And after it would be opened, then branch roads to the good land east and west of it could be made, and a connexion made with the Woodstock Road ; then the whole tract would be settled.

The distance of the proposed road from the new bridge over Canoose to the Little Falls, is about 10½ miles, with no bridges excepting across rills.

Estimate of Construction.

	£.	s.	d.
Exploration to be thoroughly done would cost about	20	-	-
Clearing, grubbing and levelling, 18 feet wide (10½ miles), 3,360 rods at 3 s.	504	-	-
Commission at 5 per cent., on 504 l.	25	4	-
TOTAL	£. 549	4	-

I do not make any estimate of the cost of the proposed bridge over the St. Croix at the Little Falls, as I imagine it would be built by the subscriptions of the people on the English and American sides of the river, for their own accommodation, and also of the lumberers whom it would accommodate.

* * * * *

There are two tracts of land on the east and west sides of the Woodstock Road, which was formerly laid out for the Highland Society, to which I would recommend roads being made. In that on the east side, there two persons already settled (R. King and F. Kain) who have a road partly opened on the south lines of lots D. and 20, in block H. If this road, which is about 1½ miles long, was made, and from the front of No. 30, in the same block, a road be extended up northerly, parallel with the Woodstock Road, it would pass through some excellent land. To clear and grub it would cost about 2 s. 6 d. per rod. It might be extended northerly three or four miles.

The tract on the west side of the Woodstock Road would be intersected by the reserved road laid out between the lots surveyed for R. White and Joseph Meredith, to be continued west from the Woodstock road about two miles ; this line has been already run, and lots fronted on it. It would cost about 2 s. 6 d. per rod.

On the west side of the Digdeguash River, there is now a road made as far north as the place where this new road from St. Stephen to Brockway's crosses that river, and from that place there is a winter road on the same side of the river to Walton's Meadows. I would beg to recommend that this road be opened as far as the Connick Dam, a distance of about four miles, as it passes through good farming land. The cost of clearing, grubbing and levelling would be about 3 s. per rod.

There is another tract of good land lying between the new road from St. Andrew's to Fredericton and the settlement on Flume Ridge, which tract is called "The Little Flume Ridge," through which, if a road was made, would connect those settlements, and be a great benefit to both. It would probably cost 2 s. 6 d. per rod, with a bridge over a branch of Trout Brook, which would cost about 10 l. The distance is about three miles.

I do not recommend any of those tracts with any view of surveying them, as the conditions you mention are not very tempting, and I hope you will pardon me for recommending that these roads should be at first thoroughly explored, not in a flying kind of a manner as is usually done, but with a view to their locations in such places as never afterwards requires to be altered, and 1 l. spent in this manner, may afterwards save hundreds. That the roads be then opened, and afterwards the lots be laid out on them, to suit those who would wish to settle ; and the money contemplated to be expended in surveys, be laid out in opening the roads. The lands would then be more open to inspection, and would thus settle faster than in any other way.

I have, &c.

(signed)

Wm. Mahood, Local Deputy,
Charlotte County.Honourable Thos. Baillie, Surveyor-general,
&c. &c. &c.

Josephus Moore's Report.

Sir

St. David, 16 January 1849.

HAVING observed, by the Journals of the House of Assembly, measures put forward by you, having for their object to facilitate the settlement and improvement of the province by opening up highways, thereby connecting the different points by the most direct and feasible lines for that purpose.

I beg to submit, for your consideration, two lines of road; first, starting from the Woodstock Road, on the east side, near the junction of the Baillie Settlement Road, and about 16 miles from the village of St. Stephens, thence about a north-east course, crossing the Digdeguash at Connick's Dam, to the foot of the Magaguadavic Lake, thence connect the Burgundy and Lake George Settlements. This line would pass over as fine a tract of land, situate in the neighbourhood of Upper Trout Brook, and Davis' Brook tributaries, and on the west side of the Magaguadavic, as our county affords. Perhaps no line in this quarter would afford better land for settlement than now lies shut up for the want of a road on and in the neighbourhood of the line above proposed.

The second line I would propose is the extension of the road leading from the village of St. Stephen's, through the Oak Hill Settlement, to the Canoose Stream, where now is a good substantial bridge, thence extend through the block of land granted J. M. Spearman, Esq., to the Little Falls on the River St. Croix. A bridge at this point would connect with the settlements on the western side of Chipetnecticook Lake, and the settlers now in that quarter (our neighbours of Maine), would find a market at the least eight miles nearer to travel this line, than the road they at present travel through their own territory. It is also a fact, that from the Canoose to the Little Falls also lies a large tract of excellent land for settlement, and like many other tracts lies shut up for the want of a highway. I would further remark, that with regard to the distance of the first-named line, from the village of St. Stephen's to the Burgundy and Lake George Settlements, is probably short of 65 miles, of this 16 miles is now made. The second, through Oak Hill to the Little Falls, is about 30 miles, 16 of which is now made.

Having had some experience in road-making for a few years, on this point I would beg to state, that I have adopted a new plan, that is, instead of making turnpike-roads through wilderness land with the spade, my method is first to extend and open up the whole line by grubbing out about 26 feet wide, bridge the streams, overcome the bogs and swamps, leaving the hard ground to be turnpiked by the process of the plough; first plough, and then harrow and level the face of the road, after which turnpike, when you have a road that will settle even without any of those hills and hollows which are sure to make their appearance in a short time on all roads made with spades through the wilderness. Beside the advantage of having a turnpike thus made, you will open up the whole line, making it quite a passable road, by the first process of grubbing, &c; and also you have one other advantage, which is not least—by this method you are enabled to judge more correctly of the best points to lead water free from the road. In my humble opinion, roads may be opened up on this plan, and eventually turnpiked at a saving of 20 per cent. to the public, when you take into consideration the workmanship and durability, compared with the spade road. If these remarks of your humble servant will any way aid your exertions to promote the public good, will much gratify yours, most respectfully,

(signed) *Josephus Moore.*

Hon. Thomas Baillie, M. P. P.

P. S.—I expect a heavy falling off of the revenue, which may retard public improvement; but is there no remedy? I should remark, that I met with William Todd, Esq., of St. Stephen, on the Woodstock Road; he then told me, if the Government would sell him wilderness land (not on the Woodstock Road), he would advance money to complete that road at once. If the lands could thus be disposed of, public improvements might yet proceed.

(signed) *J. M.*

NEW BRUNSWICK.

MEMORANDUM of RECEIPTS in the Crown Land Office on account of the Casual Revenue.

YEAR.	TIMBER.			LAND.			TOTAL.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.			
1829	-	-	-	9,717	12	11	402	15	9	10,120	8	8
1830	-	-	-	9,308	6	2	2,888	6	7	12,196	12	9
1831	-	-	-	8,748	11	8	3,907	7	-	12,655	18	8
1832	-	-	-	8,646	12	8	5,980	12	3	14,627	4	11
1833	-	-	-	8,945	14	1	9,855	5	8	18,800	19	9
1834	-	-	-	15,052	18	1	5,858	9	9	20,911	7	10
1835	-	-	-	15,293	7	9	26,640	10	8	41,942	18	5
1836	-	-	-	16,173	18	-	30,450	7	6	46,624	5	6
1837	-	-	-	10,324	8	3	15,515	6	1	25,839	14	4
1838	-	-	-	11,903	-	9	4,545	3	1	16,538	3	10
1839	-	-	-	12,269	-	-	3,908	5	7	16,177	5	7
1840	-	-	-	18,512	-	-	3,414	15	6	21,926	15	6
1841	-	-	-	15,753	-	-	3,555	10	11	19,308	10	11
1842	-	-	-	6,631	-	-	1,935	6	10	8,566	6	10
1843	-	-	-	14,543	-	-	1,925	11	2	16,468	11	2
1844	-	-	-	4,613	16	9	3,234	3	9	7,848	-	6
1845	-	-	-	4,779	13	3	7,839	8	1	12,619	1	4
1846	-	-	-	6,445	14	7	4,545	11	4	10,991	5	11
1847	-	-	-	3,585	7	9	6,773	17	2	10,359	4	11
1848	-	-	-	1,992	8	-	2,561	5	7	4,553	13	7
Total	-	-	£.	203,329	10	8	145,747	-	3	349,076	10	11
1829 to 1837, inclusive	-	-	£.	102,211	9	7	101,508	1	3	203,719	10	10
1838 to 1848, inclusive	-	-	£.	101,118	1	1	44,238	19	-	145,357	-	1

MEMORANDUM of AMOUNTS paid the Province Treasurer on account of the Casual Revenue since the passing of the Civil List Act.

Amount paid the Province Treasurer in 1838	-	-	-	-	-	-	£.	84,437	4	4
Ditto	-	-	-	-	-	-	-	26,096	12	4
Ditto	-	-	-	-	-	-	-	24,299	15	4
Ditto	-	-	-	-	-	-	-	21,974	12	-
Ditto	-	-	-	-	-	-	-	14,277	15	6
Ditto	-	-	-	-	-	-	-	21,580	-	-
Ditto	-	-	-	-	-	-	-	16,726	14	9
Ditto	-	-	-	-	-	-	-	30,912	9	10
Ditto	-	-	-	-	-	-	-	30,264	1	-
Ditto	-	-	-	-	-	-	-	26,053	5	9
Deduct amount paid for Civil List 10 years, at 14,500 l. a-year	-	-	-	-	-	-	£.	296,622	10	10
	-	-	-	-	-	-	-	145,000	-	-
	-	-	-	-	-	-	£.	151,622	10	10
Export duty on timber received in 1844, and included above	-	-	-	-	-	-	-	8,856	18	3
Ditto	-	-	-	-	-	-	-	20,129	14	5
Ditto	-	-	-	-	-	-	-	15,646	14	7
Ditto	-	-	-	-	-	-	-	16,553	5	4
	-	-	-	-	-	-	£.	61,186	12	7

— No. 4. —

(No. 42.)

COPY of a DESPATCH from Lieutenant-Governor Sir *Edmund Head*, Bart.,
to Earl *Grey*.

Government House, Fredericton,
24 April 1849.

(Received, 15 May 1849.)

Sir,

Your Lordship may expect from me some account of the reasons why no apparent attempt has been made in this province to modify the Act of last year, imposing a duty on emigrants.

I brought the subject under the consideration of my Executive Council, and the member of that body who is supposed to have most influence in the House of Assembly, after making inquiry among the members, assured me that there existed an indisposition to diminish the tax on emigrants, so great as to make it doubtful whether a proposition to that effect would be carried.

In fact, the emigration of 1847 left a lasting impression on the mind of the Legislature here, and most unfortunately the condition of the emigrants whom I believe to have been sent from Earl Fitzwilliam's estate by the ship "Star,"* and who were consigned to the St. Andrew's and Quebec Railway Company last season, has been such as to increase any feeling of alarm.

These poor people were not properly selected in all respects; many were infirm, and a very large proportion arrived in a pitiable state of sickness. Whilst the Assembly was sitting, some of them came up to Fredericton to solicit assistance, as they were at that moment (about six weeks ago), turned off by the railway company. They had already received a great deal of aid from the province, and many of them are at this moment in urgent want, in the streets of St. Andrew's.

I have no reason to attribute to our agent there any want of proper caution, for I sent a person down a very short time since to inspect their condition, and his report coincided with the information already received.

In short, this one ship load of emigrants has already cost the province upwards of 600*l.* currency (500*l.* sterling), at least double what the ship paid as emigrant tax. Nor is the charge yet terminated; for, in consequence of a fresh account of their destitution, I yesterday directed a fresh advance to be made for their temporary relief. In the present state of commercial depression there is no work for them, and the legal conditions by which the Government is bound, prevent our settling them on land, even if such resource were of any avail (which it could not be), to meet their immediate wants.

There never was a more striking example of the fact, that incautious and ill-regulated emigration does more than anything else to throw impediments in the way of that which might be properly conducted. There is no doubt whatever that the circumstances attending these emigrants to St. Andrew's, have had great weight in indisposing members of the Legislature to diminish the emigrant tax.

After what has been stated, your Lordship will not be surprised at my saying that I hear with some alarm of another vessel being expected at St. Andrew's from the same district in Ireland. So far as Earl Fitzwilliam is concerned, I have every reason to believe that he acted with the greatest liberality and kindness towards the emigrants of last year. If the Railway Company expect that the Government here should provide out of the emigrant fund for labourers turned off by them, I think we ought distinctly to understand what obligations the company take on the sending of such persons. Probably, if any of the emigrants of this season come from his Lordship's estate, he would have no objection to inform the Commissioners for Lands and Emigration of the nature of the conditions (if any) entered into by the Railway Company. I have myself urged upon the Directors the necessity for extreme caution; and I trust the emigrant

No. 4.
Lieut.-Governor
Sir E. Head to
Earl Grey,
24 April 1849.

* See Despatches
No. 35, 5 June 1848.
No. 46, 19 June 1848.
(Pages 12 & 15 of Parl.
Paper, by Command, on
North American Emi-
gration, of July 1848.)
No. 52, 3 July 1848.
(Page 12, Papers on
North American Emi-
gration, by Command, of
August 1848.)
No. 76, 3 August 1848.
No. 77, 15 Aug. 1848.
(Page 59, Papers on
North American Emi-
gration, by Command,
February 1849.)

NEW BRUNSWICK.

agents in Ireland will have acted in good faith with reference to the class of persons sent out, as well as their accommodation on board.

I have, &c.
(signed) *Edmund Head.*

30 April 1849.

P. S.—The annexed petition, which has this day been received by me, affords a good illustration of what I have said in this despatch as to the selection of the emigrants by the ship "Star." It seems probable that John Burns was induced to come to St. Andrew's, because he had a son at Toronto, which place is in fact practically more difficult of access from the former port, as it is from Cork.

Enclosure in No. 4.

Encl. in No. 4.

To His Excellency Sir *Edmund Walker Head*, Bart., Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

The petition of John Burns, of St. Andrew's, in the county of Charlotte, &c.

Humbly sheweth,

THAT petitioner was sent from Ireland last spring by Earl Fitzwilliam, for the purpose of working on the St. Andrew's Railroad, and (though at the advanced age of 67 years) worked thereon until some weeks ago, when he was dismissed by the directors of the said railroad. That petitioner, being now out of employment, is unable to procure sustenance for himself and family, consisting of an old feeble woman, and of an orphan boy six years old, entrusted to his care. That petitioner has a son living in Toronto, Upper Canada, to whom, had he any means at all, he would instantly proceed.

That petitioner, therefore, humbly prays your Excellency to grant him some assistance which will enable him to go to Toronto. And as in duty bound, &c.

St. Andrew's, New Brunswick, 23 April 1849.

* *Sic in orig.*

"This may certify that the bearer, John Byrne,* was one of the passengers by the ship 'Star,' and has been receiving relief up to the present time.

"St. Andrew's, 23 April 1849."

(signed) "*James Boyd*,
"Acting Emigration Officer."

— No. 5.—

(No. 46.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to Earl *Grey*.

Government House, Fredericton, 15 May 1849.

(Received, 28 May 1849.)

No. 5.

Lieut-Governor
Sir *E. Head* to
Earl *Grey*,
15 May 1849.

My Lord,

I HAVE the honour to transmit the usual Reports and Ship Returns for the emigrant vessels "British Queen," "Magog," "Londonderry," "Goliath," "Pallas" and "John," which have been forwarded by the emigration officer at St. John's.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 5.

Government Emigration Office, St. John's,
4 May 1849.

Encl. in No. 5.

Sir,

I HAVE the honour to enclose ship returns for the six passenger-vessels named in the margin.

It affords me much satisfaction to report the arrival of these emigrants in good health and cleanly condition.

They will, with few exceptions, proceed almost immediately to Boston.

There are now two passenger-vessels only on the voyage from Ireland to this port, so far as I am at present advised. The immigration will probably be very limited this season.

The Honourable John R. Partelow,
Provincial Secretary.

I have &c.
(signed) *M. H. Perley.*

Returns No. 1 to
No. 6.

	Passengers.
British Queen	87
Magog	19
Londonderry	154
Goliath	40
Pallas	201
John	98

TOTAL - 599

SHIP

SHIP RETURN, No. 1, 1849.

REPORT on the IMMIGRANTS by the Barque "British Queen," Thomas R. Bell, Master, which arrived at St. John, New Brunswick, from Londonderry, on the 30th of April 1849.

Boarded and Examined, 1 May 1849.—M. H. P.

Name of Vessel—"British Queen."
 Tonnage—194 tons (new).
 Place of Departure—Londonderry.
 Date of Sailing—31 March 1849.
 Place of Arrival—St. John, New Brunswick.
 Date of Arrival—30 April.
 Number of Days on the Voyage—30.
 Superficies of Deck for the use of Passengers—1,422 feet.
 Number of Adults admissible, computed according to the Passengers' Act—97 by tonnage check.
 Number of such Adults actually on board—68½.
 Port at which the Vessel touched—None.
 Date of touching—None.
 Days there—None.
 If placed in Quarantine, for what cause—Not in Quarantine.

	Adults.		Children between 14 and 1.		Children under 1 Year.		Adults.		Children between 14 and 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers Embarked	-	-	-	-	-	-	27	26	20	11	4	1	51	38
Deaths on the Voyage	-	-	-	-	1	1								
Deaths in Quarantine	-	-	none.											
TOTAL Deaths											1	1	1	1
Number of Births on the Voyage							-	none.						
Total landed in the Colony							27	26	20	11	4	1	50	37

TOTAL - - - 87 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival, out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
20	-	-	none	-	-	-	-	-

REMARKS.

The "British Queen" is a stout barque regularly engaged in the passenger trade, and is now very comfortable. There was no complaint of the food or water; both said to be good and abundant. The passengers were chiefly "cottiers" from the county of Donegal, whose passages had been defrayed, but by whom could not be clearly ascertained, there being no disposition to give information. The master had some small sums placed in his hands by Mr. Alexander, a gentleman of landed property in Donegal county, to assist seven persons from his estate to Boston. They were all in good health, and tolerably clean.

(signed) M. H. Perley,
 H. M. Emigration Officer.

SHIP RETURN.—No. 2.

REPORT on the IMMIGRANTS by the Brig, "Magog," Shank, Master, which arrived at St. John, New Brunswick, from Ayr, on the 30th of April 1849.

Boarded and Examined, 1 May 1849.—M. H. P.

Name of Vessel—"Magog."

Tonnage—203 tons (new).

Place of Departure—Ayr.

Date of Sailing—4th April 1849.

Place of Arrival—St. John, New Brunswick.

Date of Arrival—30th April.

Number of days on the Voyage—26.

Superficies of Deck for the use of Passengers—

Number of Adults admissible, computed according to the Passengers' Act—

} Not under the Passengers' Act.

Number of such Adults actually on board—

Port at which the Vessel touched—None.

Date of touching—None.

Days there—None.

If placed in Quarantine, for what Cause—Not in quarantine.

	Adults.		Children between 14 and 7.		Children under 7 Years.		Adults.		Children between 14 and 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers embarked	-	-	-	-	-	-	4	4	-	-	-	-	4	4
Deaths on the Voyage	-	-	none.											
Deaths in Quarantine	-	-	none.											
TOTAL Deaths - - - - none.														
Number of Births on the Voyage	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total landed in the Colony	-	-	-	-	-	-	4	4	-	-	-	-	4	4

Steerage - - - - - 8
 Cabin:—Adults - 3 Males - 2 Females.
 Under 14, 3 " - 3 "
 6 5 - - - - 11

TOTAL - 19 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival, out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
4	-	-	none.					

REMARKS.

The "Magog" is a stout brig.

The passengers were highly respectable farmers from Ayrshire, with their families, live stock, farming implements, seeds, &c.; they intend settling in this province. Besides the capital they possess, they bring also the highest skill in agriculture, and the most extensive experience. Altogether, a most desirable class of persons.

(signed) M. H. Perley,
H. M. Emigration Officer.

SHIP RETURN.—No. 3.

REPORT on the IMMIGRANTS by the Barque "Londonderry," Samuel Hutrick, Master, which arrived at St. John, New Brunswick, from Londonderry, on the 2d of May 1849.

Boarded and Examined, 3 May 1849.—M. H. P.

Name of Vessel—"Londonderry."
 Tonnage—299 tons (new).
 Place of Departure—Londonderry.
 Date of Sailing—4 April 1849.
 Place of Arrival—St. John, New Brunswick.
 Date of Arrival—2 May.
 Number of Days on the Voyage—28.
 Superficies of Deck for the use of Passengers—2,049 feet.
 Number of Adults admissible, computed according to the Passengers' Act—146 only, the ship having no surgeon.
 Number of such Adults actually on board—128½.
 Port at which the Vessel touched—None.
 Date of touching—None.
 Days there—None.
 If placed in Quarantine, for what Cause—Not in Quarantine.

	Adults.		Children between 14 & 7.		Children under 1 Year.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers Embarked	-	-	-	-	-	-	56	55	12	23	3	1	71	79
Deaths on the Voyage	- none.													
Deaths in Quarantine	- none.													
TOTAL Deaths							- none.							
Number of Births on the Voyage							- none.							
Total landed in the Colony	-	-	-	-	-	-	56	55	12	23	3	1	71	79

Steerage - - - - - 150
 Cabin :—Adults - 1 Male - 2 Females.
 Infants - 1 " - - - - -
 2 2 - - - - - 4

Total - 154 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
40	-	22	5					

REMARKS.

The "Londonderry" is a good vessel, and a great favourite in the passenger trade. The provisions and water good; the vessel and the emigrants very clean on arrival; all on board in good health. Many of the passengers were of the better class of small farmers in the north of Ireland, on their way to the United States.

(signed) M. H. Perley,
 H. M. Emigration Officer.

PAPERS RELATIVE TO EMIGRATION.

SHIP RETURN.—No. 4.

NEW BRUNSWICK.

REPORT on the IMMIGRANTS by the Ship "Goliah," Christopher Slater, Master, which arrived at St. John, New Brunswick, from Liverpool, on the 2d of May 1849.

Boarded and Examined, 3 May 1849.—M. H. P.

Name of Vessel—"Goliah."

Tonnage—988 tons (new).

Place of Departure—Liverpool.

Date of Sailing—5 April 1849.

Place of Arrival—St. John, New Brunswick.

Date of Arrival—2 May.

Number of Days on the Voyage—27.

Superficies of Deck for the use of Passengers—Not measured, but ample for those on board.

Number of Adults admissible, computed according to the Passengers' Act—494, by tonnage check.

Number of such Adults actually on board—40.

Port at which the Vessel touched—None.

Date of touching—None.

Days there—None.

If placed in Quarantine, for what Cause—Not in Quarantine; one sick person landed at Partridge Island.

	Adults.		Children between 14 & 1.		Children under 1 Year.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers embarked	-	-	-	-	-	-	22	11	11	4	-	-	33	15
Deaths on the Voyage	-	-	-	1	-	-								
Deaths in Quarantine	none.													
TOTAL Deaths							-	-	-	1	-	-	-	1
Number of Births on the Voyage			-	-	-	-	none.							
Total landed in the Colony			-	-	-	-	22	11	11	3	-	-	33	14

Steerage - - - - - 47

Cabin—Two Males, two Females - - - - - 4

TOTAL - - - 51 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival, out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
-	-	-	7 Masons and Stone-cutters.					

REMARKS.

The "Goliah," is an uncommonly fine ship. The passengers chiefly Irish, of the better class, from the Vale of Avoca, county Wicklow. The Master did not furnish provisions under the Passengers' Act, conceiving he had not a sufficient number to oblige him to do so. Some proceedings are about to be taken to decide this point. The death of the female, a child of 12 years, arose from its drinking a large quantity of ardent spirits.

(signed) M. H. Perley,
H. M. Emigration Officer.

SHIP RETURN.—No. 5.

REPORT on the IMMIGRANTS by the Barque "Pallas," Wm. Hargraves, Master, which arrived at St. John, New Brunswick, from Cork, on the 2d of May 1849.

Boarded and Examined, 3 May 1849.—M. H. P.

Name of Vessel—"Pallas."
 Tonnage—316 tons (new).
 Place of Departure—Cork.
 Date of Sailing—5 April 1849.
 Place of Arrival—St. John, New Brunswick.
 Date of Arrival—2 May.
 Number of Days on the Voyage—27.
 Superficies of Deck for the use of Passengers—2,009 feet.
 Number of Adults admissible, computed according to the Passenger's Act—158 by tonnage check.
 Number of such Adults actually on board—158.
 Port at which the Vessel touched—None.
 Date of touching—None.
 Days there—None.
 If placed in Quarantine, for what Cause—Not in Quarantine.

	Adults.		Children between 14 & 1.		Children under 1 Year.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.								
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.							
Numbers embarked	-	-	-	-	-	-	61	61	34	39	5	2	100	102							
Deaths on the Voyage	-	-	-	1	-	-															
Deaths in Quarantine	-	-	-	-	-	-															
TOTAL Deaths - - -														-	-	-	1	-	-	-	1
Number of Births on the Voyage	- none.																				
Total landed in the Colony	-	-	-	-	-	-	61	61	34	38	5	2	100	101							

TOTAL - - - 201 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival out of the Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			

REMARKS.

The "Pallas" is a comfortable vessel for passengers, and has been long in the trade. Provisions and water good; vessel clean, and passengers healthy on arrival. There was a surgeon on board. Very many of the passengers were fishermen from Kinsale, with their families; the rest small farmers, all on their way to the United States.

(signed) M. H. Perley,
 H. M. Emigration Officer.

PAPERS RELATIVE TO EMIGRATION.

NEW BRUNSWICK.

SHIP RETURN, No. 6.

REPORT on the IMMIGRANTS by the Brig "John," Edward Knox, Master, which arrived at St. John, New Brunswick, from Westport, on the 3d of May 1849.

Boarded and Examined, 3 May 1849—M. H. P.

Name of Vessel—"John."
 Tonnage—174 tons (new).
 Place of Departure—Westport.
 Date of Sailing—29 March 1849.
 Place of Arrival—St. John, New Brunswick.
 Date of Arrival—3 May.
 Number of Days on the Voyage—35.
 Superficies of Deck for the use of Passengers—1,200.
 Number of Adults admissible computed according to the Passengers' Act—87 by tonnage check.
 Number of such Adults actually on board—79.
 Port at which the Vessel touched—None.
 Date of touching—None.
 Days there—None.
 If placed in Quarantine, for what Cause—Not in Quarantine; 1 female, ill with fever, landed at Partridge Island.

	Adults.		Children between 14 and 1 Year.		Children under 1 Year.		Adults.		Children between 14 and 1 Year.		Children under 1 Year.		TOTALS.								
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.							
Numbers Embarked	-	-	-	-	-	-	30	34	13	19	5	1	48	54							
Deaths on the Voyage	-	-	-	2	2	-	-	-	-	-	-	-	-	-							
Deaths in Quarantine	-	none.	-	-	-	-	-	-	-	-	-	-	-	-							
TOTAL Deaths														-	-	-	2	2	-	2	2
Number of Births on the Voyage	-	-	-	-	-	-	none.		-	-	-	-	-	-							
Total landed in the Colony	-	-	-	-	-	-	30	34	13	17	3	1	46	52							

Total - - - 98 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage defrayed		Number engaged for Government Works.	Number assisted on arrival out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
25								

REMARKS.

The "John" is a small brig, and was fitted up comfortably.

The provisions and water were said to be good. The passengers were clean and healthy, with one exception (the female) landed, whose illness was induced by a fall down the hatchway. They were chiefly a respectable class of farmers. Some families who had been tenants of Lord Sligo, had upwards of 100 l. in gold, and appeared in other respects well provided. They intended proceeding to the United States and Upper Canada.

(signed) M. H. Perley,

H. M. Emigration Officer.

— No. 6. —

(No. 47.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart. to
Earl *Grey*.

Government House, Fredericton, 15 May 1849.

(Received, 28 May 1849.)

My Lord,

I HAVE the honour to enclose a copy of a letter from Mr. Perley, the Government Emigration Agent at St. John's, together with two original tickets referred to in that letter.

I have, &c.

(signed) *Edmund Head*.

No. 6.
Lieut.-Governor
Sir E. Head to
Earl Grey,
15 May 1849.

8 May 1849.

Enclosure in No. 6.

Encl. in No. 6.

Government Emigration Office, St. John's,
8 May 1849.

Sir,

WITH reference to my letter of the 4th instant, and the Return, No. 4,* of the ship "Goliath," therein enclosed; I have now the honour to state, that the emigration officer at Liverpool advises me of the sailing of this vessel, without any inspection or examination by him, and desired me to ascertain, on arrival, if she had more passengers than the Act allowed.

* Page 52.

By tonnage, the "Goliath" could bring 39 passengers, without coming under all the provisions of the Passengers' Act. On arrival the master reported 39 passengers; on inspection Dr. Harding reported 40 statute adults. The difference arose from one young female, who proved a cabin passenger; and another young female, stated to be under 14 years of age, whom Dr. Harding conceived to be older, and therefore a full passenger.

Ship "Goliath,"
988 tons per register.

As there had been no apparent desire to evade the law in this respect, and the excess (if any) was very trifling, and somewhat doubtful, I did not conceive it necessary to make a public investigation.

Three of the passengers, named Peter Brady, Michael Brady, and Patrick Coen, complained that they had not received any provisions on the voyage. They summoned the master, who appeared before two magistrates on Saturday last, and stated that the passage brokers who shipped the passengers, put no provisions whatsoever on board, and told him they were not to have any from the ship. In order to produce proof of this, he prayed an adjournment until Monday, which was granted. Meantime he made compensation to the three passengers mentioned, and paid the legal expenses.

The original contract tickets for the three passengers named are enclosed; and it occurs to me, that some inquiry ought to be made into the conduct of the licensed brokers, * * * and * * * who appear to have issued them, as they seem either to have violated the Passengers' Act, or intended a fraud upon these poor emigrants.

If the original tickets are transmitted to England, the Colonial Land and Emigration Commissioners will be enabled to bring these brokers to account.

I have, &c.

(signed) *M. H. Perley*,
H. M. Emigration Officer.

PASSENGER'S CONTRACT TICKET, No. 675.

N.B.—Any one receiving Money from or in respect of any Passenger about leaving the United Kingdom, for any place in North America, without using this Form, and correctly filling up all the blanks therein, and signing it with his name in full, will be liable to a penalty not exceeding £.10 for each such Passenger.

Liverpool, 3 April 1849.

Ship "Goliath," of 1,000 tons register burthen, to sail from Liverpool, for St. John, New Brunswick, on the 4th day of April 1849.

NOT TRANSFERABLE.

NAMES.	Ages.	Equal to Statute Adults.
Patrick Coen - -	40	

We engage that the Parties herein named shall be provided with a Steerage Passage to St. John, New Brunswick, in the Ship "Goliath," with not less than 10 cubic feet for luggage for each statute adult, for the sum of £.2. 17s. 6d., including Head Money (if any) at the place of landing, and every other charge; and we hereby acknowledge to have received the sum of £.2. 17s. 6d. in £.2. 17s. 6d., full payment.

Water and Provisions, according to the annexed scale, will be supplied by the Ship as required by law; and also fires and suitable hearths for cooking. Bedding, and utensils for eating and drinking, must be provided by the Passengers.

For * * * * *
(signature)

SCALE OF PROVISIONS and WATER that will be supplied to each Adult by the Ship during the Voyage.

Two Children under 14 years of age, and over one year, being computed as one Adult.

7 lbs. of Bread, Biscuit, Flour, Oatmeal or Rice, or a proportionate quantity of Potatoes (5 lbs. of Potatoes being computed as equal to 1 lb. of the other articles above enumerated), one-half the quantity to be Biscuit. } Issued not less often than twice a week.
3 quarts of Water per day.

Deposit £. 2 17 6 paid to _____
Balance £. _____ paid to _____
Total £. 2 17 6 in full.

No Bread Stuffs allowed in this Ship.

[Indorsed, "1-3d of Berth No. 4.— * * "]

148.—This Ticket good for only Two Passengers.

PASSENGERS' CONTRACT TICKET,

Liverpool, 31 March 1849.

N.B.—Any one receiving Money from or in respect of any Passenger about leaving the United Kingdom for any place in North America, without using this Form, and strictly filling up all the blanks therein, and signing it with his name in full, will be liable to a penalty not exceeding £.10 for each such Passenger.

Ship "Goliath," of 1,000 tons register burthen, to sail from Liverpool, for St. John, New Brunswick, on the 3d day of April 1849.

The Terms of this Agreement are (the dangers of the Sea—excepted), no Lunatic, Idiot, Deaf and Dumb, Blind, or Infirm Persons will be allowed to embark.
NOT TRANSFERABLE.

NAMES.	Ages.	Equal to Statute Adults.
Peter Brady - -	40	
Michael Brady - -	20	

I engage that the Parties herein named shall be provided with a Steerage Passage to St. John, New Brunswick, in the Ship "Goliath," with not less than 10 cubic feet for luggage for each statute adult, for the sum of £.5. 10s., including Head Money (if any) at the place of landing, and every other charge; and I hereby acknowledge to have received £.4. 15s. in part payment.

Water and Provisions, according to the annexed scale, will be supplied by the ship as required by law; also fires, and suitable hearths for cooking. Bedding, and utensils for eating and drinking, must be provided by the Passengers.

For * * * * * Licensed Agent.
(signature)

SCALE OF PROVISIONS and WATER that will be supplied to each Adult, by the Ship, during the Voyage.

Two Children under 14 years of age, and over one year, being computed as one Adult.

7 lbs of Bread, Biscuit, Flour, Oatmeal or Rice per week, one-half of which will consist of Bread or Biscuit (Potatoes may also be issued at the rate of 5 lbs. of Potatoes in lieu of 1 lb. of Flour, Oatmeal or Rice), and three quarts of Water per day. } Issued not less often than twice a week.

Deposit £. 4 15 - paid in Liverpool.
Balance £. - 15 - to be paid at * * * * * Office, * * * * *
Total £. 5 10 - Liverpool, before the _____ or deposit forfeited.

Balance, 15 s., received in full, * * *

[Indorsed, "Berth No. 4.— * * "]

— No. 7. —

(No. 51.)

COPY of a DESPATCH from Lieutenant-Governor Sir E. Head, Bart. to Earl Grey.

Government House, Fredericton, 17 May 1849.
Received, 5 June 1849.)No. 7.
Lieut.-Governor
Sir E. Head to
Earl Grey,
17 May 1849.

My Lord,

I HAVE the honour to enclose a copy of a letter from the Emigration Agent at St. Andrews, enclosing the Ship Return for the ship "Susan," and one of the original passenger tickets.

Your Lordship will see that the apprehensions which I expressed in my despatch of the 24th of April (No. 42),* as to the character of emigrants likely to arrive at St. Andrew's, were not without foundation. I have written for a list of the names of all the emigrants, and the poor-houses whence they came.

* Page 47.

The latter part of Mr. Boyd's letter, relates to a proposal to give the emigrants by the "Star," a small sum of money, and simply to turn them over to the American frontier, which he declined to sanction.

With regard to the ship "Susan," your Lordship will see that gross deception has been practised. On the ticket the tonnage of the ship is stated as 600 tons, whereas she is really of 165 tons. On the other hand, there was no disease on board, and there seems to be no complaint of the food or water.

I would especially direct attention to the postscript on the Ship Return.

I have, &c.
(signed) Edmund Head.

Enclosure 1, in No. 7.

Sir,

St. Andrew's, 12 May 1849.

HEREWITH I enclose duplicate returns of passengers by barque "Susan," from Cork.

Encl. 1, in No. 7.

The passengers are all in good health, and I have been busily employed since yesterday morning in writing to their friends in the United States for money, to pay their passages from this place.

From letters in possession of some of the emigrants, I am in hopes money will be sent.

With very few exceptions they are miserably poor, and have no means to subsist upon even for a day; widows with large families, and the most of them cannot speak English.

A large number of them have been sent from different poor-houses in Ireland, principally from Kerry. I shall be compelled to get some temporary shelter for them for a few days, until I know what to do with them. In the mean time I shall serve them out with meal and molasses, unless instructed to do something better for them. Two more ships are daily expected.

I have been waiting for instructions about the repairs and improvements on Hospital Island. If the expected passengers are as destitute as those now landed, there is no other place for them, even should they be in health, as the owners of houses in the town will not let them in when they have no money.

Will you be good enough to inform me if there is any way in which I can legally demand from the master of the "Susan," or from the other vessels expected, any security that the passengers shall not become immediately chargeable? I enclose one of the shipping receipts, to show the deception practised upon these people. The vessel is made to be 600 tons, when she is in reality but 165. The whole number of passengers by the "Susan" receiving relief is 102.

PAPERS RELATIVE TO EMIGRATION.

NEW BRUNSWICK. The "Star's" emigrants are still here, in hopes that something may be done to help them away. The small allowance they are getting is far from sufficient to support them. I have a hard time with them, but have managed to keep them in pretty good subjection. I really hope something may be done to get them away, and that as early as possible.

I have, &c.
(signed) *James Boyd*,
Acting Emigration Officer.

I have to acknowledge receipt of your letter of the 9th instant, respecting the emigrants by the "Star," which I shall lay before the local authorities to-morrow, and acquaint you with the result.

Enclosure 2, in No. 6.

Gregory O'Neill, Ship Agent, Merchant's Quay, *Cork*.

(No. 32.)

Encl. 2, in No. 7. Ship "Susan," of 600 tons Register Burthen, to sail from *Cork* for *St. Andrew's*, on the 5th day of April 1849.

NAMES.	Age.	No. of Statute Adults.
Honora Colbert	21	1
Michael Higgins	3	$\frac{1}{2}$
		$1\frac{1}{2}$
Paid in full.		
<i>T. J. Gerald.</i>		

I ENGAGE that the parties herein named shall be provided with a steerage passage to *St. Andrew's*, *New Brunswick*, in the ship "Susan," with not less than 10 cubic feet for luggage for each statute adult, for the sum of 5*l.* 15*s.*, including head-money, if any, at the place of landing, and every other charge; and I hereby acknowledge to have received the sum of 5*l.* 15*s.* in full payment.

Water and provisions according to the annexed scale will be supplied by the ship as required by law, and also fires and suitable hearths for cooking.

Bedding and utensils for eating and drinking must be provided by the passengers.

(signature) *Gregory O'Neill*, per *S. A. Sullivan*.

(Date) 4 April 1849.

SCALE of Provisions and Water that will be supplied to each Adult by the Ship.

7 lbs. biscuit, rice, oatmeal or flour, or a proportionate quantity of potatoes } Issued not less
(5 lbs. of potatoes being computed } often than twice
as equal to 1 lb. of the other articles } each week.
enumerated) per week.

3 quarts of water per day.

	£.	s.	d.			
Deposit	-	-	5 15	-		
Balance	-	-			to be paid at	on or before the
Total	-	-	15 15	-	deposit forfeited.	

N.B.—Any one receiving money from or in respect of any passenger about leaving the United Kingdom for any place in North America, without using this form and correctly filling up the blanks therein, and signing it with his name in full, will be liable to a penalty not exceeding 10*l.* for each such passenger.

SHIP RETURN.

REPORT on the IMMIGRANTS by the Barque "Susan," —Owen, Master, which arrived at St. Andrew's, from Cork, on the 11th of May 1849.

Name of Vessel—" Susan."
 Tonnage—165 (new).
 Place of Departure—Cork.
 Date of Sailing—7 April 1849.
 Place of Arrival—St. Andrew's.
 Date of Arrival—11 May 1849.
 Number of Days on the Voyage—34.
 Superficies of Deck for the Use of Passengers—960.
 Number of Adults admissible, computed according to the Passengers' Act—82.
 Number of such Adults actually on Board—84.
 Port at which the Vessel touched—None.
 Date of touching—
 Days there—
 If placed in Quarantine, for what Cause—

Since the landing of these passengers I find, 38 families out of 42 totally destitute, nearly all of whom have been sent out from poor or workhouses, and are now, and likely to be, a charge on the province.

St. Andrew's, 12 May 1849. (signed) *James Boyd,*
 Acting Emigration Officer.

	Adults.		Children between 14 & 7.		Children under 7 Years.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers embarked	-	-	-	-	-	-	34	30	18	18	7	-	-	-
Deaths on the Voyage	-	-	none.		-	-	-	-	-	-	-	-	-	-
Deaths in Quarantine	-	-	none.		-	-	-	-	-	-	-	-	-	-
TOTAL Deaths - - - - - none.														
Number of Births on the Voyage	-	-	-	-	-	-	-	-	-	-	1	-	-	-
Stowed away, one Adult	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Total landed in the Colony	-	-	-	-	-	-	35	30	18	18	8	-	61	48

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage Defrayed		Number engaged for Government Works.	Number assisted on Arrival out of Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
			40 or from poor-houses.	69				

REMARKS.

Ship staunch, food and water good, and in abundance.

(signed) *James Boyd,*
 Acting Emigration Officer.

NEW BRUNSWICK.

— No. 8. —

(No. 53.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to Earl *Grey*.

Government House, Fredericton, 31 May 1849.

(Received, 19 June 1849.)

No. 8.

My Lord,

Lieut.-Governor
Sir E. Head to
Earl Grey.
31 May 1849.

I HAVE the honour to enclose the usual ship returns for the emigrant vessels "Albion" and "Waterford," which have arrived at St. John, together with a copy of Mr. Perley's letter relating thereto.

I have, &c.

(signed) *Edmund Head*.

Enclosure 1, in No. 8.

Government Emigration Office, St. John,
29 May 1849.

Sir,

Encl. 1. in No. 8.

Returns, No. 7 and
No. 8.

I HAVE to report the arrival of the barque "Albion" from Cork, with 172 passengers, and brig "Waterford," from Limerick, with 156 passengers, for which vessels Ship Returns are enclosed.

It will be observed by the return No. 7, that the passengers by the "Albion," arrived in a very healthy state, and that their number increased during the voyage.

The passengers by the "Waterford" are all on Partridge Island, where they are undergoing purification, and endeavouring to recruit. I was present at their landing yesterday, and observed some very miserable and emaciated persons among them. All the adults were able to walk up to the buildings, although afflicted with fever and dysentery to a certain extent. They come from a district where cholera has prevailed, yet there was no case on board, or any approach to that disease.

In my whole experience I have rarely seen a more dirty, reckless, and apparently lawless set of people than a majority of the passengers by the "Waterford." Long suffering seems to have deprived them of all moral sense.

At present there are no passenger-lists in this office; but it is said that some small vessels may be expected from outports in Ireland during the season. In all probability the emigration of this season will be very limited.

I have, &c.

(signed) *M. H. Perley*,
H. M. Emigration Officer.

The Hon. John R. Partelow, Provincial Secretary.

Enclosure

Enclosure 2, in No. 8.

SHIP RETURN.—No. 7.

REPORT on the IMMIGRANTS by the Barque "Albion," Charles Daly, Master, which arrived at the Port of St. John, from Cork, on the 27th of May 1849. Encl. 2, in No. 8.

Boarded and Examined, 28 May 184—M. H. P.

Name of Vessel—"Albion."
 Tonnage—313 tons (new).
 Place of Departure—Cork.
 Date of Sailing—15 April 1849.
 Place of Arrival—St. John, New Brunswick.
 Date of Arrival—27 May.
 Number of Days on the Voyage—42.
 Superficies of Deck for the use of Passengers—1,741.
 Number of Adults admissible, computed according to the Passengers' Act—145.
 Number of such Adults actually on board—138½.
 Port at which the Vessel touched—None.
 Date of touching—
 Days there—
 If placed in Quarantine, for what Cause—Not in Quarantine.

	Adults.		Children between 14 & 1.		Children under 1 Year.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers embarked	-	-	-	-	-	-	64	51	21	26	3	3	88	80
Deaths on the Voyage	-	-	none.											
Deaths in Quarantine	-	-	none.											
TOTAL Deaths - - -														
Number of Births on the Voyage													1	-
Total landed in the Colony							64	51	21	26	4	3	89	80

Steerage - - - - - 169
 Cabin, 1 Male 2 Female Adults - - - - - 3

TOTAL - - - 172 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage Defrayed		Number engaged for Government Works.	Number assisted on arrival out of the Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
26	-	-	6					

REMARKS.

The "Albion" is a good vessel; the provisions were excellent. The passengers were in excellent health on arrival, and in a tolerably clean condition. They were of the class of small farmers in the county of Cork; many of them from Skibbercen and that vicinity, with some fishermen from Cape Clear.

(signed) M. H. Perley,
 H. M. Emigration Officer.

NEW BRUNSWICK.

Encl. 3, in No. 3.

Enclosure 3, in No. 8.
SHIP RETURN.—No. 8.

REPORT on the IMMIGRANTS by the Brig "Waterford," William Robinson, Master, which arrived at the Port of St. John, from Limerick, on the 27th of May 1849.

Boarded and Examined, 28 May 1849.—M. H. P.

Name of Vessel—"Waterford."

Tonnage—206 tons.

Place of Departure—Limerick.

Date of Sailing—17 April 1849.

Place of Arrival—St. John.

Date of Arrival—27 May.

Number of Days on the Voyage—40.

Superficies of Deck for the use of Passengers—1,552 feet.

Number of Adults admissible, computed according to the Passengers' Act—120.

Number of such Adults actually on Board—121.

Port at which the Vessel touched—None.

Date of touching—None.

Days there—None.

If placed in Quarantine, for what Cause—In consequence of the deaths on the voyage, and sickness among the survivors.

	Adults.		Children between 14 & 1.		Children under 1 Year.		Adults.		Children between 14 & 1.		Children under 1 Year.		TOTALS.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
Numbers Embarked	-	-	-	-	-	-	63	45	23	20	6	8	92	73
Deaths on the Voyage	3	3	2	3	1	1								
Deaths in Quarantine	-	-	none.											
TOTAL Deaths							3	3	2	3	1	1	6	7
Number of Births on the Voyage							- none.							
Total landed in the Colony							60	42	21	17	5	7	86	66

Steerage - - - - - 152
 Cabin:—1 Male, 1 Female Adult, }
 2 Females under 14 - - - } 4

TOTAL - - - 156 Passengers.

Number of Agricultural Labourers.	Number of Domestic Servants.		Number of Mechanics and Tradespeople.	Number for whom Cost of Passage Defrayed		Number engaged for Government Works.	Number assisted on Arrival, out of the Public Fund.	TOTAL Amount Paid.
	M.	F.		By Parish.	By Private Funds.			
35	-	8	5					

REMARKS.

The "Waterford" is a smart brig, with good accommodations for her class. The provisions and water good.

The deaths on the voyage (as stated by the ship's surgeon), arose from dysentery and fever, consequent on long-continued privation and general debility. The passengers generally were in a very weak and miserable state, many suffer from dysentery, and others with feverish symptoms. They were all landed on Partridge Island.

(signed) M. H. Perley,
H. M. Emigration Officer.

— No. 9. —

ACT, CAP. LXIV. 1848.

No. 9.

AN ACT relating to Immigration, and the care and safe keeping of the Children and Property of Deceased Emigrants.—(Passed 30 March 1848.)

WHEREAS, in consequence of the great influx of diseased and pauper emigrants into this Province, not only have heavy burthens been brought on the community, but the emigrants themselves and their families have undergone much distress for want of any adequate provision being made for their necessity; for further remedy whereof.

Preamble.

I. Be it enacted, by the Lieutenant-governor, Legislative Council and Assembly, that the Treasurer of the Province, and Deputy Treasurers respectively, shall keep a separate account of all sums received by them respectively, as head-money or tax upon emigrants from Europe arriving in this Province; which sums so received, shall be applied, from time to time, towards relieving destitute and diseased passengers and emigrants, and in assisting them to reach their several places of destination, and shall be paid by warrant of the Lieutenant-governor or Administrator of the Government, for the time being.

Treasurer to keep a separate account of the Emigrant Head-Money;

which is to be applied towards their relief, and drawn by warrant.

II. And be it enacted, that the orphan or deserted children of such emigrants, or the children of such as may be paupers, may be bound out by the Overseers of the Poor of the parish, or Commissioners of Almshouses of the counties, as the case may be, where such children may be left orphans, or deserted, or be the children of paupers, as aforesaid, to any tradesman, farmer or other fit person engaged in any useful calling, until the age of 21, or in the case of girls, until the age of 18.

The orphan or deserted children of the Emigrants may be bound out to tradesmen, &c., by the overseers of the poor.

III. And be it enacted, that, in case of such binding out, there shall be regular indentures of apprenticeship, in two parts, one part to be filed with the Clerk of the Peace of the county or city and county, where the same may be made, between the said Overseers of the Poor, or any two of them, or the said Commissioners of Almshouses, or any three of them, on the part and behalf of the child or person to be bound, and the master or mistress (if an unmarried woman) which shall contain an agreement on the part of such master or mistress, as the case may be, that he or she shall teach or cause such child or person to be taught to read and write, and some of the general rules of arithmetic.

Indentures of apprenticeships to be entered into.

To contain an agreement that the child shall be taught to read.

IV. And be it enacted, that every such indenture of apprenticeship shall be executed in the presence and by the consent of the Mayor or Recorder of the city of St. John, or of one of the Justices of the Common Pleas of any of the counties of this Province, which consent shall be subscribed or endorsed on the said indenture.

Indentures to be executed in the presence and with consent of the Mayor of St. John, or a Justice of Common Pleas in other counties.

V. And be it enacted, that no such indenture shall be assigned without the consent of the said Mayor or Recorder, or Justice of the Common Pleas, subscribed to or endorsed on the said indenture, under their hands respectively.

Not to be assignable without the like consent.

VI. And be it enacted, that the said Overseers of the Poor or Commissioners of the Almshouse as aforesaid, and each and every of them, shall be, and they are hereby constituted guardians of every person so bound out as aforesaid, in their respective parishes or counties, to take care that the terms of the indentures are fulfilled, and to defend the child or person bound from all cruelty, neglect or breach of contract on the part of the master or mistress; and it shall be each of their special duty, and they and each of them are hereby required, to inquire into the treatment of every such child or person so bound as aforesaid, and redress every grievance sustained by them or any of them according to law.

Overseers of Poor or Commissioners of Almshouse made the guardian of the child bound.

VII. And be it enacted, that the province treasurer or deputy treasurer at any port or place where any passenger-vessel may arrive, shall be, and is hereby empowered to demand, sue for, and recover the money, property and effects of deceased emigrants, and keep a separate account of the same, which account shall be published in the Royal Gazette; and all monies so received by the said province treasurer, or any deputy treasurer, as the former property of a deceased emigrant, shall be deposited in one of the Savings Banks of the province, to the credit of the province treasurer, there to remain until claimed by some person or persons legally entitled thereto; when the same shall be paid over to such legal claimant.

Property of deceased emigrants to be received by the Treasurer at the port of arrival.

Publication to be made in the Royal Gazette, and money lodged in a savings bank.

NEW BRUNSWICK.

Masters of vessels to deliver, on oath, previous to entry, lists of passengers who embarked.

Render accounts of the latter, and deliver the goods, on requisition made.

Penalty on making a false list or account.

Recovery.

Compensation for deficient issues of provisions may be recovered by summary proceedings before two magistrates.

Security for payment of the compensation may be ordered.

No vessel which may have arrived with passengers to be allowed to proceed to sea until all penalties, &c., legally adjudged for violations of the Passengers' Act shall have been paid.

Suspending Clause.

VIII. And be it enacted, that whenever any ship or vessel shall arrive or come from Europe to any port or place within this Province, the master or person having charge of such ship or vessel, before such ship or vessel shall be admitted to entry, shall make oath before the treasurer of the Province, or the deputy treasurer at the port or place where such vessel may arrive, that no passengers embarked or sailed on board such ship or vessel on her said voyage to this Province, or otherwise shall deliver to the said treasurer of the Province, or deputy-treasurer, a schedule or list, in writing, signed by him the said master or person having charge as aforesaid, setting forth the name, profession or employment of every passenger respectively who may have embarked or sailed on board of such ship or vessel on her said voyage, and shall also at the same time deliver to the said treasurer of the Province, or deputy treasurer as aforesaid, a schedule or list, in writing, signed as aforesaid, of the names and ages, or supposed ages of each and every passenger on board such ship or vessel who may have died during the voyage, and an account, in writing, signed as aforesaid, of all property, goods, chattels or effects, if any, on board such ship or vessel belonging to the estate of such deceased passenger, and if required by the treasurer of the Province, or any deputy treasurer as aforesaid, shall deliver such property, goods, chattels and effects to the said treasurer or deputy treasurer immediately after entry, for safe keeping; and if any or either of such schedules or lists, or such account of property shall be false in any particular, then and in every such case the master or person having charge who shall make, sign or deliver the same as aforesaid, shall forfeit and pay the sum of 50*l.* to the use of Her Majesty, to be sued for and recovered by the said province treasurer or any deputy treasurer, by summary proceeding before two magistrates, in the same form and levied in the like manner as is mentioned in the next section of this Act for recovering compensation to passengers.

IX. And be it enacted, that any passenger arriving in this Province in any ship or vessel, who may not during the voyage have received the quantity of provisions to which they were entitled by law, shall recover compensation for the deficiency, in a sum not exceeding 5*l.* from the master or owner or person having charge of such ship or vessel, by summary proceeding before two magistrates, on the oath of one or more credible witness or witnesses, or other competent testimony, or by confession of the party charged, with costs, to be levied by warrant of distress against the goods and chattels of such party, or the tackle, apparel or furniture of the said ship or vessel, directed to some constable of the parish or place where the said ship or vessel may be, and the overplus, after deducting the costs of levy and sale, to be paid to the said master or person having charge of such ship or vessel, or owner as aforesaid.

X. And be it enacted, that such magistrates may grant an order that such master or person having charge of such vessel as aforesaid, shall give security for payment of such compensation, on affidavit showing sufficient cause for requiring such security.

XI. And be it enacted, that no ship or vessel which may have arrived at any port or place in this Province with passengers and emigrants from Europe as aforesaid, shall be cleared out or allowed to proceed to sea until all and every sum and sums of money, penalty or penalties which the master or person having charge of such ship or vessel shall have been legally adjudged to pay for any violation or violations of an Act of the Imperial Parliament, made and passed in the fifth and sixth years of the reign of Her present Majesty, c. 107, intituled, "An Act to regulate the Carriage of Passengers in Merchant Vessels," or of an Act in amendment thereof, made and passed in the 10th and 11th years of the reign of Her present Majesty, c. 103, intituled, "An Act to amend the Passengers' Act, and to make further provision for the Carriage of Passengers by Sea," shall first have been paid and satisfied.

XII. And be it enacted that this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

(This Act was specially confirmed, ratified and finally enacted, by an Order of Her Majesty in Council, dated the 27th day of June 1848, and published and declared in the Province the 19th day of July 1848.)

— No. 10. —

ACT, CAP. IV. 1849.

AN ACT to facilitate the Sale and Improvement of Crown Lands in certain cases.—(Passed 8 March 1849.)

No. 10.

WHEREAS every facility and encouragement should be afforded for the occupation and improvement of the ungranted lands in this Province; and whereas it is deemed advisable that the Government should be invested with power to dispose of the Crown lands in certain cases by private sale, upon such terms and conditions as may be most encouraging to the purchaser:

Preamble.

I. Be it therefore enacted, by the Lieutenant-governor, Legislative Council and Assembly, that notwithstanding anything contained in the 5th section of an Act made and passed in the eighth year of the reign of his late Majesty William the Fourth, intituled, "An Act for the Support of the Civil Government of this Province," it shall and may be lawful for his Excellency the Lieutenant-governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, from time to time, and as often as occasion may require, and with a view to the early disposal of the vacant Crown lands to persons who are able and willing to improve the same, to cause portions thereof to be surveyed and laid off in such place and in such way and manner as may be deemed most advisable.

Vacant Crown lands may be surveyed in lots.

II. And be it enacted, that it shall and may be lawful for his Excellency the Lieutenant-governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, to sell and dispose of the lots so surveyed and laid off as aforesaid, by private sale, for such price as may be deemed advisable, and upon such terms of payment, either in money or in opening and making the roads through such lots or otherwise, as may most readily facilitate the occupation and improvement thereof by orderly and industrious settlers: Provided always, that no lot be sold at a less rate than 3s. per acre, or shall contain a greater quantity than 100 acres.

Lots not exceeding 100 acres may be disposed of by private sale at 3s. per acre for money, or labour in making roads.

III. And be it enacted, that his Excellency the Lieutenant-governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, shall have full power and authority during the continuance of this Act, to make, publish and enforce such rules and regulations as may be required for carrying out the objects of this Act.

Regulations to effectuate this Act may be made.

IV. And be it enacted, that this Act shall not come into operation or be in force until the first day of September next.

Commencement of Act.

— No. 11. —

ACT, CAP. XIX. 1849.

AN ACT to authorize the Commutation of Debts due to the Crown by Settlers, in certain cases, for Work on Public Roads.—(Passed, 27 March 1849.)

No. 11.

WHEREAS, for the better encouragement of settlers on new lands who have not paid the amount of their purchase money, it is deemed advisable to provide for the commutation thereof, in certain cases, by work to be performed on the public roads;

Preamble.

I. Be it therefore enacted, by the Lieutenant-governor, Legislative Council and Assembly, that from and after the passing of this Act it shall and may be lawful for his Excellency the Lieutenant-governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, in all cases where purchasers of Crown lands who have improved and are actually resident upon their respective lots, but have not yet paid the whole of the purchase-money therefor, and where the principal money due in any case does not exceed the sum of 12*l.*, to order and direct that the purchasers respectively shall have permission to do and perform work and labour upon the public roads in the vicinity

Labour on Roads to be accepted for Crown land debts, not exceeding 12*l.*

NEW BRUNSWICK. of and as near as may be to their respective lots, in payment of the balances remaining due on the said purchases.

Superintending Commissioners to be appointed.

II. And be it enacted, that in order that the said work may be efficiently performed, it shall and may be lawful for his Excellency the Lieutenant-governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, forthwith to appoint in and for each county, or in and for any particular district, parish or settlement, one or more fit and proper person or persons as Commissioner or Commissioners, to superintend and direct the performance and application of such labour.

Debtors to notify to the Commissioners of their intention to work, &c.

III. And be it enacted, that each and every person who may be indebted to the Crown in a sum not exceeding as aforesaid 12*l.*, for and on account of the purchase of land, who is an actual and *bond fide* settler on the lot for which he is so indebted, and who is desirous of availing himself of the benefits and advantages of this Act, shall signify the same on or before the 15th day of June next, to such Commissioner as may be appointed for the parish, district or settlement where such settler may reside, and shall at the same time deposit with such Commissioner the sum of 1*s.* on each and every pound of the debt due from such settler, and for which he is desirous of performing work.

Commissioners to record applications, and make inquiries.

IV. And be it enacted, that each and every Commissioner shall keep a record of the names of all persons who shall so report themselves as aforesaid, and shall in all cases satisfy himself that every such person is entitled to the privileges and advantages of this Act, before allowing him to avail himself thereof.

Debtors to work agreeably to directions.

V. And be it enacted, that each and every settler so recorded, shall do and perform such part and portion of work according to such specifications, and at such place and within such time as the Commissioner may direct and appoint, and as near as may be to the residence of such settlers; provided that no part of such work be performed after the 1st day of October.

Minimum width of roads, and maximum remuneration.

VI. And be it enacted, that in the cases aforesaid, no road shall be made of less width than 16 feet between the ditches, and that a sum not exceeding 5*s.* per rod, in the discretion of the Commissioner, be allowed on account of any such work: Provided always, that in any case when it may be necessary to construct a bridge, the Commissioner shall specify in what manner the same shall be built, and shall estimate, as near as may be, the value thereof in reference to the rate before mentioned, and which, when done, he shall allow to the parties building the same as and for so many rods of road.

Commissioners to make up a return with certain specifications.

VII. And be it enacted, that as soon as may be after the 1st day of October, every Commissioner shall make up a return of his proceedings under this Act, specifying therein the name of each settler who may have worked, the number of rods he has made, and the rate allowed for the same, and the number of bridges built, which said return shall be certified and signed by such Commissioner; and the respective sums therein allowed shall be deemed and taken as so much paid for and on account of the said debts due by the settlers respectively, and shall be credited as such; and in every case where the amount of such work is equal to the principal money due from the settler, his grant shall forthwith issue without any further charge or payment therefor.

Grant of land.

VIII. And be it enacted, that if any settlers shall neglect or refuse to avail themselves of the privileges and advantages offered by this Act, the Commissioner for the place or district where they may reside shall, as soon as may be after the 1st day of October, make a return of the names of such persons to the Provincial Secretary.

Act not to authorize roads of illegal width.

IX. And be it enacted, that nothing in this Act contained shall extend or be construed to extend to authorize the laying off any roads within the Province, of a width not authorized by law.

Limitation.

X. And be it enacted, that this Act shall continue and be in force until the 1st day of April in the year of our Lord 1851.

Despatches from the Right Honourable Earl Grey,
Secretary of State.

— No. 1. —

(No. 115.)

COPY of a DESPATCH from Earl Grey to Lieutenant-Governor
Sir E. Head, Bart.

Sir,

Downing-street, 23 February 1849.

No. 1.

HAVING referred your despatch, No. 10, of 16th January last* for the consideration of the Lords Commissioners of the Treasury, their Lordships have informed me in answer, that the officer in charge of the Commissariat at New Brunswick, has been directed to make a further repayment to the Provincial Treasury on account of expenditure for the relief of destitute emigrants from the United Kingdom in the year 1847, of the sum of 7,108 *l.* 9 *s.* 8 *d.* being in full of the amount of 14,518 *l.* 9 *s.* 8 *d.* expended from the provincial funds for that service.

Earl Grey to
Lieut.-governor
Sir E. Head,
23 February 1849.

I have, &c.

(signed) Grey.

— No. 2. —

(No. 127.)

COPY of a DESPATCH from Earl Grey to Lieutenant-Governor
Sir E. Head, Bart.

Sir,

Downing-street, 10 May 1849.

No. 2.

1. HAVE the honour to state that I duly received your despatch, No. 14,† of the 3d of February last, and that I have considered with attention the report which it contained from a committee of your Executive Council upon the subject of immigration and the settlement of the wild lands.

Earl Grey to
Lieut.-governor
Sir E. Head,
10 May 1849.
† Page 16.

2. The description which the committee have furnished of each county, of the nature of its soil and produce, and its general features, is very interesting, and I cannot but receive with pleasure so favourable a description of the province by gentlemen possessed of such good means of information. With a view of giving it all practicable publicity, I have instructed the Commissioners of Emigration to include this document in the Appendix to their forthcoming Annual Report.

3. At the same time there are some strong reasons for hoping that the colony cannot have suffered that injury which the committee apprehend to have occurred from ignorance or false impressions in this country. It must be remembered, that only last year the Agent for Emigration found it necessary to report that in the course of the twelvemonth "at least 5,000 persons, natives and residents," had left New Brunswick for the United States, many of them being capitalists, and nearly all possessing some money. It is plain therefore, that no impression was then prevailing in England, which had prevented even a much greater number of persons from resorting to the province, than found that they could eventually establish themselves there. And as far as regards the influence of persons of a humbler class, you are doubtless aware, from the records of your government, that the local authorities have repeatedly found it necessary to address requests to the Government of this country that emigration to the province should be checked.

4. I have perused with much care the committee's account of what appear to them the principal defects in the present system of disposing of the Crown lands.

These

* Page 66, of Parl. Paper on North American Emigration, presented by Command, Feb. 1849.
593.—II.

NEW BRUNSWICK.

These are, first, the form in which the lots are laid out. These are said to be sometimes as much as seven miles deep and only 30 rods wide.—Secondly, the sale of large blocks to land speculators, who obtain them not for improvement, but for re-sale—and, Thirdly, the want of a continuity of survey, by reason of which settlers are dispersed and divided.

5. I agree with the committee, that any defects of this kind which may exist, must be of an injurious tendency. In so far, however, as regards the first and third of the points adverted to, viz. the shape of the lots and the want of a continuity of survey, it can only rest with the Executive Government of the province if satisfied of the prevalence of these evils, to supply the remedy by an alteration of its present regulations and instructions.

6. The separation of the settlers, in consequence of the accumulation in private hands of large tracts, held not for improvement but for re-sale, is an evil which it is more difficult to deal with. One safeguard against it might be afforded by a much higher upset price. And I can quite believe that the price of land might advantageously be raised, notwithstanding the lower rate at which it might be bought elsewhere, provided that the purchase-money were spent on roads and on other improvements which would make the land more valuable to the real settler, so that the increase of price to him would be nominal. But from the tenor of the opinions which have often been expressed from the province, I am aware that no increase of price is likely to be deemed admissible there; and it must be admitted that such an increase would not remedy the evil which already exists, even though it should prevent its recurrence. The only measure which would attain both objects would be the imposition of a small tax on land applicable to local purposes, such as exists in the Northern States of the Union and in the province of Canada. This measure, if feasible, is one which can emanate only from the local Legislature, but which it is competent to that authority to pass at any time, if judged by it to be requisite for the public interest.

7. Besides pointing out the defects which I have above examined, the committee give their opinion in favour of a plan* of settlement suggested to them by Mr. Beckwith, of the Land Department, of which the principal features are, that the land should be disposed of in small lots, and that the settler should only pay one-fourth of the price in money, contributing the remainder in labour on the roads. This is a scheme which in various forms has often been suggested from New Brunswick, and which, in some cases, that will be within your knowledge, has been actually tried.

8. I need scarcely mention the objections of a general character to sales of land upon credit. They have been repeatedly urged in those treatises which have most authority on the subject of colonization, and have been often reproduced in public documents. In Lord Stanley's despatch of the 3d of February 1843, and in the previous papers therein referred to, he pointed out these objections as applicable to some plans which were then contemplated in New Brunswick, and he again referred to them in a later despatch, of the 28th of September 1844, upon certain new land regulations at that time devised by the Council. Nevertheless, Lord Stanley stated that, as they were recommended on such high authority, he would not desire them to be cancelled, but would leave it to the Governor to act upon them, until experience should show whether or not they were advantageous to the province.

9. I am not aware, however, that any very distinct report was ever made by your predecessor of the extent to which these rules were acted upon, or of the consequences which may have ensued. From his despatch of the 27th of April 1847, I gathered that the Legislature objected to incurring any expense for the formation of such settlements. I can only state that the whole subject having been referred to the local authorities, I am not aware of the existence of any instructions from home that would interfere with the trial of any experiment which may be shown to the satisfaction of yourself and of the Legislature, if a vote of public money be required, to be advisable.

I have, &c.

(signed) Grey.

* See page 21.

Parl. Paper, 291,
1843, page 153.

Parl. Paper, June
1847, page 15.

NOVA SCOTIA.

NOVA SCOTIA.

Despatch from Lieutenant-Governor Sir *John Harvey*.

— No. 1. —

(No. 121.)

Copy of a DESPATCH from Lieutenant-Governor Sir *John Harvey* to Earl *Grey*.

No. 1.

Lieut.-Governor
Sir *John Harvey*
to Earl *Grey*.

13 June 1849.

* Page 71.

Government House, Halifax, 13 June 1849.

(Received 25 June 1849.)

My Lord,

REFERRING to your Lordship's despatch (No. 166),* of the 10th of May, accompanied by a letter addressed to your Lordship by his Grace the Duke of Sutherland, I have now the honour to report, that immediately on the receipt of those documents, I called upon the Comptroller of Customs to direct the proper officer at the port of Pictou to explain the circumstances under which head-money was collected from the passengers landed at that port from the barque "Ellen," and subsequently transhipped to Prince Edward Island.

2. From the documents enclosed, it will appear that the "Ellen" cleared for Pictou and not for Prince Edward Island; that four days after her arrival she sailed for a port in New Brunswick, leaving all her passengers (in number 126 adults) behind; that of these, but six families subsequently removed to Prince Edward Island in other vessels. Under these circumstances no legal claim to a return of head-money could be established, and however hardly the double payment exacted in the sister colony may have borne upon these poor people in this instance, I humbly conceive that very great inconvenience would result if emigrants landing in one province and subsequently dispersing into others, were encouraged to reclaim the head-money paid at the port of landing, where in a great majority of cases they would, from the prevalence of poverty and disease, be chiefly burthensome. Less difficulty would arise if each colony, collecting from ships entering its ports from the long voyage, would permit emigrants once landed in either, to pass freely into the others.

3. One of the vessels to which the Duke of Sutherland refers, landed at Pictou last season a cargo of emigrants affected with confluent small-pox. At a heavy expense to this Government they were maintained in hospital for many weeks, under the care of the provincial health officers; 23 died, and late in the autumn finding that the greater portion of the survivors were bound for Prince Edward Island and Cape Breton, I directed vessels to be hired at the public expense to convey them thither, and was compelled to advance to those going to Prince Edward Island 112*l.* 10*s.* out of the treasury to pay their head-money in that colony, a sum which the authorities of the island declined to repay.

4. Should your Lordship, with these explanations, still think that the head-money paid by the six families who have complained should be refunded, I will, on the receipt of your Lordship's further instructions, submit the question to the Council.

I have, &c.

(signed) *J. Harvey*.

NOVA SCOTIA.

Enclosure 1, in No. 1.

(No. 97.)

Sir,

Encl. 1, in No. 1.

Custom-House, Halifax, N. S.,
6 June 1849.

WITH reference to your letter of the 28th ultimo, relative to certain emigrants brought to this Province in the barque "Ellen" from Scotland; I have the honour herewith to enclose a letter I have this day received from Mr. Robertson, the Comptroller of Customs at Pictou. I beg leave to state, that the original list alluded to by Mr. Robertson, was transmitted by me, with the payment of the money, to Mr. Fairbanks, the Receiver-general.

The Honourable Joseph Howe,
&c. &c. &c.

I have, &c.
(signed) *Henry Frew,*
Comptroller.

Enclosure 2, in No. 1.

(No. 21.)

Sir,

Encl. 2, in No. 1.

Custom-House, Pictou,
2 June 1849.

IN obedience to your letter of the 28th ultimo, respecting certain emigrants brought to this port in the barque "Ellen," M'Lachlan master, from Loch Laxford, Scotland.

Note.—The number is omitted in the original.

I beg to report, for the information of his Excellency the Governor, that the barque "Ellen," D. M'Lauchlan master, arrived here on the 29th June 1848, and landed all the passengers, being _____ in number, with the exception of two families transhipped into the mail packet "Peri," Captain Davis; and in the following two weeks, four families embarked for the same destination, making in all, six families; a few of the families went to Cape Breton, and the remainder located in different parts of this Province.

The "Ellen" cleared out and sailed from hence on the 3d July, for Buctouche, N. B., in ballast, leaving all the passengers behind.

From the victualling bill brought by Captain M'Lachlan (which I endorsed and returned to him) it would appear that the vessel cleared from Liverpool "to take on board passengers at Loch Laxford," which will be shown by the list transmitted to you on the 18th January last, No. 3, and the amount of head-money collected in virtue of the Provincial Act, amounting to 63*l.* 5*s.*, being for 126½ adults, at 10*s.* each, was remitted on the same date, per my letter No. 2.

I may remark, that the "Ellen" was not bound to Prince Edward Island, but to this port, being the agreement entered into between the master and the Duke of Sutherland's agent, before the embarkation of the emigrants at Loch Laxford.

Henry Frew, Esq., Comptroller,
&c. &c. &c.

I have, &c.
(signed) *Wm. Robertson,*
Comptroller.

Despatch from the Right Honourable Earl Grey,
Secretary of State.

— No. 1. —

(No. 166.)

COPY of a DESPATCH from Earl Grey to Lieutenant-Governor
Sir John Harvey.

No. 1.
Earl Grey to
Lieut.-Governor
Sir John Harvey.
10 May 1849.

5 May 1849.

Sir,*

Downing-street, 10 May 1849.

I HAVE the honour to enclose some letters which have been transmitted to me by the Duke of Sutherland, in which you will find it stated that certain emigrants, bound to Prince Edward Island, having landed for a few hours at Pictou, the emigrant tax was levied on them there, owing, probably, to its not being set forth with sufficient distinctness in the passenger list that they were destined to Prince Edward Island, and that upon their reaching the latter place they were subjected to a fresh demand for head-money, and have only been hitherto exempted from its payment in consideration of their having entered into bonds for producing it if ultimately required.

As it would evidently appear a hardship, and cannot be supposed to have been really designed by the Legislature, that persons who land only for a few hours in their transit to other colonies should be subjected to the payment of emigrant tax. I should wish you to consult your law officers on this question, and to transfer, if it be competent to you so to do, the amount of the head-money levied on these passengers to the Government of Prince Edward Island.

I have, &c.
(signed) Grey.

Enclosure 1, in No. 1.

My Lord,

London, 5 May 1849.

I TAKE the liberty of appealing to your Lordship on behalf of some poor emigrants from Sutherland, who have been put to very great distress by what certainly seems an act of very serious oppression. On account of the destitution on the west coast of Sutherland; which in consequence of total failure of the potato crop equalled that experienced on the west of Ireland, these poor people were desirous to emigrate, some, having had acquaintance in Nova Scotia and in Prince Edward's Island, preferred those colonies: and as their poverty prevented their defraying the necessary expenses, I chartered last year three vessels, and paid the whole expenses for 1,176 persons (including women and children). They all had prosperous voyages, and the emigrants in two of the ships bound to Canada, have there succeeded, as on a former occasion in the preceding year, as well as possible; but these unfortunate people having on the contrary met with unkind, and in their case, really cruel treatment on the part of persons under Government authority in Prince Edward's Island, are in greater distress than could have been apprehended for them. Even supposing they should have been led by mistake to pay at a wrong time and place, this might surely have been set right without subjecting them to the privation while this already paid tax was kept still suspended over them without mercy for months in the beginning of their unhappy course. I can have no doubt that the colonial Government will satisfy the urgent request for consideration; the poor people are in the mean time suffering very severely. I trust that your Lordship will excuse my thus troubling you, as I feel compelled by the urgency of their case to do.

Encl. 1. in No. 1.

I send copies of letters which have been forwarded to me by Mr. M'Iver, my factor on the west coast of Sutherland, and of an extract of the Colonial Act relating to the subject.

Earl Grey, &c. &c. &c.

I have, &c.
(signed) Sutherland.

Enclosure 2, in No. 1.

Evander M'Iver, Esq. to James Loch, Esq.

Dear Sir,

Scowrie, 28 April 1849.

I REGRET to trouble you with the enclosed documents relative to some of our poor emigrants who went to Pictou last year; but as it appears to me to be a case of extreme hardship and injustice, I venture to send them, in the hope you may induce the authorities at the Colonial Office to interfere in the matter.

Encl. 2, in No. 1.

The

* Vide Governor's Despatch in answer, No 121, 13 June 1849, at page 69.

NOVA SCOTIA.

The barque "Ellen," chartered by the Duke of Sutherland to land emigrants at Pictou was, on her arrival there strictly subjected to the regulations of the colony, and the head-money, amounting to 10 s. each, paid by the captain for every soul on board; several families intending to settle in Prince Edward's Island took passage from Pictou in a packet, and on their arrival the authorities there insisted for payment of head-money, which having been paid at Pictou, these poor people refused, consequently their luggage was seized, and only given up to them on condition that they became bound to pay if the Assembly decided they should have to do so.

If you will take the trouble to read the enclosed, you will know what is the easiest and simplest mode of interfering in their behalf.

James Loch, Esq.,

I am, &c.
(signed) *Evander M'Iver.*

Enclosure 3, in No. 1.

Evander M'Iver, Esq., to Mr. A. M'Kay,

Scourie by Goutrie, N. B.,
9 February 1849.

Sir,

Encl. 3, in No. 1.

HAVING last year chartered, as factor in this district of the estate of Sutherland, the barque "Ellen," to carry emigrants from this coast to Pictou, and having had some correspondence with one of the emigrants, Hector Falconer, who, after this ship's arrival proceeded to Prince Edward's Island, I find that he and others received much attention and sympathy at your hands, and I therefore deem it proper to express to you my sincere and best thanks for your kind and feeling interest in these poor people, in whose welfare and prosperity you may naturally suppose I am much interested.

Falconer writes me, that on their arrival at Prince Edward's Island, they were charged with head-money, although all the legal charges had been previously paid at Pictou, which I know to be the case, as I gave money for this special purpose to the captain. Falconer further states, that he came back to Pictou and got a certificate from the Custom-house authorities that this head-money had been paid them for his family and all those who had accompanied him; that on returning to Prince Edward's Island with this certificate, it would not satisfy the authorities there; that their luggage was arrested, and they had to sign a bond agreeing to pay the amount within six months, and that until the Assembly met he knew not how they were to be dealt by.

This appears a very strange business, and I suppose that Falconer, owing to some ignorance of the necessary forms, did not comply with the Custom-house regulations; still, as he was a very decent honest fellow, I think there must be some truth in his statement, and for the sake of others I am anxious to ascertain the truth. You will therefore add to the obligations you have already conferred on these men and upon me, by letting me know what you know of the matter, and what is my best plan in case I may be chartering a ship again, to prevent the recurrence of such annoying treatment. If the authorities at Prince Edward's Island are to blame, you will please to let me know in what respect. Such harsh unfair treatment of poor people would not be tolerated in Britain.

I must apologize for thus troubling you, and again thanking you for your generous conduct to these poor people in their difficulties.

Mr. Alexander G. M'Kay, Custom-House,
Pictou, Nova Scotia.

I remain, &c.
(signed) *Evander M'Iver.*

Enclosure 4, in No. 1.

Mr. Alexander G. M'Kay to Evander M'Iver, Esq.

Sir,

Encl. 4, in No. 1.

Pictou, Nova Scotia, 31 March 1849.

IMMEDIATELY after receipt of yours of date the 9th February last, I put myself in communication with his Excellency Sir Donald Campbell, the Lieutenant-governor of Prince Edward's Island, through the Honourable T. H. Haviland, the Colonial Secretary, touching the subject to which your letter refers, and I now transmit unto you his answer, being the original, relative thereto. It is correct, as Mr. Falconer stated in his letter to you, that Captain M'Lauchlan paid the head-money for all his passengers here, together with all other legal charges here, and acted indeed unto one and all of them more like the head of a family than a ship-master; no praise that they can bestow upon him can be too great. The passengers having landed here, our collector refused to refund the same, and subsequently remitted the amount to the Customs department in Halifax, where, as you will perceive by the Colonial Secretary's letter to me, it awaits the decision of the two governments. As you mention in your letter the probability of emigrants embarking from your quarter for Nova Scotia during the ensuing summer, I took the trouble of seeking information for your future guidance from our member of parliament at present in Halifax, and he has forwarded unto me a copy of the Immigration Law which I also enclose. I may here

here mention, that at the time of the immigrants' leaving Scotland, if the place of their destination accompanied their names on the ship's manifest, a similar difficulty might be avoided, as it would only be collected in the quarter where they were bound for. I shall at all times take great pleasure in furthering the interest of my countrymen on their arrival here, and I trust you will appreciate the manner in which I have acted since receipt of yours. In consequence of the destitution which prevails here at present, owing to the failure of the crops during the past year, I think, at present, it would be an imprudent step to send out immigrants for some time at least, and do assure you that those who arrived by the "Ellen" would find it a great relief if a small amount were sent to the head of each family to enable them to purchase seed.

I remain, &c.

E. M'Iver, Esq.

(signed) *Alexander G. M'Kay.*

Enclosure 5, in No. 1.

Hon. *T. H. Haviland*, Colonial Secretary, Charlotte Town, to Mr. *Alexander M'Kay*.

Secretary's Office, Charlotte Town,
22 March 1849.

Sir,

I HAVE received and laid before his Excellency Sir Donald Campbell, your communication of the 12th instant, and also the enclosure from Mr. M'Iver, relative to the Immigrants who arrived here from Scotland via Pictou, in the early part of the last summer, and whose luggage was detained for the payment of the head-money, to which they were rendered liable by law, until released by his Excellency upon their entering into a bond to await the decision of the Legislature in their peculiar case.

Encl. 5, in No. 1.

I am desired by his Excellency to acquaint you, for the information of Mr. M'Iver, that the Legislature which is now in session, has not yet expressed any opinion upon the question, although there can be no doubt of the legal responsibility of the immigrants to pay the amount of the head-money demanded of them upon their landing here, although they have just cause to complain of a law which compelled them to pay head-money in Pictou, where they remained, as his Excellency understood, but a few hours; the object of the law which is general throughout the British North American Colonies, is to protect each colony against the evil consequences of the introduction of pauper immigrants, by raising a fund, out of which to provide for the necessities of those who may become chargeable to the colony in which they locate themselves; consequently, as the ultimate destination of the immigrants referred to by Mr. M'Iver was this colony, the right to demand head-money upon their arrival here was indisputable, and I would recommend Mr. M'Iver, in any future arrangements he may make for sending out emigrants to this part of the world, to cause them to be landed in the colony which they propose to make their home, and thus prevent a recurrence of the vexatious proceeding to which the emigrants by the "Ellen" were subjected.

I remain, &c.

Mr. Alexander M'Kay.

(signed) *T. H. Haviland*,
Colonial Secretary.

Enclosure 6, in No. 1.

H. Blackadder, Esq., Member for the Township of Pictou, to Mr. *Alexander M'Kay*.

Sir,

I HEREWITH enclose to you a copy of the Act passed during the last session, regulating the arrival of emigrants in this Province from any part of the United Kingdom. This Act is in no way changed or altered by any legislation during the present session; such, therefore, as wish to emigrate to Nova Scotia, will see what they will have to provide for.

Encl. 6, in No. 1.

I am, &c.

Mr. Alexander M'Kay.

(signed) *H. Blackadder*,
Member for the Township of Pictou.

Enclosure 7, No. 1.

SECTION XIV. of an Act to Regulate Immigrant Vessels and Passengers.

XIV. AND be it enacted, that it shall be lawful for the Governor in Council, on the arrival of any ship or vessel at any port or place in this Province, with passengers or immigrants, and liable to quarantine or head-money by the 2d section of this Act imposed, to relieve the owner, charterer, captain or agent of said ship or vessel from the payment of the said quarantine or head-money, in whole or in part, as to the said Governor in Council as aforesaid may appear just and reasonable, and on such terms as they may think it necessary to impose.

Encl. 7 in No. 1.

PRINCE EDWARD
ISLAND.

PRINCE EDWARD ISLAND.

Despatch from the Right Honourable Earl Grey, Secretary of State.

—No. 1.—

No. 1.
Earl Grey to Sir
Donald Campbell,
Bart.
10 May 1849.

(No. 75.)

COPY of a DESPATCH from Earl Grey to Lieutenant-Governor Sir Donald Campbell, Bart.

Sir,

Downing-street, 10 May 1849.

I HAVE the honour to enclose, for your information, copies of some letters which have been transmitted to me by the Duke of Sutherland, together with a Despatch, which I have addressed on the subject to the Governor of Nova Scotia, respecting the case of some poor emigrants, who are stated to have been obliged to enter into bond at Prince Edward Island for payment of emigrant tax, although they had previously paid it in their way through Pictou, in Nova Scotia.

You will see that I have instructed the Governor of Nova Scotia, if he finds that it is legally within his power, to transfer the amount of head-money received on these passengers to your Government. I am very anxious that, if possible, these poor people should be relieved from paying their head-money twice over.

I have, &c.

(signed) Grey.

—No. 2.—

ACT, CAP. XXVII.

AN ACT to repeal and alter certain parts of the Emigrant Act.
(Passed 2 May 1849.)

No. 1.
Repeals 6th and 18th
sections of Act
11 Vict. c. 3.

BE it enacted, by the Lieutenant-governor, Council and Assembly, that the 6th and 18th sections of an Act passed in the 11th year of the reign of Her present Majesty, intituled, "An Act to repeal the Laws now in force relating to Emigrants, and to make other Provisions in lieu thereof,"* be, and the same are hereby repealed.

Explains 4th section
of Act of 11 Vict. c. 3,
as to lists of emi-
grants, &c.

II. And whereas the provisions of the 4th section of the said Act, in some respects, impose difficulties upon the masters or commanders of emigrant vessels, which may be dispensed with; be it therefore enacted, that so much of the 4th section of the said recited Act as imposes upon the masters or commanders of emigrant ships the duty of setting out, or expressing, in the list or return of emigrants thereby required to be delivered to the collector of impost, the ages of such emigrants, or their trades or occupations, or any infirmity of body or affection of constitution to which they may be subject, be, and the same is hereby repealed.

* This Act will be found printed at page 53 of Papers relative to North American Emigration, presented to both Houses of Parliament by Command, June 1848.

REPORT from the COLONIAL AND LAND EMIGRATION COMMISSIONERS.

Report from the Colonial Land and Emigration Commissioners.

EMIGRANT REMITTANCES.

—No. 1.—

COPY of a LETTER from the Colonial Land and Emigration Commissioners to *Herman Merivale, Esq.*

Colonial Land and Emigration Office,
21 February 1849.

Sir

WE have to acknowledge the receipt of your letter of the 9th instant, desiring us to procure the best information which circumstances would admit of, as to the extent of the remittances during the season of 1848, from persons in British America and the United States to firms in this country, to assist the relations or friends of the parties making such remittances to emigrate.

2. In obedience to Lord Grey's instructions, we communicated with the Canada Company, and with our agents at the out-ports, and we have the honour to enclose herewith a Table showing the result, as it appears from the answers returned to us. We do not append copies of the answers themselves, with the exception of those from Liverpool, as they would only add to the bulk of this letter, without affording any information beyond the general statement, that it is impossible to form more than a conjectural estimate as to the amount of the remittances in question.

We have, &c.

(signed) *T. W. C. Murdoch.*
C. Alexander Wood.

No. 1.
Colonial Land and Emigration Commissioners to H. Merivale, Esq.
21 February 1849.

Enclosure 1, in No 1.

REMITTANCES from *North America.*

RETURN of Amounts remitted in 1848 by Persons in *British North America* and the *United States* to their Relations in *Great Britain*, through the Banking Establishments at the under-mentioned Places.

Encl. 1, in No. 1.

Note		£.	s.	d.
1	London (The Canada Company) - - - - -	9,523	8	9
2	Liverpool (exclusive of remittances per the House of Baring, Brothers) - - - - -	420,939	-	-
	Plymouth - - - - -	Nil.	-	-
	Glasgow - - - - - say	500	-	-
	Dublin - - - - - not yet received			
3	Belfast - - - - - say	300	-	-
4	Londonderry - - - - -	15,518	-	-
3 & 4	Sligo - - - - -	Nil.	-	-
4	Limerick - - - - - say	10,000	-	-
4	Cork - - - - - say	300	-	-
3 & 4	Waterford - - - - - say	3,600	-	-
	£.	460,180	8	9

Note 1.—Stated to be chiefly for poor persons in Ireland.

Note 2.—*Vide* separate Return for Liverpool.

Note 3.—Exclusive of passage-tickets paid for in America and sent to persons in this country to enable them to proceed.

Note 4.—These are returned as the amount of remittances cashed at these places; but it would appear that a large portion of the orders so paid are on Liverpool or Dublin Houses, and are consequently again included in the Returns from those places.

Report from the
Colonial Land
and Emigration
Commissioners.

REMITTANCES to *Liverpool*.

	Drafts.	Passage paid in America.
	£.	£.
Per Harndon & Co. - - - - -	5,600	118,806
„ M'Murray & Co. - - - - -	93,600	11,000
„ Grimshaw & Co. - - - - -	22,458	9,217
„ Tapscott & Co. - - - - -	4,450	13,552
„ Byrne & Co. - - - - -	3,204	—
„ Mr. Foole - - - - - say	-	10,000
„ Roche & Co. - - - - -	77,674	—
„ Brown, Shipley & Co. - - - - -	51,378	not specified.
£.	258,364	162,575

Total, exclusive of Baring and others, from whom Returns cannot be obtained, 420,939 *l*.

Enclosure 2, in No. 1.

Government Emigration Office, Liverpool,
15 February 1849.

Sir,

Encl. 2, in No. 1.

In reply to your letter of the 12th instant, I beg to forward the accompanying Return which, so far as it goes, may be relied on as authentic. The abstract having been taken from the passenger-brokers' books.

Though the aggregate of the sums given is considerable, it gives an imperfect idea of the gross amount transacted with reference to the desired information, large transactions having been done through the houses of Baring, Brother & Co., and Brown,* and Shipley and others, the details of which are not obtainable without a reference to the United States.

The transactions of the firm of Roche, Brothers, of New York, which are very large, I cannot obtain, in consequence of a dissolution of partnership; their bill transactions I have reason to believe would exceed all other firms; an application has been made to procure the amount of their drafts through the Provincial Bank of Ireland; which, if I obtain, shall be duly forwarded. Mr. M'Murray, who has lately arrived from New York, tells me that in 1846 his bill business averaged 2,200 *l*. weekly, he does not recollect the average for 1847, but last year it was over 1,800 *l*. weekly drawn on 31 Irish banks.

On reference to Mr. Foole, who does a large business in connexion with New Orleans, he states that he cannot make a correct estimate of the amount received for paid passengers, but calculates that it would amount to about 10,000 *l*. for the year 1848.

I have, &c.

(signed) *T. E. Hodder*, Lt. R. N.
and Emigration Officer.

Stephen Walcott, Esq.,
&c. &c. &c.

P. S.—There does not appear to have been any remittances through Liverpool from Canada.

W. L.

STATEMENT of Sums said to have been received on account of prepaid Passages and Drafts by the under-mentioned Firms during the year 1848.

Messrs. Harnden & Co. :		£.
Passage-money paid in the United States	- - - - -	118,806
Drafts amounting to	- - - - -	5,600
Total	- - - £.	124,406
M'Murray & Co. :		
Passage-money paid in the United States	- - - - -	11,000
Drafts amounting to	- - - - -	93,600
Total	- - - £.	104,600

* Mr. Brown delivered at this office a Statement of the money received through his house, amounting to 51,378 *l*. which is incorporated in the Return.

Grimshaw & Co. :		£.
Passage-money paid in the United States	- - - - -	9,217
5,246 drafts, amounting to	- - - - -	22,458
Total - - - £.		31,675
Tapscott & Co. :		
Passage-money paid in the United States	- - - - -	13,552
Drafts amounting to	- - - - -	4,450
Total - - - £.		18,002
P. W. Byrnes & Co. :		
In drafts only	- - - - -	3,204
Mr. John Foole's Estimate	- - - - -	10,000
Making a GRAND TOTAL of - - - £.		291,887

Report from the Colonial Land and Emigration Commissioners.

Liverpool, Government Emigration Office,
16 February 1849.

Sir
With reference to my letter of yesterday, in reply to yours of the 12th instant, I beg to furnish you with the transactions of Roche, Brothers, of New York, with the Royal Bank of Ireland, on account of small drafts, as follows, transmitted by Mr. Charles Copland, manager.

1846 amounting to	- - - - -	£. 35,088
1847 " "	- - - - -	71,905
1848 " "	- - - - -	77,674

I have, &c.

(signed) *T. E. Hodden*, Lt. R. N.,
Government Emigration Officer.

Stephen Walcott, Esq.
&c. &c. &c.

LETTER from *H. U. Addington*, Esq. Under Secretary of State for Foreign Affairs, enclosing Copies of Laws respecting Immigration, passed in the State of New York.

— No. 1. —

Copy of a LETTER from *H. U. Addington*, Esq., to *Herman Merivale*, Esq.

Sir,

Foreign Office, 14 June 1849.

With reference to your letter of the 31st of March last, requesting that Her Majesty's Minister at Washington may be instructed to send home, for the use of the Colonial Department, any reports or laws relative to emigration which may be published in the United States, I am directed by Viscount Palmerston to transmit to you, for the information of Earl Grey, a copy of a despatch from Mr. Crampton, enclosing two copies of a letter from the United States' Secretary of State, communicating to the House of Representatives tabular statements showing the number and designation of passengers who arrived in the United States during the year ended 30 September 1848. Mr. Crampton also encloses copies of the laws respecting immigration which have been passed in the State of New York in the years 1847, 1848 and 1849.

No. 1.
H. U. Addington,
Esq. to *Herman*
Merivale, Esq.,
14 June 1849.

From Mr. Crampton,
No. 51. 28 May 1849.
vide p. 78.

I am, &c.

(signed) *H. U. Addington*.

Enclosure 1, in No. 1.

(No. 54.)

My Lord,

Washington, 28 May 1849.

Encl. 1, in No. 1.

In obedience to the instructions contained in your Lordship's despatch, No. 19, of the 20th ultimo, directing me to transmit to your Lordship, for the use of the Colonial Office, copies of any laws or reports on emigration which may from time to time be issued either by the general or State Legislatures of the United States, together with any other information upon the subject of emigration, I have the honour to enclose two copies of a letter from the United States' Secretary of State, communicating to the House of Representatives, tabular statements* showing the number and designation of passengers who arrived in the United States during the year ending 30 September 1848.

I have made applications in the proper quarters for copies of any other reports or documents relating to the subject of emigration which may have lately been laid before Congress, which, so soon as received, I will have the honour of transmitting to your Lordship.

I have also directed Her Majesty's Consuls at the ports of the United States, to procure and transmit to me all official documents laid before the Legislatures of the States comprized within their consular districts, and all other information which they can obtain regarding emigration.

I have, &c.

The Viscount Palmerston.

(signed) *John F. Crampton.*

P.S.—I have the honour to enclose two pamphlets, in duplicate, which I have just received from Her Majesty's Consul at New York, the one containing copies of the several statutes of that State enacted in the years 1847 and 1848, respecting emigration, and the other such as were enacted in 1849, being all, as Mr. Barclay is informed, which are now in force.

(signed) *J. F. C.*

Enclosure 2, in No. 1.

Laws of the United States affecting Emigrants.

LAWS concerning the Commissioners of Emigration of the City of *New York*.

AN ACT concerning Passengers in Vessels coming to the City of New York, passed 5 May 1847. (Pursuant to Sec. 14, Art. VII. of the Constitution.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

Encl. 2, in No. 1.

Sect. 1. **WHEN** 24 hours after the arrival of any ship or vessel at the port of New York from any of the United States other than this state, or from any country out of the United States, the master or commander of such ship or vessel shall make a report in writing, on oath or affirmation, to the mayor of the city of New York, or in case of his absence, or other inability to serve, to the person discharging the duties of his office, which report shall state the name, place of birth, last legal residence, age and occupation of every person or passenger arriving in such ship or vessel on her last voyage to said port, not being a citizen of the United States, and who shall have, within the last preceding 12 months, arrived from any country out of the United States, at any place within the United States, and who shall not have paid the commutation-money mentioned in the next section of this Act, or have been bonded, or paid any commutation-money under the provisions of the Act, intituled, "An Act concerning Passengers in Vessels coming to the Port of New York," passed 11th February 1824. The said report shall contain a like statement of all such persons or passengers as aforesaid, as shall have landed or been suffered to land from any such ship or vessel, at any place during such last voyage, or who shall have been put on board, or been suffered to go on board of any other ship, vessel or boat, with the intention of proceeding to or through the said city of New York. The said report shall further specify whether any of said passengers so reported are lunatic, idiot, deaf and dumb, blind or infirm, and if so, whether they are accompanied by relatives likely to be able to support them, and shall further specify particularly the names, last place of residence and ages of all passengers who may have died during said last voyage of such vessel. In case any such master or commander shall omit or neglect to report as aforesaid any such person or passenger, with the particulars aforesaid, or shall make any false report or statement in respect to any such person or passenger in all or any of the particulars hereinbefore specified, such master or commander shall forfeit the sum of 75 dollars for every such passenger in regard to whom any such omission or neglect shall have occurred, or any such false report or statement shall be made, for which the owner or owners of every such ship or vessel shall also be liable, jointly and severally, and which may be sued for and recovered as herein provided.

Sect. 2.

* These Tabular Statements, being exceedingly bulky, are not printed. The total number of passengers is stated by them as follows:—

Males	-	-	-	-	-	-	-	126,128
Females	-	-	-	-	-	-	-	92,883
Sex not stated	-	-	-	-	-	-	-	472

TOTAL - - - 229,483

Sect. 2. It shall be the duty of the said mayor or other person discharging the duties of his office as aforesaid, by an endorsement to be made on the said report, to require the master or commander of such ship or vessel, to pay to the Chamberlain of the city of New York the sum of one dollar for every person or passenger reported by such master or commander, as aforesaid, which sum shall be paid, as aforesaid, within three days after the arrival of such ship or vessel at the said port of New York.

Laws of the United States affecting Emigrants.

Sect. 3. It shall be the duty of the Commissioners of Emigration hereinafter named to examine into the condition of passengers arriving at the port of New York in any such ship or vessel, and for that purpose, all or any of the said Commissioners, and such other person or persons as they shall appoint, shall be authorized to go on board and through any such ship or vessel; and if on such examination there shall be found among such passengers any lunatic, idiot, deaf and dumb, blind or infirm persons, not members of emigrating families, and who, from attending circumstances are likely to become permanently a public charge, they shall report the same to the said mayor particularly, and thereupon the said mayor, or the person discharging the duties of his office as aforesaid, shall, instead of the commutation-money as aforesaid, require in the endorsement to be made as aforesaid, or in any subsequent endorsement or endorsements thereon, that the master or commander of such ship or vessel, with two sufficient sureties, shall execute a joint and several bond to the people of this State, in a penalty of 300 dollars for every such passenger, conditioned to indemnify and save harmless, each and every city, town or county within this State, from any cost or charge which any such city, town or county shall incur, for the maintenance or support of the person or persons named in such bond, or any of them, within five years from the date of such bond. The sureties to the said bonds shall be required to justify before and to the satisfaction of the officer making such endorsement, and by their oath or affirmation shall satisfy such officer that they are respectively residents of the State of New York, and worth double the amount of the penalty of such bond, over and above all debts, liabilities and all property exempt from execution.

Sect. 4. Gulian C. Verplanck, James Boorman, Jacob Harvey, Robert B. Minturn, William F. Havemeyer and David C. Colden, are hereby appointed Commissioners for the purpose of carrying into effect the intent and provisions of this Act, of whom the said Gulian C. Verplanck and James Boorman shall constitute the first class, and shall hold their office two years; the said Jacob Harvey and Robert B. Minturn shall constitute the second class, and hold their office four years; and the said William F. Havemeyer and David C. Colden shall constitute the third class, and hold their office six years; and upon the expiration of their several terms of office their places shall be filled by appointment to be made by the Governor, by and with the advice and consent of the Senate, and the persons so appointed shall respectively hold their offices for the term of six years. The Mayor of the city of New York, the Mayor of the city of Brooklyn, the President of the German Society and the President of the Irish Emigrant Society of New York, shall also severally by virtue of their offices be Commissioners aforesaid. The said Commissioners shall be known as the "Commissioners of Emigration," and by that title shall be capable of suing and being sued. The money so as aforesaid to be paid to the Chamberlain of the city of New York shall be paid out on the warrant of the said Commissioners, or a majority of them. It shall be the duty of the said Commissioners to provide for the maintenance and support of such of the persons for whom commutation-money shall have been paid as aforesaid, or on whose account bonds shall have been taken as aforesaid, as would otherwise become a charge upon any city, town or county of this State; and the said Commissioners shall appropriate the moneys aforesaid for that purpose in such manner as to indemnify, so far as may be, the several cities, towns and counties of the State, for any expense or charge which may be incurred for the maintenance and support of the persons aforesaid, such appropriation shall be in proportion to the expenses incurred by said cities, towns and counties severally for such maintenance and support; and the more fully to effect the object contemplated by this Act, the said Commissioners are authorized to apply in their discretion any part of the said money to aid in removing any of said persons from any part of this State to another part of this or any other State, or from this State, or in assisting them to procure employment, and thus prevent them from becoming a public charge. The said Commissioners are also authorized in their discretion to apply any part of the said moneys to the purchase or lease of any property, or the erection of any building which they may deem necessary for the purposes aforesaid. But any expense so incurred by the Commissioners in any city, town or county shall be charged to the share of such moneys which any such city, town or county shall be entitled to receive thereof for expense incurred in the support or maintenance of the persons for whom commutation-money shall have been paid as aforesaid, or on whose account bonds shall have been taken as aforesaid.

Sect. 5. In case any of the persons for whom commutation-money has been paid as aforesaid, or for whom a bond has been given as aforesaid, shall at any time within five years from the payment of such money, or the execution of such bond, become chargeable upon any city, town or county within this State, it shall be the duty of the said Commissioners to provide for the payment of any expense incurred by any such city, town or county, for the maintenance and support of any such person, out of the commutation-money to be paid as aforesaid, and the moneys collected on such bonds, so far as the same will enable them to do so. The said Commissioners shall prescribe such rules and regulations as they shall deem proper, for the purpose of ascertaining the right, and the amount of the claim of any city, town or county, to indemnity under the provisions of this and the preceding section. The said Commissioners shall have power to provide for the support and maintenance of any persons for whom commutation-money shall have been paid, or on

Laws of the United States affecting Emigrants.

whose account a bond shall have been given as hereinbefore provided, and who shall become chargeable upon any city, town or county, in such manner as they shall deem proper; and after such provision shall have been made by such Commissioners, such city, town or county shall not be entitled to claim any further indemnity for the support and maintenance of such person.

Sect. 6. The said Commissioners are authorised to employ such agents, clerks and servants, as they shall deem necessary for the purpose aforesaid, and to pay a reasonable compensation for their services out of the moneys aforesaid.

Sect. 7. The Chamberlain of the city of New York shall, on the first Monday in January in every year, and at such other times as he shall be thereunto required by the said Commissioners, report to them the amount of money received by him since his last previous report for commutation-money as aforesaid, and the amount of such monies remaining in his hands.

Sect. 8. The said Commissioners shall annually, on or before the first day of February in each year, report to the Legislature the amount of moneys received under the provisions of this Act during the preceding year, and the manner in which the same has been appropriated particularly.

Sect. 9. In case of a vacancy in said Board of Commissioners, the same shall be filled by an appointment to be made by the Governor, by and with the advice and consent of the Senate. The person so appointed, shall hold his office for the remainder of the term of the person in whose place he shall be appointed. The said Commissioners shall in all cases be residents of the city of New York or city of Brooklyn.

Sect. 10. If any person for whom a bond shall have been given as aforesaid, shall within five years from the date of such bond, become chargeable upon any city, town or county of this State, or upon the moneys under the control of the said Commissioners as aforesaid, the said Commissioners may bring an action on such bond in the name of the People of this State, and shall be entitled to recover on such bond, from time to time, so much money, not in the whole exceeding the penalty of such bond, exclusive of costs, as shall be sufficient to defray the expenses incurred by any such city, town or county, or the said Commissioners, for the maintenance and support of the person for whom such bond was given as aforesaid.

Sect. 11. If any master or commander, as aforesaid, shall neglect or refuse to pay over to the said Chamberlain, such sum of money as is hereinbefore required for commutation-money for each and every such person, within three days after the arrival of such vessel at the port of New York, or shall neglect or refuse to give any bond so required as aforesaid within the said three days, every such master or commander, and the owner or owners of such ship or vessel, severally and respectively, shall be subject to a penalty of 300 dollars for each and every person or passenger, on whose account such commutation-money or such bond may have been required, to be sued for in the manner hereinafter provided.

Sect. 12. The penalties and forfeitures prescribed by this Act may be sued for and recovered with costs of suit by and in the name of the said Commissioners of Emigration, in any court having cognizance thereof, and when recovered, shall be applied to the purposes specified in this Act. It shall be lawful for the said Commissioners, before or after suit brought, to compound for any of the said penalties or forfeitures, upon such terms as they shall think proper.

Sect. 13. Any ship or vessel whose master or commander, owner or owners shall have incurred any penalty or forfeiture under the provisions of this Act, shall be liable for such penalties or forfeitures, which may be a lien upon such ship or vessel, and may be enforced and collected by warrant of attachment, in the same manner as is provided in Title Eight, of Chapter Eight, of the Third Part of the Revised Statutes, all the provisions of which title shall apply to the forfeitures and penalties imposed by this Act. And the said Commissioners of Emigration shall, for the purpose of such attachment, be deemed creditors of such ship or vessel, and of her master or commander and owner or owners respectively.

Sect. 14. The moneys now authorized by law to be collected by the Health Commissioner from the passengers in vessels arriving at the port of New York, for the use of the Marine Hospital, except such as are paid under protest, shall be paid at such times as the said Commissioners shall direct, to the Chamberlain of the city of New York, and shall be drawn in the manner prescribed in the 4th section of this Act; and the expenditures of the same for the purposes of the Marine Hospital as now authorized by law, shall be made by the Commissioners constituted by this Act, or by the Commissioners of Health under their supervision and direction, and any surplus which shall remain beyond such expenditures, and the appropriations made by existing laws, shall be applied by the said Commissioners to the general purposes of this Act.

Sect. 15. Any appropriation made by existing laws from said moneys shall hereafter be paid out of the same by the Commissioners appointed by this Act; and any moneys which have been or shall hereafter be paid under protest, shall, upon the settlements or judicial determination in favour of the State of the claims thereto, be paid to the Chamberlain of the city of New York, to the credit of the Commissioners of Emigration, and shall be applied by them according to the provisions of this Act.

Sect. 16. The said Commissioners are authorized to erect such buildings and make such improvements upon the land belonging to the State, known as the "Marine Hospital," as they shall deem necessary for the purposes of this Act, and of the said Hospital, out of the moneys in the Treasury of the State belonging to the "Mariners' Fund," which have not been paid under protest, or which have not been otherwise appropriated.

Sect. 17.

Sect. 17. If the commutation-money collected under the provisions of the 2d section of this Act, and the surplus of the revenues of the "Mariners' Fund," applicable to the purposes of this Act, as provided by the 14th section thereof, shall at any time be found insufficient to defray the expenses incurred by the said Commissioners, under the provisions of this Act, and also to enable them to reimburse as hereinbefore provided, to the several cities, towns and counties of the State, such sums as shall have been expended by them for the maintenance and support of persons for whom commutation-money shall have been paid or bonds given as aforesaid, such deficiency shall be paid out of the surplus of the moneys in the Treasury of the State belonging to the "Mariners' Fund," which have not been paid under protest, remaining after the expenditures for buildings and improvements authorized by this Act. Nothing in this section contained shall be applicable to the moneys paid to the credit of said "Mariners' Fund," by the Trustees of the Seaman's Fund and Retreat in the city of New York.

Laws of the United States affecting Emigrants.

Sect. 18. The Act passed 11 February, 1824, intituled, "An Act concerning Passengers in Vessels coming to the Port of New York," and the Act passed 12 April, 1842, intituled, "An Act for the Relief of the County of King's from the support of Foreign Poor," are hereby repealed.

Sect. 19. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Sec. of State.

Albany, 6 May 1847.

AN ACT to amend Title Four, Chapter Fourteen, of Part First of the Revised Statutes, intituled, "Of the Marine Hospital and its Funds."—(Passed 14 December 1847, three-fifths being present.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE first sub-division of section Seven of title Four, chapter Fourteen, of Part First of the Revised Statutes, is hereby amended, so as to read as follows: From the master of every vessel from a foreign port, for himself one dollar and 50 cents; for every cabin passenger, two dollars; for every steerage passenger 50 cents, and for each mate one dollar, and for each sailor 50 cents.

Sect. 2. The second sub-division of the said section of the said Act is hereby amended, so as to read as follows: From the master of each coasting vessel, for each passenger on board, 20 cents, but no coasting vessel from the States of New Jersey, Connecticut and Rhode Island, shall pay for more than one voyage in each month, computed from the first voyage in each year.

Sect. 3. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Sec. of State.

Albany, 14 December 1847.

AN ACT to amend an Act intituled, "An Act concerning Passengers in Vessels coming to the City of New York," passed 5 May 1847.—(Passed 15 December 1847, three-fifths being present.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE hospital erected on the easterly shore of Staten Island, and the land adjoining thereto belonging to this State, heretofore known as the "Marine Hospital," together with all the buildings and improvements thereon, are hereby transferred from the Commissioners of Health to the Commissioners of Emigration, to be by them held in trust for the people of this State; and the sole and exclusive control of the same, except in regard to the sanitary treatment of the inmates thereof, is hereby given to the said Commissioners of Emigration, for the purposes, and subject to the provisions specified in the previous enactments relative to the same; and from and after the passage of this Act, the control of the said Commissioners of Health, and of each and every of them over the same, shall cease and determine, except as hereinbefore provided.

Sect. 2. The Comptroller of the State shall, within 10 days after the passage of this Act, render to the Commissioners of Emigration a full and particular statement of the condition of the Mariners' Fund; and the said Commissioners shall have full power and authority to sue for and collect all claims in favour of said fund, and the monies so collected shall be deposited with the Chamberlain of the city of New York, and shall be drawn from him in the manner provided by the 14th section of the Act hereby amended.

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Sect. 3. The Commissioners of Emigration, or any one or more of them, shall have and exercise the same powers and authority in relation to poor children actually chargeable upon or receiving support from said Commissioners, as are now conferred by law upon the Commissioners of the Almshouse Department of the city of New York, respecting the "Act concerning Apprentices and Servants."

Sect. 4. The Commissioners of Emigration are authorized to make such regulations as they may deem necessary for the government of the institution in which they may support such persons as become chargeable to them, and for the employment of the inmates thereof.

Sect. 5. In all cases in which the minor children of alien passengers shall become orphans, by their parents or last surviving parent dying on the passage to the port of New York, or in the Marine Hospital on Staten Island, the personal property which said parents or parent may have had with them, shall be taken in charge by the Commissioners of Emigration, to be by them appropriated for the sole benefit of said orphan children; and said Commissioners shall give, in their annual report to the Legislature, a minute statement of all cases in which property shall come into their possession by virtue of this section, and the disposition made of the same; and the Commissioners of Emigration are hereby authorized to prescribe rules requiring the health officer to make such report to them respecting the persons and property at said hospital, as they may consider necessary.

Sect. 6. The 2d section of this Act, in relation to the collection of moneys by the Commissioners of Emigration, shall not apply to the sum of 16,166 dollars and 13 cents paid to the Commissioners of Health by the trustees of the Seaman's Fund and Retreat, and now in the hands of the Commissioners of Health, but the said sum shall be paid into the treasury by the Commissioners of Health, and when so paid, 10,000 dollars thereof shall be applied as provided by the 2d section of the Act, chap. 373, of the laws of 1847, and the residue thereof in such manner as may be hereafter provided by law.

Sect. 7. Nothing in this Act contained, shall be deemed to affect the present mode of appointment of the health officer, resident physician or Commissioner of Health in the city of New York; nor to prevent the health officer from selecting his own medical assistants.

Sect. 8. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file at this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Sec. of State.

Albany, 21 December 1847.

AN ACT to supply the Deficiency in the Money for the use and support of the Marine Hospital at Staten Island.—(Passed 7 April 1848, by a two-third vote.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE treasurer shall pay, on the warrant of the comptroller, out of any moneys in the treasury not otherwise appropriated, to the Commissioners of Emigration, such sums not exceeding 60,000 dollars, as may be required to supply the deficiencies of the hospital moneys, for necessary expenditures for the Marine Hospital: provided always, that the comptroller shall not draw his warrant for any sum under this Act, unless the Governor, attorney-general and comptroller shall certify that the same shall be necessary for the support of said Marine Hospital, and all sums appropriated by this Act shall be disbursed by the Commissioners of Emigration in the manner provided for in the 14th section of an Act, intituled, "An Act concerning Passengers coming to the City of New York," passed 5 May 1847, except so much thereof as allows the said Commissioners of Emigration to apply any part of said moneys to the leasing or purchasing any property, or the erection of any buildings.

Sect. 2. Whenever it is established by the judgment or decree of the court of last resort, that the moneys which have been or may be collected under protest, as in the preceding section stated, have been legally collected and belong to the State, or whenever there shall be a surplus in said fund from any cause, the sum or sums which shall be paid under this Act, shall be repaid to the treasury of the State out of the moneys so paid under protest, which shall thereby be ascertained to belong to the Marine Fund.

Sect. 3. The sum of 60,000 dollars is hereby appropriated for the purposes of this Act, and the treasurer, on paying any warrant of the comptroller under this Act, is hereby authorized to use the moneys paid in under protest.

Sect. 4. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Sec. of State.

Albany, 8 April 1848.

AN ACT to explain the Act, intituled, "An Act to supply the Deficiency in the Money for the use and support of the Marine Hospital at Staten Island," passed 7 April 1848.—(Passed 12 April 1848.)

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The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE treasurer is hereby authorized to pay on the warrant of the comptroller to the Commissioners of Emigration out of the sum of 60,000 dollars, appropriated by the Act intituled, "An Act to supply the Deficiency in Money for the use and support of the Marine Hospital, Staten Island," passed 7 April 1848, such sum not exceeding 51,000 dollars, as may be necessary to supply any deficiency now existing in the funds for the support of the Marine Hospital on Staten Island, and the remainder or so much thereof as may be necessary, to be paid and applied according to the provisions of said Act.

Sect. 2. Before any money shall be paid under the provisions of this Act, the Commissioners of Emigration shall furnish to the comptroller a statement verified by oath, showing the amount of such deficiency.

Sect. 3. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Sec. of State.

Albany, 13 April 1848.

AN ACT for the Protection of Emigrants arriving in the State of New York.—(Passed 11 April 1848; three-fifths being present.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE Commissioners of Emigration are hereby authorized and empowered to lease or purchase suitable docks or piers in the city of New York, and to erect necessary enclosures thereon, and such docks and piers to be appropriated and set apart for the exclusive use of landing emigrant alien passengers; but no docks or piers shall be purchased or leased without the approval and consent of the Common Council of said city, and the expense thereof, not to exceed 15,000 dollars, shall be paid out of the moneys paid in pursuance of the provisions of an Act, intituled, "An Act concerning Passengers in Vessels coming to the City of New York, passed 5 May 1847," and be considered and charged as applied to the general purposes of the said Act; on application being made to them by any steam-boat or lighter proprietor, who is a citizen of good moral character, and shall give good security in a sum not exceeding 500 dollars to comply with the provisions of this Act, the said Commissioners are hereby authorized and directed to grant licenses, to receive alien passengers and their baggage from vessels arriving at the port of New York, subject to quarantine, or from the passengers' docks at quarantine, to be landed at the emigrant piers or docks aforesaid; and the said Commissioners shall have power to revoke the license of any person violating the provisions of this Act: and every captain of a steam-boat or lighter not properly licensed for such purpose pursuant to this section, who shall convey any emigrant passengers from any such vessel, shall be liable to a penalty of 100 dollars for each and every offence, to be recovered by the said Commissioners of Emigration.

Sect. 2. It shall be the duty of every ship-master, owner or consignee bringing to the port of New York any alien emigrant, steerage, or second-cabin passengers in vessels not subject to quarantine, to cause the same with their baggage to be landed on the emigrant piers aforesaid, either directly from the vessels or by means of some steam-boats or lighters licensed as aforesaid; and the landing of them upon any other pier or wharf, shall be punished by a fine not less than 100 dollars, which fine may be recovered of the master, owner, or consignee of such ship or vessel: the Commissioners of Emigration are hereby empowered to make all necessary regulations for the preservation of order, and the admission to, or exclusion from said dock of any person or persons, excepting such as are duly licensed; and any person violating any such regulations shall be liable to a penalty of 100 dollars for each and every offence, to be recovered by the said Commissioners of Emigration.

Sect. 3. All person keeping houses in any of the cities of this State for the purpose of boarding emigrant passengers, shall be required to have a license for said purpose, from the mayor of the city in which such houses are located; and each person so licensed shall pay the said city the sum of 10 dollars per annum, and shall give bonds satisfactory to said mayor, with one or more sureties, in the penal sum of 500 dollars for their good behaviour, and said mayor is hereby authorized to revoke said license for cause: every keeper of such boarding house shall, under a penalty of 50 dollars, cause to be kept conspicuously posted in the public rooms of such house in the English, German, Dutch, French and Welsh languages, a list of the rates or prices which will be charged emigrants per day and week for boarding and lodging, and also the rates for separate meals; the keeper of such house shall also file a copy of said list in the city of New York, in the office of the Commissioners of Emigration,

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and in each of the other cities of this State with the mayor of said city; and the keeper of any emigrant boarding-house who shall neglect to post a list of rates, or who shall charge or receive, or permit or suffer to be charged or received, for the use of such keeper, any greater sum than according to the rates or prices so posted, shall, upon conviction thereof, be deprived of his or her license, and be punished by a fine of not less than 50 dollars, and not exceeding 100 dollars, to be recovered in the city of New York by the Commissioners of Emigration, and in the other cities of this State by the mayors thereof.

Sect. 4. No keeper of any emigrant boarding-house shall have any lien upon the baggage or effects of any emigrant for boarding, lodging, storage, or on any other account whatever, and upon complaint being made upon oath before the mayor or any police magistrate of the city in which such boarding-house is located, that the luggage or effects of any emigrant are detained by the keeper of any emigrant boarding-house, under pretence of any lien upon such luggage or effects, or on any claim or demand against the owner or owners thereof, it shall be the duty of the officer before whom such complaint is made, immediately to issue his warrant, directed to any constable or policeman of said city, commanding him or them to bring before him the party against whom such complaint has been made, and upon conviction thereof, the officer before whom such conviction shall be had, shall cause said goods to be forthwith restored to the owner thereof, and the party so convicted, shall be punished by a fine not less than 50 dollars, and not exceeding 100 dollars, and shall be committed to the city prison until the said fine shall be paid, and until such luggage or effects shall be delivered to such emigrants.

Sect. 5. No person shall, in any city in this State, solicit emigrant passengers or their luggage for emigrant boarding-houses, passenger offices, forwarding or transportation lines, without the license of the mayor of such city, for which he shall pay the sum of 20 dollars per annum, and give satisfactory bonds to said mayor in the penal sum of 300 dollars as security for his good behaviour. Every person so licensed shall wear in a conspicuous place about his person a badge or plate of such character and in such manner as said mayor shall prescribe, with the words "licensed emigrant runner" inscribed thereon, with his name and number of his license; no person who is not of approved good moral character, shall be licensed as such runner. Every person who shall solicit alien emigrant passengers or others for the benefit of boarding-houses, passenger offices or forwarding lines upon any street, lane, alley, or upon any dock, pier or public highway, or any other place within the corporate bounds of any city in this State, or upon any waters adjacent thereto, over which any of said cities may have jurisdiction, without such license, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county prison or gaol not less than three months, nor exceeding one year, and shall also forfeit his license.

Sect. 6. The Commissioners of Emigration may, when in their opinion it shall seem necessary, appoint a proper person or persons to board vessels from foreign ports at the Quarantine Ground, or elsewhere, in the port of New York, having on board emigrant passengers, for the purpose of advising such emigrants, and putting them on their guard against fraud and imposition; and the health officer is hereby required to prevent any person or persons from going on board such vessels, which may be subject to examination by him, until after the said person or persons appointed by the Commissioners of Emigration, shall have had sufficient opportunity to perform their duty.

Sect. 7. No person or persons shall exercise the vocation of booking emigrant passengers or taking money for their inland fare, or for the transportation of the luggage of such passengers, without keeping a public office for the transaction of such business, nor without the license of the mayor of the city in which such office shall be located, for which shall be paid the sum of 25 dollars per annum, and give satisfactory bonds in the penal sum of 1,000 dollars to the mayor of said city, as security for the proper manner in which his or their business shall be conducted, in forwarding said emigrant passengers or their luggage. Every such office and place for weighing luggage, shall be at all times, when business is being transacted therein, open to the Commissioners of Emigration, or their agent, duly appointed. And no scales or weights shall be used for such purpose but such as have been inspected and sealed by the city inspector of weights. And every such establishment shall have posted in a conspicuous manner at its place of business, in the English, German, Dutch, French, and Welsh languages, a list of prices, or rates of fare, for the passage of emigrant aliens, and the price per 100 pounds for transportation of their luggage to the principal places to which the proprietors thereof undertake to convey such passengers, and shall also deliver a copy of such list to the agent of the Commissioners of Emigration in any city where such agencies shall be established, and every person or company who shall charge or receive, or allow to be charged or received by any person in his or their employment, a greater amount than is specified in said list of prices, or who shall defraud any emigrant in the weight of his luggage, shall, together with all other persons concerned in said fraud, be punished by a fine not less than 100 dollars, and not exceeding 200 dollars, which money, when collected, shall be paid into the city treasury of said city, except in the city of New York, where it shall be paid to the Commissioners of Emigration, and any person or company receiving money as aforesaid, for the passage of emigrant aliens, or for the transportation of their luggage, without such office and license, or who shall refuse admission as aforesaid to such office or place of weighing luggage during the times of transacting business therein, or who shall neglect or refuse to post the said list of rates as aforesaid, or who shall neglect or refuse to furnish a copy thereof as aforesaid, shall be deemed

deemed guilty of a misdemeanor, and shall be punished with imprisonment in the county prison for a period not less than three months, nor exceeding one year.

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Sect. 8. No person holding office under the government of the United States, or of this State, or any of its cities, or who shall be in the employment of the Commissioners of Emigration, shall solicit custom for any transportation line, or shall be interested in any way, directly or indirectly in the forwarding of emigrants, under a penalty of not less than 100 dollars, and not exceeding 300 dollars, to be sued for in the name of the People of this State, and which money when collected, shall be paid into the county treasury for the use of the poor of said county.

Sect. 9. The penalties and forfeitures prescribed by this Act, except as is hereinbefore otherwise provided, shall be sued for and collected in the name of the People of this State, and applied in the same manner specified in the foregoing section, except so far as this Act applies to the city of New York, where the same may be sued for and recovered with costs of suit, before any court having cognizance thereof, by and in the name of the Commissioners of Emigration, and when so recovered shall constitute a part of the fund and be disposed of in the same manner as commutation-money now derived from emigrant passengers.

Sect. 10. The Commissioners of Emigration shall annually make and return to the Legislature with their annual report, an affidavit, in and by which they shall respectively swear or affirm, each for himself, to the correctness of such report, and that he hath not directly or indirectly been interested in the business of boarding emigrants, in the transportation of any emigrant passengers through any portion of the interior of this country, or had made or received directly or indirectly, any gain, profit or advantage, by or through the purchase of supplies, the granting of any contract or contracts herein, or licenses, privilege or privileges, or the employment of any officer, servant or agent, mechanic, labourer or other person in the business under the control of said Commissioners.

Sect. 11. In case the monies now appropriated by law for the support of the Fever and Small-pox Hospitals at quarantine, shall be exhausted during the recess of the Legislature, the Commissioners of Emigration may use such portions of the commutation-money collected pursuant to Act of 5 May 1847, for the support of said hospitals, as the Governor, attorney-general and comptroller may certify to be necessary for such purpose.

Sect. 12. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Given under my hand and seal of office at the city of Albany, the 11th day of April, A. D. 1848.

(L. S.)

Christopher Morgan,
Secretary of State.

Enclosure 3, in No. 1.

COMMISSIONERS OF EMIGRATION.—LAWS OF 1849.

AN ACT to amend certain Acts concerning Passengers coming to the City of New York. Encl. 3, in No 1.
(Passed 11 April 1849, three-fifths being present.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE 1st section of an Act, intituled, "An Act concerning Passengers in Vessels coming to the City of New York," passed 5 May 1847, is hereby amended so as to be read:

Within 24 hours after the landing of any passenger from any ship or vessel arriving at the port of New York, from any of the United States other than this State, or from any country out of the United States, the master or commander of the ship or vessel from which such passenger or passengers shall have been landed, shall make a report in writing, on oath or affirmation, to the mayor of the city of New York; or in case of his absence or other inability to serve, to the person discharging the duties of his office, which report shall state the name, place of birth, last legal residence, age and occupation of every person or passenger who shall have landed from such ship or vessel on her last voyage to said port, not being a citizen of the United States, and who shall within the last preceding 12 months arrive from any country out of the United States, at any place within the United States, and who shall not have paid the commutation-money, or been bonded according to the provisions of this Act, or of the Act hereby amended, or of the Act of 11 February 1824, concerning passengers in vessels coming to the port of New York, nor paid commutation-money under

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the provisions of this or any former Act. The said report shall contain a like statement of all such persons or passengers as aforesaid, as shall have landed or been suffered to land from any such ship or vessel at any place during such last voyage, or who shall have been put on board, or suffered to go on board of any other ship, vessel or boat, with the intention of proceeding to and landing at the said city of New York, or elsewhere within the limits of this State. The said report shall further specify whether any of said passengers so reported are lunatic, idiot, deaf, dumb, blind or infirm; and if so, whether they are accompanied by relatives likely to be able to support them; and shall farther specify particularly the names, last place of residence, and ages of all passengers who may have died during the said last voyage of such vessel; also the names and residence of the owner or owners of such vessel. In case any such master or commander shall omit or neglect to report as aforesaid, any such person or passenger, with the particulars aforesaid, or shall make any false report or statement in respect to any such person or passenger, or in respect to the owner or owners of any such vessel, or in respect to all or any of the particulars hereinbefore specified, such master or commander shall forfeit the sum of 75 dollars for every such passenger in regard to whom any such omission or neglect shall have occurred, or any such false report or statement shall be made, for which the owner or owners, consignee or consignees of every such ship or vessel shall also be liable jointly and severally, and which may be sued for and recovered as hereinafter provided.

Sect. 2. The 2d section of said Act is hereby amended so as to read: It shall be the duty of the said mayor or other person discharging the duties of his office as aforesaid, by an endorsement to be made on the said report, to require the owner or consignee of the ship or vessel from which such persons were landed, to give a several bond to the People of the State in a penalty of 300 dollars for each and every person or passenger included in such report, such bond being secured as hereinafter provided, and conditioned to indemnify and save harmless the Commissioners of Emigration, and each and every city, town or county in this State from any cost which said Commissioners of such city, town or county shall incur for the relief or support of the person named in the bond, within five years from the date of such bond, and also to indemnify and refund to the said Commissioners of Emigration any expense or charge they may necessarily incur for the support or medical care of the person named therein, if received into the Marine Hospital, or any other institution under their charge. Each and every bond shall be secured by two or more sufficient sureties, being residents of the State of New York, each of whom shall prove by oath or otherwise, that he is owner of a freehold in the State of the value of 300 dollars, over and above all or any claim or lien thereon, or against him, including therein any contingent claim which may accrue from or upon any former bond given under the provisions of this Act; or such bond may, at the option of the party, be secured by mortgage of real estate, or by the pledge and transfer of public stock of the United States or of the State of New York, or of the city of New York, or by deposit of the amount of the penalty in some bank or trust company; such security, real or personal, having been first approved by the said mayor. It shall be lawful for any owner or consignee at any time within three days after the landing of such persons or passengers from any ship or vessel in the port of New York, to commute for the bond or bonds so required by paying to the Health Commissioner of the city of New York the sum of one dollar and 50 cents for each and every passenger reported by him as by law required; the receipt of such sum by such Health Commissioners shall be deemed a full and sufficient discharge from the requirements of giving bonds as above provided. The said Health Commissioner is hereby required to pay once daily the same money, with an account thereof, to the Chamberlain of the city of New York. The said Health Commissioner shall receive in lieu of fees and per centages, a salary of 2,000 dollars per annum, and shall give bonds to be approved of by one of the Judges of the Supreme Court, in the penalty of 10,000 dollars, for the faithful performance of his duty.

Sect. 3. Section 3 of said Act is amended so as to read as follows: It shall be the duty of the Commissioners of Emigration hereinafter named, to examine into the condition of passengers arriving at the port of New York in any ship or vessel, and for that purpose all or any of the said Commissioners, or such other person or persons as they shall appoint, shall be authorized to go on board and through any such ship or vessel, and if on such examination there shall be found among such passengers any lunatic, idiot, deaf, dumb, blind or infirm persons, not members of emigrating families, or who, from attending circumstances are likely to become permanently a public charge, or who have been paupers in any other country, or who from sickness or disease existing at the time of departure from the foreign port are, or are likely soon to become a public charge, they shall report the same to the said mayor particularly; and thereupon, and unless a bond as required in the second section of this Act shall have been given, the said mayor, or the person discharging the duties of his office shall require in the endorsement to be made as aforesaid, or in any subsequent endorsement or endorsements thereon, and in addition to the commutation-money, that the owner or consignee of such ship or vessel, with one or more sufficient sureties, shall execute a joint and several bond to the People of the State, in a penalty of 500 dollars, for every such passenger, conditioned to indemnify and save harmless the Commissioners of Emigration, and each and every city, town or county within this State from any farther cost or charge which said Commissioners, or any such city, town or county shall incur for the maintenance or support of the person or persons named in such bond or any of them, within 10 years from the date of such bond. The sureties to the said bonds shall be required to justify before and to the satisfaction of the officer making such endorsement, and by their oath

oath or affirmation shall satisfy such officer that they are respectively residents of the State of New York, and worth double the amount of the penalty of such bond, over and above all debts, liabilities and all property exempt from execution. The subsequent endorsement authorized in this section may be made at any time within 10 days after such examination, or of the landing of any such person or passenger.

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Sect. 4. If any person for whom a bond shall have been given as aforesaid, shall within the time specified in such bond become chargeable upon any city, town or county of this State, or upon the moneys under the control of the said Commissioners as aforesaid, the said Commissioners may bring an action on such bond in the name of the People of this State, and shall be entitled to recover on such bond from time to time so much money, not in the whole exceeding the penalty of such bond exclusive of costs, as shall be sufficient to defray the expenses incurred by any such city, town or county, or the said Commissioners, for the maintenance and support of the person for whom such bond was given as aforesaid, and shall be authorized to collect and apply such money from any of the real or other security, mortgaged, pledged or deposited therefor in conformity to this Act.

Sect. 5. If any owner or consignee as aforesaid shall refuse or neglect to give any such bond or bonds, and security therefor, as hereinbefore required for each person or passenger landing from his ship or vessel, within three days after the landing of such persons or passengers, in respect to bonds required by the 2d section of this Act, or shall not within that time have paid the moneys authorized by said 2d section to be received in cases where such bonds are herein authorized to be commuted for, every such owner or consignee of such ship or vessel severally and respectively, shall be subject to a penalty of 500 dollars for each and every person or passenger on whose account such bond may have been required, or for whom such commutation-money might have been paid under this Act; such penalty to be sued for as provided for in the 12th section of the said Act hereby amended.

Sect. 6. The 1st section of the Act intituled, "An Act to amend an Act intituled, 'An Act concerning Passengers in Vessels coming to the City of New York,'" passed 15 December 1847, is hereby amended, so as to read as follows: The institution belonging to this State, now known as the Marine Hospital, and all the lands and buildings thereon, and all lands and buildings which may hereafter be purchased or erected and designated for such Marine Hospital, or lands and buildings used for quarantine purposes, are hereby vested in the Commissioners of Emigration, to be by them held in trust for the people of this State; and the sole and exclusive control of the same, except in regard to the sanitary treatment of the inmates thereof, is hereby given to the said Commissioners of Emigration, for the purpose of receiving therein all persons for whom bonds may be required, or for whom any bond or bonds may have been given, required or commuted for under the provisions of this Act or the Acts hereby amended, suffering under or afflicted with any contagious or infectious disease, or other disease preventing their immediate removal to any more distant hospital, and who shall be sent to such hospital by the direction of the health officer, or under his authority.



Sect. 7. The 3d section of the Act intituled, "An Act to amend an Act intituled, 'An Act concerning Passengers in Vessels coming to the City of New York,'" passed 15 December 1847, is hereby amended, by adding thereto, at the end thereof, the words following: The Commissioners of Emigration shall also have, in relation to any illegitimate children so chargeable, or any child likely to be born a bastard, whose mother is so chargeable or receiving support, the same powers and authority to proceed to secure indemnity for the support of the mother and child, as are now or have heretofore been by law vested in the Commissioners of the Almshouse.

Sect. 8. The Commissioners of Emigration are authorized to employ and appoint a superintendent, and such officers other than physicians, nurses and orderlies, and such servants as they shall deem necessary for the management and care of the Marine and other Hospital used for quarantine purposes, and to pay all needful expenses therefor out of the moneys under their control. But the moneys received under any of the provisions of this Act as commutation-money, or upon bonds given for or on account of any persons or passengers landing from vessels at the port of New York, or elsewhere, shall not be applied or appropriated to any other purpose or use than to defray the expenses incurred for the care, support or maintenance of such persons or passengers, and nothing in this Act contained shall be deemed to affect the authority of the Board of Health, nor the mode of appointment of the health officer, resident physician, or Commissioner of Health in the city of New York, or to prevent the health officer from selecting his own medical assistants for any duties required by law to be discharged by him, or under his authority. The said health officer shall at all times have access to inspect all or any patients affected with any contagious or infectious diseases, and to decide upon their detention at quarantine, or the farther detention of the vessels from which such patients may have been received.

Sect. 9. The 4th section of said last-mentioned Act, is amended, by striking out the words "of the," before the word "institution," and inserting in lieu thereof the word "any."

Sect. 10. The 5th section of said last-mentioned Act is amended, so as to read: In all cases in which minor children of alien passengers shall become orphans, by their parents or last surviving parent dying on the passage to the port of New York, or in the Marine Hospital, or any other establishment under the charge of the Commissioners, the personal

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property which such parents or parent may have had with them, shall be taken in charge by the Commissioners of Emigration, to be by them appropriated for the sole benefit of said orphan children; and said Commissioners shall give, in their annual report to the Legislature, a minute statement of all cases in which property shall come into their possession by virtue of this section, and the disposition made of the same.

Sect. 11. The Board of Health of the city of New York may appoint any physician in their employ, or in that of the Commissioners of Emigration, to act as the agent of the Board of Health in all matters concerning the protection of the city against the introduction of contagious or infectious diseases.

Sect. 12. It shall be the duty of the Superintendent of the Marine or other Hospital used for quarantine purposes, to furnish to the Board of Health as often as may be required, a full and correct report of all persons in the said hospital affected with any contagious or infectious disease, and of all such patients as may die or be discharged as cured; such report shall be countersigned by the agent of the Board of Health, and no persons who may be, or have been received as patients affected with contagious or infectious diseases, or under treatment as such, shall be discharged or removed from the Marine or other Hospital used for quarantine purposes without a permit in writing from the health officer.

Sect. 13. The Commissioners of Emigration shall receive into the Marine or other Hospital for quarantine purposes, all alien passengers for whom bonds shall have been given or commutation paid, under the several Acts of this State relating to alien passengers arriving at the port of New York, who shall be affected with any contagious or infectious disease, and sent to such hospital by authority of the health officer. They shall defray the expenses of such patients out of the moneys by them received on account of bonds or commutation. They shall also receive and provide for all other patients or passengers who shall have landed from any vessel at the port of New York, affected with any contagious or infectious disorder, who shall be directed to be so received by the health officer or the Board of Health; they shall be entitled to receive for each person so admitted (other than aliens as above-mentioned) at the rate of three dollars per week for their support and medical care, which shall be at the expense of the owner or consignee of any vessel in which such person shall have arrived, and from which they shall have landed, and no vessel shall be permitted to leave quarantine until such expense shall have been paid, or secured to be paid to the satisfaction of the Commissioners of Emigration, or the officer duly authorized by them for such purpose.

Sect. 14. The health officer shall not, by right of office, have any other authority over the Marine Hospital, or medical charge as physician thereof, than as in this Act provided.

Sect. 15. So much of the Act concerning quarantine or regulations in the nature of quarantine at the port of New York, passed 18 May 1846, as requires that any person shall be admitted into the Marine Hospital who shall have paid hospital money during any temporary sickness, within one year after such payment, is hereby repealed.

Sect. 16. So much of the revised statutes in relation to the Marine Hospital and its funds, and the several Acts and amendments thereto, passed 18 April 1843 and 7 May 1843, as authorizes or requires the Health Commissioner to demand or receive hospital money from or on account of any master, mate, sailor or passenger arriving in the port of New York, is hereby repealed.

Sect. 17. There shall be nominated by the Governor, and appointed by him, with the consent of the Senate, a "Physician of Marine Hospital," and such number of assistants, not less than four, to be respectively designated as "Assistant Physician of Marine Hospital," as the Commissioners of Emigration shall from time to time determine to be necessary for the proper care and medical treatment of the persons under their care at the Marine or other Hospital for quarantine purposes. The number of "Assistant Physicians of Marine Hospital," shall not be at any time increased unless the Commissioners of Emigration shall make and file with the Secretary of State a certificate, that in their judgment an increased number should be appointed to meet the actual permanent demand for medical services at such hospital, a copy of which certificate shall be furnished to the Governor of the State; and when any vacancy shall exist in the office of "Physician of Marine Hospital," or "Assistant Physician of Marine Hospital," and the Senate shall not be in session, such vacancy shall be filled by appointment made by the Governor, until the next meeting of the Senate, and the confirmation thereof or the appointment of a successor.

Sect. 18. The physician of Marine Hospital shall have the superintendence and control of, and shall make such regulations for the sanitary treatment of the patients in such Marine or other Hospital for quarantine purposes, as may be found necessary, and prescribe therein the duties of the assistant physicians thereof, and shall take upon himself and assign to such assistants respectively the charge of such portions of such hospital as shall seem to him best adapted to secure the objects and purposes of such institution, and the care and proper medical treatment of the inmates thereof, and the said Commissioners may employ from time to time such additional medical assistants as the temporary wants of such hospital and the inmates thereof shall require.

Sect. 19. Each assistant physician of such Marine or other Hospital for quarantine purposes, shall from time to time, as shall be necessary, select and appoint such and so many nurses

nurses and orderlies in the department of such hospital which shall have been assigned to or be under his supervision and care, as shall be required for the proper care of the inmates of their respective departments, but the number of such nurses and orderlies shall be determined and controlled by the "Physician of Marine Hospital," and the compensation of such nurses and orderlies, and of each of them, shall be fixed and determined by the Commissioners of Emigration.

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Sect. 20. The "Physician of Marine Hospital," shall have and receive an annual salary of 6,000 dollars, to be paid quarterly; and each of the assistant physicians shall have and receive a salary of 1,200 dollars per annum, to be paid quarterly or monthly, as the Commissioners of Emigration may determine; and in that ratio for any period of service of such physician or assistant, and all salaries and other compensation of such physician and assistant physicians, and of all nurses, orderlies and servants, or others necessarily employed in and about the business, care and proper management of such Marine or other Hospital for quarantine purposes, shall be paid by the Commissioners of Emigration, from and out of moneys collected upon the bonds hereinbefore required to be given by the owners or consignees of vessels arriving with and landing passengers at the port of New York, or from the commutation-moneys paid upon or in lieu of such bonds, in accordance with the provisions of this Act, and all the expenses of such Marine or other Hospital for quarantine purposes, shall, as far as practicable, be defrayed by said Commissioners out of and from the moneys and securities in this Act specified; but nothing in this Act contained shall be so construed as to authorize the payment of any salary or compensation for services rendered by said Commissioners of Emigration, or any of them.

Sect. 21. The penalties and forfeitures prescribed in and by this Act may be sued for and recovered, with costs of suit, by and in the name of the said Commissioners of Emigration, in any court having cognizance thereof; and when recovered shall be applied to the support of such Marine or other Hospital for quarantine purposes as specified in this Act. It shall be lawful for the said Commissioners, before or after suit brought, to compound or commute for any of the said penalties or forfeitures upon such terms as they shall think proper; also to commute and compound with the owner or consignee of any ship or vessel for any such bond or bonds as are required in section 3. of this Act to be given by such owner or consignee for such person or persons, passenger or passengers, as have been paupers in any other country, or who from sickness or disease existing at the time of departure from the foreign port, are or are likely soon to become a public charge, or who shall be sent to the Marine or other Hospital for quarantine purposes, in accordance with the provisions of this Act, in consequence of sickness or disease at the time of departure from the foreign port existing, the commutation for said last-mentioned bond or bonds to be fixed by said Commissioners at such sum as they shall deem just and equitable, and sufficient to defray the necessary expenses consequent upon the care, support and maintenance of the persons for whom such commutation shall be paid, during the existence and continuance of their then sick or diseased state.

Sect. 22. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law deposited in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original (the seventh section written on the margin).

Christopher Morgan,
Secretary of State.

Albany, 12 April 1849.

AN ACT to provide for the establishment of Hospitals at Sandy Hook.—(Passed 10 April 1849, "three-fifths being present.")

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE Commissioners of the Land Office, with the health officer of the port of New York, are hereby directed personally to examine and determine whether, in their opinion, the promontory known as Sandy Hook, in the State of New Jersey, will be a proper and convenient site for the establishment of a Marine Hospital; and they shall be paid such reasonable sum for travelling expenses out of the monies appropriated by this Act, as the Comptroller may deem proper.

Sect. 2. If the Commissioners and health officer named in the preceding section, or a majority of them, shall deem Sandy Hook a proper and convenient site for such hospital, it shall be the duty of the Commissioners of the Land Office to enter into a negotiation with the Government of the United States, and if necessary, with the State of New Jersey, for such cession of so much and such parts of the promontory known as Sandy Hook, as may be selected by the said Commissioners for the erection of hospitals for the purposes herein-after mentioned.

Sect. 3. The said Commissioners immediately after such cession is made, shall transfer the same to the Commissioners of Emigration, who shall proceed to erect hospitals for infectious and contagious diseases, and such other buildings and improvements thereon, and on the land

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under water adjoining the same, as may be necessary for the comfort and accommodation of patients sick of infectious or contagious diseases, and who now are by law received into the Quarantine Hospitals on Staten Island; provided, however, that the whole cost of the said Hospital, other buildings and improvements so to be erected, shall not exceed the sum of 50,000 dollars.

Sect. 4. Immediately after such hospitals are erected and ready for use, the Commissioners of Health, shall forthwith, but with due regard to the condition of the sick, cause all patients afflicted with contagious or infectious diseases in the Marine Hospital to be removed to the said hospitals at Sandy Hook, the expense thereof to be paid out of the moneys appropriated by the 8th section of this Act, and persons afflicted with such diseases and diseases suspected to be infectious or contagious, and who by the existing laws are entitled to be received into the Marine Hospital, shall in future be sent to such hospital at Sandy Hook, and shall not be received into the Marine Hospital; and all the police regulations of the hospital at Staten Island shall be held to apply to the hospital at Sandy Hook.

Sect. 5. The Commissioners of Emigration shall, as soon as practicable after the passage of this Act, procure a suitabled place on Staten Island or elsewhere, remote from the premises of the Marine Hospital, for the burial of patients who may die in said hospital.

Sect. 6. All sums of moneys drawn pursuant to the provisions of this Act, shall be re-imbursed to the treasury out of any surplus moneys which, by the laws of this State, the Commissioners of Health or the Commissioners of Emigration are or may be entitled to receive, and which in the opinion of said Commissioners of Emigration, will not be required for other and necessary disbursements.

Sect. 7. The Comptroller is hereby authorized to draw his warrant in favour of the Commissioners named in the 1st section, and upon their requisition, not exceeding however, in the whole, the amount in this Act appropriated.

Sect. 8. The sum of 50,000 dollars, or as much thereof as may be necessary, is hereby appropriated for the purpose of this Act, to be paid by the treasurer on the warrant of the Comptroller.

Sect. 9. This Act shall take effect immediately.

State of New York, Secretary's Office.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

Archibald Campbell,
Dep. Secretary of State.

Albany, 14 April 1849.

AN ACT to amend an Act intituled, "An Act for the Protection of Emigrants arriving in the State of New York," passed 11 April 1848.—(Passed 10 April 1849.)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sect. 1. THE 4th section of the Act intituled, "An Act for the Protection of Emigrants arriving in the State of New York," is amended, so as to read as follows:

No keeper of any emigrant boarding-house shall have any lien upon the baggage and effects of any emigrant for boarding, lodging, storage, or any other account whatever, for any greater sum than shall be due from such emigrant for boarding and lodging, according to the rates or prices so posted as above provided; and upon complaint being made upon oath before the mayor or any police magistrate of the city in which such boarding-house is located, that the luggage or effects of any emigrant are detained by the keeper of any emigrant boarding-house, under pretence of any lien upon such luggage or effects, or on any claim or demand against the owner or owners thereof, for any other or greater sum than in accordance with such rates, it shall be the duty of the officer before whom such complaint is made, immediately to issue his warrant, directed to any constable or policeman of the said city, commanding him or them to bring before him the party against whom such complaint has been made, and upon conviction thereof, the officer before whom such conviction shall be had, shall cause said goods to be forthwith restored to the owner thereof, and the party so convicted shall be punished by a fine not less than 50 dollars, and not exceeding 100 dollars, and shall be committed to the city prison until the said fine shall be paid, and until such luggage or effects shall be delivered to such emigrants. Any person so convicted shall have the right of appealing from the decision of such mayor or magistrate to the same tribunals, and in the same manner as is provided by law for appeals from the decisions of justices in civil cases, and all the provisions of law relating to appeals from justices shall apply so far as applicable to appeals from such mayor or other magistrate. But such appeal shall not authorise the detention of such luggage or effects after the payment of the sum which such mayor or magistrate shall adjudge to be justly due from such emigrant.

Sect. 2.

Sect. 2. Section 5 of the said Act is hereby amended so as to read as follows :

No person shall, in any city in this State, solicit emigrant passengers or their luggage for emigrant boarding-houses, passenger offices, forwarding or transportation lines, without the license of the mayor of such city, for which he shall pay the sum of 20 dollars per annum, and give satisfactory bonds to said mayor in the penal sum of 300 dollars, as security for his good behaviour: nor shall any person, not a native or naturalized citizen of the United States, be so licensed. The said mayor may, at any time, revoke such license for good cause shown. Every person so licensed shall wear, in a conspicuous place about his person, a badge or plate, of such character and in such manner as said mayor shall prescribe, with the words " licensed emigrant runner " inscribed thereon, with his name and the number of his license; no person who is not of approved good moral character, shall be licensed as such runner. Every person who shall solicit alien emigrant passengers or others for the benefit of boarding-houses, passenger offices or forwarding lines, upon any street, lane, alley, or upon any dock, pier or public highway, or any other place within the corporate bounds of any city in this State, or upon any waters adjacent thereto, over which any of said cities may have jurisdiction, without such license, shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county prison or jail not less than three months, nor exceeding one year. But this section shall not be so construed as to prohibit the proprietors of emigrant boarding-houses from soliciting emigrant passengers on their own account without such license (if licensed as emigrant boarding-house keepers), anything in section 2, to the contrary thereof notwithstanding.

State of New York, Secretary's Office.

I have compared the preceding with the original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of the said original.

Albany, 20 April 1849.

Christopher Morgan,
Secretary of State.

AN ACT to amend " An Act for the Protection of Emigrants arriving in the State of New York."—(Passed 11 April 1849, " three-fifths being present.")

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

SECT. 1. The 3d and 7th sections of the Act intituled, " An Act for the Protection of Emigrants arriving in the State of New York," is hereby amended so as to read as follows :

Sect. 3. All persons keeping houses in any of the cities of this State for the purpose of boarding emigrant passengers, shall be required to have a license for said purpose from the mayor of the city in which such houses are located; and such person so licensed shall pay to the said city the sum of 10 dollars per annum, and shall give bonds satisfactory to said mayor, with one or more sureties, in the penal sum of 500 dollars, for their good behaviour, and the proper conduct of all agents and runners in their employ, and said mayor is hereby authorized to revoke said license for cause. Every keeper of such boarding-house shall, under a penalty of 50 dollars, cause to be kept conspicuously posted in the public rooms of such house, in the English, German, Dutch, French and Welch languages, and printed upon business cards, to be kept for distribution as hereinafter provided, a list of the rates of prices which will be charged emigrants per day and week for board and lodging, and also the rates for separate meals, which card shall contain the name of the keeper of such house, together with its number, and the name of the street in which such house is situated. The keeper of such house shall also file a copy of said list in the city of New York in the office of the Commissioners of Emigration, and in each of the other cities of this state with the mayor of said city, and with the agent of the Commissioners of Emigration, and the keeper of any emigrant boarding-house who shall neglect or refuse to post a list of rates, or to keep business-cards so as above provided, or who shall charge, or receive, or permit or suffer to be charged or received for the use of such keeper or for any other person, any greater sum than according to the rates of prices so posted and printed on business-cards, and if any runner employed by any boarding-house keeper, or any emigrant boarding-house keeper himself, shall engage any emigrants as guests for such boarding-house, without delivering to every such emigrant a printed business-card as above provided, he shall, upon conviction thereof, be deprived of his or her license, and be punished by a fine not less than 50, nor more than 100 dollars, to be recovered in the city of New York by the Commissioners of Emigration, and in the other cities of this State by the mayors thereof. and any person who shall keep a boarding or lodging-house for emigrants within any of the cities of this State, who shall refuse or neglect to obtain a license in pursuance of the provisions of this section, shall, upon the first conviction, forfeit the penalty of 100 dollars, and upon a subsequent conviction, shall forfeit the penalty of 200 dollars, to be recovered by the persons and in the manner above set forth.

Sect. 7. No person or persons shall exercise the vocation of booking emigrant passengers, or taking money for their inland fare, or for the transportation of the luggage of such passengers, without keeping a public office for the transaction of such business, nor without the

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licence of the mayor of the city in which such office shall be located, for which shall be paid the sum of 25 dollars per annum. Every such office and place for weighing luggage shall be at all times, when business is being transacted therein, open to the Commissioners of Emigration or their agent, duly appointed, and no scales or weights shall be used for such purpose but such as have been inspected and sealed by the city inspector of weights; and every such establishment shall have posted in a conspicuous place and manner at its place of business, in the English, German, Dutch, French and Welch languages, a list of prices or rates of fare for the passage of emigrant passengers, and the price per 100 pounds for the transportation of their luggage to the principal places to which the proprietors thereof undertake to convey such passengers; and shall also deliver a copy of such list to the Commissioners of Emigration, or to their agent, in any city where such agency shall be established; and any person or company who shall charge or receive, or allow to be charged or received, by any person in his or their employment, a greater amount than is specified in said list of prices, or who shall defraud any emigrant in the weight of his or her luggage, or who shall receive money from an emigrant or emigrants for their passage or for the transportation of their luggage, and shall refuse or neglect to issue to the person or persons so paying their fare, or for the transportation of their luggage, a ticket which shall state the time and place of such issue, the number of persons so paying, the distance in miles to the place to which fare is received, the amount so received, the number of pounds of baggage, and the price per 100 pounds for its transportation; which said ticket shall be signed by the person or persons in whose names the establishment is conducted, and if more than one person is interested in the concern as a partner, then the full names of all the persons so interested in said concern shall be printed or written on the ticket; or who shall issue any such ticket directed to an agent without first having made arrangements with some responsible person or persons to act as his, her or their agent, or who shall issue a ticket so as aforesaid for the passage of any emigrant, or his or her luggage, which shall not be promptly redeemed by the agent or consignee according to the terms of the agreement, as set forth in the ticket, or who shall in any way fail or neglect to fulfil any contract for the passage of any emigrant, or for the transportation of any luggage, made with an emigrant, or who shall issue to any person blank receipts signed by him or them, or who shall permit his, her or their name or names to be used by any other person or persons in said business of booking emigrant passengers and their luggage, or taking money for their fare or transportation of their luggage, shall, together with all other persons concerned in the violation of these provisions, be deemed guilty of a misdemeanor, and shall upon conviction be punished by confinement in the city or county prison, not less than six nor more 12 months; and any person or company receiving money as aforesaid for the passage of emigrants, or for the transportation of their luggage, without such office and licence, or who shall refuse admission as aforesaid to such office or place of weighing luggage during the time of transacting business therein, or who shall neglect to post the said list of rates as aforesaid, or who shall neglect or refuse to furnish a copy thereof as aforesaid, or who shall make any arrangement or engagement with any emigrant for his passage or transportation, or any runner or agent connected with or employed by such forwarding establishment, make such engagement or arrangement without delivering to every such emigrant a printed card (in the language of the country to which said emigrant may belong), of prices or rates of fare, which will be charged every emigrant for his passage, or for transportation of his baggage or effects to the principal places on the route which he, the said emigrant, is about to travel, or every such keeper or owner or owners, or runner or runners, connected therewith, or any licensed emigrant runner or runners, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by imprisonment in the county prison for a period not less than three nor more than six months. Licenses under this section may be revoked for cause, and no person shall be licensed under this section who is not of good moral character, and a citizen of the United States.

Sect. 2. The Commissioners of Emigration are hereby authorised to employ such agents, clerks and servants as they shall deem necessary for the purposes aforesaid, and they shall appoint at least one agent in each of the cities of Albany, Rochester and Buffalo, and pay a reasonable compensation to such agents, clerks and servants for their services, out of the monies aforesaid.

State of New York, Secretary's Office.

I have compared the preceding with the original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of the said original.

Christopher Morgan,
Secretary of State.

Albany, 20 April 1849.

