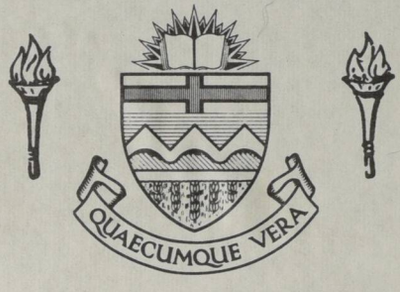
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Colonies

Canada 21

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CANADA.

RETURN to an Address of the Honourable The House of Commons, dated 15 May 1855;—*for*,

"COPIES of an ADDRESS from the LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY of *Canada*, during their present Session, touching the Legal Position of the BISHOPS and other Members of the Church of England in that Colony:"

"And, of the VOTES of the respective HOUSES on any such ADDRESS, if received."

Colonial Office,
25 May 1855.

JOHN BALL.

— No. 1. —

ADDRESS to the QUEEN from the LEGISLATIVE COUNCIL and ASSEMBLY of *Canada*.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

WE, Your Majesty's dutiful and loyal subjects, the Legislative Council and Commons of Canada, in Provincial Parliament assembled, humbly approach your Majesty for the purpose of representing that the Legislature of this Province during the present Session of the Provincial Parliament, has passed an Act, by which it is declared that there shall be an entire separation between Church and State in Canada, and that the clergy reserve funds and lands shall be appropriated to secular purposes, after providing for the salaries of existing incumbents.

That the members of the United Church of England and Ireland in this Province are under disadvantages that are felt by no other denomination in the Province, inasmuch as they are unable to meet with their bishops and clergy in synod in their several dioceses, to frame rules and canons for their own guidance and governance, as large numbers of them concientiously believe that they are under restrictions, from the existence of Imperial Statutes, against the holding of such synods, and inasmuch as they are hereafter required to provide for the maintenance of the bishops of their Church, while they are not allowed to have any voice in their selection or appointment; and we therefore humbly pray that your Majesty will be graciously pleased to cause a measure to be introduced into the Imperial Parliament during its present Session to remove all obstructions that may exist, or be supposed to exist, under any statute now in force in Great Britain, to prevent the meeting of the bishops, clergy, and laity of the United Church of England and Ireland in their several dioceses in this Province, in synod, to frame rules and canons for their own guidance and governance, and to enable them to proceed hereafter to the election of their own bishops; provided that such rules and canons are not repugnant to the laws of this Province, nor to any Act or Acts that the Legislature of Canada may hereafter pass in reference thereto.

(signed) *John Ross*, Speaker, L. C.
L. V. Sicotte, Speaker, L. A.

Legislative Council Chamber,
Friday, 30 March 1855.

Legislative Assembly Hall, Canada, Quebec,
Thursday, 29 March 1855.

— No. 2. —

EXTRACT from the VOTES and PROCEEDINGS of the Legislative Assembly of *Canada.*

Quebec, Thursday, 29 March 1855.

Hon. Mr. Cameron moved to Resolve,—That an humble Address be presented to Her Majesty, informing Her Majesty that the Legislature of this Province, during the present Session of the Provincial Parliament, has passed an Act by which it is declared that there shall be an entire separation between Church and State in Canada, and that the clergy reserve funds and lands shall be appropriated to secular purposes, after providing for the salaries of existing incumbents; that the members of the United Church of England and Ireland in this Province are under disadvantages that are felt by no other denomination in the Province, inasmuch as they are unable to meet with their bishops and clergy in synod in their several dioceses, to frame rules and canons for their own guidance and governance, as large numbers of them conscientiously believe that they are under restrictions, from the existence of Imperial Statutes, against the holding of such synods, and inasmuch as they are hereafter required to provide for the maintenance of the bishops of their Church, while they are not allowed to have any voice in their selection or appointment, and praying that Her Majesty will be graciously pleased to cause a measure to be introduced into the Imperial Parliament during its present Session to remove all obstructions that may exist, or be supposed to exist, under any Statute now in force in Great Britain, to prevent the meeting of the bishops, clergy, and laity of the United Church of England and Ireland in their several dioceses in this Province, in synod, to frame rules and canons for their own guidance and governance, and to enable them to proceed hereafter to the election of their own bishops; provided that such rules and canons are not repugnant to the laws of this Province, nor to any Act or Acts that the Legislature of Canada may hereafter pass in reference thereto.

YEAS.

Messieurs Alleyn, Bellingham, Bourassa, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Clarke, Cooke of Ottawa, Crawford, Crysler, Daly, Daoust of Beauharnois, Daoust of Two Mountains, Desaulniers, De Witt, Dionne, Dorion of Drummond and Arthabaska, Dorion of Montreal, Dostaler, Attorney-General Drummond, Dufresne, Egan, Felton, Ferres, Fournier, Galt, Camble, Gill, Hincks, Holton, Jobin, Langton, Laporte, Larwill, Lemieux, Loranger, Macbeth, Sir Allan N. MacNab, McCann, Marchildon, Masson, Meagher, Mongenais, Morrison of Niagara, Murney, Papin, Poulin, Pouliot, Powell, Rankin, Robinson, Roblin, Solicitor-General Ross, Ross of Northumberland East, Shaw, Solicitor-General Smith, Somerville, Taché, Thibaudeau, Whitney, Wilson, and Yeilding,—70.

NAYS.

Messieurs Aikins, Bell, Biggar, Brown, Christie, Church, Cook of Oxford South, Darche, Delong, Ferrie, Foley, Frazer, Gould, Hartman, Jackson, Lumsden, Macdonald of Glengary, Mackenzie, Matheson, Mattice, Munro, Niles, Patrick, Rolph, Sanborn, Scatcherd, Smith of Northumberland West, Spence, Terrill, and Wright,—30.

On motion of Hon. Mr. Cameron, a Committee was appointed to draw up an Address to Her Majesty upon the said Resolution.

Mr. Cameron then reported the said Address, which was read twice at the clerk's table.

Mr. Cameron moved that The House do concur in the said Address.

Mr. Mackenzie moved, in amendment, that the following be added to the Address: "And provided also that nothing in this Address shall be understood as giving any authority to the British Government to veto the appointment of any bishop so to be appointed."

YEAS.

YEAS.

Messieurs Frazer, Mackenzie, and Rolph,—3.

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chisholm, Christie, Clarke, Cook of Oxford South, Crawford, Crysler, Daoust of Beauharnois, Darche, Desaulniers, De Witt, Dionne, Dorion of Drummond and Arthabaska, Dorion of Montreal, Dostaler, Dufresne, Egan, Felton, Ferres, Ferrie, Foley, Fournier, Galt, Gamble, Gould, Hincks, Lemieux, Loranger, Sir Allan N. MacNab, McCann, Marchildon, Masson, Morrison of Niagara, Munro, Papin, Poulin, Powell, Rankin, Robinson, Solicitor-General Ross, Sanborn, Shaw, Solicitor-General Smith, Somerville, Spence, Terrill, Thibaudeau, Wilson, and Wright,—58.

The question being again proposed upon the Hon. Mr. Cameron's motion,

Mr. Brown moved, in amendment, That the said Address be not now concurred in, but that it be referred back to the Committee, with an instruction to amend the prayer thereof, so that the repeal of the English Statutes affecting the Church of England in Canada shall be its sole demand; that no new provision may be imposed by the Imperial Parliament; but that the said Church, and all other Churches, may be left entirely free from the control of Imperial Statutes.

YEAS.

Messieurs Aikins, Bell, Brown, Christie, Ferrie, Foley, Frazer, Hartman, Mackenzie, Munro, Rolph, Sanborn, and Spence,—13.

NAYS.

Messieurs Bellingham, Cameron, Cartier, Chapais, Chisholm, Clarke, Crawford, Crysler, Daoust of Beauharnois, Dionne, Dorion of Drummond and Arthabaska, Dorion of Montreal, Dostaler, Attorney-General Drummond, Dufresne, Egan, Felton, Ferres, Fournier, Gamble, Hincks, Langton, Lemieux, Loranger, Macbeth, Sir Allan N. MacNab, Marchildon, Masson, Mongenais, Morrison of Niagara, Poulin, Robinson, Solicitor-General Ross, Shaw, Thibaudeau, and Wilson,—36.

The question being then put upon Honourable Mr. Cameron's motion, it was agreed to.

On motion of Honourable Mr. Cameron, the Address was ordered to be engrossed, and a Message was ordered to be sent to the Legislative Conncil, communicating the said Address, and requesting the concurrence of their Honors thereto.

— No. 3. —

EXTRACT from PROCEEDINGS of Legislative Council of *Canada*,
Friday, 30 March 1855.

"A Message was received from the Assembly, with an Address to Her Majesty on the subject of the United Church of England and Ireland in Canada, and requesting the concurrence of this House thereto.

"The said Address being read and agreed to, the Assembly was acquainted thereof."

CANADA.

COPIES of ADDRESS from the LEGISLATIVE COUNCIL and LEGISLATIVE ASSEMBLY of *Canada*, touching the Legal Position of the BISHOPS and other Members of the Church of England in that Colony;—And, of the VOTES of the respective HOUSES on any such ADDRESS, if received.

(*Mr. Gladstone.*)

Ordered, by The House of Commons, *to be Printed*,
25 *May* 1855.

276.

Under 1 *oz.*

CLERGY RESERVES (CANADA).

RETURN to an Address of the Honourable The House of Commons, dated 8 March 1855;—*for*,

A "COPY of an ACT passed by the LEGISLATURE of *Canada*, and assented to by the GOVERNOR, on the 18th day of December 1854, intituled, 'An ACT to make better Provision for the Appropriation of Monies arising from Lands heretofore known as the CLERGY RESERVES, by rendering them available for Municipal Purposes.'"

Colonial Office, 12 March 1855. G. GREY.

CANADA.

CAP. II.

AN ACT to make better Provision for the Appropriation of Moneys arising from the Lands hitherto known as the CLERGY RESERVES, by rendering them available for Municipal Purposes.

WHEREAS by the Act of the Parliament of Great Britain passed in the Session held in the 31st year of the reign of His Majesty King George the Third, intituled, "An Act to repeal certain Parts of an Act passed in the Fourteenth year of His Majesty's reign, intituled, 'An Act for making more effectual Provision for the Government of the Province of Quebec, in North America, and to make further Provision for the Government of the said Province,'" it is, among other things, enacted, that it shall and may be lawful for His Majesty, his heirs or successors, to authorise the Governor or Lieutenant-governor of each of the Provinces of Upper Canada and of Lower Canada respectively, or the person administering the government therein, to make from out of the lands of the Crown within such provinces such allotment and appropriation of lands as therein mentioned, for the support and maintenance of a Protestant clergy within the same; and it was further enacted, that all and every the rents, profits, and emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely for the maintenance and support of a Protestant clergy within the province in which the same should be situated, and to no other purpose whatever: And whereas, in pursuance of the said Acts, such allotments and appropriations of land as aforesaid have been from time to time reserved for the purposes therein mentioned, which lands are known in this province by the name of the Clergy Reserves: And whereas, by another Act of Parliament of the United Kingdom, passed in the Session held in the 7th and 8th years of the reign of King George the Fourth, and intituled, "An Act to authorise the Sale of a Part of the Clergy Reserves in the Provinces of Upper and Lower Canada," the Governor, Lieutenant-governor, or person administering the government of the said provinces, or either of them, was empowered, with the consent of the Executive Council of such province, and in pursuance of His Majesty's instructions, to sell and convey in fee simple, or for any less estate or interest, a part of the said Clergy Reserves in each of the said provinces, not exceeding in either province one-fourth part of the Reserves within the same, nor exceeding 100,000 acres in either of them in any one year; and it was enacted, that the proceeds of such sales should by the proper officers be invested in the public funds of the United Kingdom, and that the dividends and interest of the monies so invested should be appropriated in the

manner provided by the last mentioned Act; and further, that it should be lawful for the Governor, Lieutenant-governor, or person administering the government of either of the said provinces, with the consent of the Executive Council thereof, and in pursuance of His Majesty's instructions, to give or grant in exchange for any part of the said Clergy Reserves any lands within the said province of equal value with such Clergy Reserves so to be taken in exchange, or to accept in exchange for any such Clergy Reserves from any person or persons any lands of equal value; and that any lands so taken in exchange for any such Clergy Reserves should be holden by the Crown in trust for the purposes to which the Clergy Reserves were appropriated by the Acts firstly and secondly above cited: And whereas, by another Act of the said Parliament, passed in the Session held in the 3d and 4th years of Her Majesty's reign, intituled, "An Act to provide for the Sale of the Clergy Reserves in the Province of Canada, and for the Distribution of the Proceeds thereof," other and further provision is made for the sale of the whole of the said Clergy Reserves, and for the investment of the proceeds of such sale, and the distribution of the interest and dividends on such investments, and of the interest on sales of Clergy Reserves on credit, or rents arising from Clergy Reserves demised for a term of years, subject to the provision that the quantity of the said Clergy Reserves so to be sold in any one year shall not in the whole exceed 100,000 acres, without the previous approbation in writing of one of Her Majesty's Principal Secretaries of State, and to other the restrictions and conditions in the said Act mentioned and imposed; and so much of the Act herein first cited as relates to any reservations of land to be made after the passing of the Act herein last cited in Upper Canada or Lower Canada for the support and maintenance of a Protestant clergy is repealed: And whereas, by another Act of the said Parliament, passed in the 16th year of Her Majesty's reign, and intituled, "An Act to authorise the Legislature of the Province of Canada to make Provision concerning the Clergy Reserves in that Province, and the proceeds thereof," it is in effect enacted, that it shall be lawful for the Legislature of the Province of Canada from time to time, by any Act or Acts to be for that purpose made and enacted, in the manner and subject to the conditions required by the Act of the said Parliament passed in the Session thereof held in the 3d and 4th years of Her Majesty's reign, and intituled, "An Act to reunite the Provinces of Upper and Lower Canada, and for the Government of Canada," sections 37, 38, and 39, in respect of Acts made and enacted by the said Legislature, to vary or repeal all or any of the provisions of the Act herein last above cited, for or concerning the sale, alienation, or disposal of the said Clergy Reserves, and for or concerning the investment of the proceeds of all sales then made or thereafter to be made of such Reserves, and for or concerning the appropriation and application of such proceeds and investments, the interests and dividends accruing on sales on credit of such Reserves, the rents of such Reserves for the time being unsold, and all other the profits of or accruing from such Reserves, and (notwithstanding the said Act herein thirdly above cited) to make such other provisions for or concerning the sale, alienation, or disposal of the said Clergy Reserves and such investments as aforesaid, and for or concerning the appropriation and application of such Clergy Reserves, proceeds, investments, interests, dividends, rents, and profits as to the said Legislature may seem meet; subject to the proviso, that it shall not be lawful for the said Legislature by any Act or Acts thereof as aforesaid, to annul, suspend, or reduce any of the annual stipends or allowances which have been already assigned and given to the clergy of the Churches of England and Scotland, or to any other religious bodies or denominations of Christians in Canada (and to which the faith of the Crown is pledged), during the natural lives or incumbencies of the parties now receiving the same; or to appropriate or apply to any other purpose, such part of the said proceeds investments, interests, dividends, rents, and profits as may be required to provide for the payment of such stipends and allowances during such lives and incumbencies: And whereas it is expedient to alter in certain particulars the provisions of the Act thirdly above cited, touching the matters subjected by the Act fourthly above cited, to the control of the Legislature of this province; Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the

the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada;" and it is hereby enacted by the authority of the same, as follows:

1. The monies arising from the Clergy Reserves in Upper Canada shall continue to form a separate fund, which shall be called the Upper Canada Municipalities Fund; and the monies arising from the Clergy Reserves in Lower Canada shall continue to form a separate fund, which shall be called the Lower Canada Municipalities Fund.

2. The Municipalities Fund for each section of the province respectively shall consist of all monies arising from the sale of Clergy Reserves in that section of the province whether now funded or invested either in the United Kingdom or in this province, or remaining uninvested, or hereafter to arise from such sales, the interest and dividends of monies forming part of such fund, the interest upon sales of Clergy Reserves in that section of the province, on credit, and rents, issues and profits, arising from Clergy Reserves therein demised, or to be demised for any term of years, and other casual and periodical incomings arising from Clergy Reserves therein, after deducting therefrom the actual and necessary expenses attending the sales of the said Clergy Reserves, and managing the same and the funds aforesaid; and the monies forming the said funds shall be paid into the hands of the Receiver-general, and shall be by him applied to the purposes hereinafter mentioned, under the authority of this Act, or any general or special order or orders to be made by the Governor in Council.

II. The annual stipends or allowances which had been, before the passing of the Act of the Parliament of the United Kingdom, passed in the 16th year of Her Majesty's reign, and cited in the Preamble to this Act, assigned or given to the clergy of the Churches of England and Scotland, or to any other religious bodies or denominations of Christians in either section of the province, and chargeable under the Act of the said Parliament on the Clergy Reserves in such section (and to which the faith of the Crown is pledged), shall, during the natural lives or incumbencies of the parties receiving the same, at the time of the passing of the said Act, be the first charge on the Municipalities Fund for that section of the province, and shall be paid out of the same in preference to all other charges or expenses whatever: Provided always, that the annual allowance heretofore payable to the Roman Catholic Church in Upper Canada, and to the British Wesleyan Methodist Church for Indian missions, shall continue to be payable during the 20 years next after the passing of this Act, and no longer.

III. And whereas it is desirable to remove all semblance of connexion between Church and State, and to effect an entire and final disposition of all matters, claims, and interests arising out of the Clergy Reserves, by as speedy a distribution of their proceeds as may be; Be it therefore enacted, that the Governor in Council may, whenever he may deem it expedient, with the consent of the parties and bodies severally interested, commute with the said parties such annual stipend or allowance for the value thereof, to be calculated at the rate of Six per cent. per annum upon the probable life of each individual; and in the case of the bodies above particularly specified in the second section of this Act, at the actual value of the said allowance at the time of commutation, to be calculated at the rate aforesaid; and such commutation shall be paid accordingly out of that one of the Municipalities Funds upon which such stipend or allowance is made chargeable by this Act: Provided always, that no commutation shall take place but within one year next after the passing of this Act; provided also, that in case of commutation with either of the said bodies or denominations, it shall not be lawful for them, or either of them, to invest the monies paid for such commutation, or any part thereof, in real property of any kind whatsoever, under penalty of forfeiting the same to Her Majesty; and that the said bodies or denominations shall lay before the Legislature, whenever called on so to do, a statement of the manner in which said monies shall have been invested or appropriated.

IV. So long as any such stipend or allowance shall be chargeable upon either of the said Municipalities Funds, a portion of such fund, producing annually

interest sufficient to pay every such stipend or allowance then chargeable thereon, shall be retained by the Receiver-general, and appropriated for that purpose; and if not already invested, shall be by him invested in public British securities, or in any provincial debentures or securities which, under the Act to establish freedom of banking, or any Act amending the same, may be accepted by the Receiver-general in exchange for registered bank notes, as the Governor in Council shall from time to time direct; and the Receiver-general being thereunto authorised, by order of the Governor in Council, shall have full power to dispose of any securities in which such monies are or shall be invested, and to invest the proceeds in any other such securities as aforesaid, or to apply them to the payment of the commutation aforesaid.

V. The amount of the Municipalities Fund, in and for either section of the Province, remaining unexpended and unappropriated under the foregoing provisions of this Act, on the 31st day of December in each year, shall, by the Receiver-general, be apportioned equally among the several county and city municipalities in the same section of the province, in proportion to the population of such municipalities respectively, according to the then last census, made either under the Act to provide more effectually for taking a periodical census of the province, or any other Act under which census may be legally taken of the municipalities in either section of the province; and the portion thereof coming to each municipality shall be paid over by the Receiver-general to the Treasurer, Chamberlain, or other officer having the legal custody of the monies of such municipality, without other authority than this Act, and shall make part of the general funds of the municipality, and be applicable to any purpose to which such funds are applicable: Provided always, that if at the time when such payment is to be made, any sum of money shall be payable by any such municipality to the Receiver-general for any cause whatever, and shall be overdue, he may retain in his hands, in satisfaction or part satisfaction thereof, the sum which would otherwise be payable to such municipality, or so much thereof as may be equal to the sum so payable to him by the municipality and overdue, and shall deliver to the Treasurer, Chamberlain, or other officer as aforesaid, a discharge in favour of the municipality for a sum equal to that so retained by him; and for the purposes of this section, each municipality into which any county in Lower Canada may be at the time divided, and each union of counties for municipal purposes in Upper or Lower Canada, shall be taken to be a county municipality.

VI. So much of the Act thirdly cited in the Preamble of this Act, as limits the quantity of lands forming part of the Clergy Reserves which may be sold in any one year, without the previous approbation in writing of one of Her Majesty's Principal Secretaries of State, and so much of the said Act as makes any appropriation of any monies forming part of the Clergy Reserves' Fund, or arising from the sale of Clergy Reserves, other than such as is made by this Act, or as may be in any way inconsistent with this Act, shall be, and so much of the said Act, is hereby repealed.

VII. Any lands which may have been under the authority of the Acts hereinbefore cited, or any of them, accepted in exchange for lands originally forming part of the Clergy Reserves, in any part of this province, shall be deemed to be Clergy Reserves for all the purposes of this Act.

I CERTIFY the foregoing to be a true copy of a Bill passed by the Legislative Council and the Legislative Assembly of Canada, and assented to in Her Majesty's name by his Excellency the Governor-general, on Monday the 18th December 1854.

(signed) *J. F. Taylor*,
Clerk of Legislative Council.

CLERGY RESERVES (CANADA).

COPY of Act passed by the Legislature of *Canada*, intituled, "An Act to make better Provision for the Appropriation of Monies arising from Lands heretofore known as the Clergy Reserves, by rendering them available for Municipal Purposes."

(*Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*,
13 *March* 1855.

119.

Under 1 *oz.*

CLERGY RESERVES, &c. (CANADA).

DESPATCH from the Governor-General of *Canada*, referring to the CLERGY RESERVES, and FEUDAL TENURES ACTS.

Colonial Office,
25 January 1855.

COPY of a DESPATCH from Governor-General the Earl of *Elgin* and *Kincardine* to the Right Honourable Sir *George Grey*, Bart.

(No. 71.)

Government House, Quebec, 18 Dec. 1854.

Sir, (Received 11 January 1855.)

I HAVE the honour to enclose herewith a list of Acts passed by the Legislative Council and Assembly of this province, to which I have this day given the Royal Assent. The more important of these Acts are the "Act to make better Provision for the appropriation of Monies arising from Lands heretofore known as the Clergy Reserves, by rendering them available for Municipal Purposes," and the "Act for the Abolition of Feudal Rights and Duties in Lower Canada."

2. The former of these Acts* passed the Legislative Assembly on a division of 62 yeas and 39 nays, the great majority of the nays being votes of the extreme section of the Liberal party; and it passed the Legislative Council with only three dissentient voices, two of them being those of French Canadian Roman-catholics, and the third that of a Lower Canadian member of the Church of England. The latter Act, after being amended in the Legislative Council, passed the Assembly on a division of 74 yeas and 19 nays.

3. The continuance of agitation on these intensely exciting questions was greatly to be deprecated; and their settlement, on terms which command the general acquiescence of those who are most deeply interested, can hardly fail to be attended with results in a high degree beneficial.

I have, &c.
(signed) *Elgin* and *Kincardine*.

* These Acts have not yet been received.—Colonial Office, 25 January 1855.

CLERGY RESERVES, &c. (CANADA).

DESPATCH from the Governor-General of *Canada*, referring to the CLERGY RESERVES, and FEUDAL TENURES ACTS.

(Presented to Parliament by Her Majesty's Command.)

Ordered, by The House of Commons, *to be Printed*,
26 *January* 1855.

33.

NEWFOUNDLAND.

RETURN to an Address of the Honourable The House of Commons, dated 26 March 1855;—*for*,

"COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State and the Governor of *Newfoundland*, on the recent CHANGES in the CONSTITUTION of that Colony."

Colonial Office,
24 May 1855.

JOHN BALL.

(*Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*,
25 *May* 1855.

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APPENDIX.

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COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State and the Governor of *Newfoundland*, on the recent CHANGES in the CONSTITUTION of that Colony.

— No. 1. —

(No. 49.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

No. 1.
Duke of Newcastle to Governor Hamilton.
21 February 1854

Sir, Downing-street, 21 February 1854.

I HAVE to acknowledge your despatch No. 41, of the 28th June last, transmitting an Address from the House of Assembly, announcing the appointment by that body of three of its Members to represent to Her Majesty's Government the state of the colony of Newfoundland, and operation of its present system of government, and on the establishment of reciprocal free trade with the United States of America.

2. Both during and since the visit of the gentlemen in question to England, I have given to the first of these subjects my fullest consideration, and have not failed to give due weight to the circumstance that the same expressions of opinions and wishes have proceeded from successive bodies of representatives elected by the people, with full knowledge that this important question was at issue.

3. Her Majesty's Government have come to the conclusion that they ought not to withhold from Newfoundland those institutions, and that system of civil administration which, under the popular name of responsible government, have now been adopted in all Her Majesty's neighbouring possessions in North America.

4. They are prepared to concede the immediate application of this system, as soon as certain necessary preliminary conditions have been acceded to on the part of the Legislature.

5. The first of these is the same which has been agreed to, and put in practice when the recent change of the same description took place in Nova Scotia and in Prince Edward Island, namely, the indemnification of present holders of those offices which, by the change in question, will be rendered liable to be vacated at the will of the majority of the Legislature. The provision in question should be made either in the form of pension, or of a round sum by way of indemnity: but as to the number of officers who must be regarded as thus liable to removal, and entitled to protection, and the amount and character of the compensation so to be given, I must rely on your judgment, with the advice of your Council, and of those whom you may think fit to consult with on this occasion; and you are authorised to submit any question which cannot be thus arranged, to myself for final decision.

6. The following are the remaining conditions which I consider indispensable, and which have been suggested to me by the consideration of circumstances peculiar to Newfoundland.

7. (1.)—A considerable increase of the members of the House of Assembly. I would suggest that the increase should be from the present number to 30, and that it should be effected, not by giving additional members to existing constituencies, but by subdividing, as equally as geographical positions would admit, the districts now returning members; which appear to be, in most instances, too large for the convenient exercise of the franchise.

8. (2.)—In reference to my despatch on the financial condition of the colony, lately directed to be laid before the Assembly, it appears to me necessary that the

 law

law should be assimilated to that of Nova Scotia (Revised Statutes, c. 7, s. 44) with regard to the expenses of elections, which should no longer be paid from the Colonial Treasury, but be defrayed (under proper conditions as to amount) by the members.

9. (3.)—Payment of the members for their expenses and attendance to be no longer made by the Colonial Treasury, but by local assessment, levied in each electoral district.

10. These measures having been taken by the Legislature, Her Majesty's Government will proceed to separate the Executive from the Legislative Council, and to provide, by instructions from Her Majesty, that the latter shall consist of not less than 10 nor more than 15 members, nominated by the Crown.

11. With regard to the stipulations respecting the grant of a Civil List to Her Majesty, which have usually accompanied the grant of responsible government, it appears to me sufficient to refer you to the arrangements already made under the Act of Parliament 2 & 3 Will. 4, c. 78, and the Acts of the Newfoundland Legislature, 7 Vict., c. 1, & 8 Vict., c. 6, leaving it to yourself to consider whether any modification of these provisions is now required.

12. These are conditions some of which, I am persuaded, are essential to justice, and others highly important to the satisfactory working of the new system; and I trust that, with these additions, the adoption of the system in question will not merely satisfy the long-expressed desire of the majority of the people of Newfoundland for freer institutions, but will also prove favourable to practical improvements in the government of the colony.

13. As regards the portion of the Address which relates to free trade with the United States, you will inform the Assembly that Her Majesty's Government are still in negociation with that of the United States, and that in the conduct of that negociation every attention will be paid to their expressed wishes, and those of their constituents.

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

— No. 2. —

No. 2.

Governor Hamilton to the Duke of Newcastle, 23 February 1854.

(No. 86.)

EXTRACT of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*; dated Government House, St. John's, Newfoundland, 23 February 1854.

(Received, 13 March 1854.)

My Lord Duke, (Answered, No. 50, 17 March 1854, page 37.)

I HAVE the honour to acquaint your Grace that on the 31st ultimo, I opened the Session of the Legislature with the accompanying speech, which was generally very well received, and was only excepted to by the Roman-catholic party in the House of Assembly, on account of its omission of all reference to the subject of responsible government.

A committee of five, three Protestants and two Roman-catholics, was appointed to draft an Address in reply; the three first-named of whom reported an address drawn in the manner heretofore usual, noticing the several matters referred to by me, and containing the usual assurance of a desire to co-operate in maturing the measures to which I had directed their attention.

The Address was read a first and second time, and on the 9th instant, was committed; but, on the first paragraph being proposed for adoption, Mr. Little addressed the House, and declared it to be the intention of himself and his party to permit the transaction of no further business under the present form of government;

ment; but after passing an address signifying this their determination, to await the decision of Her Majesty's Government upon their application for responsible government.

An amendment to the question was then proposed by Mr. Emerson, consisting of an address complete in itself, and which is herewith transmitted; and which after a lengthened opposition, was on the 13th instant, finally passed on the usual division; five Protestant members voting against it, seven Roman-catholic members and one Protestant (the proposer) voting for it.

On the 15th instant, I received this address, and made the reply herewith transmitted; the address being presented to me by the majority only, the minority absenting themselves on such occasion, to avoid, as I hear, the appearance of their having in any way concurred in its principle.

Having received my reply, the House adjourned to the 20th instant, the day on which the English mail was expected; Mr. Little having first given notice of a future address to the Colonial Office, should no satisfactory information be then received, and his party having expressed their determination then to adjourn for a further period of two months, to await the arrival of despatches from England.

The declaration of their intention to transact no further business, has, in the mean time, been carried into effect by their refusing to permit the introduction of a Bill, of which notice had been given by Mr. March, for the better regulation of the seal fishery now about to commence; and by the rejection on the 14th instant, of a Bill brought in by my directions, by the Solicitor-general, designed to check the ruinous traffic in bait, which has been heretofore carried on on the southern shores. The latter measure is one earnestly required by the people generally, and considered so imperatively necessary by the Assembly themselves, that during the last Session, they unanimously passed an address, praying that I would hire a steamer for effectually carrying out this service. Permitting this traffic is, in effect, a sanction of that theft of our seed which leaves our own district barren.

I need hardly observe, that this entire suspension of business, if continued, will produce a vast amount of mischief. The loss of the Bait Bill alone will most probably be felt in a failure of the fishery in many parts; without a Revenue Bill, the public creditor cannot receive his dividends, and the debt of the colony will be much increased, while the want of Supply and Education Bills will occasion great distress amongst many classes. * * *

Three courses present themselves for consideration:—First, the immediate unqualified concession of responsible government with its attendant evils and its injustice to the Protestant majority of the population. Second, its concession after a partial subdivision of the electoral districts, and an increase in the representation on a basis to be settled by Her Majesty's Government; and third, a return to the amalgamated form of government.

Having regard to the condition of the country and to the necessity for preventing future difficulties such as the present, the last system could be worked with greater certainty and with less expense than any other. Either course would, I presume, involve the principle of separate Councils, and can only be carried into effect by an Act of Parliament.

Should your Grace determine upon either of the above mentioned, or upon any other course of proceeding which will preclude the practicability of legislative action here before the expiration of the Local Revenue Act (16 Vict., c. 1), which will expire on the 28th of May, I would earnestly suggest the necessity for a short Act being passed in Parliament, continuing it for one or two years. The Assembly could then be dissolved and matters permitted to remain as at present, until the change determined on had been carried into effect. Indeed the absence of any intimation of your Grace's determination on the question is, at present, a fortunate circumstance, as it will afford the opportunity, of which I am informed the Protestant part of the population will avail themselves, to lay before Her Majesty's Government the expression of their opinions.

A report is in circulation here, founded on some private correspondence that it is the intention of Her Majesty's Government to concede responsible government upon certain conditions, which have not been mentioned. If these conditions be a fuller and a fairer representation in the Assembly, I very much fear—looking at the determination evinced by the Roman-catholic Members to accede to no representation which did not secure their present majority—that any proposal of that kind will prove nugatory; and, in view of such an event, the Imperial Act, for the continuance of the local Revenue Act, will still be necessary.

For Report of Delegates, see page 8.
"Public Ledger," 17 and 21 Feb.
"Newfoundlander," 16 February.

I annex a copy of the report of the delegates, and extracts from two local newspapers. The "Public Ledger" is the organ of the Protestant party; the "Newfoundlander" of the Roman-catholic party, in effect, of the Roman-catholic Bishop.

On Monday the 21st instant, to which day the House adjourned, to wait the arrival of the packet, Mr. Little being engaged in Court, and the Protestant minority not attending, in consequence of the resolution of the House to do no business, there was an adjournment for want of a quorum. On the next day, the minority still being absent, a vote of thanks was passed to the delegates, and the accompanying address to your Grace was adopted.

21 February 1854. Page 35.

With reference to that part of the report of the delegates which relates to the acts of the Council in its legislative capacity, and on which is mainly grounded the necessity, in the judgment of the Assembly, for responsible government, I cannot do better than refer your Grace to Mr. Row, a Member of the Council, now in England, upon whose long experience, from his residence for half a century in this colony, his sound judgment and integrity, your Grace may safely rely for any explanation that you may require of the complaints of the Assembly in this respect. Without wishing to urge any opinion of my own, I may yet say that, except in the matter of the Road Bill, and then only to prevent what the Council deemed a gross injustice, they do not appear to me to have trespassed on the legitimate functions of the Assembly. The other points in discussion between the two Houses were those in which the Council might fairly differ from the views of the Assembly, and in so doing be very far from meriting the charge that they were not consulting the true interests of the country. On the contrary, in all these measures the reasons which guided the Council will, I have no doubt, on full consideration of your Grace, appear to be such as, in the independent exercise of their judgment, are fully as weighty and regardful of the public welfare as—if not more so than—those which actuated the Assembly. On all these points, however, I am glad to think that Mr. Row will be at hand to afford to your Grace every necessary information.

23 February 1854. Page 36.

While writing this despatch, I have received a letter from the President of the Chamber of Commerce of St. John's, requesting me to forward the accompanying memorial to your Grace, referring to the present position of affairs here; inviting your Grace's attention to their address forwarded in February 1852, on the subject of responsible government; stating that their opinions on that subject are unchanged; and praying that the Revenue Act, now shortly to expire, may be continued by an Act of the Imperial Parliament, for such time as may be necessary to enable Her Majesty's Government fully to deal with the important subject of responsible government. This demonstration on the part of the merchants, shows that there is no desire on their part to take advantage of the opportunity which would occur, by the lapse of the Revenue Bill, of forwarding their own interests; but, on the contrary, a highly laudable desire to prevent that injury to the public credit which must inevitably result from the reckless course threatened by the Assembly.

Enclosure 1, in No. 2.

Encl. 1, in No. 1.

SPEECH of his Excellency the Governor, on Opening the Second Session of the Fifth General Assembly, Tuesday, 31 January 1854.

Mr. President, and Gentlemen of Her Majesty's Council;
Mr. Speaker, and Gentlemen of the House of Assembly;

THE duty of addressing you on your again meeting for the despatch of public business devolves upon me under circumstances which, while they demand our hearty acknowledgments to Almighty God for mercies bestowed and calamities averted, are not without alloy. While other countries have been sorely visited, we have mercifully enjoyed health and tranquillity; on the other hand, a renewed visitation, with unmitigated severity, of the potato disease in all parts of the island, and the failure of the fishery in many localities, have been followed by great distress among a large portion of our labouring population.

In closing the last Session of the Legislature, I expressed the hope that it would not be necessary for me, on our re-assembling, to make a further appeal to your liberality on behalf of the labouring population; but the great and continued prevalence of distress arising from the causes to which I have adverted, aggravated moreover, by the failure of the Electric Telegraph Company, rendered absolutely necessary the advance of a large amount in excess of the grant for the relief of the poor. I shall cause to be laid before you the details of this extra expenditure; and I rely upon your indemnifying me for an outlay, under all the circumstances of it, so unavoidable.

I am glad to be enabled to inform you that the revenue has exceeded the estimate made of its probable amount.

I shall direct to be laid before you copies of despatches on several matters which formed the subject of addresses passed during the last Session. From one of them you will learn that Her Majesty's Government decline to guarantee the repayment of the loan of 50,000 *l.* requested by you for the construction of main lines of road.

I have the satisfaction of being able to inform you, in reply to your address on the subject, that Her Majesty's Government will carefully maintain our rights of fishery, consistently with a faithful observance of the treaties with foreign powers.

To every country is assigned by Providence its peculiar productions, which may be interchanged among men for their mutual benefit. Although the climate of this colony is such that no available product is raised from the soil for export, yet we are more than compensated by the advantageous position of our shores for the prosecution of a valuable fishery. From the reports which I shall transmit to you, you will perceive that the object of the grant of the last Session, for the protection of the fisheries from external interruption, has been carried out with energy, and, to the extent of the means afforded, with success. Upon the prosperity of our fisheries the general welfare entirely depends; and it cannot, therefore, be superfluous to urge upon you the essential importance of guarding them not only against encroachment from without, but against the no less serious detriment to them resulting from the sale of bait by our own people on the southern coasts, to our great rivals. I commend, therefore, to your consideration the adoption of such legislative enactments, within the legitimate scope of the functions of the local Legislature, as will check, or greatly restrict this mischievous traffic. To enforce the provisions of the law in this respect, as well as to protect our river salmon fisheries on the west coast, I recommend you to place at the disposal of the Executive, adequate means for the maintenance of an efficient coast guard during the ensuing fishery season. A naval officer will be detached to the west coast for this last mentioned service by the Vice-Admiral commanding on the station, who has invited the co-operation of this Government.

In connexion with the subject of the fisheries, I would further submit for your consideration the expediency of reviving, in whole or in part, the Act for the inspection of pickled fish which has recently expired.

Mr. Speaker, and Gentlemen of the House of Assembly;

The financial statements and estimate for the ensuing year shall be laid before you without delay.

In consequence of the omission to provide means for defraying the expenditure contemplated by the Road Act of last Session, and owing to the unavoidable necessity of exceeding the appropriation for the relief of the necessitous, the revenue has been quite inadequate to cover the total expenditure of the year. To supply the deficiency, it will be necessary, during the present Session, to authorise the raising of a further sum by loan on the credit of the colony; whereby a considerable addition must be made to the already large public debt.

I deem the present opportunity, therefore, a fitting one for calling your earnest attention to the financial condition of the colony, and to its large and increasing debt. To reduce this debt in accordance with subsisting engagements, and to maintain the public credit in a sound and healthy condition, I need hardly point out to you the imperative necessity for discontinuing, or greatly curtailing, the casual and extraordinary appropriations for services not included in the estimates. Several of these services, as well as some of those heretofore

 included

included in the estimates, appear to me to be of so peculiarly local a character, as to demonstrate the reasonableness of their being made local burthens.

A disregard of economy, and a tendency to improvidence, can hardly fail to flow from a system which makes the public revenue the only fund from whence is defrayed, without discrimination or exception, the expenditure for charges and services purely local, which in other communities are provided for by local rates and assessments.

This observation will apply with equal force to the expenditure for the relief of the poor, which is defrayed entirely from the public chest; as well as to the mode of dispensing it, which, with all the precautions that, under the present system, can be observed, is still deficient in incentives to self-reliance on the part of the able-bodied poor, and calculated rather to increase than to check pauperism.

I commend these matters to your careful consideration, in the hope that you may be able to devise remedies for what cannot but be regarded as growing evils.

Mr. President, and Gentlemen of Her Majesty's Council;
Mr. Speaker, and Gentlemen of the Assembly;

The laws relating to education and the administration of justice in the out-ports will again come under your revision, I shall be happy to concur with you in any well considered enactments which you may adopt for the furtherance of objects so important to the present and future well-being of all classes of the community.

The encouragement of agriculture, with a due regard to the peculiarities of this soil and climate, but especially the introduction, breeding and rearing of live stock of a superior kind, deserve your consideration. By this means the employments and interests of our increasing population will be diversified and augmented, and the general good be advanced.

In fulfilment of the benevolent provisions of the Legislature, I have, during the recess, had the gratification of laying the foundation-stone of an asylum for the reception and curative treatment of pauper lunatics. Satisfactory progress has been made in the construction of that portion of the building for which funds were provided. The report of the Commissioners I shall direct to be laid before you; and I congratulate you on the near prospect of the completion of an institution in which may be put in practice the most approved methods of ameliorating the condition of this most unhappy class of our fellow-beings.

Through the mercy of Providence there has been no actual necessity, during the past year, for putting the Quarantine Act in operation. I deem it right, nevertheless, to impress upon you the importance of supplying any defects there may be in the existing laws for the removal of nuisances, and for enforcing general cleanliness, so essential to the public health.

I will only further detain you in assuring you that upon the subjects to which I have called your attention, and others which may be discussed in either branch of the Legislature, I shall be happy to facilitate to the utmost of my power your labours for the promotion of the public good.

On Tuesday the 14th instant, the Address of Her Majesty's Council, in answer, was presented to his Excellency at the Government House by the President and the whole House; and is as follows:—

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland, and its Dependencies, &c. &c.

May it please you Excellency,

We, Her Majesty's dutiful and loyal subjects, the Council of Newfoundland, in general assembly convened, beg leave respectfully to thank your Excellency for the speech with which you have been pleased to open the present Session of the Legislature.

We concur with your Excellency that our humble and hearty acknowledgments to Almighty God are due for that measure of public health and tranquillity which has been graciously vouchsafed to this colony during the past year; blessings not without their alloy from the distress which unhappily prevails in consequence of the continuance of the potato disease, and the partial failure of the fishery.

Owing to the causes stated by your Excellency, it was obviously necessary to exceed the grant made last Session for the relief of the poor, and we shall readily concur in a measure to indemnify your Excellency for an outlay so unavoidable.

We are happy to learn that the revenue has exceeded the estimate made of its probable amount.

We thank your Excellency for your promise to lay before us copies of the despatches referred to by your Excellency, and we heartily rejoice to find that Her Majesty's Government will carefully maintain our rights of fishery, involving, as those fisheries do, interests of paramount importance to this colony, and of grave concern to the empire at large.

We agree in the opinion that, whilst agriculture is a valuable adjunct to our fisheries, it is upon the prosperity of these that the general welfare of this colony is dependent; and it shall be our endeavour, as it is our duty, to devise and promote the best means of guarding them against encroachments from without, and of suppressing the illicit and extremely injurious traffic in bait carried on by some of our own people with our foreign competitors.

We

We rejoice to learn that the service for which the grant made during the last Session for the protection of our fisheries has been carried out with energy, and has been productive of benefit; and we fully concur with your Excellency in the expediency of the Executive of this colony being placed in a position to maintain an efficient coast guard during the ensuing season.

We entertain the belief that there are many branches of trade connected with our fisheries that are capable of development and improvement, and which, if properly and economically conducted, would, by conducing to the maintenance and comfort of the labouring classes, ease the pressure upon the public funds for their relief, and add to the general wealth of the colony.

The laws relating to education and the administration of justice shall have, as they deserve, our best consideration.

We are happy to find that satisfactory progress is being made in the erection of a suitable lunatic asylum, and we shall hail with satisfaction the completion of an institution calculated to alleviate the condition and sufferings of that class of our fellow-creatures, who, of all others, have the strongest claim upon our protection and sympathy.

We shall cheerfully contribute our aid towards the encouragement of agriculture. We shall also devote our attention to the consideration of the Quarantine and Pickled Fish Acts.

In conclusion, we thank your Excellency for the assurance of your co-operation with us, and the other branch of the Legislature, in the promotion of such measures as may tend to the advancement of the true interests of this ancient and valuable colony.

William Robinson, President.

Council Chamber, 10 February 1854.

To which his Excellency was pleased to make the following reply:—

Mr. President, and Honourable Gentlemen of the Council,

I thank you for this address, and for the assurance it contains, that you will co-operate with myself and the other branch of the legislature in the promotion of measures recognised by you as tending to the advancement of the true interests of this ancient and valuable colony.

On Wednesday the 15th inst., the Address of the House of Assembly was presented to his Excellency by Mr. Speaker and the whole House, and is as follows:—

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects, the Commons of Newfoundland in general assembly convened, beg to assure your Excellency that while we thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature, we sincerely reciprocate your expressions of regret at the present depressed condition of this colony, and the financial difficulties of the Government, which are attributable not only to the partial failure of the fisheries, and the visitation of the potato disease, but also to the character of the trade of this colony, and the absence of a vigorous, economical, and truly British system of Government, to encourage the development of its extensive resources, to uphold the rights and interests of the operative population, and faithfully administer the public affairs.

We cordially tender our acknowledgments to your Excellency for calling our attention to several subjects connected with the welfare of the country, and for the assurance of your desire to facilitate to the utmost of your power our labours for the promotion of the public good: at the same time, we frankly avow our mature conviction, that however anxious we may be to render our best exertions conducive to the prosperity of the people, judging from the experience of the past and the avowed policy of your Excellency's confidential advisers in their legislative capacity, we entertain no hope of obtaining their necessary co-operation in measures of general practical utility, except on terms alike injurious to the public service, degrading to the people's representatives, and subversive of the rights and privileges confided to our guardianship.

Having declared, as late as the last Session of the Legislature, that neither the anomalous system of Government in force in this island, nor your Excellency's Council, possessed the confidence of the public or of this House, we addressed a memorial to the noble Secretary of State for the Colonial Department, and both Houses of Parliament, praying for the immediate introduction of a responsible system of government into this colony; and we have been gratified to learn from the delegates deputed by this House to proceed to London for the purpose of promoting the objects of the memorial, that they have received such assurances from the noble Secretary, as induce us to conclude that the long-desired boon shall be conceded.

We respectfully solicit your Excellency to place before this House copies of any correspondence which may have taken place between your Excellency and the Colonial Department, since the last Session of the Legislature, on this highly-important subject, the satisfactory

 settlement

settlement of which we deem essential to the useful existence of the popular branch of the Legislature, of paramount importance to the country, and indispensable to the better administration of the Government.

In conclusion, while we do not hesitate to assure your Excellency that you will be indemnified for any outlay that has been made or may be rendered necessary for the relief of the poor and the telegraph labourers, we deem it our duty to inform your Excellency, with the utmost reliance upon your Excellency's good sense and impartial judgment for a favourable construction of the motives influencing our conduct, that we have deliberately come to the conclusion to await the decision of the Imperial Government upon the right of the people of this old and loyal dependency of the British Crown to the possession of self-government, in the constitutional acceptation of the term, rather than waste our time and exhaust the patience of the public in witnessing a renewal of fruitless attempts at legislation under the present constitution.

John Kent, Speaker.

House of Assembly, 13 February 1854.

To which his Excellency was pleased to make the following reply:—

Mr. Speaker, and Gentlemen of the House of Assembly,

I HAVE not received a reply to my despatch forwarding the memorial of the House, praying for a change of the constitution of the colony; and I cannot adopt the irregular and inconvenient proceeding of laying before you correspondence on a subject referred to the Crown, and upon which a decision has not yet reached me. Indeed, upon this topic the delegation from your Honourable House appears to have received assurances which have not yet been communicated to myself.

I thank you for your assurance of indemnifying me for any outlay that has been made or may be rendered necessary for the relief of the poor.

I must, however, express my great regret that you have come to the conclusion to defer legislation on subjects—particularly those of vital importance to the colony—which it has been my duty to bring before you. Whether the public interests have been consulted in arriving at the determination to which you have come, is a question for your own consideration; and, with you will rest the responsibility for any detriment to those interests, which may result from the course you have resolved to pursue.

Enclosure 2, in No. 2.

Encl. 2, in No. 2. REPORT of DELEGATES to the Imperial Government, on the Subjects of Responsible Government, Free Trade with the United States of America, and other Affairs of the Colony of *Newfoundland*.

THE House of Assembly having hitherto struggled in vain against the local Executive for the establishment of a thorough British system of government in this island, and their repeated addresses to the Crown for justice having been met by evasions or direct refusals, it was resolved, during the last Session of the Legislature, that delegates should be sent from the Assembly to London, for the purpose of placing the affairs of the colony before the Imperial authorities in their true light, as a conviction existed in the public mind that they had not been fairly represented, or the parent Government would have long since conceded to Newfoundland its constitutional rights and privileges.

We are accordingly honoured with the important trust of representing the views of the country, as expressed by the Assembly, on the present system of government, the general state of the colony, and particularly the claims of this old and loyal dependency to the establishment of responsible government, and reciprocal free trade with the United States of America.

In the discharge of our duty, we now respectfully submit an outline of our proceedings for the information of the public and the Assembly.

Having proceeded to Halifax in the steamer "Ospray," and thence to Liverpool in the R. M. steamer "Niagara," we arrived in London on the 18th July last, and immediately applied ourselves to the fulfilment of the trust reposed in us.

Having prepared the annexed statements, Numbers 1 and 2, on the general affairs of the colony, we transmitted copies thereof, with our credentials, to his Grace the Duke of Newcastle, requesting at the same time an interview with him on the several matters which formed the subjects of our delegation.

(No. 1.)

My Lord Duke, Tavistock Hotel, London, 20 July 1853.

WE have the honour to acquaint you, that the House of Assembly of Newfoundland, in the last Session, appointed us its delegates to proceed to London for the purpose of promoting the establishment of self-government in that old and loyal dependency of the British Crown, and reciprocal free trade between it and the United States of America. We, therefore,

fore, respectfully address you, as a friend of colonial reform and free trade, and earnestly solicit your co-operation in bringing to a successful issue the arduous struggles of its inhabitants with the monopolists of its trade and its government, who have formed a combination for their own selfish purposes, to defeat the popular will on these important subjects.

In direct opposition to these adverse parties, displayed in every possible shape, this colony received a representative form of government in 1832, of a nature similar to that which has been successively abandoned in all the other North American dependencies. In a despatch, dated 27th July 1832, from Lord Goderich to the governor of that island, accompanying the Royal Instructions, which are the basis of its constitution, his Lordship declared that—

"It may seem, however, superfluous to accumulate reasons in proof of the propriety of establishing in Newfoundland that form of constitution which generally prevails throughout the British transatlantic colonies; the difficulty would consist rather in finding valid arguments for withholding it. The reasonable presumption seems to be, that a system of colonial government which has been attended with so many advantages in British North America, would produce similar benefits at Newfoundland, if transferred to that settlement. I do not indeed mean to deny that some considerable inconvenience has occasionally resulted from the adoption, in those dependencies of Great Britain, of constitutions modelled into a miniature resemblance of our own; but I know not what is the system of which the same might not be truly asserted. It is sufficient to say of the scheme of internal policy in force in Nova Scotia and New Brunswick, that in all the colonies to which it has been extended, it has invariably secured the attachment of the people, by giving them a large share in the management of their own affairs; by affording an open field for the free exercise of talents and public spirit; by providing honourable ambition with a legitimate object and reward; by insuring immediate and careful attention to the various exigencies of society; and by promoting a frugal and judicious administration of public affairs. With the single exception of those colonies in which the people are separated from each other by distinctions analogous to those of caste, representative assemblies are not only recommended by abstract considerations drawn from the genius and principles of our own Government, but by a long course of experiments pursued under a great variety of circumstances, but still leading to the same general result.

"In accordance with the uniform course of precedents, your commission constitutes a Council, which will participate with the Assembly in the enactment of laws. It is not, however, to be denied that this part of the established system of colonial legislation has been practically found to be attended with some serious difficulties. The members of Council, deriving their authority from the Royal Commission, have not seldom been regarded with jealousy and distrust by the great body of the people. Their elevation to rank and authority has but too often failed to induce a corresponding degree of public respect. Even the most judicious exercise of their powers has occasionally worn the semblance of harshness when opposed to the unanimous, or the predominant opinions of those to whom the colonists looked with confidence as their representatives. The Councils, it must be confessed, have not uniformly exerted themselves to repel, or to abate this prejudice. The acrimony engendered by such disputes has sometimes given occasion to an eager assertion of extreme rights on the part of the Council, and to a no less determined denial of their necessity and constitutional privileges on the part of the Assembly. The Councils have also been employed as instruments for relieving Governors from the responsibility they ought to have borne for their rejection of measures which have been proposed by the other branch of the Legislature; and have not seldom involved them in dissensions which it would have been more judicious to decline. Some of the principal inhabitants of the colony, as well as the chief officers of the local Government, being usually members of the Council, are removed from the prospect of obtaining seats in the House of Assembly. Even in colonies in which there is a larger society, and a greater number of proper persons to become members of the Legislature than in Newfoundland, considerable inconvenience has been found to result from raising to the rank of councillors the leading members of the Assembly, and thereby losing their services in that body. The want of any member competent to explain or vindicate the course pursued by the executive authorities, has been still more severely felt; measures have not unfrequently been misunderstood, and it has happened that a trifling misconception which a few words of timely explanation would have removed, has grown into a serious and embarrassing controversy. The effect of the institution, therefore, is too often to induce a collision between the different branches of the Legislature, to exempt the Governor from a due sense of responsibility, and to deprive the representative body of some of its most useful members. Yet the compensation which might atone for these evils is not obtained, and the Council does not assume in the colony a position or an influence analogous to that of the House of Peers, because entirely destitute of that hold on public opinion which the property and independence of its members, as well as the antiquity of the institution itself, confer upon the peerage of this country."

All the difficulties anticipated by Lord Goderich, and which colonial experience has shown to be incidental to such a system, have been fully realised in Newfoundland; it was, indeed, unreasonable to expect harmonious working between our executive body, composed of persons avowedly hostile to the concession of a representive constitution, and the popular branch of the Legislature. The commercial monopolists, whose influence predominated in the Executive Council, and which has been always used by the local officials to sustain their policy, is thus adverted to by Lord Stanley, in a despatch to the Governor of this colony, dated 19 November 1841:—

"Whether with one chamber or with two, the Government will always have to contend with the difficulties arising out of the conflicting interests of two great classes of the commu-

nity * * * the commercial and the resident class; and although it may be thought that, taken broadly, these interests must act and re-act upon each other, yet each will have separate objects to pursue, and separate views to promote, either by expenditure of public money, or by imposition of public taxes. The former of these classes, up to a recent period, monopolized the power, as they possessed the whole capital of the island, which it was their avowed object to consider merely in the light of a fishing station. In the pursuance of this policy, internal improvements were discouraged, and the island itself was looked upon as subservient to the interest of trade alone. The gradual increase of population has led to the formation of a rival interest, which has now obtained a large share of political power, which it desires, not unnaturally, to direct towards the furtherance of its own objects."

After a series of conflicts between the two branches of the Legislature, the constitution was suspended, and a single chamber of 10 Crown nominees and 15 representatives, with a distinct Executive Council, were substituted. This singular amalgamation lasted four years, when its expiration was hailed with unanimous approval. It was nothing more than an expensive delusion sustained by unexampled corruption, and calculated to bring the Executive, which possessed the chief power over its deliberations, into merited contempt. The popular will, however, sometimes found expression in the amalgamated assembly, notwithstanding the great odds with which it had to contend; and in the year 1846 it adopted the following Resolutions:

"Whereas Her Majesty's Government being about to submit, for the consideration of the Imperial Parliament, a form of constitution for this colony, it is therefore highly expedient that this House should make a declaration of opinion upon the principles of administration applicable to the Government of Newfoundland.

"Whereas the principles of administration applicable to the government of the North American colonies have been formally sanctioned by the highest authority on several occasions, and whereas the following resolutions, moved by Mr. Secretary Harrison, were adopted by the Parliament of Canada, in 1841:

"'1st. That the most important, as well as the most undoubted of the political rights of the people of this province, is that of having a provincial Parliament for the protection of their liberties, for the exercise of a constitutional influence over the executive departments of their government, and for legislation upon all matters of internal government.

"'2d. That the head of the Executive Government of the province, being, within the limits of his government, the representative of the Sovereign, is responsible to the Imperial authority alone; but that, nevertheless, the management of our local affairs can only be conducted by him, by and with the assistance, counsel, and information of subordinate officers in the province.

"'3d. That in order to preserve, between the different branches of the provincial Parliament, that harmony which is essential to the peace, welfare, and good government of the province, the chief advisers of the representative of the Sovereign, constituting a provincial administration under him, ought to be men possessed of the confidence of the representatives of the people; thus affording a guarantee that the well-understood wishes and interests of the people, which our Gracious Sovereign have declared shall be the rule of the provincial Government, will on all occasions be faithfully represented and advocated.

"'4th. That the people of this province have moreover a right to expect from such provincial administration the exertions of their best endeavours that the Imperial authority shall be exercised in the manner most consistent with their well-understood wishes and interests.

"And whereas his Excellency Sir Charles Metcalf has thus explained, in answer to an address from Gore, in Canada, his views of colonial government:

"'With reference to your views of responsible government, I cannot tell you how far I concur in them without knowing your meaning, which is not distinctly stated.

"'If you mean that the Governor is to have no exercise of his own judgment in the administration of the Government, and is to be a mere tool in the hands of the Council, then I totally disagree with you. That is a condition to which I can never submit, and which Her Majesty's Government, in my opinion, never can sanction.

"'If you mean that every word and deed of the Governor is to be previously submitted for the advice of the Council, then you propose what, besides being unnecessary and useless, is utterly impossible, consistently with the due despatch of business.

"'If you mean that the patronage of the Crown is to be surrendered for exclusive party purposes to the Council, instead of being distributed to reward merit, to meet just claims, and to promote the efficiency of the public service, then we are again at issue; such a surrender of the prerogative of the Crown is, in my opinion, incompatible with the existence of a British colony.

"'If you mean that the Governor is an irresponsible officer, who can, without responsibility, adopt the advice of the Council, then you are, I conceive entirely in error. The deputed functions of the Governor are such, that he is not only one of the hardest worked servants of the colony, but also has more responsibilities than any other officer in it. He is responsible to the Crown and Parliament, and to the people of the mother country, for every act that he performs, or suffers to be done, whether it originate with himself, or is adopted on the advice of others. He could not divest himself of that responsibility by pleading the advice of the Council. He is also virtually responsible to the people of this colony, and practically

cally more so than even to the mother country; every day proves it, and no resolution can make it otherwise.

"'But if, instead of meaning any of the above stated impossibilities, you mean that the Government should be administered according to the well-understood wishes and interests of the people; that the Resolutions of September 1841 should be faithfully adhered to; that it should be competent to the Council to offer advice on all occasions, whether as to patronage or otherwise; and that the Governor should receive it with the attention due to his constitutional advisers, and consult with them in all cases of adequate importance; that there should be a cordial co-operation and sympathy between him and them; that the Council should be responsible to the provincial Parliament and people; and that when the acts of the Governor are such as they do not choose to be responsible for, they should be at liberty to resign; then I entirely agree with you, and see no impracticability in carrying on responsible government in a colony on that footing, provided that the respective parties engaged in the undertaking be guided by moderation, honest purpose, common sense, and equitable minds, devoid of party spirit.'

"Therefore resolved, that this House recognize in the above resolutions and documents the true principles of colonial government, as applicable to any future form of constitution which the Imperial Parliament may, in its wisdom cede to Newfoundland."

The amalgamated system having expired, the Imperial Government most unaccountably restored the old form of constitution, placing in the hands of the Governor and a Council of nine gentlemen, executive and legislative authority, and leaving the Assembly, on its original basis, to encounter the influences in a separate chamber, which had well nigh undermined its foundation in the amalgamated Legislature. None of those salutary changes referred to in the foregoing resolutions, and admitted to be essential to the harmonious and useful operation of colonial government were adopted, though the old constitution was so altered as to secure to the Executive the initiation of money votes in the Assembly, which necessarily embarrassed the free action of the popular branch, and has enabled the Executive to refuse its assent to votes of a most useful nature, because sought to be initiated by members opposed to the Government. This power has been thus arbitrarily and corruptly used. The Council retaining the exercise of executive and legislative functions combined, the Government is without an organ in the popular branch, to explain its policy or take the lead in important matters of legislation. So situated, the Executive is without power or influence in the Assembly, and the Government has only worked on by sufferance for the last four years. The public are thus deprived of the great advantages of a well-directed executive influence in the conduct of public affairs, while the result of an exercise of constitutional control on the policy of the Executive, would be to stop the wheels of government altogether.

Such results as these were clearly foreseen, as the natural consequence of such a system, by the late Lord Sydenham, who gave his opinion as follows, in a confidential despatch, dated at Halifax, N. S., in the year 1840:

"The last, and in my opinion by far the most serious defect in the Government, is the utter absence of power in the Executive, and its total want of energy to occupy the attention of the country upon real improvements, or to lead the Legislature in the preparation and adoption of measures for the benefit of the colony. It does not appear to have occurred to any one that it is one of the first duties of the Government to suggest improvements where they are wanted; that the constitution having placed the power of the Legislature in the hands of an Assembly and a Council, it is only by acting through these bodies that this duty can be performed; and that if these proper and legitimate functions of Government are neglected, the necessary result must be, not only the improvement which the people have a right to expect will be neglected, and the prosperity of the country checked, but that this branch of the Legislature will misuse its power, and the popular mind be easily led into excitement upon mere abstract theories of government, to which their attention is directed as the remedy for the uneasiness they feel."

It was not to be supposed that the people of this colony could be satisfied with such a position of public affairs, and an address to Her Majesty was accordingly adopted by the Assembly in the year 1851, affirming the principles of self-government, and praying for the concession of executive responsibility. No just reason existed why a system of government, which every other British American province repudiated, and which every enlightened British statesman condemns, should be fastened upon that colony. Without the principles of executive responsibility, it was felt that the Government was not deserving the name, and that it was unjust and unmanly to tax the industry of the people for its support.

Acting, as we have good reason to understand, on the misrepresentations of the interested officials of the colony, and those who have invariably opposed an extension of popular rights in this the oldest and most neglected of Her Majesty's British North American colonies, Earl Grey, as Her Majesty's Principal Secretary of State for the Colonies, declined advising Her Majesty to comply with the prayer of that address, though his Lordship held out some hopes that his views might in some degree be influenced by the result of the general elections which were then shortly to take place in Newfoundland. Upon the communication of his Lordship's views to the Assembly in the Session of 1852, a suite of resolutions, expressing the opinions of the inhabitants being adopted, it was therefore resolved that a renewed application should be made by address not only to Her Majesty, but to both Houses of Parliament. Before the address reached home, the opposition had attained power, and the hopes of the

colony were again doomed to be crushed for a time by a ministry who had chosen as Secretary for the Colonies, Sir John Pakington, the former agent and active supporter of the obstructives of Newfoundland. The address of the Assembly to the House of Commons was kindly presented by the Right Hon. Sir William Molesworth, the indefatigable advocate of colonial rights. Nor was the Secretary for the Colonies, as we have reason to believe, unsupplied with secret despatches from the local authorities, containing fabricated statements as to the views of the people on this vital and all absorbing question. They resorted to every expedient that self-interest, low prejudices, and unfair intrigue could devise, to defeat the people's representatives, and so far as their efforts have hitherto gone, to influence the decision of the British Government, they have been highly successful in securing the reins of power in their own hands, the offices of the Government for a favoured few, in contemning public opinion in the colony, in neglecting and actively opposing its best interests, on the questions of free trade, education, local improvements, representation, and several other important public measures.

In the autumn of last year the general elections took place in the island, and resulted in the return of a large majority in favour of the principles of self-government, who were pledged to adopt every constitutional means to secure its establishment. The resolutions of the late Assembly were again affirmed by the present House, four members only voting against them, and addresses to the Duke of Newcastle and both Houses of Parliament were then agreed upon.

The anticipations of the Assembly on the course which the Council would likely pursue in the Session of 1853, on the Representatives' Bill, and several other Bills, were fully realised. Among the many measures passed by the Assembly last Session and rejected, or so mutilated by the Council as to cause their loss, we may mention, for the purpose of illustrating the antagonism existing between these bodies, and the hopelessness of expecting their co-operation for any general objects of legislation, the Bills introduced on the following subjects: A Bill for taking the Census of the Island, which was necessary, as no census had been taken there since 1845, to enable the Legislature to appropriate the Road and School Monies fairly among the several districts and for other purposes; a Bill for the Relief of the Poor. Owing to adverse circumstances, and the system of trade heretofore pursued in that colony, which made the operative population almost wholly dependent on a few capitalists, and consequently ill-prepared to withstand the effect of a temporary failure of their ordinary pursuits, pauperism has considerably increased within the last few years, especially among the aged and infirm. The Assembly was consequently obliged to make liberal provision for their relief, and the dispensation of the poor funds was entrusted to the Executive. So much was that trust abused, that the funds were not unfrequently spent for political purposes, and thus became a source of patronage in the hands of the Executive; the poor were wronged, and they appealed to the Assembly for protection. A Select Committee took the matter into consideration, and the Government Secretary of the Poor Board was summoned and gave evidence on the subject. It appears that some characters of bad repute were better provided for out of these funds than other persons more deserving and more destitute objects of charity; that the functions of the so-called Poor Board were only nominal, and that the head of the Executive managed its affairs as he thought fit; it has been since ascertained that a portion of these funds had been actually appropriated with his concurrence in providing him with bed and bedding for a sea voyage.

A Poor Relief Bill was then adopted by the late House, but rejected by the Council. The Assembly then voted the salary of the secretary of the Poor Board in Supply, at the rate fixed by the Executive, so as to make him in some degree independent of the undue influence of the Executive, and responsible to the Assembly for the discharge of his duty. Two attempts were made, in vain, by the Executive to expunge it from the Supply Bill, and a message was privately communicated to the opposing members, that if they persisted in retaining it in that Bill, the officer would be discharged. One of his brothers then held a seat in the Assembly, and another published a newspaper in the colony. The Executive was therefore desirous, for reasons that were quite apparent, of continuing a system which rendered that officer perfectly dependent on its will, not only for the tenure of his office, but for the amount of his salary, which had been nearly doubled within a year or two from his taking office. The Assembly refusing to recede, the officer was dismissed for no express cause, except an alleged intention of changing the system, but his brother had previously voted for responsible government. No actual change has been made in the system, except to appoint a brother-in-law of one of the Executive Council to fill the office thus vacated, and the gentleman so expelled has been appointed to an anomalous position as a member of the Board, at a reduced salary. During the last Session a Bill was again adopted by the Assembly to put a stop to these abuses, but again rejected by the Council, though strong complaints were raised against the present system, and helpless paupers have died through its inhuman operation.

Bills for declaring the prior claims of seamen and fishermen to their wages out of the estates of their hirers and employers in cases of insolvency; for the extension and improvement of the Newfoundland Savings' Bank, according to the general recommendation of the trade and the public; for the encouragement of ship-building, and for the establishment of a proper jury system in the Supreme and Central Circuit Courts, met a similar fate. An alteration of the present jury law in force in those courts was strongly recommended by the able and upright chief justice of the island, from a sense of its absurd and unjust operation, for under the law as it stands, persons without any property qualification whatever, are permitted to act as grand and special jurors in questions of life, liberty, and property, while equally and

not

not frequently,* more competent persons, who contribute from 100 *l.* to 500 *l.* a year in duties to the revenue, and are possessed of large properties in lands and houses, are excluded from the grand and special jury panels, simply because they do not, in the opinion of the sheriff, come under the qualification or denomination of "principal merchants or gentlemen." The consequence has been, that packed and prejudiced juries have been of frequent occurrence, and are almost unavoidable, without a change in the law. A political opponent has no chance of a fair trial before such a jury, however upright and high minded the court may be, and instead of British justice being administered in such cases, there is but the form observed, for the reality is not attained. The Bill passed by the Assembly was loudly called for, and met with general approval except from the Council, who also rejected a Bill for the prospective reduction of our enormous Civil List, although the colony is about 120,000 *l.* in debt, and its necessities imperatively demand a system of rigid retrenchment in all the public departments, in many of which officials are paid salaries for doing comparatively nothing.

* So in copy.

The Road Bill, the Education Bill—both money Bills—the former appropriating 10,000 *l.* for the public road service, and the latter 7,500 *l.* for educational purposes, as well as the Supply Bill, were, in violation of the privileges of the House, all materially altered by the Council, and their total rejection was only saved by the forbearance and discretion of the Assembly, who preferred submitting to a temporary injustice rather than embarrass the public service, and deprive the country of the benefits resulting from these measures. A Bill to regulate our currency was also mutilated by the Council; and the last Bill which it negatived was a Delegation Bill sanctioned by the Governor, appropriating a sum of money to defray the expenses of delegates from the Council and Assembly to the Imperial Government, that both bodies might have an equal opportunity of being heard on the questions on which they have been so long at issue, and thus adopt the speediest means of terminating an agitation which will continue to distract the public mind and disturb the peace of society until they shall be satisfactorily settled. The liberal party in that colony have been persuaded that only one side of the question has hitherto obtained a ready credence from the Colonial Minister, owing to the misrepresentations of the local officials, and therefore solicited their opponents in legislation and progress to meet them manfully, where the arguments on both sides could be openly seen and discussed, not hid away in "secret despatches," which the local Executive has invariably refused to communicate to the Assembly; it has gone further, in refusing to communicate any despatches transmitted to Downing-street on the subject of self government. It must not, therefore, be a matter of surprise that men who sustain their position by such means, should reject the Delegation Bill as they did. In a word, the privileges of the Assembly have been utterly disregarded by the Council, and in the exercise of the only functions which the former branch conceived it might exercise unmolested by the Executive, that of taxation, a message of an intimidating character was delivered on the table of the Assembly by Mr. Secretary Crowdy, by the Governor's command, on the subject of the Revenue Bill, which was then pending on the Order Book for committal and the following resolutions were thereupon unanimously adopted by the Assembly:—

"Whereas a message has this day been received from his Excellency Ker B. Hamilton, Esq., the Governor of this island, which is a direct interference with the deliberations of this House on the subject of the Revenue Bill, now pending before this House.

"*Resolved*, That the said message is a manifest breach of the privileges of this House; and however anxious this House is to maintain a good understanding with his Excellency, this House cannot, with due regard to its rights and privileges, which it is its sacred duty to uphold intact, permit this document to be recorded on its journals unaccompanied with the unequivocal expression of its opinion thereon.

"*Resolved*, That the course pursued by Her Majesty's Council on the important measures vitally affecting the public welfare, which have been sent to them for their concurrence by the Assembly during the present Session, has been the cause of protracting this Session of the Legislature to the present late period, and obliged this House in self-defence to withhold its prompt assent to the Revenue Bill.

"*Resolved*, That this House is most anxious to uphold the credit of the colony, and would deeply regret any step that would impair it; but looking to the present state of the country, the amount of public debt, and the demands on the public revenue, it feels persuaded that nothing tends more to the destruction of that credit than the present system of government, which is devoid of public confidence."

Having thus shown sufficient to convince any reasonable man of the impracticability of conducting the government of the colony under such a system, we shall briefly advert to the question of reciprocal free trade with the United States. The exports of Newfoundland, consisting nearly altogether of the produce of its fisheries, have been materially depreciated in their value in foreign markets, from the formidable competition of the French; it was therefore found that the interests of the country demanded new markets. We naturally looked to the United States for this purpose. For want of remunerative employment in Newfoundland, many of its hardy and intrepid fishermen were obliged to seek labour in the fishing vessels fitted out by the Americans; the old "supplying system," of the few merchants, who engross the greater part of the trade of that island, which enables them to command the produce of the fisherman's summer voyage at a price usually fixed by them at so low a rate, as to leave the industrious operative scarcely sufficient to support him and his family for the winter; and the ruinous effects of the credit and truck system, which form

the chief ingredients in the "supplying system" have all tended to retard the improvement of the fisherman and the progress of the country, and thus reduce to poverty the finest class of men to be found in any of Her Majesty's dominions, or drive them from our shores to contribute to the wealth of some foreign power.

When the question of reciprocity with the United States was first agitated in the colonies, the local Executive, without consulting the Assembly, transmitted a despatch to Halifax, where a meeting of delegates from all the neighbouring colonies was about to be held on the subject, declining to send delegates to the convention, and declaring that the people of Newfoundland were opposed to free trade with the neighbouring republic.

The principles of reciprocity were then affirmed. The despatch of our Executive was kept secret in the colony, and the very man who subscribed his name to it, Mr. Secretary Crowdy, denied, in the presence of one of the subscribers, that the Government had expressed any adverse opinion on the question; but fortunately the document found its way into the Journals of the Nova Scotia Assembly, and the fraud attempted on the people of Newfoundland was there discovered and made public, and could no longer be gainsayed by the Executive.

In the year 1852, the principles of reciprocity were affirmed by our Assembly, and in 1853, the following resolutions were also adopted:

Resolutions in Committee of the whole on Free Trade.

"*Resolved*, That the Assembly in its last Session affirmed the principle of reciprocal free trade between the United States and this colony, in resolutions which are recorded on the Journals of the House.

"*Resolved*, That in reply to the address of the House in which Her Majesty's Government was requested to include this colony in any general scheme of reciprocal trade between the North American colonies and the United States, the Secretary of State, in his despatch dated 26th August last, gives assurance that the interests of this colony shall receive the serious consideration of Her Majesty's Government.

"*Resolved*, That the official letter of Mr. Everett, the American Secretary of State, to the President of the United States, dated 7th February instant, in which he affirms that the Government of Her Britanic Majesty is prepared to enter into an arrangement for the admission of the fishing vessels of the United States, to a full participation in the public fisheries on the coasts and shores of the provinces, with the exception, at present perhaps, of Newfoundland, on condition of the admission of colonial produce duty free into the United States, is regarded by the House with surprise and regret, because of the special exception of Newfoundland from the proposed arrangement.

"*Resolved*, That the best interests of the population of this colony would be vitally compromised by the exclusion of Newfoundland from the contemplated treaty, and that this House do forthwith address Her Majesty's Government, setting forth the purport of these resolutions, praying that this colony may not be placed in so isolated and injurious a position, and that a copy of this address be transmitted to Her Majesty's Minister at Washington, requesting that he will wait further advices from Her Majesty's Government before concluding the treaty in question."

These resolutions embody the opinion, as they represent the interests of nine-tenths of the inhabitants of Newfoundland. According to the evidence taken before a Select Committee of the Assembly in the year 1852, it appears that the resident mercantile men engaged in the trade of the island, with scarcely an exception, admitted, that if the duty of 20 per cent. at present imposed on our produce in the American States, were taken off, a valuable market would thus be secured for our staple products, and they quite approved of the project, until they learned that the American government would require a free participation in our fisheries as a condition to the arrangement. They then feared the influence of honest and active competition at their own doors, in their colonial markets; that the American merchants, or speculators, would visit our coasts, engage our fishermen, occupy their flakes and stages, now falling into ruin and decay in many of our noble outports, and by thus infusing new life and energy into our pursuits, relieve the dependent fishermen from their present abject condition, and break up the monopoly which a few have too long enjoyed in that ill-governed colony.

It may be, however, that the fears of the few merchants are rather imaginary than real, for at present, the Americans have a concurrent right of fishing on the west coast of Newfoundland from the Rameau Islands to Cape Ray with British fishermen, and thence to Cape Quirpon with British and French fishermen, and a joint right of fishing with British subjects on the coast of Labrador, where our fishermen prosecute a very extensive fishery; as also the right of landing at such places on those coasts as are uninhabited, for the purpose of curing and drying their fish; but this privilege is seldom, if ever exercised. The only part of our coast on which they have no right to fish at present, lies between the Rameau Islands and Cape Quirpon along the south-west and north-east coast of the island, where a shore fishery is prosecuted by our fishermen, in which the Americans could only participate by employing our labour and fishing rooms, for labour is cheaper in Newfoundland than in the United States, and the occupation of our rooms in settled harbours would be necessary for their prosecution of the shore fishery under any circumstances. There would be a twofold advantage in such an arrangement, we should secure an extensive foreign market for our produce,

produce, the prospect of increasing the demand, and consequently enhancing the value of colonial labour.

France has, for several years past, given annual bounties of 3,900,000 francs, for the encouragement of her cod fishery, mainly prosecuted on the banks and shores of Newfoundland; and on the 22d July 1851, the National Assembly passed a law, continuing the bounties until the 30th June 1861, and extending them to 20 francs per quintal metrique of fish the product of their fisheries, exported to "transatlantic countries, provided the same be landed at a port where there is a French consul." This new provision is doubtless intended to meet our exports in the American continental markets, and in the West Indies. And should we act wisely in permitting them, after having injured our trade with Europe, to exclude us from the American markets, without making a struggle for our existence. If we, in common with the neighbouring colonies, can induce the Americans by any reasonable concession on our part, to receive our produce on more favourable terms than they should be inclined to admit the produce of the French fisheries, we should have achieved a triumph for our colonial interests, the importance of which would be incalculable to the colonies in a commercial view.

A few days before we left the colony for England, we learned that the local Executive addressed a letter to a commercial society formed in St. John's for the protection of their own interests, requesting their opinion on this subject, in view of our mission. Now, we simply ask, was this a fair way to meet the question? The Legislature was in session four months and a half, and only closed in the middle of June; the Assembly having unanimously adopted the foregoing resolutions on the 23d February last.

A delegate was thereupon sent by the Assembly to Washington to promote its views with the British Minister and the American Government, and we have reason to hope that the interests of this colony will be considered by the Imperial Government before any treaty shall be concluded on the subject. In the meantime the Council was doing comparatively nothing, except obstructing the progress of the Assembly in useful measures. Why the mercantile portion of that body did not take action on the question can only be thus answered:

That they preferred trusting to the "secret despatches" of the executive and the combination of self-constituted "cliques," representing no interests but their own, rather than either openly brave public opinion themselves, or oblige their allies, the paid officials of the Government, at the Council Board, to do so. The Assembly, as the only legitimate organ of public opinion, would have been a sufficient guide for a constitutional executive, and a reference of such a question to a private party sitting with closed doors would not be thought of out of Newfoundland, especially where that body are doubly represented in the Council.

We shall conclude with a few general remarks on the conduct of the Executive in the transaction of the ordinary affairs of the Government. In the distribution of its patronage, it has not been guided by considerations of merit or the qualifications of recipients for the discharge of their duties. Men who were formerly degraded for misconduct in public positions have been appointed to offices of trust in preference to more deserving and competent persons. The formation of a "family compact," and the promotion of individuals in whom the public have no confidence, are characteristics of its policy. Persons who have rendered themselves odious to the popular party by their offensive conduct have met with especial favour in the estimation of the Executive; and we do not hesitate to say that one person, at least, connected with a press in the colony, the publisher of what is termed the government organ, has been encouraged by the Executive in fomenting discord among the people, by every means in his power, that divisions may be created and extended among them, and that it may appear to strangers, through that contorted medium, that the community is so divided by sectarian and other differences, as not to be fit for the enjoyment of self-government.

The colony has been deeply involved in debt through the extravagant system of government pursued, and the public have not received benefits by any means adequate to the amount of money expended on public works or local improvements. Peculation, defalcation, and a total disregard of the law have been of frequent occurrence in several of the public departments.

Favourites of the Executive have been screened in their defalcations, and the Assembly, even during the last Session, was denied the papers necessary to enable them to investigate a charge of defalcation against an outport sub-collector of customs. While the sureties of the late treasurer have been proceeded against, and his family's property has been seized under a writ of extent by the Crown, for alleged defalcations in his department, only discovered it is said after his decease, amounting to over 6,000 *l.*, and extending over several years; the sureties of the present treasurer have been expressly exonerated by their bonds from liability by reason of any loss that may occur from depositing the public monies, which pass through his hands, in a local branch of a private bank, chiefly owned by parties not resident in the colony.

For over 20 years has Mr. Secretary Crowdy held his present position as Colonial Secretary and chief adviser of every successive Governor, occasionally acting as administrator of the Government. It is notorious that whoever may be the Governor, he ultimately becomes the ruler of the island. All the evils and abuses of the Government have occurred during his connexion with it; and it has often been a matter of surprise to many, that defalcations could have happened in the treasury department on which he drew, or must have known all the warrants that were drawn on the late treasurer, without his being able to detect and expose them, during the lifetime of his co-official. By an Act of the local Legislature of

1845, the secretary was constituted the receiver of Crown rents for Crown lands. In 1847, the late Mr. Templeman, who was a colonial clerk in the secretary's office, acted as clerk to the receiver, and payments were frequently made of those rents to him, he giving receipts on behalf of the receiver, who was allowed a commission for collection of five per cent. on the amount of rents received. In the year of 1852 an account of Crown rents was furnished to the Assembly by Mr. Secretary Crowdy, in which it is stated that in the year 1847 "the sum of 286 *l.* 8 *s.* 5 *d.* was received, but not accounted for, by Mr. Templeman in this year." This account appears in the Appendix to the Journals of the Assembly for 1852, page 284, and the evidence of Mr. Secretary Crowdy thereon will be found in page 184. This defalcation was unknown to the Assembly until years after Mr. Templeman was dead. His estate was insolvent, and the colony has been wronged of the amount. But the real defaulter, we may fairly assume, even admitting Templeman appropriated the money to his own use, is not the dead clerk, but the paid living receiver of Crown rents, whose influence and high position have hitherto screened him from justice. He acknowledges no responsibility to the people, and therefore may treat public opinion, or his individual liability, with equal indifference.

See Governor Hamilton, No. 85, 20 February 1854, page 37.

For want of proper and detailed returns of the expenditure in the different public departments, the Legislature has been invariably delayed in the discharge of its business; and from this cause, and the obstructive and tardy policy of the Council, the Sessions of the Assembly have been unreasonably and unnecessarily protracted, until members from distant outports have become wearied and obliged to return to their homes before their public business had been done.

Irresponsible commissioners to superintend the erection of public buildings have been appointed by the Executive, under whom very large sums of money have been squandered in the erection of very inferior though expensive buildings. In 1851 the sum of 7,500 *l.* was voted by the Legislature for the erection of a penitentiary in St. John's, and the commissioners, instead of completing a suitable building for the sum, which was quite sufficient for the purpose, there being less crime committed in Newfoundland than in any other colony under the British Crown, as shown by the public records of the colony, expended about 8,700 *l.* in paying for the materials and erecting the basement. The Executive then applied to the Assembly for a further sum of 7,000 *l.* or 8,000 *l.* to finish the building, which was, of course, refused.

This is the system of rule pursued in your oldest transatlantic colony: the abuses to which we have referred are only mentioned as specimens to illustrate its general working. Can it be expected in all justice, that men of common sense, with a reverence for British institutions inherited from their fathers, and a knowledge of their rights, will tamely submit to the degradation of such a system? Paying all our own civil expenditure, let us have a trial of self-government, and if Newfoundland should form an exception to the other North American colonies in working out its principles, and prove itself unworthy of such a boon, disfranchise it then, and place it under the rule of some fishing admiral or naval commander, as in former days. But let it first have, what it never yet has had since Cabot first discovered it, a fair trial, and we pledge the known virtue, well-tried loyalty and intellect of its inhabitants, that they will prove themselves worthy of the concession, and capable of appreciating the blessings of self-government.

We have, &c.
(signed) *Philip F. Little.*
Robert J. Parsons.

His Grace the Duke of Newcastle,
Her Majesty's Principal Secretary of State
for the Colonial Department, &c. &c. &c.

(No. 2.)

My Lord Duke, Tavistock Hotel, London, 20 July 1853.

As delegates from the House of Assembly of Newfoundland to the Imperial authorities, on the subject of its demand for a reform in its system of government, it becomes our duty to state its claim to participate in the great principles of executive responsibility, which form the fundamental basis of the British constitution, and which are therefore claimed by the people of that colony as their inalienable birthright as British subjects.

Newfoundland is the oldest colony in North America, under the dominion of our Gracious Sovereign. As early as 1540 its fisheries were considered of immense importance to England. In 1618 there were 200 English ships engaged in them; and in 1626 there were 150 ships thus employed from Devonshire alone, supplying the Spanish and Italian markets with the produce of their voyages. Such was the importance attached to their possession of that valuable island, being the key to British America, standing nearest to England of all her transatlantic possessions, and commanding both the Atlantic on one side, and the Gulf of St. Lawrence on the other; that the Ministers of William 3, did not hesitate to deem the encroachments of the French on its rich and prolific waters, as one justifiable cause of the hostilities which broke out between England and that power in the early part of that monarch's reign. The inhabitants of Newfoundland have had to sustain many a severe conflict with the French for British supremacy, frequently sealing their loyalty with their blood; and the British Navy has been largely supplied with hardy and intrepid seamen nursed upon the coasts of Newfoundland.

It is to be for ever regretted that an unwise policy induced the Imperial Government to cede a large portion of the best of the fishing grounds to our old enemies, and thus gave them

them the means of fostering a rival power upon the seas, which is growing every day into more striking importance; and as illustrating the value they attach to these possessions, the French Government of to-day chiefly rely upon their Newfoundland fisheries to supply seamen for their navy, and, to this end, expend annually the enormous sum of 3,900,000 francs.

The policy pursued towards that colony up to the year 1697, was of a most extraordinary description; all settlement was forbidden under severe penalties, and it was not until the year above-mentioned that permanent possession of land was permitted, and then, and for more than a century afterwards, cultivation was not allowed farther than a few yards from the sea-shore.

In 1763, however, there was 400 sail of shipping trading between it, the mother-country, and other parts of the British dominions. In 1764 the British Parliament established the customs in that colony, the head collector being stationed at Boston; and although the inhabitants, like their fellow-subjects in Boston, at first resisted what they conceived to be an illegal imposition of taxes, levied and spent without their consent or control; yet, unlike the latter, their allegiance has to this day remained unshaken. Their sacrifices by the course they pursued in relation to the American war were great; for when that occurred, their trade with portions of the old colonies, being now part of the United States, amounted to 250,000 *l.* sterling annually, with increasing prospects; but it has never acquired its former footing since the passing of the Act of Congress of 1775, suspending commercial intercourse with the British colonies, and the final separation of the United States from the family of British colonial brotherhood.

In 1796 the probable amount of capital vested in our fisheries was one-and-a-half million pounds sterling. So long as the French could be kept out of the field of competition, our trade, fisheries, and population flourished. In 1813 for instance, just before the close of the second American war, the exports from Newfoundland amounted to 2,848,976 *l.* sterling; by the treaty of Paris, however, our rivals were reinstated on our shores to subserve the views of Imperial policy. In 1816 there were 80,000 inhabitants on the island, and 800 large vessels employed in its trade, yielding a very large revenue to the Imperial Exchequer.

Until 1832 the system of government was arbitrary and oppressive; a few capitalists or their agents did pretty nearly as they liked with the inhabitants; there was no redress for the injured to be found in the colony, and the voice of complaint lost its force before it reached the ears of the authorities on this side the Atlantic.

In 1832, by Royal Charter, a constitution was granted to Newfoundland, executive authority being vested in a Governor and Council, possessing also legislative authority, and a separate legislative branch or House of Assembly was also thereby created. Such is the present form of our constitution. The Council are irresponsible to the Crown, to the Assembly, and to the people, both for the advice they give the Governor, and for their conduct in their executive and legislative capacities. They have invariably opposed the popular branch in all important measures of reform, and general legislation has been rendered almost impossible through their obstructive conduct. A system of responsible government similar to that in successful operation in the neighbouring colonies is loudly demanded by the people, so that the government of the colony may be conducted, in the words and true spirit of Lord John Russell's declaration of British colonial rights, "according to the well understood wishes of the people, as expressed through their representatives in the House of Assembly."

This is the only mode by which the conduct of the local Executive will become amenable to public opinion, and the Government secure that confidence, insight, and power, which are necessary for the interests of all parties concerned. At present it is without any of these essential requisites; it possesses, nevertheless, the power of doing mischief, of creating discord, and bringing its own authority into contempt, as it has done by a career of misrule and repeated unconstitutional invasions of the rights of the people.

While even Prince Edward Island, in the Gulf of St. Lawrence, with its population in 1851 of only 65,000, with imports of about 120,000 *l.*, exports 55,000 *l.*, and a revenue of not more than 25,000 *l.*, obtained responsible government—all that we seek for our old and loyal colony—while we are furnished with the strong and undeniable claim of equal constitutional right too long withheld, which her sons have, as scions of the old stock, with more than historical consequences which have resulted to England in the old colonies, and more recently in Canada, by withholding popular rights from the sturdy offspring of her loins, with the concessions that have been wisely made to the neighbouring colonies, in granting them a practical control in the management of their internal affairs, and with the declaration of Earl Grey in his Lordship's despatch to the Governor of Prince Edward Island, dated 27th December 1849, that "it cannot be too distinctly acknowledged, that it is neither possible nor desirable to carry on the Government of any of the British provinces in North America in opposition to the opinion of the inhabitants;" may we not appeal with confidence to that spirit of justice and fair play which characterises British statesmen in these days, to redress the wrongs, and grant the reasonable request to the valuable and important dependency which we have the honour to represent. Why, we would ask, should she longer continue the victim of a local selfish clique, who flourish at her expense, who misrepresent her great resources, and sacrifice her best interests for the furtherance of their individual ends. Newfoundland has at present a population of at least 120,000 inhabitants; her imports, including those of her dependencies, are about 1,000,000 *l.* sterling, and her exports exceed that sum; her area is more extensive than that of Ireland, and she possesses more than a thousand miles of seaboard indented with noble bays and safe harbours, having abundance

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of rich resources; lands of cultivable character, now chiefly the resort of vast herds of wild deer; mines of various kinds lying dormant, and quarries of almost every kind of stone, besides marble, limestone, and gypsum; surrounded by waters teeming with inexhaustible supplies of fish. She has a revenue of about 70,000*l.* sterling a year, she pays her own Civil List, amounting to about 30,000*l.* annually, raised by local taxation. She registers in the custom books of her chief port, St. John's, over 1,100 vessels of 60,000 tons burthen, and 170 English vessels of 16,000 tons burthen, chiefly owned and all engaged in the trade of the colony, besides 9,989 smaller craft employed in the cod-fishery. She sends yearly to the seal-fishery 400 vessels, manned by about 14,000 able seamen, and she employs annually 25,000 persons in her general fisheries besides. She has 60,000 acres of land under cultivation, a resource of much importance to the industrious fisherman who finds his farm a substantial auxiliary to his fishery. Schools have been established, through the exertions of the Assembly, in almost every settlement, and roads are, under the same encouragement, diverging in every direction, connecting one locality with another.

The commercial relations of this important but neglected colony extend to Great Britain and Ireland, Portugal, Spain, Italy, Naples, Germany, Denmark, and many other European ports, to the British North American colonies, the British, Spanish, and Danish West Indies, the United States, South America, the Ionian Islands, Malta, France, Gibraltar, and several other parts of the world.

From the capital of the colony (which contains 20,000 inhabitants) a line of telegraph is being completed to Cape Ray across the country and Gulf of St. Lawrence in Prince Edward Island, thence to the United States of America, so that steamers touching at St. John's, which they may do in less than seven days after leaving Liverpool, may transmit news to the most distant part of the American continent several days before any other conveyance could possibly accomplish it.

Such is a brief outline of the prominent features which mark the colony whose claim to self-government we respectfully advocate; and we earnestly ask, does not the picture we have hurriedly sketched prompt you to believe that the colony of Newfoundland is equally entitled to a reformed system of government with Canada, New Brunswick, or Nova Scotia, and certainly far more entitled to it than, comparatively speaking, the very inferior Island of Prince Edward.

We have, &c.
(signed) *Philip F. Little.*
Robert J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

Note.

The population of Newfoundland is at least		120,000
The average value of Exports is as follows, yearly:		£.
Dried cod fish, quintals	1,017,674	493,014
Oil, gallons	2,744,910	319,977
Sealskins, No.	511,630	76,596
Salmon, tierces	4,025	12,024
Herrings, barrels	36,259	18,261
Bait, &c., sold to the French		15,000
	£.	934,872
Besides our Labrador Exports of the above articles, say		300,000
Total Exports	£.	1,234,872
Amount of native produce consumed in the country yearly, viz.:		
Agricultural produce		252,992
Fuel		75,000
Game—venison, partridge, and wild fowl		10,000
Timber—boards, house stuff, staves, hoops, &c.		75,000
Fish, fresh of all kinds		43,000
Oil		10,600
Vessels built in the colony		15,000
Total Annual Produce	£.	1,716,464
The value of Property engaged in the Fisheries yearly is		529,000
Sterling	£.	2,236,464
The annual Imports are at least		£. 1,000,000

We also addressed many of the Members of both Houses of Parliament, enclosing copies of those documents, and soliciting their support and the exercise of their influence in promoting the objects of our mission.

According to appointment, we then waited on Joseph Hume, Esq., M. P., at his residence in Bryanstone-square, with a copy of the Resolution of the Assembly, soliciting him to present the Address of the Assembly on the subject of responsible government to the House of Commons, and to use his powerful co-operation as an experienced and influential Member of the House of Commons on behalf of the colony. This veteran, consistent and disinterested advocate of colonial reform and popular rights, cheerfully consented to undertake the advocacy of the cause of Newfoundland, and to use every constitutional means in his power to forward the views of the Assembly, stating that he had been for nearly a quarter of a century advocating responsible government for the British American colonies, and his conviction that it was not only the right of these colonies, one and all, to possess it, but he conceived it to be the interest of the mother country to concede it.

Having then entered into a history of the abuses of the present system of rule pursued in the colony, he inquired into the extent of its resources, population, trade, revenue, and public expenditure, and expressed his surprise that Newfoundland had not been in the enjoyment of self-government as well as any of the neighbouring colonies. He then addressed a letter to the Duke of Newcastle, requesting his Grace to fix a day for our interview, and kindly offered his services to accompany us, and offer his assistance at the interview.

We were equally successful in obtaining the advice and co-operation of other influential Members of Parliament of weight with the Government.

In accordance with appointment, we waited on his Grace the Duke of Newcastle, at the Colonial Office, in the afternoon of Tuesday the 27th July. Mr. Hume having expressed his desire to introduce us to the noble Secretary, we waited in the ante-room some few minutes for him, but being engaged on a Committee then sitting on India affairs, as we learned, we sent in our cards, and were forthwith ushered into the presence of the Duke. His Grace received us in the most courteous manner. We presented the Address of the Assembly on responsible government, a duplicate of which, he stated, he had previously received and read, that he was engaged just as we entered in perusing our printed documents (Nos. 1 and 2), and he would be happy to hear any observations which we deemed it proper to offer in addition to the matters therein set forth. He then listened patiently while the grievances of the people of Newfoundland were being unfolded, in the course of which the veteran friend of the colonies, Mr. Hume, came into the office, and was heartily and blandly received by the noble Secretary, and having apologised for not being in time to introduce us, playfully said, "I dare say, however, these gentlemen were well able to introduce themselves." The Duke stated that when Mr. Hume arrived, Mr. Little was giving a statement of the affairs of Newfoundland, which he would be pleased to continue until he had concluded the remarks he intended making. After the delegates had concluded their preliminary explanations and observations, Mr. Hume remarked that the observations and facts which his Grace had thus heard with relation to the affairs of Newfoundland, were in his opinion perfectly correct; they were, however, merely a repetition of those abuses and that state of circumstances which existed under the old system of misrule pursued so long and so unwisely in the other British North American colonies; that they were in fact inseparable from such an imperfect form of government as that in force in Newfoundland; that the only cure for those evils was self-government, the concession of which, when he first demanded it for Canada, in company with the Canadian delegates, would have prevented the rebellion which subsequently occurred and distracted the peace of that fine country. That it was notorious that none of the British American colonies would be satisfied with anything short of the management of their internal affairs, and he expressed his astonishment that this important colony should be denied its rights and privileges, while the neighbouring possessions of Canada, Nova Scotia, New Brunswick, and even Prince Edward Island were progressing, with marked success, since they obtained the control of their own affairs, and that such a denial would amount to an abrogation of the doctrine of the present Ministry.

The Duke declared that he was much pleased to receive the full detail with which he had been favoured by the delegates, of the past and present circumstances of Newfoundland. That his attention had been called to the subject of responsible government some three or four months since, by the Governor of the colony, upon the adoption of the address by the Assembly, and he had given the matter some consideration, though he had not had sufficient time, owing to his Parliamentary and official duties, to decide on the matter; and after inquiring how long the delegates intended remaining in England, on being informed that they awaited his pleasure, he stated his fear that at so late a stage of Parliament, and the great amount of business then falling on him to discharge, it would, he feared, be difficult for him to consider the affairs of the colony in all their bearings upon the important question of a change of constitution during the sitting of Parliament; but that he would, at as early a day as possible, take into his serious consideration the whole case, and submit it for the decision of the Cabinet. It was true, his Grace continued, that he entertained the opinion ascribed to him, that the colonies, wherever it was found practicable, should have the full measure of responsible government conceded to them; that if they were fit for representative institutions, they were certainly entitled to self-government; that it was not the interest of the parent State, nor his desire to withhold that system of rule, but it would be admitted by the delegates, he thought, that there were objections urged against the introduction of that system into the colony at present, which might be obstacles, not insuperable obstacles certainly, but supposed or apparent ones, which, if founded in fact, might interfere with the har-

monious and effective working of such a government. These obstacles might exist, for instance, in communities which were not of one description of people; where from the nature of the population and the limited representation, it might be difficult to find a sufficient number of persons qualified to carry out the system and justify the necessary increase of representatives for that purpose, or where divisions occur between different denominations of Christians. Now, with reference to the present application, he would wish it to be clearly understood that he did not mention these as insuperable obstacles, or that he regarded them in that light; but as matters that should of course be considered with the whole question in all its points of bearings before he could be expected to arrive at a satisfactory conclusion.

Mr. Hume here said to his Grace, give the colony responsible government and all the usual requirements will be found to carry it on, as they have been found in the other colonies, particularly in the smaller island of Prince Edward, which was inferior in point of population and resources to Newfoundland; that the sectarian difference to which his Grace referred, if they existed, would soon find their level and their best corrective in the principles of executive responsibility and free government. That he was acquainted with the views of some parties, formerly connected with the trade of Newfoundland, and they were under the impression that no change should take place there that would not subserve their class interests, or meet their very contracted policy. That Sir Alexander Bannerman's administration of the affairs of Prince Edward Island formed a remarkable contrast to that of former Governors, who had invariably failed in their efforts to satisfy the people of that colony, or carry on its government successfully.

The Duke remarked, that Mr. Hume knew how sincere his Grace was in his endeavours to carry out fully colonial reform; and the instance referred to by Mr. Little, where his Grace recently expressed his opinions on the affairs of Jamaica, was an evidence of that sincerity, and as such he wished it to be regarded. After a prolonged discussion on the political circumstances of Newfoundland, the delegates requested permission to furnish his Grace with a supplemental statement in answer to the two objections that were regarded with any degree of importance by him, to which he cheerfully assented.

They then referred to the great necessity of reciprocal free trade with the United States, and the impolicy and injustice of excluding this colony from a participation in any arrangement which may be concluded on that subject.

Upon this topic, as well as upon the other, it was evident that the authorities of the Colonial Office had been misled; they believed that until they had seen the resolutions of the Assembly on free trade with the States, that the people of the island were entirely opposed to the proposition; and his Grace was therefore rather taken by surprise, when the delegates assured him that a strong desire existed in the colony to see it accomplished; they further said that it was essential to the prosperity of Newfoundland, seeing that the French had by reason of their bounties, almost excluded the colonists from many of their best foreign markets for their staple produce, and that many of our able-bodied fishermen are leaving our shores to obtain remunerative employment in the United States.

His Grace stated, that he regarded this as a subject of vast importance; that it had been for some time under the consideration of the two Governments, that his views were in favour of the most unrestricted commercial relations, and he could see no reason why Newfoundland should form an exception in any general arrangement that may be concluded with the United States on this subject, provided any deficiency which might thereby be created in the revenue could be otherwise supplied. That he was in this view quite in favour of the proposition. That there was a gentleman connected with his department, who had recently arrived from Canada, conversant with the subject, with whom he would wish the delegates to confer on the details of this question, as it might affect Newfoundland, and also in relation to the French fisheries, adverted to by them; but before concluding that interview, he was most anxious to impress upon the delegates the necessity of abstaining from extremes in reference to the fishery question, that is, with the French and Americans. In the present state of political affairs it was above all things desirable that the greatest caution should be used, one injudicious act on the part of the colonists might involve the Union in a war which might disturb the peace of the world; and rather than such should be the alternative of pressing extreme rights, it would be a question for consideration whether the sacrifice of the whole colony would not be preferable.

The delegates replied that the colonists wanted no more than their rights, fair play for their talents, and a clear field for their industry and enterprise. They had, however, been seriously injured by the competition and encroachments of the French; and added to these causes of discontent, they were stung with mortification to find the local Executive lending their influence to oppose their desire for extended markets for the produce of their labour. That if a system of rule were established in which they reposed confidence, there was no doubt but a majority of the people's representatives would always be found to give practical effect to the views of the Colonial Minister, so long as they were conducive to the welfare of the colony. But at present the people had no motive for consulting his wishes, and any change which had a tendency to relieve the country from its continued and prolonged depression, and elevate their hopes of improving their condition, would be preferable to a system of government, alike contracted in principle and practice, under which the vast and valuable resources of the colony were left undeveloped, its progress retarded, and the political existence of the colonists ignored, except for the purpose of yielding taxes, which it was only candid to assume, they would not long continue to pay, after the successful example of constitutional resistance set by Jamaica, should their reasonable demands be refused, and their legitimate rights be any longer withheld.

His Grace then requested us to furnish some statistical information with the supplemental, in

in relation to the trade and revenue of the island, and again assuring us of his anxiety to promote its prosperity, we then took our leave, well satisfied with our interview, and of the determination evinced by the noble Duke to render justice at last to Newfoundland.

On Friday the 29th July, we had an interview with Mr. Strachey at the Colonial Department, according to the request of the Duke of Newcastle, on the subject of free trade with the United States, and the encroachments of the French on the fishery grounds of the colony. This gentlemen evinced a lively interest in the matter of colonial trade, doubtless he had the full confidence of the Colonial Secretary, and entered with much particularity into its various relations and details. With regard to free trade, he stated that he had been led to believe that it was the desire of the inhabitants of Newfoundland not to be included in any measure which might be adopted on the subject; and this impression was strengthened by the representations of the Chamber of Commerce of St. John's; but he now formed a different opinion, looking to the resolutions of the Assembly, though Mr. Archibald, the Attorney-general of the island, who had been with him, urged an objection to the proposition of including that colony, as the loss which would accrue to the revenue by the free admission of American produce could not be made good. We removed this erroneous impression, showing that if there were a government in the colony which could command a majority in the Assembly, there might be any change effected in the tariff which would be rendered necessary to meet the objection stated; that as increased trade was anticipated from free intercourse with the Americans, the imports as well as exports would increase in proportion, and the revenue would not consequently suffer any diminution. Mr. Little entered into an elaborate statement of the trade returns of the colony, and the advantages of reciprocity, and stated that he did not conceive that the imposition of an equal rate of five or six per cent. *ad valorem*, for mere purposes of revenue, on certain stated articles imported into the island from the United States and all other countries, or into the United States from Newfoundland, would not form an obstacle to the proposed arrangement, but if it should be objected to, it should not stand in the way of a settlement of the question, as the advantages to be derived by the colony from the measure far outweighed a deficiency of revenue, which could be easily supplied by fairly reducing the Civil List, and re-adjusting the scale of duties imposed by the local Legislature.

Mr. Strachey then stated his convictions that no measure of reciprocity would be completed without including Newfoundland in any general agreement that might be effected, or in a separate clause bearing upon her peculiar position on the score of her revenue, and that he would be happy if we would see Mr. Cardwell, the President of the Board of Trade, on this subject. We stated our consent, and he undertook to procure an interview for us with him.

The other point which was deemed of great moment by Mr. Strachey, was the Fishery question. We said with regard to the French question, Newfoundland was almost solely interested —other colonies were not engaged in taking the cod to the extent that we were, and it was in reference to the cod fishery that we complained of the encroachments of the French. He said as there could be any variety of interpretations of the treaties between the two nations on the fishery, it would be well if they could be amended so as to define the actual rights of both nations. We agreed that it would be desirable, but we trusted that in any definition of the treaties, no right now possessed by the Newfoundlanders would be infringed, and particularly that Belle Isle should not be given up, nor should any right to fish for bait on our coast be permitted. He said there was no intention whatever to give up Belle Isle, but a concurrent right to fish there was mooted. We said it would be just as well to surrender Belle Isle altogether, as to allow the French a right to fish there, it was a station of the greatest importance to a large portion of the population of the colony who traded and fished at the Labrador. Well, he said the questions on which there was a difference of opinion with the French could only be settled by a compromise on both sides, the Newfoundlanders should not be too extreme; they might be less benefited by seeking too much, as by wisely conceding a little. He thought it would be most expedient that, as residence or establishment was now forbidden on certain portions of the shore, where good soil existed, that this part of the coast should be given up to the exclusive possession of the colonists—that is from Cape Ray to a point, say equidistant from it and Cape John, and the other part should remain in the possession of the French exclusively; this would remedy the present doubtful interpretation of the treaties with respect to concurrent rights of fishery. As to allowing them to take bait, he said, it was asked for, but not up to this present moment decided; but he thought that, if we allowed the Americans the right of fishery, we could not keep the bait from the French. We said we would rather risk that than give the French any right of taking bait unless they would agree to make good the loss which such a right would inflict upon the colony. Mr. Strachey said, there was something about an offer of 5,000 *l.* on the part of the French. We said such a sum was a mere bagatelle—three times that amount would not repair the damage such a surrender of our right would inflict upon the people of Newfoundland. Well, but if, said he, you will give up nothing, how can the matter be settled? We said if the British Government gave the French the right of fishing at Belle Isle, and the right to take bait, they might as well give up Labrador, if not the entire colony to the French, for it would be impossible to compete with people who receive from their Government in bounties for every quintal of fish they catch more than our fishermen can sell their's for. After a long discussion, he said the amendment of the treaties would have the best consideration of the Government, and with a due regard to Imperial interests, the interests of the colonists would be protected. We said we should be happy to convey the pleasing intelligence to the people of Newfoundland, that the British Government had no idea of giving

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up Belle Isle, or of allowing the French to fish for bait on the shores of the colony. Mr. Strachey begged us not to take what he said as coming from the Government, for he did not know their views authoritatively, but he merely stated what he believed to be the disposition of the Government upon these important subjects.

Mr. Strachey kindly favoured us with a second interview, in which he entered into the details of the foregoing questions, and obtained in writing the particulars of the duties collected on the articles imported into Newfoundland, which may be exempt under the proposed arrangement of reciprocity.

The encroachments of the French were again discussed, especially with reference to the rights of the Newfoundlanders to the exclusive fishery of the salmon brooks and rivers, from which they had expelled many of our fishermen. He stated that such an assumption was not justified by the treaties. We replied that their whole system of fishery was in direct violation of the treaties; that their use of bultowes and immense cod seines, as they were in the habit of using them, was particularly injurious to our fisheries, and not authorised by, but contrary to, the "mode of fishery" guaranteed by treaty. That the Legislature had made provision for the employment of a small steamer to protect our rights and prevent our fishermen from supplying the French bankers with bait. He said that there was no objection to that course, provided matters were prudently managed, and that he hoped by that means and the exertions of the Imperial Government, these vexed questions would be speedily, amicably, and satisfactorily settled with the French Government. According to his request Mr. Little left with him Mr. Andrews's late excellent Report on the Trade and Fisheries of the United States and the British North American Colonies, and other documents in support of our views.

Upon the subject of making St. John's a port of call, for a line of steamers running from some port in the United Kingdom, to either Canada or the United States, which we also brought under the notice of the Government, we were informed by Mr. Stracey that he had no doubt that as soon as definite arrangements were made for such a line of steamers, and they began to run permanently, the British Government would send the English mails intended for Newfoundland by them, as such a step would be of great importance to the people of the colony, and appeared not only reasonable, but highly desirable.

On the 30th July, we addressed the following letter to his Grace the Duke of Newcastle, with the supplemental statement marked No. 3; and it will be seen by the tenor of these, that we placed matters in as fair and clear a light as possible, and pressed our application for a prompt and definite decision as far as we prudently could:

My Lord Duke, Tavistock Hotel, London, 30 July 1853.

We have the honour of transmitting to your Grace our supplemental statement of the claims of Newfoundland to responsible government, and our reply to the only two objections to the concession, which you appeared to regard with any degree of importance.

Not knowing on what facts or representations the opponents of the desired reform, connected with the local Executive, rely to support these objections, which we assume have emanated from them, and they having twice rejected in the Legislative Council, a proposition made by the House of Assembly to send delegates from both branches of the Legislature, that the question at issue between them might be fairly discussed, we have therefore embodied in our reply only such general proofs of our position as are supplied by the Journals of the Assembly, the blue books furnished by the local Executive, and our own knowledge of the affairs of the colony.

Of course, we could not be expected to meet a series of misrepresentations, with the exact nature whereof we are unacquainted, but the existence of which, we presume from the necessity the local authorities have placed themselves under, of making out some justification for the course they have adopted with reference to the repeated collisions which have taken place between the Executive and the popular branch of the Legislature.

Wide-spread public discontent and active political strife, are the natural results of a system of government resting for support on representatives directly responsible to the people, and an executive repudiating all popular control, and pursuing an arbitrary policy, subversive of the interest of the Crown and the country, with confident impunity on account of their distance from the seat of that power to which they are amenable, and whose decision they have always anticipated in their own favour, from their confidential relation to the Imperial authorities, and their consequent facility of giving a favourable colouring to their transactions.

If, therefore, evils have flown from such a source, we have no doubt that upon a full consideration of the facts, your Grace's impartial and discriminating judgment will lead you to conclude, that the faults and errors of the past—whatever they may have been—in the government of Newfoundland, and the working of its constitution, as in the neighbouring colonies, under the old regime, are rather attributable to the system, alike unnecessarily expensive to the colony, and productive of discord in the hands of unscrupulous men, who have frequently provoked resistance by the contempt with which they have treated public opinion, than to any peculiar constitution of its society, or any erroneous estimate of the value of free institutions by the people.

In conclusion, we beg to inform your Grace that, as we are desirous of leaving England in the "Lady Eglinton," which will leave Liverpool on the 18th August, and without wishing to be deemed importunate, we trust that you may have sufficient leisure to decide the case

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of that old and loyal colony, in the meantime, that we may be enabled to avail of that only opportunity of direct steam communication likely to be had for some time, in completing our voyage of over 6,000 miles, and bearing, as we fervently hope, to the homes of our fellow-colonists a guarantee of your impartial justice and sincere interest in their peace and welfare.

We have, &c.
(signed) *Philip F. Little.*
Robert J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

(No. 3.)

SUPPLEMENTAL STATEMENT.

My Lord Duke, Tavistock Hotel, London, 28 July 1853.

ON behalf of the House of Assembly of Newfoundland, we beg to tender our sincere acknowedgments for the cordial and gratifying manner in which your Grace was pleased to receive us, in company with Mr. Hume, on the 26th instant; for the marked attention paid to our statement of the affairs of that important colony; for the frank expression of your enlightened opinions, and the lively interest manifested by you in the great objects of our mission. By the spirited subjects of that ancient dependency, who have been heretofore treated with more than ordinary neglect, the details of our interview with your Grace will be received with lively gratitude and unfeigned satisfaction. In regarding the views expressed by your Grace as the indication of an earnest desire for a reform in its Government, and a compliance with the wishes of its inhabitants, we feel confident that we form a correct estimate of your high and honourable character as a British statesman, and of that wise and just colonial policy which you have adopted as a general rule, in conferring self-government upon the colonists wherever it is practicable.

In the course of our interview with your Grace, there were two points which appeared to have some weight with you, in reference to the propriety of conceding responsible government to Newfoundland, though you very fairly stated that you did not regard them in the light of insuperable objections. The first was the supposed difficulty of finding a sufficient number of persons in the colony qualified to conduct that system, and justify an adequate increase of its representatives; and, secondly, the alleged existence of such sectarian differences among the population as might interfere with its harmonious working. In accordance with your kind permission, we shall briefly address ourselves to these objections; and, we trust, to the entire satisfaction of your Grace.

Looking at the pursuits of our population and their communication with all quarters of the world; the extent of their trade, and the knowledge they must possess to transact their affairs, and the amount of political information acquired by them in the exercise of their political rights, as well as from the agitation of constitutional questions in that and the neighbouring colonies, we would respectfully submit, that in such a population of 120,000 there would be no difficulty in finding a sufficient number of persons, qualified by their local knowledge and general intelligence, as well as by their position in society, and their professional and other pursuits, to manage their own public affairs.

It is difficult to adduce direct proof of the existence of such intelligence in the mass of the population of Newfoundland as would qualify them for representative institutions. It is only by analogy, or comparison with other colonies which possess self-government, that we can best exhibit to your Grace their fitness for the reception of those rights which, as British subjects, the people of that colony claim at your Grace's hands. We state it advisedly when we declare, that neither Canada, New Brunswick, Nova Scotia, nor Prince Edward Island has, for the extent of its population, the aggregate of intelligence enjoyed by Newfoundland. Her merchants, planters, and middle class generally, are inferior to none in ordinary intelligence; and it is from these classes, who are sufficiently numerous, that the future legislators of the colony will invariably be drawn. The electors, the greater proportion of whom include the mechanics and fishermen who are householders, are not in the least of an inferior grade to the same class in England—possessed of great morality, discretion, and peculiar genius and industry, rarely to be met with elsewhere among the same class of men. It is no uncommon occurrence in Newfoundland for a planter to fell and bring out of the forest timber and other materials necessary to construct a vessel, to build her from keel to topmast himself, and afterwards to take charge of and navigate her in prosecuting the trade of the colony. Surely, then, such men are not to be supposed devoid of that intellectuality which would qualify them to become the recipients of a system of constitutional rule, under the enjoyment of which they observe their sister colonists thriving, and excelling in every social respect, while they are struggling beneath an anomalous representative form of government in which they place no confidence.

An objection similar to the first was urged by Earl Grey with reference to Prince Edward Island, with its more contracted population and resources, where it was more likely to hold good than in Newfoundland; but practical experience has shown that even there, under the enlightened administration of Sir Alexander Bannerman, there existed no real foundation for the assumption.

The increase of our representatives has been deemed desirable by the Assembly, for the despatch of public business, with a due regard to the proper subdivision of legislative

labours, especially as the Government have taken little or no part in the preparation of general measures of legislation. Bill after Bill has passed the Assembly to duplicate the present number of its members, leaving the existing electoral districts as they were established by Sir Thomas Cochrane in 1832; the Council rejected these Bills, and another measure on this subject, of a compromise character, adopted by the Assembly last Session in a spirit of conciliation towards the Council, and sought the substitution of a close borough system, by subdividing certain districts, which would have the effect of concentrating undue influences in small localities and thus endanger the integrity of the representative principle. Hence no law has been formed on this subject by the local Legislature, and we deem it utterly hopeless to expect the present Council to agree to any just or generally acceptable measure on this head.

With reference to the second point, we would respectfully refer to the relative numbers of the different denominations of our population, and the amount of patronage they respectively hold under the Government of the colony, which may afford your Grace some clue to the motives of the few individuals connected with the local Executive, who have raised and resorted to every unfair means in exaggerating this objection. According to the Census of 1845, there were in the island,—34,291 members of the Church of England; 15,230 Dissenters, nearly all Wesleyan Methodists, making together 49,521 Protestants; and 46,995 Catholics. The members of the Church of England enjoy 18,500 *l.* sterling, yearly, out of the civil official expenditure; the Wesleyans 500 *l.*, other Protestant Dissenters, numbering 970, 2,280 *l.* and Catholics 4,593 *l.* The Executive and Legislative Council consists of six members of the Church of England, three Dissenters (none of them Wesleyans), and one Catholic. During a period of 20 years, and five general elections. the number of Protestants returned to the Assembly was 39, and 36 Catholics. In six of the nine electoral districts into which the island is divided, there are a majority of Protestant electors, both collectively and separately, as shown by the annexed abstract from the Census of 1845. Although these districts have possessed the numerical power to return members of their predominant persuasion, yet several of them, like the districts where the Catholics are in the majority, have returned persons of different creeds as their representatives. Under such a state of facts, taken from the records of the colony, we are confident that your Grace will see that this objection is only a pretext put forward, most certainly not by your Grace, but by the local clique, as an expedient to prolong their tenure of irresponsible power.

Objections similar to this were strongly urged against the concession of self-government to several of the neighbouring colonies. In many of them there were stronger sectarian differences to be encountered than ever existed in Newfoundland, and more serious consequences have resulted from them at one election, in Prince Edward Island, under the old system, than ever has or ever will likely occur in our colony, whatever may have been the misrepresentations of interested parties to the contrary.

The population of Canada affords another illustration, not only of rife sectarian differences, but also of strong antipathies arising from national distinctions of race and language. Until a proper system of government was there established, that fine country was torn with internal dissensions, and enjoyed neither peace nor prosperity. Under the reformed administration, which has for its foundation equal rights to all denominations, the organization of society has been improved, and the genuine feelings of British loyalty and freedom, which exist in all British North America, have been strengthened in Canada and all the lower provinces, in the enjoyment of self-government, the principles of which are calculated to rectify the differences to which we have adverted. Where all are equally interested in the proper and economical management of public affairs, and where there is no peculiar Church establishment to be affected by the change, or supported by the colonial Legislature, there is really no force in the objection. No undue sectarian ascendancy is sought by the reformers in Newfoundland, and it is evident that none would be tolerated or practicable; but the Government of the colony should, of course, pay a due regard to the fair claims of all denominations.

For these reasons, and those previously advanced, we trust that your Grace may be induced to see that such objections are devoid of merit; and that you will, by the exercise of your authority, cause the present Council to be dissolved, distinct Executive and Legislative Councils created, and the salutary principles of responsible rule fully enforced in the colony, that harmony may be established between the co-ordinate branches of the Legislature, and the best interests of the country thus promoted.

We have, &c.
(signed) *Philip F. Little.*
Robert J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

ABSTRACT—Census of 1845.

DISTRICT.	PROTESTANTS.	CATHOLICS.	
Conception Bay	16,446	11,580	
Trinity Bay	7,518	1,283	
Bonavista Bay	5,418	1,809	Which return 9 members to the Assembly.
Fogo	5,616	1,128	
Burin	2,407	1,951	
Fortune Bay, including La Poil, which is not in the electoral district.	4,703	392	
St. John's	6,211	18,985	Which return 6 members to the Assembly.
Ferryland	169	4,412	
Placentia and St. Mary's	1,018	5,455	

To this communication we received the following reply:—

My Dear Sir, Colonial Office, 1 August 1853.

THE Duke of Newcastle is very much engaged at present, but hopes to be able to fix some time for the pleasure of seeing you again before you leave England; that with respect to your note of Saturday, the Duke wishes me to remind you that you were expressly told by his Grace that it would not be in his power (however willing) to come to any decision on the affairs of Newfoundland during the sitting of Parliament, and that before promulgating any such decision, when arrived at, it would be necessary for his Grace first to communicate his views to the Governor of the colony.

Believe me, &c.

(signed) *Henry Roberts*, Private Secretary.

P. F. Little, Esq.
R. J. Parsons, Esq.

ON the receipt of this communication we addressed the following letter to his Grace, and transmitted it, with Mr. Hume's of the same date, to the Colonial Office:

My Lord Duke, Tavistock Hotel, London, 4 August 1853.

THE House of Assembly of Newfoundland having requested us to solicit a Member of the House of Lords to present to that branch of the Legislature an address similar to that which we had the honour of presenting to you on the subject of responsible government, we take the liberty of soliciting your Grace to honour the colony we represent by taking charge of it, if you have no particular objection to its presentation. We are induced to make this request from our unbounded confidence in you, and your expressed desire to meet the wishes of the inhabitants of that colony.

With reference to the communication which we had the honour to receive from Mr. Roberts, on the 1st instant, we earnestly hope that your Grace may be enabled, consistently with official rule, to comply with the request contained in Mr. Hume's note, herewith enclosed, which fully expresses our views.

We have, &c.

(signed) *Philip F. Little*
Robert J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

Mr. *Hume*'s Second Letter to the Duke of *Newcastle*.

My Lord, Bryanston-square, 4 August 1853.

AFTER the interview I had the honour to attend with the deputies from the Assembly of Newfoundland, and the satisfactory manner in which you received their communications, I hope you will be able to give these gentlemen some assurance as to the probable course you will recommend to the cabinet as to placing that colony on the same footing of responsible government as Prince Edward Island and other British North American colonies.

I am not aware of any objections to give Newfoundland, as soon as leisure shall permit the necessary arrangements, that kind of government which Lord John Russell stated was the best for the colony of Canada, and which Lord Grey intimated in his despatch was necessary, when general objections existed to the present Government.

These gentlemen do not consider that they will have fulfilled their instructions, and the confidence placed in them by the Assembly of the island, if they return without some more decided and definite answer to their reasonable and constitutional request.

I have presented the petition of the Assembly to the House of Commons, and only recommended it to the favourable consideration of the Commons.

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I am anxious that nothing more should be said in the Commons, and that the deputies should be able to leave England with such an assurance from your Grace as would warrant their going back.

I shall be obliged to you at an early time to give this note, and the request of these gentlemen, your favourable consideration.

I remain, &c.
(signed) *Joseph Hume.*

The Right Hon.
His Grace the Duke of Newcastle.

While waiting for a reply to these letters, we determined to request an interview with Frederick Peel, Esq., M. P., Her Majesty's Under Secretary of State for the Colonial Department; and having addressed him a note for that purpose, we received a polite reply from him, in compliance with our desire.

We proceeded to the residence of Mr. Peel, in Whitehall-gardens, on the morning of the 9th of August, and were received very affably. We entered at once into the objects of our mission, having previously furnished him with printed copies of the general statements which we had addressed to the principal of the Colonial Department. We gave him a truthful description of the parties in Newfoundland for and against reform; of its great resources; its healthful and invigorating climate; the nature of its anomalous government; the enormous amount of the Civil List; the abuses of Executive authority; the repeated violations of the Council and the Executive of the privileges of the Assembly; and the misrepresentations of the local authorities to the Colonial Office. After a preliminary discussion, he asked if legislative and executive functions were combined in the Council? How many officials had seats at the Board? And whether all were nominees of the Crown? We particularized the number of officials, and stated that the entire body were Crown nominees; he took notes of our replies. We detailed the number and nature of the Bills of the Assembly which they had rejected; and he seemed astonished that they should have rejected them, particularly the Census Bill.

He inquired if there was no officer of the Government in the Assembly to explain the views of the Executive? We stated there was the Solicitor-general; but he was not a member of the Executive, and was supposed to act only according to instructions; and that he had been appointed to the office since his election. He then asked if there was any obstacle to an officer of the Government being elected? We stated there was none. He said it was not the policy of the Imperial Government to refuse responsible government to any colony which was generally desirous of having it. We said that there was only a small number of monopolists in Newfoundland, who opposed the introduction of that system. Monopolist, he said, was a strong term; how were they monopolists? and having satisfied him on that point, he asked if, in the event of responsible government being conceded, how many offices would be considered political? and having stated our views on this head, by a reference to those considered so in the neighbouring colonies, he asked whether we would consider the Surveyor-generalship one of these, as that was a situation requiring some knowledge of certain duties, and some experience; and he thought the same with respect to the Collector of Customs. We said that we considered these offices as political ones; and with regard to the latter, the Royal Instructions made that official one of the Council, and consequently a political office. He then referred to the number of representatives as very small. We agreed with him, and showed our anxiety to increase the number by duplication, without dividing the districts, and that the Council refused to assent to any increase unless by a division of districts, which would destroy the present impartial basis. He then referred to the nature of the present system of voting; and inquired whether it would not be an improvement to allow each voter to have a vote for each member to be elected; that is, to give a voter in St. John's for instance, if there were six candidates, six votes, and allow him to give the whole six for one candidate; thus, he said, affording the minority, who might otherwise be unrepresented, the power of electing a representative? We did not comprehend how this would answer, and did not, on the impulse of the moment, express any opinion upon it, further than that we should consider it. He asked, had the colony improved or received benefit by the Legislature since its establishment? We replied that it had, but by no means adequate to the amount of taxation imposed on the people. We explained the general nature of the improvements, in opening roads, diffusing education, erecting public buildings, &c. If responsible government should be granted, he asked, would the Assembly assent to a permanent Civil List Bill? We replied in the affirmative, provided the Bill were such a one as would be justified by the circumstances of the colony; that attempts had been made to pass such a measure, having a prospective operation, but as it necessarily reduced the official salaries, it was rejected by the Council; that it was unjust to maintain an Imperial scale of salaries in a small colony, at the cost of the colonists, and refuse them the power or right of reduction; that it was equally unjust to impose upon 120,000 colonists the payment of over 3,000*l.* sterling yearly for a Governor, who was, generally speaking, unacquainted with the island, its people and resources—whose policy was shaped and directed by a few leading officials in the island, who have usually managed to get the Governor to commit himself to them, bring him in contact with the Assembly, and oblige him sooner or later, in self-defence, to malign the people and the popular branch of the Legislature, in justifying himself before the Imperial Government and endeavouring to retain the confidence of the Colonial Minister for the time being; while the State of Maine

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numbering nearly 700,000 inhabitants, who elect their own Governor for his local and general knowledge and his identity with the country and its present and future welfare, only paid him about 625*l.* a year. We were satisfied to pay our public servants according to their merits and their positions, but no more. Reference was also made to a permanent Revenue Bill by him. If the representation were increased, he asked, could qualified persons be found in the outports to represent them? We replied that if the electors of the outport districts conceived that persons from their own localities would best promote their interests and represent their opinions, they could have no difficulty in finding such persons among themselves. In many of them such was the case at present, while in some instances they have chosen persons residing in the capital as their representatives.

We then referred to free trade, and showed the views of the Assembly upon that and other important questions under discussion. He said that the Government were in possession of the views of the Assembly, and that Newfoundland should necessarily be included in any arrangements which should be effected with the United States on this subject, as the resolutions of the Assembly must be regarded as reflecting the opinions of the people of the colony.

A variety of other subjects were brought under his notice, and fully discussed. In closing the interview, the delegates expressed their gratification at the opportunity thus afforded them of placing the views of the Assembly before the Government; as it had heretofore been the practice of the local authorities not only to misrepresent the people, but the Assembly, and they attempted last Session to force the Assembly into a premature exercise of its powers of resistance and the adoption of extreme measures, before they were enabled to place their opinions fairly before the home Government; but if any unforeseen circumstances should unfortunately arise hereafter to oblige the popular branch to adopt any such course as the Assembly of Jamaica had successfully adopted in vindication of their rights—a course, however, which they did not anticipate there would be any necessity to follow,—they would then rest satisfied to abide the consequences, having done all in their power to avert such a result, and that the Imperial Government would judge of their motives and their conduct from the representations of the delegates, and not through the contorted medium of any local authority inimical to colonial freedom. In plain terms, and to speak frankly, that they were pledged to impose no more taxes on the people unless they were granted the management of their own internal affairs. Reposing the fullest confidence in the present Ministry, we expressed our hope that as "all reason and experience prove that those rulers give twice who give quickly," a speedy concession of rights too long withheld, may justify our high opinion of their intentions.

The interview then terminated by his assuring us that the Government had no interest in one system more than another—(except, remarked the delegates, in lightening the work of the Colonial Office, by throwing the duties of government, in a large degree, upon the shoulders of a responsible Council)—that the subject of self-government should have the earnest attention of the Cabinet during the recess, and thanking us for the important information we had communicated to him.

Having maturely weighed the suggestions made by the Under Secretary of State on the matters submitted for his consideration by us, we deemed them so important as to require a more formal and decided expression of our opinion than we had time or opportunity to give at the interview, and we accordingly addressed a letter to him, of which the following is a copy:

Sir, Tavistock Hotel, London, 10 August 1853.

We have the honour to tender our sincere thanks to you for the very satisfactory interview with which you were pleased to favour us on yesterday, relative to the affairs of Newfoundland.

With reference to the question of any alteration in the representation of that colony, we beg to repeat the deliberate opinion of the Assembly, that judging from the past, no change would be agreed to by the Council on this subject, that would be generally acceptable to the public, and consequently, that a reform in the system of government must take place before the consent of the co-ordinate branches of the Legislature can be had to a fair measure for increasing the number of representatives. The evils of which the colonists complain originate not in the Representative, but in the Executive department of the government, and the Assembly do not conceive that they would be justified in assenting to an alteration, or mutilation rather, such as the Council desire, which would not improve the latter; and having taken time to consider your novel suggestions, which was cursorily touched by you, and not maturely weighed or discussed by us at the interview, as to allowing each elector as many votes as there might be Members to be returned, with the option of giving all his votes to a single candidate, or to divide them among different ones at his pleasure; we take leave to remark, that however well such a system may be adapted, as an experiment, to the election of a Legislative Council at the Cape of Good Hope, the whole of which forms but one electorial district, we are positive it would not by any means answer or be acceptable for the election of a general assembly in any colony of British North America, subdivided into nine electorial districts as Newfoundland is, and accustomed to the old British practice of voting common to all the British American provinces. With these divisions of districts, the change suggested would virtually contract the basis of the representation, and give to the smaller number of voters, as much real power, if not more, than to the larger number, while the territorial divisions remain untouched; thus in a district of 4,050 voters, 2,500 of whom vote for six candidates, and the remaining 1,550 for three opposing candidates, the latter three would be elected by an apparent majority of 600 votes,

while they were in an actual minority of 950, without the existence of any difference in the qualification of either set of electors.

We would respectfully remind you, that the right of self-government has been affirmed by three distinct Houses of Assembly in Newfoundland, two-fifths of one of these were nominees of the Crown; that according to the expressed opinions of the Members of Her Majesty's present government, that resolution must be regarded as the emanation of the only legitimate organ of public opinion in the colony; and that, having implicit confidence in the equal justice of their colonial policy, it is our sole desire, that the cause we advocate for a loyal people of thoroughly British origin, should rest upon the "broad and solid principles of truth and justice," practically demonstrated by the present ministry towards the colonies, and avowed by several previous Colonial Ministers, particularly by Earl Grey, in a despatch to the Right honourable Sir H. Pottinger, of the 2d November 1846, with reference to the Cape of Good Hope, wherein his Lordship states, that "without anticipating the views which you may form in communicating with the colonists, best qualified to afford you their aid, I, for the present, confine myself to the statement, that on a question of this nature, some difficulties may be wisely encountered, and some apparent risks well incurred in reliance on the resources, which every civilized society, especially every society of British birth or origin, will always discover within themselves, for obviating the danger incident to measures resting on any broad and solid principle of truth and justice. On such a basis, as I am convinced rests the policy of entrusting the remote dependencies of a metropolitan state with the largest powers of self-government, in whatever relates to their internal and local affairs." * * * "I have ever been a convert to the opinion that, so soon as it is practicable, our colonies should be placed upon a footing of equality with the parent country, as tending to render them far sooner, and to a much greater degree useful to Her Majesty's dominions generally, by adding to their power and mutually cementing their union. There is a current conducting to liberal measures, which is progressing quietly but irresistibly, and can neither be stemmed, nor ultimately averted; and as the Attorney-general remarks, 'no privileges are so sure to be abused as principles wrung from reluctant hands.'"

In conclusion, we would remark that the people of Newfoundland have been wearied with anomalous and un-British constitutional experiments. If these have failed to give satisfaction, that only proves the superiority of the real principles of the British constitution, which have been tested for ages in the parent country, and have restored peace to your disturbed possessions, wherever they have been faithfully administered. They, therefore, anxiously desire to "be placed upon a footing of equality with the parent country and their sister colonies." If occasion should unfortunately arise, then would they prove their loyalty to the Crown, and their gratitude for justice at any sacrifice. But what motive can they have for peace, or how can they be expected to be contented, we would most respectfully suggest, under a system of government which so far discards their material interests as to attempt to sacrifice their staple pursuit to local monopolists, by opposing free trade with the United States, in the face of the various competition which they experienced from the subjects of France.

We have, &c.
(signed) *P. F. Little.*
R. J. Parsons.

Frederick Peel, Esq., M.P., &c., &c.

We waited on Mr. Hume on the morning of the 10th August, for the purpose of determining on our future movements, but found that he had left home on business. In the course of the day we received the following note from him—

"Bryanston-square, 10 August 1853.

"Mr. Hume presents his compliments to Mr. Little, and regrets that great press of business should have prevented him from seeing Mr. Little and Mr. Parsons this morning. Mr. Hume will be out of town all day to-morrow, but he, on Saturday morning at 10 o'clock, will be glad to see Mr. Little and Mr. Parsons if they can favour him with a call.

"Mr. Hume sends Mr. Little a copy of the Duke of Newcastle's note to Mr. Hume, which he requests may be treated as private."

According to appointment, we met Mr. Hume, and having fully discussed the noble Secretary's letter to him, and the favourable position of our affairs, and satisfied ourselves that we had done all that was practicable, Mr. Hume entirely concurred in this view, and embodied his noble sentiments in the following excellent declaration of the rights of Newfoundland, and addressed to the Secretary of State—a document which, independently of all his other valuable services to the cause of our country, entitles him to the lasting gratitude of the colonists, whose sincere and well-tried friend he has proven himself to be upon more occasions than this:—

My Lord Duke, Bryanston-square, 12 August 1853.

I HAVE seen Mr. Little and Mr. Parsons, deputies from Newfoundland, since the receipt of your letter to me of the 5th instant; and placing, as I do, perfect reliance on the desire on your Grace to place the valuable colony of Newfoundland on the same footing of "responsible government" as the other British North American colonies; and knowing that the Cabinet

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are at this time pressed by questions of foreign policy, as well as of domestic arrangements, I quite agree with your Grace that you should have time to give the important request made by the Assembly of that island the fullest consideration. I have recommended these gentlemen, therefore, not to urge their request for any more definite answer, than the favourable assurance you gave them at the interview when I was present, and to return to Newfoundland without troubling you more with their application. On behalf of the colony I would, however, remind your Grace, that the request now made by them for "responsible government" has been affirmed by three or four Houses of Assembly, and that the large majority of the inhabitants are anxious to be placed on the same footing as Prince Edward Island and other British possessions.

They consider that their loyalty to the Crown, and the comparative greater importance, in many respects, to the adjoining British possession of Prince Edward Island, fully and fairly entitle them to the same boon of self or responsible government, and they anticipate the same favourable results from a similar concession.

I hope at the same time, in justice to the Assembly and to the people of the colony, that you will direct the publication, by the Government of the island, of the decision of Her Majesty's Cabinet as soon as it can be made. With these opinions and impressions of what should be done at this time, I hope the deputies will be inclined to act as I have advised.

As an anxious friend to the British colonies, and an earnest advocate for equal justice, as the best means of promoting contentment, and of increasing the prosperity of the colony of Newfoundland,

I remain, &c.
(signed) *Joseph Hume.*

Tavistock Hotel, London,
12 August 1853.

My Lord Duke,

We have the honour to express our concurrence in the course suggested by your Grace, and approved of by Mr. Hume, in the accompanying note. He has kindly consented to continue to communicate with you, if necessary, on the affairs of Newfoundland.

In taking our leave of your Grace, we beg to assure you that we are impressed with the conviction that the affairs of that colony shall be fairly and finally arranged by you, at your earliest convenience after the rising of Parliament. We have no doubt that upon a full consideration of its claims for justice, and all the circumstances connected with its present condition, with regard to its future welfare, you will be enabled to arrive at a satisfactory conclusion, by following the dictates of your own unbiassed judgment, and only giving the proper weight to the representations of parties interested in defeating the cause of good government in that important colony, which involves its permanent peace and prosperity. In conclusion, we hope that the decision of the Government may be published in the "Royal Gazette" of Newfoundland before the next meeting of the local Legislature.

We have, &c.
(signed) *P. F. Little.*
R. J. Parsons.

His Grace, the Duke of Newcastle,
&c. &c. &c.

Dear Sir,

Tavistock Hotel, 12 August 1853.

We took our leave of the Duke of Newcastle, and he gave us every assurance of his good intentions towards the cause of Newfoundland.

In due time we shall remind you to move for copies of the despatches, public and confidential, which have passed between the local Government of Newfoundland and the Colonial Minister since 1848, on the subject of the constitution of that colony, responsible government, and the establishment of reciprocal free trade between the United States of America and Newfoundland. In fact, we shall leave it to you when it would be prudent to move for them.

We saw Mr. Cardwell, or rather one of us saw him, and on the whole we have reason to regard the question of reciprocal free trade, so far as Newfoundland may be concerned with the United States, as in a safe position.

With sentiments of the deepest gratitude for your great kindness to us and the people of Newfoundland, who will remember it with equal gratitude, we wish you a prolonged life and health to continue the friend of justice and humanity, while we remain,

Dear Sir,
Your's most faithfully,
(signed) *P. F. Little.*
R. J. Parsons.

Joseph Hume, Esq., M.P.

To provide against disappointment in the chapter of accidents, we deemed it prudent to solicit the support of the able and energetic Member for Manchester, John Bright, Esq., among other influential Members of the Imperial Parliament. He was so kind as to remain in London for a day, on which he had previously arranged to go to Portsmouth, for the

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purpose of affording us an opportunity of laying our case before him, an act of kindness for which we felt deeply grateful. We found that gentleman manly and straightforward in his views of colonial government, and after discussing the affairs of Newfoundland, in which he manifested a lively interest, expressing surprise that the Government should have withheld the concessions demanded by the colonists, he cheerfully consented to use his exertions, in unison with Mr. Hume and other Parliamentary friends of colonial reform in the Imperial Parliament, in vindication of our rights, should occasion require them.

We subsequently received the following official despatches from Mr. Peel, the Under Secretary of State for the Colonies, one of them having been sent to the local Government for us.

Gentlemen, Downing-street, 13 August 1853.

I AM directed by the Duke of Newcastle to acquaint you, that, in compliance with your request, his Grace has presented to the House of Lords the petition from the House of Assembly of Newfoundland, on the subject of responsible government, referred to in your letter of the 4th instant.

I am, &c.

(signed) *Frederick Peel.*

P. F. Little, Esq., and
R. J. Parsons, Esq.
Tavistock Hotel.

Gentlemen, Downing-street, 13 August 1853.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 31st ultimo, transmitting a supplementary statement of the claims of Newfoundland to responsible government.

In reply, I am to acquaint you that, with every disposition to accede to your wishes, for an early intimation of the decision of Her Majesty's Government on the important question to which your letter and its enclosures refer, it will be impossible for his Grace to announce that decision until the prorogation of Parliament shall have afforded the requisite leisure for considering the subject. But no unnecessary delay shall take place in undertaking that investigation.

I am, &c.

(signed) *Frederick Peel.*

P. F. Little, Esq., and
R. J. Parsons, Esq.
Tavistock Hotel.

Having allowed sufficient time to expire, after our return to the colony, to enable the Imperial Government to obtain the views of the local Executive on the statements and charges made by us, and to arrive at a decision upon the two principal questions submitted by us, we addressed a letter to Mr. Hume, requesting him to ascertain if any decision had been come to, and if not, to urge the affairs of the island upon the attention of the Duke of Newcastle, that we might be enabled to obtain definite information as to the contemplated policy of the Government before the opening of the Assembly. We give the correspondence upon this renewed effort, with the exception of the letter of the Duke of Newcastle to Mr. Hume, of the 21st November, which we regret we cannot publish, as it is marked " private," and was only transmitted to us for our guidance.

St. John's, Newfoundland,

Dear Sir, 17 October 1853.

UNDERSTANDING by information of a reliable character, which we have just received from Washington, that negotiations are progressing between the British Government and that of the United States, on the subject of reciprocal free trade between the latter country and the British North American colonies, and that Mr. Crampton, the British Minister, has not yet received any definite instructions from the Imperial Government with reference to Newfoundland, we are therefore obliged respectfully to request you to apply to the Duke of Newcastle on this important question, and ascertain if the Cabinet have arrived at a decision upon it, and the more important one of responsible government. Fearing that foreign questions have engrossed the attention of his Grace, and that we may be driven to adopt a course similar to that resorted to by the Assembly of Jamaica, if redress be not granted without any further delay, we are, therefore, under the necessity of soliciting you to remind his Grace of his promise to you and to us that he would take up the affairs of this colony as soon as leisure would permit after the rising of Parliament. The people of this

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island will not submit to be kept in a state of suspense, and at the same time assent to our continuing to impose taxes on them for the support of an arbitrary and ruinous system of government. They are exceedingly grateful for your able and patriotic exertions. May we request their continuance—the favour of your early attention to this matter, and that you will be so kind as to inform us of the result of your application, while we have the honour to remain,

Dear Sir, &c.
(signed) *P. F. Little.*
R. J. Parsons.

Joseph Hume, Esq., M.P.
&c. &c. &c.

Gentlemen, Burnley Hall, Norfolk, 17 November 1853.

I RECEIVED your letter of the 17th ultimo, and regret to learn that you have not had any communication from the Duke of Newcastle, on the two questions of "reciprocal free trade" and of "responsible government," which his Grace assured you, at the interview which I attended in Downing-street, should receive the early consideration of Her Majesty's Government.

I am aware that the affairs of the east of Europe have engrossed much of the time of the Cabinet, but the important questions submitted by you from the inhabitants of Newfoundland, ought not to have been neglected, and I shall immediately remind his Grace of the promise made, and of the necessity of not deferring longer to attend to your colony.

I shall communicate the result of my application, and remain,

Yours, &c.
(signed) *Joseph Hume.*

P. F. Little, Esq.,
R. J. Parsons, Esq.,
St. John's, Newfoundland.

P. S.—You may rest assured that I shall do all in my power to direct the attention of the Government, and of Parliament, if the Government do not attend to your late communications. A petition in readiness to be presented to Parliament, as I shall judge requisite, would be a prudent measure.

(signed) *J. H.*

Gentlemen, Burnley Hall, Norfolk, 24 November 1853.

I WILL not lose a post in sending you a copy of my letter of the 18th instant, to his Grace the Duke of Newcastle, and of his speedy answer to the same, for your guidance.

If you do not receive, as his Grace promises, an answer to your communication, I shall be ready to forward any letter you may wish to send him.

I would advise moderation in the communication, as there are difficulties which his Grace has in his way to do as he might like.

I remain, &c.
(signed) *Joseph Hume.*

Messrs. Little & Parsons.

My Lord, Burnley Hall, Norfolk, 18 November 1853.

WHEN I had the honour of an interview with your Grace, to urge attention to the petition and memorial from the Assembly of Newfoundland, you stated to Messrs. Little and Parsons, the delegates from thence, that the matters submitted by them, viz.: that of free intercourse with the "United States," and a "responsible government" for the island, were then under the consideration of Her Majesty's Ministers; but that the pressure of business before Parliament at that time, prevented the subject from being properly considered.

You promised an early consideration of the important questions which these gentlemen had submitted, and that you would communicate with them.

I received a letter from Messrs. Little and Parsons, a copy of which I enclose; and I submit that, in the absence of information from you, the report of what is going on at Washington may be erroneous, and thus have misled them; but as they are very desirous to have the reforms required in Newfoundland carried through quietly, and to the satisfaction of the Assembly, I can sympathise with them in the anxiety they express to hear from your Grace, on the subjects submitted by them to you.

I am anxious to see responsible government established in every colony and possession (India excepted), and I desire to see every impediment to the free trade intercourse of nations removed as speedily as possible.

I have, &c.
(signed) *Joseph Hume.*

His Grace, the Duke of Newcastle, &c. &c. &c.
Downing-street.

Dear Sir, St. John's, Newfoundland, 14 December 1853.

We have the honour to acknowledge the receipt of your respected favours of the 17th and 24th ultimo, with a copy of your excellent note of the 18th to the Duke of Newcastle, and his Grace's reply of the 21st ultimo.

A proclamation has been issued by our Executive, convoking the Assembly on the 31st January next. There is, therefore, a pressing necessity for an immediate decision by Her Majesty's Government upon the important questions submitted by us for their consideration, as the public are anxiously looking to the opening of the Legislature to know it, and the policy of the Assembly will be altogether influenced by the conclusion at which the British Cabinet may arrive. In fact, we anticipate that neither harmony, nor any measure of general practical utility will emanate from the different branches of the Legislature under the present constitution. Legislation will not, therefore, according to our apprehension be attempted by the Assembly, as it is worse than fruitless to expect the co-operation of the Council, except on the most humiliating terms, and at the sacrifice not only of principle, but also of the substantial interests of the country.

We have not only deemed it prudent, but our imperative duty to place these views before the Duke of Newcastle in the enclosed communication, which we have written according to your suggestion; and we shall avail of your very kind offer to place it in his possession, with such remarks as you may think proper to accompany it. We continue to entertain the most favourable opinion of his honourable intentions towards Newfoundland, but fear that the affairs of Eastern Europe may engross so much of his attention as to deprive this colony of the benefit of his immediate personal exertions in its behalf. There never was a period in its history, which demanded the aid of a wise and vigorous Government as the present, to improve the condition of the country, to promote the development of its vast dormant resources, to avert impending ruin, and secure its productive industry for its permanent improvement. The old system of trade has almost worn itself out; its redeeming qualities have disappeared and left little behind, except some of its worst effects on the operative population, who are consequently generally in a very dependent state, and many of them weekly quitting the island.

Reciprocal free trade with the United States will infuse new life, enterprise and capital into our trade and the prosecution of our fisheries, and in our opinion, go far to remedy the evils of the present system of trade.

Our Government is totally devoid of power, and is only tolerated in lieu of something better. Nothing good is expected from it, and even its former supporters admit the necessity for a change.

We should be very anxious to be particularly advised of the Duke of Newcastle's views on our affairs by the opening of the Assembly, as we should wish, if possible, to avoid, or prevent as far as may be in our power, the adoption of any course that would not meet with his and your entire approval. Any information which you shall therefore be enabled to supply in this respect, will be gratefully acknowledged.

Renewing the sincere expression of our high regard for your zeal and ability in the cause of this old and loyal colony, and soliciting the honour of your further interference for its welfare.

We remain, &c.

(signed) *Philip F. Little.*
R. J. Parsons.

P. S.—We shall forward a petition to you, if necessary, from the House of Assembly, to be presented to Parliament, or pursue any other course you may advise.

(signed) *P. F. L.*
R. J. P.

My Lord Duke, St. John's, Newfoundland, 14 December 1853.

According to the expressed desire of your Grace, when we had the honour of seeing you in London, we refrained from importuning you for an answer to the memorial and petition of the House of Assembly of this island on the questions of responsible government, and reciprocal free trade with the United States, in the confident expectation, that, as soon after the rising of Parliament as leisure would permit, you would fully consider them, and communicate to the Governor the decision of Her Majesty's Government upon these important subjects. Having recently requested Mr. Hume to ascertain the result of your deliberation on these matters, we have learned from that respected friend of the colonies, that foreign affairs had so engrossed your attention as to prevent your coming to a definite decision upon them up to the 21st ultimo.

As a proclamation has been issued by our Governor, convening the Legislature on the 31st January next; when it will be expected by the colonists and the Assembly that your views upon these vital questions, which have agitated the public mind so intensely, shall be made known, we have deemed it our duty, in discharging the trust reposed in us by the people, through their representatives, to impose so far on your kind disposition as to make this last appeal before the opening of our Assembly to your high and honourable principles as a British statesman, to place this old and loyal colony on a footing of equality with the neighbouring

neighbouring provinces, as to self-government, and a participation in any arrangement that may be effected with the American Government on reciprocity.

It is but candid that we should inform you, that, judging from experience, it will be perfectly useless for the Assembly to attempt any practical legislation with the Council under the present constitution, except at the sacrifice of its rights and the substantial interests of the country to the assumptions of the irresponsible nominees of the Crown. The Assembly has already submitted to so many repeated acts of humiliation, that no independent member in it will feel himself justified in consenting to a renewal of that course. We fear, indeed, that according to our pledges to our constituents, we shall not be able to impose any further Revenue Bill on the country for the support of the present system. Moderation and prudence alike demanded that forbearance, which the Assembly has for the last four years exercised, until the time had arrived when its views could be placed before an able and impartial Minister, who has the power and the disposition to redress the wrongs of which it justly complained.

Your Grace will, therefore, perceive the source of our anxiety for your decision upon the destiny of this colony, as it will influence the course not only of our legislation, but also of our trade, and affect the peace and prosperity of the country, according to the result at which you may arrive.

If Newfoundland should be destined to form a link in a federal or legislative union of the British North American possessions, it is desirable that it should without delay be placed in the enjoyment of those privileges, the proper exercise of which would be necessary to prepare it for a full participation in the advantages of so great and desirable a change.

With reference to the general finances of the colony, as bearing upon the question of reciprocity, we would respectfully remark that nothing would tend more to the improvement of our financial condition than the opening of new markets for the produce of our fisheries; and as the old contracted system of trade, heretofore pursued in this island, is inadequate to the independent maintenance of our operative population, many of whom are consequently at present thrown upon the Government for support, or driven from our shores to seek remunerative employment in the United States, we are persuaded of the necessity for the adoption of some such measure as reciprocity, which would induce capitalists of enterprise to embark in our trade, infuse new life and energy into the pursuits of the people, and develop the vast dormant and neglected resources of this extensive country.

On reference to the accompanying statistical statements, you will perceive that while our imports and exports have increased, or rather have not decreased since 1840, and our revenue has gradually grown from 43,863 *l.* 14 *s.* 1 *d.* in that year to 84,323 *l.* 4 *s.* 2 *d.* in 1852, the condition of the people and the state of the country have not improved by any means either in the ratio of taxation, or the results of the trade in favour of the mercantile body, compared with the bulk of the population, for you will perceive that the amount paid for the relief of the poor in 1840 was only 1,119 *l.* 16 *s.*, while it was in 1852, 8,683 *l.* 0 *s.* 1 *d.*, a large sum, even making allowance for the partial failure of the potato crop.

The colony is also in debt about 120,000 *l.*, and no adequate value has been received by the public for the taxes imposed and the debt incurred.

This is a state of things which, we humbly submit, clearly proves that there is just cause of complaint, and necessity for a reform in our institutions. With free trade and free institutions, this colony, after a few years, would not know such an affliction as pauperism, and the colonial debt, with the exercise of proper economy, would not be felt as a burthen by the people. They could then afford to bear increased taxation, if that were necessary, to sustain the credit of the Government or to promote the improvement of the country.

With undiminished confidence in your Grace, and sincere reliance on your candour and good will, we place these views before you, believing that you will regard them in the spirit in which they are really conceived; for we beg to assure you, that it is our earnest wish to see the affairs of the colony conducted in peace and harmony by properly constituted authorities; and in common with the majority of our fellow colonists, we should be delighted to be enabled to co-operate with a responsible executive in carrying out your views in promotion of the public welfare.

We have, &c.

(signed) *P. F. Little.*
R. J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

NEWFOUNDLAND.

VALUE of IMPORTS and EXPORTS for several Years (not including Labrador).

——	1840.	1841.	1842.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.	
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	
Imports - - -	784,045	800,428	694,337	741,965	770,016	801,330	802,247	843,409	769,628	770,190	867,316	943,191	795,758	
Exports - - -	983,961	952,555	844,375	960,461	882,905	939,436	759,103	806,605	887,581	876,567	975,770	959,751	965,772	£. 1,215,772
						The Exports of Labrador (the direct Exports from thence having increased in late years) are estimated at							250,000	

COMPARATIVE STATEMENT of the COLONIAL REVENUE and EXPENDITURE in the following Years:

——	1840.	1841.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Revenue - - -	43,863 14 1	44,143 3 10	50,884 10 4½	59,676 2 9	60,303 8 9	76,760 17 10	69,049 14 11	59,300 17 11	69,405 5 1	66,915 3 11	80,395 14 2	84,323 6 2
Expenditure - -	39,347 2 4	40,787 17 8	59,830 13 2	66,379 5 6	62,703 18 7	74,050 1 -	74,873 16 7	62,071 18 7	66,262 2 1	71,807 1 5	75,770 5 1	90,409 8 10

AMOUNT Annually Expended for the RELIEF of the POOR in the following Years:

1840.	1841.	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1,119 16 -	2,167 6 9	4,208 13 7	3,744 - -	2,923 7 1	7,052 8 8	13,339 7 9	9,707 13 1	12,522 16 -	4,981 15 -	6,329 18 10	8,683 - 1

Before long, we anticipate the arrival of despatches from the Colonial Office of a favourable character; if, however, contrary to the expectations we have been led to entertain, and to the favourable assurances we have received, our hopes should not be fully and promptly realised, there is but one course open to the Assembly in our judgment. That course is pointed out by Mr. Hume, and has been successfully adopted by the neighbouring colonies; a direct and manly appeal to the British Parliament by the people's representatives, and we assume the responsibility of adding, an entire suspension of all further legislative action until the inalienable right of self-government be conceded to Newfoundland.

Such is an outline of the measures which we have adopted, to give effect to the resolutions of the Assembly regarding the objects of our mission. That they will be crowned with the full measure of success, which we have reason to hope and believe, a short time will decide; much more has been achieved by it than our opponents anticipated; it remains for the Assembly to take advantage of the improved condition of its prospects. It has taken a high and honourable stand against the upholders of the present system of misrule; and has thus commanded the respect of at least one of the first Ministers of the Crown, and many other influential statesmen. The ultimate and speedy triumph of the cause in which we have been engaged is no longer a matter of mere speculation or honest doubt. The people have nobly done their part; they await with restless anxiety the decision of the Imperial authorities; their happiness, and the fate of this colony hang upon that decision. We repeat that we have every reason to confide in the principles and professions of the Ministry, and trust that the necessity for extreme constitutional measures may not arise; but "come weal or come woe," things cannot be worse than they are; for, under the present Government, ruin is impending over this fine old colony. Therefore no man who has laid his hand to the plough, and is sincere in his professions for the regeneration of our institutions, and the improvement of the country, will be so craven-hearted as to look back. The time for half-measures has passed away; nothing but the full concession of justice will satisfy the people, and a justification can no longer be desired or sought by their representatives for supporting any government not based upon the constitutional principles of executive responsibility.

We have the honour to submit this report, coupled with the general observations which we have taken the liberty of making, with the utmost respect.

(signed) *Philip F. Little.*
Robert J. Parsons.

St. John's, 19 January 1854.

Enclosure 3, in No. 2.

Encl. 3, in No. 2.

To his Grace the Right Honourable the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonial Department, &c. &c. &c.

May it please your Grace,

We, the Commons of Newfoundland, in Legislative Session convened, having in the last Session of the Legislature addressed your Grace on the right of the people of this old and loyal British dependency to the enjoyment of responsible government, for the better administration of its affairs, and having deemed it expedient to depute two Members of this House to proceed to London for the purpose of placing the views of the Assembly more clearly before the Imperial Government, beg to tender our cordial acknowledgments to your Grace for the flattering manner in which you were pleased to receive these gentlemen, and the hopes you held out that justice should at last be done to this colony, no less proverbial for the well-tried loyalty of its hardy and enterprising population, than remarkable as the only one on this side of the Atlantic of truly British origin, subject to the almost obsolete and arbitrary principles of irresponsible rule, administered by a Governor and 10 irresponsible Crown nominees, constituting a Council, and exercising executive and legislative powers in direct opposition to the popular will.

Convinced from long practical experience of the hopelessness of working such a system for the public welfare, necessity obliged us, in accordance with the well understood wishes of the people, declared at several general and partial elections of representatives in public meetings, by the independent portion of the press, and repeatedly affirmed by three distinct Houses of Assembly, to appeal to the parent Government for its abolition, as its tendency has been found to retard the improvement of the colony, to sacrifice the best interest of the industrial population, to involve the Government in unnecessary and ruinous debt by its extravagance, to produce public discontent and constant collisions between the co-ordinate branches of the Legislature, our functions have been rendered altogether subservient to the dictation of the Council, acting in their double capacity of Executive and Legislative Councillors, and equally irresponsible to the public, to the Crown, and to the representative branch for their conduct. Obliged to impose heavy taxes on the industry of the people for the support of this Government, we are denied the power to secure the faithful expenditure of such taxes, and, in fact, our only recognised use seems to be to levy taxes, and vote the salaries of the officials.

Under such a deplorable state of affairs, under the feelings of humiliation produced in our minds by the frequent violations of our undoubted privileges by the Council, and the contempt

 with

with which public opinion has been treated by that body, we have exercised no ordinary degree of prudence and forbearance thus long in submitting our will and independence to those who are our superiors in no constitutional view, in the hope that this system of misgovernment would be abolished in Newfoundland, as it has been in all the neighbouring colonies, where it had invariably produced similar results.

We respectfully submit that the principles of executive responsibility are the birthright of the people of this colony, as British subjects. that they have been recognised as the only true and just rule of colonial government by the most eminent British statesmen since 1839, when Lord John Russell embodied them in his famous Declaration of Colonial Rights, that they have been since practically demonstrated and successfully adopted in all our neighbouring colonies, where they have conferred the most substantial benefits upon the people. That in none of the British American possessions were the evils of the old system more severely felt, or more justly condemned, than in Newfoundland, which has been suffering from mis-government from the time of its settlement to the present day; while its resources, and the extent of its trade, the number, intelligence, fitness, and desire of its inhabitants for the exercise of a constitutional form of government, paying their own Civil List, contrasted with the condition and circumstances of the adjacent dependencies, justified us in claiming a participation in the privileges which have been granted to them.

We have adopted every prudential and necessary measure in our power to prepare for the advent of a reform which we have deemed inevitable; but nearly all our efforts in this respect have been opposed by the Council, an increase in the number of the Members of this Assembly has been frequently attempted by the Assembly; the other branch would agree to none that would secure the honest and independent exercise of the elective franchise throughout the island, and we have accordingly abandoned all hope of coming to a satisfactory arrangement with them on this subject. But, reposing the utmost reliance in the avowed colonial policy of the present Ministry, we have anxiously looked for their impartial decision to terminate these difficulties, and place the political institutions of the country upon the broad and solid foundation of those principles of constitutional freedom, which have been tested for ages in the mother country, and form the great element of progress and improvement in the neighbouring colonies.

Owing to the disturbed condition of affairs in Eastern Europe, we presume that your Grace has not had sufficient leisure to come to a definite conclusion upon our Memorial of last Session; and we have deliberately come to the resolution no longer to waste our time, and exhaust the patience of the public, in fruitless attempts at legislation under the present constitution, but to await, as we fervently trust we are justified in expecting the satisfactory and impartial decision of the Imperial Government upon the right of this colony to the blessings of self-government. We feel that, before coming to this conclusion, we had done all that loyalty to the Crown, and only what our duty to the people demanded, in advocating the rights of the latter, and respectfully placing Her Majesty's Government in possession of such unquestionable data as will enable it to arrive at a correct and just conclusion upon the subjects of our well-founded complaint and constitutional demand.

We, therefore, most humbly pray that your Grace will be graciously pleased to take the premises into your favourable consideration, and without further delay secure for this old and loyal dependency of the British Crown, the long-desired boon of responsible government, similar to that in successful operation in the other North American colonies; and for which, as in duty bound, we shall ever pray.

Passed the House of Assembly, 21 February 1854.

(signed) *J. Kent*, Speaker.

Enclosure 4, in No. 2.

Encl. 4, in No. 2.

To His Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies.

The Memorial of the Chamber of Commerce of St. John's, Newfoundland.

Humbly showeth,

That the House of Assembly of this colony having resolved to do no further business under our present form of local government, and having in pursuance of such resolution adjourned for the period of one month; your memorialists deem it their duty respectfully to invite your Grace's attention to an address forwarded by your memorialists to the Colonial Office on the subject of responsible government in February 1852, and to assure your Grace that their sentiments on this subject remain unchanged.

That although unfairly and untruly charged in the report of the late delegates from the Assembly with being influenced solely by selfish views, with being actuated only by a spirit of monopoly, and, impliedly with combining to fix a price below its value on the staple produce of the country, and to establish and confirm a credit and truck system ruinous in its effects upon the operative population; your memorialists feel deeply interested in everything that concerns the welfare and prosperity, and the moral, political and social progress of this country; and on that account are desirous that responsible government should not be conceded to Newfoundland until all classes of its population are fairly represented in the Assembly.

That

That in proof of their disinterestedness they beg to assure your Grace, that should the course now pursued by the Assembly render necessary any change in the constitution of the colony, your memorialists would much regret any loss that might arise to its revenues from the expiration of the present Revenue Act, during the delay that may be necessary in that behalf, and although of all others most interested in a pecuniary point of view in a suspension of the Customs' duties, they humbly pray that the Revenue Act now shortly to expire may be continued by an Act of the Imperial Parliament for such time as may be necessary to enable Her Majesty's Government fully to deal with this important subject.

(signed) *Peter M'Bride*,
President.

St. John's, Newfoundland,
23 February 1854.

— No. 3. —

(No. 50.)

No. 3.
Duke of Newcastle to Governor Hamilton.
17 March 1855.

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

Sir, Downing-street, 17 March 1854.

I HAVE received your despatch, No. 86*, of the 23d of February last, transmitting copies of the speech with which you opened the Session of the Legislature of Newfoundland, and of the answers returned thereto, a memorial from the Chamber of Commerce, and an address to myself from the House of Assembly.

* Page 2.

I consider that I shall best consult the convenience of your Government and the interest of the colony, by refraining from any discussion upon the contents of your despatch and the documents accompanying it. I will therefore merely refer you, and the public bodies which have addressed me, to my despatch of the 21st ultimo, and express my earnest hope, that the concession of "responsible government" to Newfoundland may be attended with all the benefits which the advocates for that system of Government anticipate.

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

— No. 4. —

(No. 85.)

No. 4.
Governor Hamilton to the Duke of Newcastle.
20 February 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
20 February 1854.
(Received, 13 March 1854.)

My Lord Duke, (Answered, 21 March 1854, No. 52, page 38.)

I HAVE the honour to forward to your Grace a copy of a letter addressed to me by Mr. Crowdy, on the subject of certain assertions injurious to him contained in a statement* laid before your Grace by the delegates from the House of Assembly of Newfoundland.

* Page 16.

I have already had occasion to inform your Grace that that statement consists in a great measure of fabrications, having but the very slightest foundation in truth; and this is an instance in which partial truth is used so as to produce the effects of total falsehood in regard to Mr. Crowdy; the partial truth of the assertions having no relation to him; and the superadded falsehoods being injuriously made to apply to this meritorious public officer.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure 1, in No. 4.

Encl. 1, in No. 4.

Sir, Secretary's Office, 7 February 1854.

THE Delegates appointed by the House of Assembly to bring certain matters under the consideration of Her Majesty's Government have made a Report which contains a statement said to have been laid before his Grace, the Secretary of State for the Colonies, in which are assertions and insinuations of a character injurious to me.

Had these imputations and insinuations been confined to this Colony, where a residence of upwards of twenty years has made me well known, and where these gentlemen are also perfectly well known, I should have treated them with utter indifference; but as they have formed part of a statement to the Duke of Newcastle, I feel it due to myself, and a duty to his Grace, to state that they are in every instance either wholly untrue, or such a perversion of truth as to be, if possible, more base than a direct untruth.

I take the liberty of requesting your Excellency to transmit this communication to his Grace the Duke of Newcastle.

I have, &c.
(signed) *Jas. Crowdy.*

— No. 5. —

No. 5.
Duke of Newcastle to Governor Hamilton.
21 March 1854.

(No. 52.)

Copy of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton.*

Sir, Downing-street, 21 March 1854.

I have to acknowledge your despatch of the 20th February, forwarding the copy of a letter addressed to you by Mr. Crowdy, on the subject of certain assertions, which he considers as reflecting upon him, in the printed statement submitted to me by the delegates from the House of Assembly of Newfoundland, when they were in this country.

You will inform Mr. Crowdy that the statements of which he complains have not caused me to entertain any unfavourable opinion of him; and that the reputation which he bears in this department continues unimpaired.

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

— No. 6. —

No. 6.
Governor Hamilton to the Duke of Newcastle.
23 March 1854.

(No. 89.)

Copy of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle.*

Government House, St. John's, Newfoundland,
23 March 1854.
(Received, 10 April 1854.)
(Answered, 20 April 1854, No. 56, page 41.)

My Lord Duke,

1. I have the honour to transmit to your Grace a petition to Her Majesty from Protestant residents of the district of St. John, praying that, until the electoral districts be subdivided, and the representation fairly apportioned among all classes, responsible government may not be established in this colony.

2. The minority in the House of Assembly opposed to the concession of responsible government, without at least a subdivision of districts and an increased representation, feeling that something more was required in the present crisis than an ineffectual opposition in the Hall of Assembly, determined upon appealing in support of their views to their Protestant fellow countrymen.

3. With this object they procured the formation, in St. John's, of a large committee, comprising members of every Protestant denomination in the island, who, believing that the best course for them to adopt in this matter would be to establish the fact, that the majority of the Assembly did not truly represent the wishes of the majority of the people (that is, the Protestants) on the subject of responsible government, adopted for circulation in the outports, the accompanying address and petition, and appointed sub-committees to procure signatures forthwith to a similar petition in the district of St. John's.

4. Within the last 10 days these sub-committees have performed the task so assigned to them, and have procured to their petition the signatures of 1,640 male Protestants, adults, from a population (Protestant) of between 6,000 and 7,000

7,000 men, women, and children, and have thus proved beyond contradiction that in this district, at least, the Protestant population are entirely opposed to a change which they believe will have the effect of placing the governing power absolutely in the hands of the Roman-catholics.

5. In forming the committee care was taken, as I am informed, to exclude members of the Council and officers of the Government, in order to avoid all shadow of reason for the assertions which the Roman-catholic leaders have before so unreservedly made, that these classes, from interested motives, alone opposed their views; and for a like reason the signatures to the petition were procured entirely without the co-operation or assistance of the parties referred to. The only exception was in the case of the acting Solicitor-general, who, as Member for Fortune Bay for years before he was connected with the Government, invariably opposed the unqualified concession of the change of system in question.

6. The petitions from the outports cannot be expected in St. John's for some months, in consequence of the difficulties of communication at this season of the year, and of the delay that will be occasioned by the absence of the people at the seal fishery; but there can be little doubt, so far as I am informed and believe, that, making a reasonable allowance for the difference between a district like St. John's, where the inhabitants are collected within a small compass, and the outport districts where they are scattered over a large extent of coast, the outport petitions will show a like result with the one from St. John's.

7. I have mentioned these particulars, because the prayer of this petition to the Queen, delivered to me by a deputation of respectable inhabitants of this town, for transmission to your Grace, before the receipt by me of your despatch No. 49,* of the 21st of February, is for the fulfilment of the most important of the conditions which your Grace considers essential to justice, and requisite to the satisfactory working of the new system of government.

* Page 1.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure in No. 6.

Enclosure in No. 6.

(Circular.)

Sir, St. John's, 6 March 1854.

You are doubtless aware that for some years past, the Roman-catholic majority of the House of Assembly have been unceasing in their efforts to obtain the establishment in this colony of what is termed responsible government; a change which the Protestant minority have steadily opposed, from the conviction that the introduction of that system, without a subdivision of the more populous districts and an increase of representatives, fairly apportioned among all classes, would be highly dangerous to our civil and religious liberties, as under the present unfair scale of representation, the Roman-catholic minority of the population have a majority in the Assembly, and the practical operation of responsible government would be, to vest in the Roman-catholic clergy, by whose influence such majority are elected, the whole legislative and executive powers of the local Government.

You will also have learned through the local press, that with the object, doubtless, of coercing the Imperial Government into this concession, the same majority have now deliberatively resolved to discontinue all legislative action under our present form of government; and have carried their resolution into effect by adjourning until the 20th instant.

It is hardly necessary to observe, that this step will probably oblige the Imperial Government, either to accede to their wishes, or to make such alterations in the constitution, as will place it beyond the power of a few individuals to prevent its harmonious working; and that no effort may be spared on the part of the Protestant population, to avert from this colony what will, doubtless, be injurious alike to its moral, social, and political condition and prospects; a committee, consisting of the undersigned, has been formed in St. John's, for the purpose of adopting such measures as will unite the Protestant population in a combined appeal to the Imperial Government, in the hope that a true representation of their sentiments on this subject may influence the Government in its decision on a case of the whole merits of which it may not be fully informed.

With this view, the committee have prepared petitions to the Queen and both Houses of Parliament, a set of which they take liberty of transmitting to you, with a request, that should you concur in opinion with them, you will further the common cause by promoting the establishment of a local committee in , and by procuring to the petitions the signatures of every male Protestant in the district, who, having arrived at years of discretion, and having the effect and object of the petitions explained to them, will concur in their prayer.

You will observe, that in framing these petitions, all reference to any ground of objection to responsible government, other than the main one above referred to, has been avoided; as well

well with the view of not lessening the paramount importance of that objection, by its connexion with minor considerations, as because there is reason to believe that, were this grand objection removed, differences of opinion as to the applicability of responsible government to this colony in other respects, might perhaps be reconciled.

When fully signed, the petitions may be returned by some safe hand to either of the undersigned.

H. W. Hoyles, Chairman.
Robert Prowse.
William Freeman.
Nicholas Gill.
James J. Rogerson.
Henry K. Dickenson.
P. G. Tessier.
William Rendell.
Patrick Tasker.
F. C. K. Hepburn.
J. S. Clift.
J. B. Barnes.
Nicholas Stabb.
J. Macgregor.
T. R. Smith.
David Steele.
Henry Alsop.
H. Winton.
N. Mudge.
John Bond.
John Bulley.
James Murray.
Stephen March.
John Winter.
John H. Warren.
S. Rendell.
John Goodridge.
Wm. Warren, jun.
James Seaton, Secretary.

Population of the several Districts, according to the Census of 1845, with their Representation in the present House of Assembly, elected in 1852.

———	Protestants.	Roman Catholics.	Members.	
			Prot.	R. C.
St. John's - - - - -	6,210	18,986	0	3
Conception Bay - - - -	16,446	11,580	2	2
Trinity Bay - - - -	7,518	1,283	1	0
Bonavista Bay - - - -	5,418	1,809	1	0
Twillingate and Fogo - - -	5,616	1,128	1	0
Ferryland - - - - -	169	4,201	0	1
Placentia and St. Mary's - -	1,018	5,455	0	2
Burin - - - - -	2,407	1,951	0	1
Fortune Bay - - - -	2,557	363	1	0
Burgeo and Lapoile - - -	2,151	29	(not represented.)	
	49,510	46,785	6	9

Remarks.— Notwithstanding the large Protestant majority in the district of Conception Bay, the election riots in that district, on several occasions, sufficiently explain the cause of its representation being two Protestants and two Roman-catholics.

Trinity Bay, with a population of 8,801, Bonavista Bay, with 7,227, and Twillingate and Fogo, with 6,744, have only one representative each, while Placentia and St. Mary's, with only 6,477 has two—thus three districts with a population of 18,552 Protestants and 4,420 Roman-catholics, have only three representatives, whereas Placentia and St. Mary's, with 5,455 Roman-catholics and 1,018 Protestants is represented by two Members.

Burgeo and La Poile, with a coast line of about 200 miles, extending from the district of Fortune Bay to Cape Ray, with a population numbering 2,180, nearly all Protestants, in 1845, and now increased to at least 3,500, is wholly unrepresented. Although several Bills for giving a representative to that district, were brought into the House of Assembly, they were thrown out by the votes of the Roman-catholic majority.

To Her Most Gracious Majesty the Queen.

The Petition of the undersigned Protestant Residents of the District of in Newfoundland,

Humbly Showeth,

That it appears by the reported proceedings of the House of Assembly of this colony, that a majority of that body have resolved to do no further business during the continuance of the present form of local government, and that this course has been adopted with the view of inducing the Imperial Government to concede responsible government to Newfoundland.

That

That your petitioners are entirely of opinion, that until the more populous electoral districts be subdivided, with an increase of Members, so that the representation may be fairly apportioned amongst all classes, such concession would be dangerous to the civil and religious liberties of your petitioners, and prejudicial to the best interests of the colony; inasmuch as by means of the unfair scale of representation on which Members of the Assembly are now elected, our Roman-catholic fellow subjects, although a minority of the population, return a majority of the House; aud the practical operation of responsible government would be, to vest in the Roman-catholic clergy, by whose influence such majority are elected, the whole Legislative and Executive powers of the local government.

Petitioners therefore humbly pray, that until the electoral districts be subdivided, and the representation fairly apportioned amongst all classes, responsible government may not be established in this colony.

And, as in duty bound, petitioners will ever pray.

, Newfoundland, March , 1854.

— No. 7. —

(No. 56.)

No. 7.

Duke of Newcastle to Governor Hamilton. 20 April 1854.

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

Sir, Downing-street, 20 April 1854.

I HAVE to acknowledge the receipt of your despatch, No. 89,* of the 23d of March last, enclosing a petition to the Queen from the Protestant residents of the district of St. John, praying that until the electoral districts be subdivided, and the representation fairly apportioned among all classes, responsible government may not be established in Newfoundland.

I have to request that you will acquaint the petitioners that I have received and laid their petition before Her Majesty.

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

* Page 38.

— No. 8. —

(No. 90.)

No. 8.

Governor Hamilton to the Duke of Newcastle. 23 March 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
23 March 1854.

My Lord Duke, (Received, 10 April 1854.)

I HAVE the honour to enclose a copy of my message transmitting to the House of Assembly your Grace's despatch, No. 49, of the 21st ultimo, on the subject of the new system of government.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure in No. 8.

Encl in. No. 8.

THE Governor having forwarded to the Secretary of State for the Colonies the Address from your honourable House to his Grace of the 15th June last, upon the subjects of responsible government, and reciprocal free-trade with the United States of America, has, this day, received from his Grace a despatch in reply, of which the Governor herewith transmits a copy.

With reference to the proposed new form of Government for this colony, the Governor will be happy to co-operate with your honourable House in fulfilling those pre-requisites, some of which his Grace considers essential to justice, and others highly important to the satisfactory working of the new system of government. The Governor hopes that the result of the deliberations of the Legislature, with a view to the introduction of the new system, and the operation of the system itself, will conduce to the welfare of this ancient dependency of the Crown.

22 March 1854.

— No. 9. —

(No. 92.)

No. 9. Governor Hamilton to the Duke of Newcastle. 24 March 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle.*

Government House, St. John's, Newfoundland,
24 March 1854.

My Lord Duke, (Received, 10 April 1854.)

WITH reference to my despatch, No. 90,* of the 23d instant, enclosing a copy of my message transmitting to the House of Assembly your Grace's despatch No. 49, of the 21st ultimo, on the subject of responsible government, I have the honour to inform your Grace that I received from that body on the evening of yesterday, the 23d, the enclosed Address, requesting me to cause the mail steamer to be delayed for a period of 24 hours, to enable them to forward by this mail what they termed "a reply to such despatch." This request I complied with.

* Page 41.

2. I have just received an address from the Assembly to your Grace, which I enclose herewith.

3. This address states that the concession of responsible government, on the conditions attached by your Grace, instead of being received with approval by the people, would be rejected without hesitation; but the accompanying "Public Ledger"* of this day—the ablest and most influential journal of this colony, which represents the sentiments of the Protestants, that is, of the majority of the people—in addition to saying that the terms of your Grace's despatch exactly meet the prayer of their recent petition to the Queen, has the following statement: "And we have no doubt that the Protestant population generally will be gratified at the opportunity of evincing how much they concur in the justice of the principles contained in the despatch of the noble Duke, who has so much entitled himself to their best and warmest thanks."

* The "Public Ledger," No. 2417. 24 March 1854.

4. The enclosed minutes of this day's proceedings show the opinion of the minority of the House in the shape of an amendment which confirms the statement above referred to.

5. As to the stereotyped observations respecting the Council, I need not occupy your Grace's time by remarks upon them.

6. The principles of a subdivision of the more populous districts, and an increase of the representation on a fair basis, adopted in your Grace's despatch, and so earnestly insisted on by the Protestants of the country, ought not, I think, on any account, to be abandoned, as the result of such a course would be that which I have so frequently pointed out.

I have, &c.
(signed) *Ker B. Hamilton.*

Encl. 1, in No. 9.

Enclosure 1, in No. 9.

To his Excellency *Ker Baillie Hamilton*, Esq., Governor, &c.

May it please your Excellency,

THE House of Assembly respectfully beg leave to thank your Excellency for the promptness displayed by your Excellency in laying before this body the despatch of his Grace the Duke of Newcastle upon the subject of responsible government, and respectfully request that your Excellency will be pleased to cause the mail steamer to be delayed for the period of 24 hours, to enable the Assembly to forward by this mail a reply to such despatch.

(signed) *John Kent*, Speaker.

House of Assembly,
23 March 1854.

Encl. 2, in No. 9.

Enclosure 2, in No. 9.

Sir, Government House, 23 March 1854.

ALTHOUGH the mail steamer is already behind time, I have not hesitated to request the agents to detain her for some further time, not having myself that power. I shall, therefore, be enabled to receive anything that may be forwarded to me from the Assembly for transmission to the Secretary of State up to two o'clock P.M. to-morrow.

(signed) *Ker B. Hamilton.*

His Honor The Speaker.

Enclosure 3, in No. 9. Encl. 3, in No. 9.

To his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonial Department.

May it please your Grace,

We, the Commons of Newfoundland, in Legislative Session convened, beg to inform your Grace, that we are gratified to learn from your despatch of the 27th of February last to his Excellency the Governor of this island, that Her Majesty's Government have come to the conclusion that they ought not to withhold from Newfoundland those institutions, and that system of civil administration, which under the popular name of responsible government have now been adopted in all Her Majesty's neighbouring possessions in North America.

But we beg to state that some of the conditions on which the Imperial Government are prepared to concede the immediate application of that form of government to this colony, are so objectionable in their character, as to render its introduction upon such terms utterly impracticable.

The intended boon, instead of being received with approval by the people, with such qualifications, would be rejected without hesitation.

The conditions deemed objectionable by the Assembly are, first, a general geographical subdivision of our electoral districts; secondly, the imposition of local taxation by assessment, for the purpose of defraying the allowance usually granted to Members of the Assembly for their attendance during the sittings of the Legislature; and thirdly, the imposition of general election expenses on the Members elected.

The first condition cannot be carried out so as to secure a faithful return of independent representatives, owing to the scattered and widely extended nature of our settlements in nearly all of our outport districts, any general geographical subdivision mainly based upon territorial extent, would throw the elective power into the hands of the most scattered and isolated portions of our population, and thereby unjustly act upon the more populous and wealthy settlements. Besides the Assembly have invariably objected to any general subdivision of our electoral districts, because it would result in the creation of mere nomination or rotten boroughs, and throw the representation of the country into the hands of a few individuals who have invariably opposed the introduction and progress of free institutions in this colony, and by the system of trade which they have long pursued, reduced our operative population to a deplorable degree of misery and dependence. They form a leading portion of the Executive Council of this colony, and being identified with the policy and interest of that body, the Assembly are likewise confident, judging from the repeated efforts which they have made in vain with the Council, to induce them to pass a fair Bill, for the increase of our representatives, that no measure will be assented to by them that will in any degree endanger their paramount influence and their political position in the government of the colony.

But to convince your Grace of our desire to meet your view, we shall again endeavour to bring the Council to terms on this subject, and relax the resolution which after mature deliberation we had formed, of not attempting to renew an abortive system of legislation upon general subjects with the Council, a body consisting of ten irresponsible Crown nominees, one of whom is absent from the colony, and only one of whom has supported the measures of the liberal party which have been brought before them.

With reference to the second condition, the Assembly would remark that there is no such measure in operation in any other British North American colony; that local assessments are only imposed for local or municipal purposes or measures, and any attempt to saddle on our population a system of direct taxation for the payment of Members, cannot be favourably regarded, and must prove a failure, being unjust in principle, and unprecedented in the other colonies, it would be deemed oppressive by the people of this. As the third condition would be viewed in the same light by the Members elected.

The Assembly would further submit that these conditions are such as have not been annexed to the concession of responsible government to any of the neighbouring colonies, and being put forward by your Grace as indispensable precedents to the change of government sought by the people, we are convinced that in this view your good intentions on their behalf will be utterly frustrated, and their hopes disappointed.

We therefore trust, that upon a reconsideration of this important subject, your Grace will see the propriety of withdrawing these objectionable conditions, and granting responsible government to this colony on the same terms as it has been granted to the neighbouring colonies.

In conclusion, we have respectfully to thank your Grace for the information you have conveyed regarding the question of reciprocal free trade with the United States, on which your Grace acquaints us that Her Majesty's Government are in negociation with that of the United States, and that in the conduct of that negociation every attention will be paid to the expressed wishes of the Assembly on this subject.

And for which, as in duty bound, will ever pray.

Passed the House of Assembly, 24 March 1854.

John Kent, Speaker.

Encl. 4, in No. 9.

Enclosure 4, in No. 9.

AMENDMENT proposed by Mr. *Hoyles*, seconded by Mr. *Warren*, on the Address to the Duke of *Newcastle*, on Responsible Government.

WHEREAS the present concession of responsible government to Newfoundland would, under the existing unfair scale of representation and division of the electoral districts, place the whole legislative and executive functions of the Government in the hands of the Roman-catholic minority of the population, and be an act of great injustice to the Protestant majority of the people: And whereas the hope that after such concession this or any other Assembly elected under the present system, would increase the representation in such a manner as would be just to all classes, would prove fallacious, as has been frequently shown by the pertinacious refusal of the Roman-catholic majorities of this and the last Assembly to assent to any scheme of representation and subdivision, other than such as would ensure their preponderence in that body, and by the repeated rejection, by a like majority in the last House, of Bills brought in for giving a representative to the large and important district of Burgeo and La Poile, which, although containing a population estimated as over 3,000, almost exclusively Protestant, and contributing largely to the revenue, is not represented in the Assembly.

Therefore resolved, that in the concession of responsible government, upon the conditions precedent of a subdivision of the more populous districts, and an increase of representatives in a manner fair towards all classes, we gratefully recognize the determination of Her Majesty's Government not to permit injustice to be done to the Protestant people of this colony, nor to sacrifice its best interests to the aggrandizement of any class of the community.

Negatived, on division.

For the Amendment.	Against the Amendment.
Mr. Hoyles.	Mr. Emerson.
Mr. Bremster.	Mr. Parsons.
Mr. March.	Mr. Little.
Mr. Hayward.	Mr. Hoysett.
Mr. Warren.	Mr. Talbot.
	Mr. Winsor.
	Mr. Benning.
	Mr. Harnaham.

Extracted from the Journals, 24 March 1854.

(signed) *John Stuart*, Clerk.

— No. 10. —

No. 10. Governor Hamilton to the Duke of Newcastle. 14 June 1854.

(No. 104.)

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
14 June 1854.
(Received, 3 July 1854.)
(Answered, 6 July 1854, No. 3, page 59.)

My Lord Duke,

I HAVE the honour to acquaint your Grace that I have to-day prorogued the Legislature to the 14th August.

No. 1.
No. 2.

2. I enclose a copy of my speech on that occasion, together with an Address to your Grace, adopted by the Assembly on the 10th instant, by which you will perceive that after an ineffectual attempt to carry out the conditions of your Grace's despatch of the 21st February last, the two branches have separated without granting the ordinary supplies.

* Page 2.

3. Although the Session has been a long one, but very little business has been transacted. Adhering to the resolution expressed in their Address to me of the 15th February, on my opening the Session (transmitted in my despatch No. 86,* of the 23d February), of doing no business until the final settlement of the question of responsible government, the Assembly have, with a few exceptions, rejected every measure of public utility brought before them. Those exceptions consist of the Telegraph Bill, the Revenue Bill, a Loan Bill for 6,000 *l.*, where 15,000 *l.* at least were absolutely required; and a Bill passed yesterday, intended to have merely a temporary operation, for legalizing the sovereign at 24 shillings currency. The House rejected a Bill to prevent the destructive traffic in bait;

a vote

a vote for the protection of the northern fisheries; Bills for the regulation of the seal fishery; for the inspection of pickled fish; for the incorporation of a joint-stock bank company, and by repeated postponements until it was too late to pass a measure of such importance, a Bill for the regulation of the currency; and finally, refused all supplies, even those necessary for the continuance of the common schools now in operation in the colony.

4. The evil consequences of this course of proceeding, and the distress that will be occasioned to the humbler officials, need not be enlarged upon.

5. It is only necessary that I should inform your Grace that the cause which has produced this state of things, has been the disagreement between the Protestant and Roman-catholic interests upon the subject of the Representation Bill.

6. Of this measure, as both branches are sending delegates to your Grace's department to represent their different views, it is only necessary I should say, that the Assembly, having passed a Bill, herewith transmitted, which, while it professed to provide for a return of 15 Protestants and 14 Roman-catholics, was stoutly opposed by the minority of that body, on the ground that the majority would, in effect, be the other way, the Council made upon it such amendments, as by the application of the one vote principle to the district of Burin, and by taking one Member from Placentia and St. Mary's (Roman-catholic district), and adding it to Bonavista (Protestant district), rendered the result which the Assembly professed a desire to attain, namely, 15 Protestants to 14 Roman-catholics, tolerably certain. But the proceedings of the Council are so clearly and temperately expressed in their Address to your Grace, which I append, that it would be superfluous for me to say more on these points.

No. 3.

No. 4.

7. To the amendments of the Council, the Assembly, although not appearing to dispute the certainty of their result, objected on the score of the novelty of the principle applied to Burin, and insisted moreover on the third Member for Placentia and St. Mary's, while they consented to one additional for Bonavista. But as this disposition would at the best give 15 to 15, being less than it was admitted the Protestants were entitled to, the Council, although ready to abandon the new principle, if the assumption that Burin would return one Member of each creed were admitted, could not assent to the arrangement. And after application by the Assembly to me to influence the Council to conform to their views, the Bill was lost between the two branches.

8. There can be, in my opinion, very little doubt that the struggle on the part of the Roman-catholics is one for ascendancy; the Protestant party, fully alive to the importance of the subject, seem resolved to maintain their position at all hazards; and, on the other hand, the Roman-catholics seem determined, if possible, to coerce the Government into the immediate concession of responsible government on their own terms; a concession, the ill consequences of which I have before adverted to. It is only because it might be considered a duty on my part to express an opinion on this occasion, that I venture to say that, as the principle of responsible government has been conceded, then, however much an exception to the usual course of procedure it may be, it might be a question for consideration whether, under the peculiar and embarrassing circumstances I have stated, an Act establishing a representation that would be fair to all parties, might be passed through Parliament, in order to render the new form of government as applicable as possible to the condition of the colony.

9. After all, assuming the question of representation to be settled, how a Government is to be carried on by a majority of 1, in a House of 29 Members, when the excited antagonism of two rival creeds, and the intolerance of control which characterises those by whom the Roman-catholic Members are returned, forbid all hope of compromise, is a problem which the future must solve.

I have, &c.
(signed) *Ker B. Hamilton.*

Encl. 1, in No. 10.

Enclosure 1, in No. 10.

SPEECH of his Excellency the Governor, on closing the second Session of the Fifth General Assembly, Wednesday, 14 June 1854.

Mr. President, and Gentlemen of the Council;
Mr. Speaker, and Gentlemen of the Assembly,

IN my reply to the Address of the Assembly in answer to my Speech on opening the present Session, I expressed my regret at the course the Assembly then appeared resolved to pursue; and that whether the public good had been consulted in arriving at the determination to which they had come, was a question for their own consideration; and that with them would rest the responsibility for any detriment to important public interests which might arise from such course. And, now, whether circumstances—especially since the communication to the Assembly of the Duke of Newcastle's despatch of the 21st February last, on the subject of responsible government—justify the course of procedure on the part of the Assembly, announced by them in their Address to his Grace, is a point on which I forbear to express an opinion; but which must be submitted to the consideration of the Imperial Authorities.

The Session having extended over four months and a half, and the Assembly having, at the expiration of that protracted period, stated their determination, for reasons mentioned in their Address to Her Majesty's Secretary of State, not to grant to Her Majesty supplies for defraying the expenses of the civil government of the colony, I am induced, by regard for the honour of the Crown, formally to terminate the Session by prorogation.

Encl. 2, in No. 10.

Enclosure 2, in No. 10.

ADDRESS from the House of Assembly of Newfoundland, to his Grace the Duke of *Newcastle*, on the subject of the Increase of Representatives Bill.

To his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary for the Colonies.

May it please your Grace,

THE House of Assembly beg leave to inform your Grace that since the receipt of the despatch of your Grace of the 24th February last, they have endeavoured to carry out the views of your Grace with reference to the conditions declared in the despatch referred to as necessary precedents to the introduction of responsible government into this colony.

The Bill for the increase of representatives in the Assembly being the most prominent of these conditions, a Bill to provide for this object was introduced without delay, on a basis which provided for the fair representation of the Liberal and Conservative or Mercantile interest, and appropriated the Members to the several electoral districts with a due regard to the two great religious denominations of the colony; the number of Protestants being by the last census 49,523, and of Catholics 46,983; and the number of Members allotted by the Bill, being, to nine districts having decided Protestant majorities, 15, and 14 Members to six districts having Catholic majorities; a test of settlement, as far as the religious aspect of it is concerned, which the Assembly have always repudiated, and which they have reluctantly assented to in the present instance, from an anxious desire to meet the objections of the party opposed to responsible government, whose objections took the assumed ground that the change would result in the establishment of Catholic ascendancy.

The House beg leave to annex, for the information of your Grace, a tabular statement of this Bill, and they submit to the impartial decision of your Grace whether the facts disclosed in this statement was not an ample refutation of the charge that the Assembly are animated by a desire for any undue religious ascendancy in this colony.

Assuming that the Council would be desirous to give effect to the instructions of your Grace, the Assembly did not anticipate that any material objection would be made by that body to the adoption of a measure which carries with it the proofs of fairness and equity. It soon became apparent, however, that the question was to be considered not by regard to its abstract merits, but in reference to the issue it contemplated; for notwithstanding that the principle of responsible government had been conceded by the despatch of your Grace, Members of the Council, as though this concession were still a question, mixed up with the discussion on this Bill, their selfish arguments against the change of system which your Grace had decreed. Influenced by such views, the fairness of the Bill was not calculated to be its recommendation, and it was amended by abstracting one Member from the liberal district of Placentia and St. Mary's, which is not amenable to mercantile influence, and bestowing it on the mercantile district of Bonavista, and by introducing a principle, to be applied only in the district of Burin, by which the minority might return one of the two Members for that district.

The object of the party who have opposed the introduction of responsible government into this colony, has been to show that our social condition was anomalous, and that sectarian asperities

asperities had acquired an intensity which so separated the different religionists, that to none but Members of their own communion would they severally confide their political trust. The amendments made by the Council with reference to Burin assumes as facts these statements, which our political history proves to be aspersions on the character of the people; and as the adoption of this principle would create the evils it asserts to provide for, and as, moreover, the Council are unable to prove any peculiarity in the condition or character of the people of this colony, to require the adoption of a novel principle in our plan of representation, and to apply this device in the case of an isolated district, while a general, well-understood principle governs all the other returns, the Assembly refused to assent to the scheme, as involving a stigma on the colony, and as giving a statutable recognition to sustain differences where political rights are enjoyed by all alike, and where all denominations must participate equally in the benefits of a vigorous constitutional administration of public affairs.

The Assembly, however, having entered on the consideration of this Bill with a view to the adjustment of the differences that might arise, anxious to bring to a conclusion the long-pending controversy between the two branches of the Legislature on this subject, resolved to compromise the matter in dispute, and passed an amendment on their original Bill, conceding an additional Member for the district of Bonavista; thus giving to nine districts having Protestant majorities, 16 out of the now proposed number of 30 members. A tabular statement, showing the nature of this proposal, is annexed (No. 2.), and in informing your Grace that it has been rejected by the Council, we feel assured your Grace will come to the conclusion which the Assembly have arrived at, that it is useless to expect the concurrence of that body in any just or generally acceptable measure of representation.

Her Majesty's Council have consistently opposed every effort to introduce responsible government into this colony, and they still openly manifest their hostility to the change.

Under these circumstances the Assembly entered upon the task of endeavouring to adjust these pre-requisites as far as the question is concerned, solely in deference to the wishes of your Grace, for the House thought it not reasonably presumable that Her Majesty's Council would concur in any measure of representation they believed the Assembly could accept, because the settlement of this question would ensure the result to which the Council had been steadily opposed, and by which the long enjoyed position and influence of that body would be subjected to constitutional checks and corrections.

Your Grace will doubtless perceive in the conduct manifested by the Council, herein referred to, those evidences of unwarranted obstruction which have led the Assembly to the deliberate conviction that, notwithstanding the concession of the principle of responsible government, the Council will leave no means untried to stay the introduction of the change. The Assembly, to sustain the credit of the colony, passed the Revenue Bill, as well as a Loan Bill, required to provide for liabilities the Government had incurred. But they felt they would assist the efforts to prolong the present system by granting the supplies necessary to carry it on, and they therefore came to the conclusion that the interests of the country would be best consulted by withholding the usual Supply Bill, and that the inconvenience that may thereby result will be esteemed by the people a small evil as compared with the continuance of a system under which the country is without a Government for any useful purpose.

The House, therefore, submit to your Grace that they are justified in requesting the immediate concession of responsible government, with the understanding that, on the formation of a new Council, a measure of representation similar to that they recently adopted, be passed and brought into operation without delay.

(signed) *J. Kent*, Speaker.

House of Assembly, 10 June 1854.

Table No. 1.

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Protestant.	Catholic.	
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove	25,196	6,210	18,986	- -	6	4,199
Trinity District	8,801	7,518	1,283	3	- -	2,933
Bonavista District	7,227	5,418	1,809	2	- -	3,613
Fortune Bay District	2,920	2,557	363	1	- -	2,920
La Poile District	2,180	2,151	29	1	- -	2,180
Ferryland District	4,581	182	4,399	- -	2	2,290
Burin District	4,358	2,407	1,951	2	- -	2,179
Placentia and St. Mary's District	6,473	1,018	5,455	- -	3	2,157

(*continued*)

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Protestant.	Catholic.	
Conception Bay is divided into five Districts, to return seven Members for a Population of 28,026, averaging one for every 4,000, viz.:						
Horse Cove to Cupids, inclusive -	6,722	2,614	4,108	- -	2	3,361
Port de Grave to Bay Roberts, inclusive	4,612	3,806	806	1	- -	4,612
Spaniard's Bay to Harbour Grace, inclusive - - - - - - -	6,182	3,698	2,484	2	- -	3,091
Carbonear to Musquito, inclusive -	5,071	2,340	2,731	- -	1	5,071
Fresh Water to Bay de Verds, inclusive	5,439	3,988	1,451	1	- -	5,439
Twillingate and Fogo, inclusive - -	6,744	5,616	1,128	2	- -	3,872
	96,506	49,523	46,983	15	14	

Note.—The Council stated last Session, in their Conference, that thirteen Protestants and thirteen Catholics would result from their amendments on the Representation Bill of that Session. The Bill of this Session gives the power of returning fourteen Catholics and fifteen Protestants. While the Assembly do not recognise the necessity or justice of obliging the districts to effect that result, it is more than probable the number of Protestant returns would be much larger under this Bill than fifteen, as Catholic districts would doubtless continue to return independent Protestants as they have heretofore done.

TABLE No. 2.

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Protestant.	Catholic.	
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove - - - - - -	25,196	6,210	18,986	- -	6	4,199
Trinity District - - - - - -	8,801	7,518	1,283	3	- -	2,933
Bonavista District - - - - -	7,227	5,418	1,809	3	- -	2,409
Fortune Bay District - - - - -	2,920	2,557	363	1	- -	2,920
La Poile District - - - - - -	2,180	2,151	29	1	- -	2,180
Ferryland District - - - - - -	4,581	182	4,399	- -	2	2,290
Burin District - - - - - -	4,358	2,407	1,951	2	- -	2,179
Placentia and St. Mary's District - -	6,473	1,018	5,435	- -	3	2,157
Conception Bay District is divided into five Districts, to return seven Members for a Population of 28,026, averaging one Member for every 4,000:—						
Horse Cove to Turk's Gut - -	3,997	767	3,230	- -	2	1,998*
Turk's Gut to Port de Grave, exclusive	5,538	4,150	1,388	1	- -	5,538 *
Port de Grave to Harbour Grace, inclusive - - - - - - -	7,981	5,198	2,783	2	- -	3,990 *
Carbonear to Musquito, inclusive -	5,071	2,340	2,731	- -	1	5,071
Freshwater to Bay de Verds, inclusive	5,439	3,988	1,451	1	- -	5,439
Twillingate and Fogo, inclusive - -	6,744	5,616	1,128	2	- -	3,872
	96,506	49,523	46,983	16	14	

* The relative numbers of these three districts, as altered by the Council, stand as here stated; the population was more equally divided in the Bill as sent up by the Assembly.

Encl. 3, in No. 10.

Enclosure 3, in No. 10.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.

Preamble.

WHEREAS by proclamation, bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the Members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as Members of the said Assembly, in the manner mentioned and appointed in and by the said proclamation: And whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein:

Be

House of Assembly to consist of 29 Members.

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that from and after the dissolution or expiration of the present General Assembly, the House of Assembly shall consist of 29 members, of whom 10 shall be a quorum; and that for the purpose of the election of the members of the said Assembly this island shall be divided as follows; that is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two members. The district of Bonavista, which shall be comprised within the limits of the present electoral district of Bonavista, and shall be represented in the said General Assembly by two members. The district of Trinity, which shall be comprised within the limits of the present electoral district of Trinity, and shall be represented in the said General Assembly by three members. The district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven members; of whom two shall be chosen by the electors residing in that part of the said district, to be called the southern division thereof, lying between the district of St. John's and Cupids inclusive; one by the electors residing in that part of the said district to be called the Port de Grave division thereof, lying between Cupids and Bay Roberts inclusive; two by the electors residing in that part of the said district, to be called the Harbour Grace Division thereof, lying between Spaniards' Bay inclusive and Harbour Grace inclusive, including Harbour Grace Island; one by the electors residing in that part of the said district, to be called the Carbonear Division thereof, lying between Harbour Grace exclusive and Fresh Water exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds Division thereof, lying between Fresh Water and Bay de Verd, both inclusive. The district of St. John's, which shall comprise the present electoral district of St. John's, and shall extend southward and westwardly to a straight line drawn from the northern Gould's Bridge, on the Bay Bulls road, to Broad Cove, both inclusive, shall be represented in the said General Assembly by six members; of whom three shall be chosen by the electors of the said district residing southward of St. John's Harbour, and westward of a line drawn from the said harbour through the centre of Beck's Cove, thence across Duckworth-street, round the west side of Play-house Hill, along the centre of Carter's-lane, up Carter's Hill, thence along Cook's Town-road, thence along Fresh Water-road to the west end thereof, and thence in a direct line to Broad Cove settlement inclusive, which shall be called the Division of St. John's, West; and three by the electors of the said district residing eastward and northward of the above-named cove, line, lane, and roads, including Belle Isle, which shall be called the Division of St. John's, East. The district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the district of St. John's, and shall be represented in the said General Assembly by two members. The district of Placentia and St. Mary's, which shall be comprised within the limits of the present electoral district of Placentia and St. Mary's, and shall be represented in the said General Assembly by three members. The district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two members. The district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one member. And also all that part of the south coast of the island lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one member.

Electoral districts defined, and representatives thereof apportioned.

Preamble.

And whereas, in pursuance of the provisions of an Act, passed in the 10th and 11th years of the reign of Her present Majesty, intituled, "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions, bearing date the 19th day of July 1848, did, among other things, declare, that the qualification of persons thereafter to be elected to serve as members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100 *l.*; or the possession of property, clear of all incumbrances, exceeding 500 *l.* in value; and the length of the period of residence within the said island which should be required, in addition to any other qualification, for being elected to the General Assembly aforesaid, should be the period of two years preceding such election:

Qualification of Members of the House of Assembly.

II. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for members to serve in the Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

Elections of Members of the House of Assemby to be held agreeably to Royal Instructions, &c.

III. For the purpose of the election of members to serve in any future General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of returning officer in each of the said electoral districts, and divisions of districts, of this island, to whom writs, in Her Majesty's name, shall be issued, directing them to summon the freeholders and householders of all the said districts and divisions of districts, respectively, to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid, and such other regulations and directions as shall be signified in any proclamation or proclamations to be issued by the Governor, according to the laws of this island now in force, or hereafter to be in force in that behalf.

Suspending clause.

IV. That this Act shall have no force or effect until Her Majesty's pleasure shall have been first duly signified.

Encl 4, in No. 10.

Enclosure 4, in No. 10.

To his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

May it please your Grace,

We, Her Majesty's dutiful and loyal subjects the Council of Newfoundland, having had under consideration an Address of the House of Assembly to your Grace, embodying certain resolutions passed by that House, having reference to the Increase of Members Bill, and other matters, and containing reflections on our conduct, feel ourselves constrained to lay before your Grace a statement, as well of facts as of the motives which have influenced us in our proceedings in the matters in question.

With regard to those parts of the resolutions which cast unworthy and unwarranted imputations on us, we feel that we can safely pass them without observation.

In the Bill for increasing the number of Members sent up to the Council by the House of Assembly, provision, it was stated, was made for the due representation of the two great religious denominations, and the Member who introduced the Bill into the Assembly, in a printed statement sent to the Members of the Council, took credit for having arrived at the satisfactory result desired by both branches of the Legislature, of affording the means of these denominations being represented in their proper proportion; that is, by 15 Protestants and 14 Roman-catholics; but the Council having a conviction that such a result (admitted on all sides to be a fair one) would not be effected by the Bill, as sent to them, amended it, by taking one Member from the district of Placentia and St. Mary's, which, with a population of 6,473, had three members assigned to it, and giving one to Bonavista, which, with a population of 7,227, was put down at two only, and thus secured the object equally desired by both branches, without in any degree affecting the fair principle of representation as respects population.

The district of Burin, notwithstanding it has a Protestant majority, has in two contested elections returned a Roman-catholic member; but to secure the certainty of one of its members being of that creed, and the consequent fair proportion of the representation, we made the arrangement which extends the privilege of the franchise, by allowing the constituency to give one vote each to two candidates or two votes to one; and which so far from being, as stated in the resolutions of the Assembly, destructive to the peace of a thriving community, will, we are convinced, tend especially to prevent the peace being broken by the intimidation and sectarian strife which have, on former occasions, been in active operation in this district.

The only pre-requisite to the introduction of responsible government inserted by the Council in the Bill, was, that candidates should pay their election expenses, and this was so altered by the Assembly as to make it doubtful whether officers of sufficient respectability can be procured for conducting the elections.

From regard to the privileges of the House of Assembly the Council did not insert a provision for preventing members receiving pay from the public chest; and this suggestion of your Grace, has been altogether passed over by the Assembly.

The proposition of the House of Assembly that, because the amendments of the Council do not suit the views of eight or nine members of the former House,—and it must be remembered that one point of disagreement only remains,—the Council shall be put aside, or reconstructed so as to be the mere instrument of the Assembly, is too extravagant to require observation; but the extent to which the Assembly, in the pursuit of their object, will carry their proceedings, is most painfully evidenced, by their refusal to grant the supplies necessary for the conduct of the public business of the colony.

Because they, the representatives of a minority of the people, cannot effect their purpose, they adopt a course, which in a time of great suffering, from the increased cost of the necessaries of life, and from other causes, will leave a number of officers, entirely dependant on small stipends, to starve, or resort to other employment for their support; and this at a period when nearly half the year for which their services are engaged, has expired; will leave a vast number of aged, infirm, and widowed paupers without legal provision; and will also leave the youth of the colony utterly destitute of the means of education;—in short, for the attainment of a purely selfish object, will throw the whole colony into a state of distress and confusion.

Such conduct sufficiently proclaims the unfitness of its authors for being the depositaries of legislative powers.

We will only further trespass on your Grace by stating, that we did think, and still retain the opinion, that, from the anomalies in this colony, and particularly from the nearly equal numbers of the religious bodies, there would be considerable difficulty in working out the system of party government; but, when Her Majesty's Government determined on its introduction, we at once bowed to the decision, and turned our attention to those pre-requisites required by your Grace, with an earnest desire so to arrange them as to prevent what was intended to be an extension of popular rights, being perverted from its proper object.

The composition of the Council, we venture to state to your Grace, is the best guarantee for its faithful and liberal consideration of all measures likely to benefit the colony. With the exception of the official members, it consists principally of leading merchants, who,

who, from their large stake in the country, and their common interest with the operative and other classes of the community, must be most desirous for that system of government best calculated to promote the general interests, with which their own are so deeply involved.

Under the influence of these feelings, we have taken part in legislating on a question vitally affecting, for good or ill, the future of this colony; and we feel assured that, in our proceedings, which have had for their object the securing of justice to all classes of Her Majesty's subjects, we shall receive from her Majesty's Government that support to which we, respectfully, claim to be entitled.

(signed) *Wm. Robinson*, President.

Council Chamber,
13 June 1854.

Instructions to Managers of Conference on the Representation Bill, 29 May 1854.

Her Majesty's Council have requested this conference with the House of Assembly, for the purpose of acquainting the Assembly that they cannot concur in certain of the amendments made by that House upon amendments made by Her Majesty's Council in and upon the Bill intituled "An Act to increase the present number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof," for the following reasons:—

1st. In the amendments made by Her Majesty's Council on the Bill sent to them from the House of Assembly, the Council had prominently in view the principle recognised as well by the Assembly as by themselves, of so arranging the details of the measure, as to secure the two great religious bodies a fair proportion in the representation in accordance with their respective numbers, that is, 15 Protestants, and 14 Roman-catholics.

In the opinion of the Council this arrangement would not have been effected by the Bill as sent from the Assembly, but it was insured by the amendments made by the Council, which took one member from the district of Placentia and St. Mary's, and gave one to Bonavista (which latter district possesses a population of between 700 and 800 more than the former), and so regulated the mode of voting in the Burin district as to secure the return of one Roman-catholic. And that such result would follow as contemplated by the Council, is fully shown by the annexed tabular statement.

It is evidently assumed by the Bill of the Assembly, that Burin would return two Protestants; but, although this district has a Protestant majority, the experience of two contested elections, in which a Roman-catholic has succeeded against a Protestant, is evidence that the Roman-catholics can always return one member. To remove, however, all uncertainty in this particular, the Council adopted the plan of allowing each voter to give a single vote to two candidates, or two votes to one candidate, which, extending as it does, the privileges of the voters in that district, insures the return of one Roman-catholic member.

It may be said that this arrangement is novel, but it must be remembered that from peculiar circumstances, legislation on the subject of increased representation in this colony, must of necessity involve anomalies. Thus, for instance, in the district of Conception Bay, in order to preserve the equal representation of the different religious sections, two representatives are given to a population of less than 4,000, consisting principally of Roman-catholics, whilst a Protestant section of the same district, containing upwards of 5,400 inhabitants, is to be represented by one member only, and in the district of St. John's, more than 6,000 Protestants will be altogether unrepresented by a member of their own creed. Should, however, the House of Assembly deem the division of the Burin district a preferable method of accomplishing the contemplated object, the Council would offer no objections to such a proceeding.

2d. The proximity of Bird Island Cove to Bonavista, from which it is distant about four miles, whilst from Catalina, the nearest settlement of Trinity Bay, it is eleven miles, makes it obvious that it should belong to the Bonavista district, and inconvenience has frequently occurred from this not being the case. The alteration can in no degree affect the character of the electoral returns, as the districts of Trinity and Bonavista are both essentially Protestant.

3d. In deference to the opinions of the Assembly, the Council have consented to the amendments of that House, which limits the expenses to be incurred by candidates at elections, although they fear the amount so limited may be found insufficient to procure the services of respectable persons to discharge the responsible duties of returning officers and poll clerks.

Her Majesty's Council in their proceedings in this measure have been influenced by an earnest and anxious desire to do full justice to all classes of the people, and they hesitate not to express their conviction that any material departure from the principle on which they have founded their amendments, would tend to the withholding of their just rights from one or other of these classes.

TABULAR STATEMENT Referred to above.

	Population.	Protestants.	Roman Catholics.	Pro-testants.	Roman Catholics.
District of St. John's - - - -	25,196	6,210	18,986	- -	6
„ Trinity - - - -	8,801	7,518	1,286	3	—
„ Bonavista - - - -	7,227	5,418	1.809	3	—
„ Twillingate and Fogo - -	6,744	5,616	1,128	2	—
„ Ferryland - - - -	4,581	182	4,399	- -	2
„ Placentia and St. Mary's -	6,473	1,018	5,455	- -	2
„ Burin - - - - -	4,358	2,407	1,951	1	1
„ Fortune Bay - - -	2,920	2,557	363	1	—
„ La Poile - - - -	2,180	2,151	29	1	—
District of Conception Bay, viz :—					
1st Subdivision, Horse Cove to Turk's Gut, inclusive -	3,997	769	3,230	- -	2
2d ditto Brigus to Port de Grave, both inclusive - -	5,538	4,150	1,388	1	—
3d ditto Bay Roberts to Harbour Grace, both inclusive -	7,981	5,198	2,783	2	—
4th ditto Carbonear and Mosquito	5,071	2,340	2,731	- -	1
5th ditto Fresh Water to Bay de Verd, inclusive - -	5,439	3,988	1,451	1	—
				15	14

Council Chamber, 3 June 1854. (signed) *W. Robinson*, President.

INSTRUCTIONS to Conferees on the subject of the last Conference with the Council, on their Amendments on Bill to Increase the Representation.

House of Assembly, Thursday, 1 June 1854.

Mr. LITTLE, from the Select Committee appointed to prepare reasons to be offered at the conference to be requested with Her Majesty's Council on the subject-matter of the last conference, reported the following, which he handed in at the Clerk's table, where the same were read :

The House of Assembly have requested this Conference with Her Majesty's Council, on the subject of the last conference for the purpose of acquainting Her Majesty's Council, that they cannot recede from the amendments made by them upon amendments made by Her Majesty's Council, in and upon a Bill intituled " An Act to Increase the present number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof," for the following reasons :

1st. In the amendments made by the House of Assembly, on the amendments sent to them from Her Majesty's Council, the Assembly had prominently in view the following considerations which influenced them in forming the Bill originally ; viz : first, the maintenance of the present relative adjustment of districts as far as practicable, submitting in a spirit of concession to a subdivision of the only two districts the Council have heretofore particularly sought to subdivide, against their conviction of the necessity or the public policy for such a course, especially when it is borne in mind that, under the present electoral divisions of this island established upon the granting of a representative form of government to this colony, and tested for a period of twenty years at five general elections, the returns to the Assembly have been a fair representation of the various interests and opinions of the people of this colony, and do not justify the objections taken to them even in a denominational view, as there have been 39 Protestant members and 36 Catholics returned during that time, and although there are six of the existing nine electoral districts of this colony capable of returning three-fifths of the members of the Assembly of the Protestant persuasion, as shown by Table No. 1 annexed, yet they have not done so, nor have the Catholic districts acted in a less liberal spirit in the return of liberal and independent Protestants, who gained the public confidence by their liberal and enlightened views, integrity of character, and a regard for the substantial interests of the people, irrespective of sectarian distinctions.

2d. That the great body of the people, who constitute the liberal and progressive party in this colony, and who are comparatively free of mercantile and official control, should have their due share of representation, while those districts which are subject to such control should not have an undue proportion of members.

3d. As the Council have heretofore refused to duplicate the present number of members on the basis of the non-division of the present electoral districts on alleged sectarian grounds not distinct,

distinct, as the Assembly assume, from mercantile and official interests. The Assembly were therefore solicitous to meet this view, and accordingly arranged their amendments so that the two principal denominations should have the power, if they wished to exercise it, of securing the return of members according to the relative numbers of these denominations.

The Council assumed, for the purpose of sustaining their amendments last Session, that as the two principal denominations were so equal in numbers (there being in the year 1845, 49,523 Protestant inhabitants, and 46,983 Catholics in this island), the returns under the amendments made by them on the Bill of the Assembly, and then forming the subject of a conference, would be 13 Protestants and 13 Catholic members; a result which would be fair though it would not have taken place (the Assembly conceive) under these amendments. There being no State Church to be supported in this colony, and no special reason, therefore, why the electors of any denomination should seek to uphold any undue sectarian ascendancy in the government, it is unreasonable to suppose that either the Protestant or the Catholic districts will be exclusively influenced by denominational considerations in the return of their members. Apart from the unfair distribution of patronage and places of honour by the present government, the only public question on which a sectarian difference has arisen here, is that of education, and this difference has not existed between Protestants and Catholics, but between a portion of the members of the Church of England and the dissenters of this colony; the former contending for the exclusive control of their share (according to numerical proportion) of the Protestant education grant, and the latter for a non-division of it.

The Assembly therefore appropriated the members to the fifteen districts mentioned in their Bill, with a due regard to all these considerations, without undertaking to guarantee a relative return of 15 and 14 upon denominational grounds; their Bill certainly gave the power to effect that result, though they are confident the proportion of Protestants that would be returned under it, would be much more than 15, judging from the experience of the past. On reference to Table No. 2, hereto annexed, it will be seen that the distribution of members under this Bill was made with a due regard to the denominational, among the other important considerations already referred to.

The Council assume that the district of Burin would not return two Protestants, and therefore adopted a novel principle of representing the Catholic minority in that district. The Protestant majority in the district of Burin is 456 inhabitants; three Protestant gentlemen have been returned to the Assembly for that district, and only one Catholic member has sat in the Assembly for it, he being a resident in the district for more than forty years; and although supported by local friends, Catholic and Protestant, he was defeated in a contest with a Protestant merchant, who represented the district in the late House. It is, therefore, unjust to regard his return as a sufficient reason to justify the adoption of this untried principle of representing minorities in this single district. Besides, while there is a less Catholic majority (only 390) in the district of Carbonear, on which the return of a Catholic may be said to rest, if viewed in a sectarian light, and, while the number of inhabitants in that district is 5,071 to return only one member, the district of Burin with a population of 4,358 would have two members, with the majority of 450, and the same strong mercantile influence existing there, which succeeded before.

One member was then taken from the liberal and Catholic district of Placentia and St. Mary's, and one added to the Protestant district of Bonavista, which is much more under mercantile influence. Now, the district of St. Mary's and Placentia is more extensive than that of Bonavista, and the difference in their respective populations is only 754 inhabitants. In 1850 the present acting Solicitor-general, in an amendment on the Representation Bill then before the Assembly, proposed to give the district of St. Mary's and Placentia four members, and Bonavista only two.

There does not, therefore, appear to be any reason why the latter district should now occupy a better position in the proposed arrangement than the former; nor do the Assembly conceive that any circumstances exist to justify the giving of a third member to Bonavista; but they consented to it for the purpose of effecting a compromise with the Council, not from a sense of justice. They deemed it more expedient for the general good to adopt that course, than to sanction any further subdivision of districts, or permit the introduction of the novel principle intended by the Council to be applied in Burin.

The distribution of members under the amendments made by the Assembly, differs in some important particulars from that under the original Bill, as appears by Table No. 3, hereto annexed.

The proposition to annex a part of the district of Trinity under decided mercantile influence, to a part of Bonavista, an essentially conservative district, but not so thoroughly subject to that influence as Trinity district, and the alternative suggested by Her Majesty's Council, of subdividing Burin, which cannot be equally or fairly divided, without producing Protestant majorities in both subdivisions, would involve, not only the question of general subdivision of all the electoral districts, but would give an undue preponderance to mercantile influence in those two districts and in the aggregate returns.

Under these circumstances, rather than submit to the amendments of Her Majesty's Council, the Assembly would prefer the measure proposed in the Assembly by the present acting Solicitor-general in 1850; an abstract of which is annexed in the Table No. 4. However unfair its application would be felt in some cases, or objectionable on the score of the subdivision of certain districts, the only qualification they would annex to the subdivision

of the districts not already agreed to be divided, is, that two-fifths of the registered voters in any district shall first approve thereof by requisition to the Governor before such district be subdivided.

The House of Assembly, in their proceedings on this measure, have been influenced by an earnest and sincere desire to do unqualified justice to all classes of Her Majesty's subjects in this colony, and they hesitate not to express their conviction, that any material departure from the principles on which they have founded their amendments, would tend to the withholding of their just rights, from one or other of these classes.

(signed) *John Kent*, Speaker.

House of Assembly, St. John's, Newfoundland,
30 May 1854.

TABLE No 1.

ABSTRACT of Census for 1845.

DISTRICTS.	PROTESTANTS.	CATHOLICS.	
Conception Bay	16,446	11,580	
Trinity Bay	7,518	1,283	
Bonavista Bay	5,418	1,809	Which return
Fogo	5,616	1,128	Nine Members
Burin	2,407	1,951	to the Assembly.
Fortune Bay (including Burgeo and La Poile not represented)	4,703	392	
St. John's	6,211	18,985	Which return
Ferryland	169	4,412	Six Members to
Placentia and St. Mary's	1,018	5,455	the Assembly.

TABLE No 2.

Distribution of Members according to Census for 1845.	Population.	Protestant.	Catholic.	Members: Protestant.	Members: Catholic.	Proportion for each Member.
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove	25,196	6,210	18,986	- -	6	4,199
Trinity District	8,801	7,518	1,283	3	- -	2,933
Bonavista District	7,227	5,418	1,809	2	- -	3,613
Fortune Bay District	2,920	2,557	363	1	- -	2,920
La Poile District	2,180	2,151	29	1	- -	2,180
Ferryland District	4,581	182	4,399	- -	2	2,290
Burin District	4,358	2,407	1,951	2	- -	2,179
Placentia and St. Mary's District	6,473	1,018	5,455	- -	3	2,157
Conception Bay is divided into five Districts, to return seven Members for a Population of 28,026, averaging one for every 4,000, viz.:—						
Horse Cove to Cupids inclusive	6,722	2,614	4,108	- -	2	3,361
Port de Grave to Bay Roberts inclusive	4,612	3,806	806	1	- -	4,612
Spaniard's Bay to Harbour Grace inclusive	6,182	3,698	2,484	2	- -	3,091
Carbonear to Mosquito inclusive	5,071	3,340	2,731	- -	1	5,071
Fresh Water to Bay de Verds inclusive	5,439	3,988	1,451	1	- -	5,439
Twillingate and Fogo inclusive	6,744	5,616	1,128	2	- -	3,872
	96,506	49,523	46,983	15	14	

Note.—The Council stated last Session, in their Conference, that thirteen Protestant Members, and thirteen Catholics, would result from their amendments on the Representation Bill of that Session. The Bill of this Session gives the power of returning fourteen Catholics and fifteen Protestants, while the Assembly do not recognize the necessity or justice of obliging the districts to effect that result, it is more than probable the number of Protestant returns would be much larger under this Bill than fifteen, as Catholic districts would doubtless continue to return independent Protestants, as they have heretofore done.

TABLE No. 3.

Distribution of Members according to the Census of 1845.	Population.	Protestant.	Catholic.	Members. Protestant.	Members. Catholic.	Proportion for each Member.
St. John's is divided into two Districts, by a line running north from Beck's Cove to Broad Cove	25,196	6,210	18,986	–	6	4,199
Trinity District	8,801	7,518	1,283	3	–	2,933
Bonavista District	7,227	5,418	1,809	3	–	2,409
Fortune Bay District	2,920	2,557	363	1	–	2,920
La Poile District	2,180	2,151	29	1	–	2,180
Ferryland District	4,581	182	4,399	–	2	2,290
Burin District	4,358	2,407	1,951	2	–	2,179
Placentia and St. Mary's District	6,473	1,018	5,455	–	3	2,157
Conception Bay is divided into five Districts to return seven Members for a population of 28,026, viz.						
Horse Cove to Turk's Gut	3,997	767	3,230	–	2	1,998*
Turk's Gut to Port de Grave exclusive	5,538	4,150	1,388	1	–	5,538*
Port de Grave to Harbour Grace inclusive	7,981	5,198	2,783	2	–	3,990*
Carbonear to Musquito inclusive	5,071	2,340	2,731	–	1	5,071*
Fresh Water to Bay de Verds inclusive	5,439	3,988	1,451	1	–	5,439
Twillingate and Fogo inclusive	6,744	5,616	1,128	2	–	3,372
	69,506	49,523	46,983	16	14	

* The relative numbers of these districts, as altered by the Council, stand as here stated; the population was more equally divided in the Bill as sent up by the Assembly.

TABLE No. 4.

The Acting Solicitor-general's Amendment provides for 31 Members. The Island to be divided into 17 Districts, to be called and Represented as follows:

	Members.		Members.
The District of St. John's, East	3	The District of Twillingate	1
„ Ditto West	3	„ Fogo	1
„ Brigus	2	„ Ferryland	1
„ Port de Grave	2	„ Bay Bulls	1
„ Harbour Grace	2	„ Placentia (West)	2
„ Carbonear	2	„ Placentia & St. Mary's	2
„ Trinity (South)	1	„ Burin	2
„ Trinity (North)	1	„ Fortune Bay	2
„ Bonavista (South)	1	„ Burgeo	1
„ Bonavista (North)	1		31

INSTRUCTIONS to Conferees from Her Majesty's Council, on the Representative Bill, 3 June 1854.

HER MAJESTY'S Council have requested this conference with the House of Assembly on the last conference on the amendments made in the Bill to increase the number of representatives, for the purpose of acquainting the Assembly, that, having considered the instructions of the Assembly to their managers, the Council see in them no reason whatever for departing from the principle of giving to the respective religious denominations, with reference to their numbers, their due proportion of representatives; a principle which, while it has been the avowed object of both branches of the Legislature, would not have been carried out by the Bill as sent up from the Assembly, but would be effectuated by the amendments of the Council. The Council cannot, therefore, recede from their amendments except that in reference to the expenses of electors, as already signified to the Assembly.

The Council, in making the amendments granting an enlarged exercise of the franchise to the electors of the Burin district, were desirous, with a view to the general arrangement, to

ensure the return of one Roman-catholic Member for that district, notwithstanding they were convinced from past experience, that such return would be made under the present Bill without such amendment.

In the last paragraph but one of their instructions to their Conferees, the Assembly appear to express a desire to abandon the Bill which they have deliberately passed and sent up for the concurrence of the Council, and to substitute in its stead a proportion (which is nevertheless characterised as objectionable and unfair, and as still requiring a peculiar qualification) made at a former period, by a Member of their own House. Were it not for the gravity with which this proposition is introduced, the Council would abstain from bringing under the notice of the Assembly, that, to refer in a conference between the two Houses, to the views and opinions of individual Members by either body, expressed now or at any former period, is a proceeding of a novel, and, as the Council submit, of an unparliamentary character, and an irregularity which might lead to great inconvenience.

Much of the force of the arguments urged by the Assembly, appears to depend upon the use of peculiar appellations applied to certain districts and classes of electors. The Council feel it right, therefore, to renew the intimation of their opinion, expressed upon a former occasion, that as these appellations are, at best, but mere titles of assumption, and do not affect the merits of the question under consideration, it is desirable to abstain from the use of them, in the communication between the two branches.

The Council deem it unnecessary to enter into any lengthened discussion of the statements contained in the instructions of the Assembly to their conferees; in which the Council fail to discover any ground for concluding that the views entertained and expressed by the Council are inconsistent with a due regard to the just rights of all classes of the inhabitants of the colony; unless it be in the having assented to a scheme of representation from which the wealthy and important Protestant minority of the district of St. John's is virtually excluded.

(signed) *Wm. Robinson*, President.

Council Chamber, 3 June 1854.

Instructions to Managers on the part of the Assembly on the Increase of Representatives Bill.

The House of Assembly have requested this conference with Her Majesty's Council, on the subject of the last conference on the amendments made in the Bill to increase the number of representatives, for the purpose of acquainting the Council, that having considered the instructions of the Council to their managers, the Assembly regret to perceive in them the absence of that spirit of conciliation and fair play which has influenced the conduct of the Assembly upon this important question; and they are therefore confirmed in the opinion which they have entertained, that it is utterly hopeless to expect the concurrence of the Council in any just or generally acceptable measure upon this subject. They are now satisfied, however, that they have left untried no constitutional means at present available to them in the colony, to effect an understanding with the Council. The objects of the Council, in their treatment of the Representation Bill, appear to have been twofold: first, the maintenance of the existing system of government, and the perpetuation of sectarian ascendancy in the government of this colony; and secondly, the consolidation of that mercantile influence which has predominated in the Government from the time of the concession of the constitution to the present day.

It should be borne in mind that in this, as in the neighbouring colonies, there have always been rival interests, having different objects in view, and adopting different means to attain their ends. From the earliest days in its history, the merchants of Newfoundland have endeavoured to keep the trade of the country in their hands, and the operative population in a state of vassalage. To effect this object the better, they strongly opposed the granting to this colony a representative form of government, and other institutions incident to a progressive state of society. When, however, against their will, they were granted to the people, they managed to obtain a control over them, and thus carry out in one way what they had failed to achieve in another; hence their position in the Government, and the alliance which has been formed with their interest at the Council Board, to oppose all popular movements, and especially the just settlement of a measure deemed essential to the proper working of a reformed system of government; hence the united opposition of the Council (with one honourable exception) to responsible government, and hence the foundation for the distinction which facts and history have drawn, but to which the Assembly have only adverted, as existing between the conservative or obstructive party, and the liberal or progressive party, who have gained for the people all the most cherished privileges they enjoy, and all the reforms that have been made in our political and other public institutions.

The Assembly should not have deemed it necessary to trace to its source the distinctive and combined policy which the Council desire to carry out, or the party to whom they are allied, had their attention not been called to the matter by the manner in which they have taken exception to the use of these "peculiar appellations" of "liberal" and "conservative" or "mercantile districts," and endeavoured to substitute for them mere denominational distinctions, which have obtained an undue prominence in their proceedings on this measure, while the real interests which the Council seek to uphold have been kept in the back ground.

The Assembly would not wish to be understood as detracting from the consideration due to the different religious denominations of this island, in the arrangement of the increase of the

the representation, and they do not hesitate to refer to the Bill, as introduced and amended by them, to prove the fairness of their views in the distribution of the members; but they feel it their duty to protest against the manner in which this element has been treated by the Council.

The alleged anxiety of the Council to secure the return of a Catholic member for the district of Burin, by the introduction of a new and untried principle, is regarded by the Assembly, not as a constitutional safeguard, but as a dangerous expedient to divide the people, by promoting sectarian divisions, and prove the existence of anomalies in the state of society in this colony, which do not exist except in the constitution of its government. If the electors of Burin have on two occasions returned Catholic members to the Assembly, while they have had the power of returning Protestants, it shows that they do not recognise the sectarian standard as the test of representative qualification; and the Assembly do not recognise the necessity or propriety of obliging them or any other constituency to conform to a principle which often begets strife, without securing Parliamentary usefuleness or political integrity.

The Assembly regret to perceive a disregard of facts on the part of the Council in their statement that the Assembly "appear to express a desire on their part to abandon the Bill which they had deliberately passed and sent up for the concurrence of the Council."

As an alternative, they stated that rather than accede to the Council's amendments, they would prefer the measure introduced by the now acting Solicitor-general, in 1850, with a slight modification, and they are quite at a loss to understand in what sense it can be considered unparliamentary or irregular to refer to that measure, or to the name of the introducer of it, for the purpose of designating and identifying it, nor do they think the Council should have raised any objection, on the score of inconvenience, to a reference to such a record of the expressed opinions of any member of their Board, or any officer of the Government, when the settlement of an important political question is sought to be effected.

The Liberal district of St. John's, which has invariably returned a Protestant member to the Assembly, commencing with the Hon. William Thomas, who occupies a seat in the Council, would (the Assembly are confident) under their Bill, continue to display the same liberality in the return of members deserving of public confidence, irrespective of sectarian distinctions. The Assembly are therefore surprised that the Council should have repeated an allegation which the Assembly have heretofore passed unnoticed, that even under the scheme of representation to which they have assented, "the wealthy and important Protestant minority of the District of St. John's is virtually excluded," while the gross population of the district is 25,196, of whom 18,986 are Catholics, and it is only allowed six members, being one for every 4,199 inhabitants, or as the Council would erroneously assume, one for every 3,132 Catholics; forgetting that the conservative and mercantile district of Trinity, with only 8,801 inhabitants, not half the Catholic population of St. John's, and a little over a third of its gross population, was to have three members, being one for every 2,933 of its inhabitants, or one for every 2,506 Protestants in the district, and La Poile would have one member for 2,151 Protestants; that, according to the reasoning of the Council, there are more than 11,000 Catholics unrepresented in nine districts having Protestant majorities; and that, in fact, the arrangements in the Bill, as passed by the Assembly, were so made as to leave no reasonable ground of objection on this or any other head, a conclusion in which disinterested men of all denominations, who have considered the subject, fully concur.

In conclusion, the Assembly have also to express their regret, that in the discussion of the question the Council should have so far forgotten the dignity which ought to characterise the grave deliberations of either branch of the Legislature, as to give vent to the display of temper which pervades the instructions to their managers; and the Assembly take the liberty of suggesting, without intending any disrespect, that as the arguments put forward by them, in support of their amendments are evidently unanswerable, it would be more magnanimous in the Council to submit to them with becoming grace, than to continue to oppose the popular will.

(signed) *John Kent*,
Speaker.

House of Assembly, St. John, Newfoundland,
5 June 1854.

Resolutions adopted in Committee of the whole; Thursday, 8 June 1854.

Resolved, That in deference to the recommendations of his Grace the Duke of Newcastle, as communicated in the despatch from his Grace of the 24th February last, the House of Assembly have since zealously applied themselves to the carrying out of the conditions declared by his Grace to be necessary pre-requisites to the introduction of responsible government.

2. Resolved, That as a leading feature in these conditions, the Bill for the increase of representatives was passed by the Assembly on a basis which provided for the fair representation of the liberal, and conservative or mercantile interests, and appropriated the members to the several electoral districts with a due regard to the relative claims of the two great religious denominations of the colony, the number of Protestants being, by the last census, 49,523; and of Catholics, 46,983; and the number of members allotted by the Bill of the Assembly being, to nine districts, having each a decided Protestant majority, 15; and 14 members to six districts, having Catholic majorities.

3. Resolved,

3. Resolved, That the settlement of the question of representation by reference to a sectarian test, has always been, and now is, repudiated by the House of Assembly; and its adoption has proceeded solely from an anxious desire to meet the objections of the party opposed to the concession of responsible government, and whose objections took the professed ground that the change would result in the establishment of Catholic ascendency.

4. Resolved, That the passage of the Bill referred to abundantly exonerates the Assembly from the charge that they are influenced by a desire for any undue ascendancy in the colony.

5. Resolved, That notwithstanding the unimpeachable fairness of the Bill by reference to the issue raised by Her Majesty's Council, that body refused to assent to the measure, and amended it by abstracting one Member from the liberal and Catholic constituency of Placentia, and adding it to the mercantile and Protestant district of Bonavista, and by introducing a principle to be applied only to the district of Burin, by which the minority might return one of the two members for that district.

6. Resolved, That the Assembly believe that the application of a special principle to the return for one district, while a different principle governs the returns for all other districts, involves an anomaly without precedent in the history of representative institutions.

7. Resolved, That this proceeding appears to the Assembly to proceed from a desire to establish the proposition that the people of this colony are so separated by sectarian feeling that they will place political confidence only in their co-religionists—an inference triumphantly refuted by our past history in regard to election returns.

8. Resolved, That the adoption of this novel principle in the district of Burin would necessarily produce a permanent separation between the different religionists in that locality, and give a statutable recognition to those differences which Her Majesty's Council affect to deplore.

9. Resolved, That the Assembly refused to assent to a principle so novel and anomalous, and which, in its effects, would be destructive to the peace of a thriving community.

10. Resolved, That though the Bill originally sent from the Assembly was strictly defensible in a denominational point of view, yet, from a desire to conciliate differences, and bring this long pending question to a settlement, the House passed an amendment on their Bill, conceding an additional member to the Protestant and conservative district of Bonavista, thus giving to nine districts, having Protestant majorities, the power to secure the return of 16 out of the proposed number of 30 Members.

11. Resolved, That this concession has been rejected by Her Majesty's Council; and the House, having thus exhausted all means at their disposal to effect a settlement, it is hopeless to expect the concurrence of that body in any just or generally acceptable measure of representation.

12. Resolved, That Her Majesty's Council, having consistently opposed every effort to introduce responsible government into this colony, and their hostility to the change being still openly manifested, it was hardly to be expected they would concur in any measure of representation they believed the Assembly could accept, because the settlement of this question would insure the result to which the Council have been steadily opposed, and by which their long-enjoyed position and influence would be subjected to constitutional checks and correctives.

13. Resolved, That all the other points recommended in the despatch referred to, and that were insisted on by Her Majesty's Council, have been agreed to by the House.

14. Resolved, That Her Majesty's Government be requested to concede the immediate application of responsible government, with the understanding that, on the formation of a new Council, a measure of representation similar to that recently adopted by the Assembly be passed, and brought into operation without delay.

15. Resolved, That it is the deliberate opinion of the House, that notwithstanding the concession of the principle of responsible government to the colony by his Grace the Duke of Newcastle, the present Council will leave no means untried to stay the introduction of the change. It is therefore our firm conviction that we shall consult the best interests of the country in refusing to grant the supplies necessary to carry on the existing system, and that the people will consider the inconvenience that may accordingly result, a small evil, as compared with the continuance of a system under which the country is practically without a government for any useful purpose.

16. Resolved, That an address be adopted to Her Majesty's Principal Secretary of State for the Colonies, and both Houses of Parliament, embodying the foregoing resolutions, and that delegates be appointed by the House to proceed to London, to advocate and sustain the views of the Assembly in the present position of affairs, and to present a duplicate of the said address to his Grace.

— No. 11. —

(No. 107.)

No. 11.
Governor Hamilton to the Duke of Newcastle.
15 June 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
15 June 1854.
(Received, 3 July 1854.)

My Lord Duke, (Answered, 6 July 1854, No. 3, *infra*.)

I HAVE the honour to transmit an address to your Grace from the House of Assembly acquainting your Grace with the appointment, by that body, of Messrs. Little, Parsons and Emerson, to be delegates to the Imperial Government on the subject of responsible government.

I have, &c.
(signed) *Ker B. Hamilton*.

Enclosure in No. 11.

Enclosure in No. 11.

To his Grace the Right Honourable the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies.

May it please your Grace,

THE House of Assembly of Newfoundland in Legislative Session convened, beg leave respectfully to inform your Grace, that they have during the present Session appointed Philip Francis Little, George Henry Emerson, and Robert John Parsons, Esquires, Members of their body, as delegates with power to any two of these gentlemen, to represent to Her Majesty's Government the state of this colony; and to advocate the claims of its inhabitants to responsible government with reference to the circumstances referred to in an address to your Grace and both Houses of Parliament on the subject passed this day.

They, therefore, trust that your Grace will be pleased to give a favourable hearing to their delegates, and upon a full consideration of the matters which they will deem it their duty to submit, your Grace may be enabled to advise Her Majesty's Government to adopt such measures as will meet the views of the Assembly, and thereby confer upon the people of this colony a full participation in such rights and privileges as have been granted to the neighbouring colonies, and are shown to be productive of the peace and prosperity of the people.

Passed the House of Assembly, 10 June 1854.

(signed) *John Kent*, Speaker.

— No. 12. —

(No. 3.)

No. 12.
Sir G. Grey, Bart., to Governor Hamilton.
6 July 1854.

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 6 July 1854.

I HAVE to acknowledge your despatches of the numbers and dates specified in the margin, reporting the prorogation of the Legislature to the 14th August, and transmitting an address from the House of Assembly.

No. 104, 14 June 1854, page 44.
No. 107, 15 June 1854, page 59.

I cannot but feel great regret and disappointment at the termination of the Session, without any progress having been made in the settlement of the question of responsible government on the terms indicated by the Duke of Newcastle, in his despatch of 24th of February last; but it is a source of still greater regret that the chief obstacle to this settlement appears to arise from the mutual jealousy of the members of the religious denominations into which the community is divided. It is deeply to be lamented that religious differences should stand in the way of general co-operation for the promotion of measures conducive to the common interests of all; and it should be the constant endeavour of the local Government to mitigate these hostile feelings, and, as far as possible, to prevent merely political questions from being mixed up with religious disputes.

These misfortunes are rendered more serious by the refusal of the Assembly to grant the supplies requisite for the public service; but I cannot hold out to you any expectation of Parliamentary interference on this or any ground, in the present political affairs of the colony.

As members have been deputed both by the Council and Assembly to represent to Her Majesty's Government the respective views of the two branches of the Legislature, it is unnecessary for me, while expecting their arrival, to enter more into details.

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

— No. 13. —

(No. 108.)

No. 13. Governor Hamilton to the Duke of Newcastle. 26 June 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle.*

Government House, St. John's, Newfoundland,
26 June 1854.
(Received, 17 July 1854.)

My Lord Duke,

Among the pre-requisites to the introduction of responsible government referred to by your Grace in your despatch of the 21st February last, an important one was the indemnification of the present holders of those offices which, by the change in question, will be rendered liable to be vacated at the will of the majority of the Legislature.

2. I accordingly transmitted to the Assembly a message upon the subject and received from that body an address in reply, copies of which and of my answer I enclose.

3. I pointed out to the Members who waited upon me with the address from the Assembly that that House had, eight years ago, in a resolution unanimously adopted by them (herewith enclosed) emphatically urged upon the Executive Government the claims of the present Attorney-general to advancement on the ground of meritorious public service, and had thus recorded their recognition of public service rendered by Mr. Archibald up to a period antecedent to that from which, in effect, they would now date the commencement of his public service; but that the Assembly would now use to his disadvantage those services and their recommendation of them which had had weight in procuring his appointment to his present office. I concluded by informing the deputation that I could not consent to the injustice thus involved.

4. I think your Grace will agree with me that the claim I asserted on the behalf of the Attorney-general, that he should be placed in the same category with the Colonial Secretary, and Surveyor-general is just and indisputable; and I request your Grace will be so good as to determine the question, and thus preclude further discussion on this point with the Assembly.

5. With the desire to exclude any possible objection, I adopted, in the first instance, a scale of indemnification lower than that recommended to me by the unofficial Members of my Council, and lower than what I thought just. The Assembly, however, have gone lower still.

I have, &c.
(signed) *Ker B. Hamilton.*

P.S.—It may not be improper for me to add, that, although the scale I recommended to the Assembly, applied only to services rendered to this colony, yet, the Colonial Secretary has been in the public colonial service for forty years, and the Surveyor-general for thirty-eight years.

(signed) *K. B. H.*

Encl. 1, in No. 13.

Enclosure 1, in No. 13.

REPLY of his Excellency the Governor to the Address in reference to the Retiring Salaries of Officers of the Government on the advent of Responsible Government.

THE Governor in reply to the Address of the House of Assembly requesting him to lay before the House a statement of his views as to the retiring allowances which should be granted to the officers whose places will be vacated on the introduction of responsible government, with a view to the satisfactory adjustment of this subject, informs the Assembly:—

1st. As to the indemnification of the holders of offices which, by the introduction of the change of system, will be liable to be vacated at the will of the majority of the Assembly, the Governor has adopted the following scale of retiring allowances, viz.: To officers who shall

shall not have been five years in the public service of the colony, a round sum in full of all claims; to officers who shall have been five years in the public service of the colony, a pension equal to not less than one-fifth of their official incomes; to those officers who shall have been 12 years in the public service of the colony, a pension equal to not less than two-fifths of their official income; to those officers who shall have been 20 years in the public service of the colony, a pension equal to not less than three-fifths of their official income.

2d. As to the offices which must be regarded as liable to be vacated on the introduction of the change, the Governor considers it sufficient to name, for the present, those of the Colonial Secretary, Attorney-general, Surveyor-general, and Solicitor-general—the present holders of the three first-mentioned offices being also members of the Executive Council. The Governor strongly recommends, for the consideration of the Assembly, the expediency of conjoining the offices of Treasurer and Collector into one, to be held free from changes of administration, and at the same time to create an office of Auditor-general, from the competent discharge of the duties of which great advantage would, in the Governor's opinion, be. Such an office, if established, might be subject to be vacated on changes of administration.

(signed) *K. B. H.*

Extract of Report of Select Committee on the Message of his Excellency the Governor, in reference to Retiring Allowances of certain Officers on the introduction of Responsible Government.

(Presented by Mr. Shea, 3 June 1854.)

The Select Committee appointed to consider the Message of his Excellency on the subject of the allowances to be made to the officers of the Government, whose offices shall be liable to be vacated on the introduction of responsible government, take leave to inform the House that they have fully and carefully considered the matter embraced in the said Message, and beg to report to the House the result of their investigations.

In their inquiries, the Committee deemed it necessary, not only to regard the message of his Excellency, but to consider as well what had been done under similar circumstances in Nova Scotia and Prince Edward Island, the colonies referred to by his Grace the Duke of Newcastle, as a criterion in the settlement of the retiring allowances.

In Nova Scotia the only officer who was held entitled to a pension, on the change of system, was the Provincial Secretary, and in Prince Edward Island the claims were limited to the holders of offices of Colonial Secretary and Attorney-general.

The committee have failed to discover any analogy between the scale of compensation proposed by his Excellency and that which has been adopted in the colonies in question; and while they are of opinion that an equitable provision should be made for parties vacating offices, who have admitted claims on the colony for compensation, they cannot assent to the justice of demanding from this colony larger relative sums than were deemed a sufficient discharge of similar claims in Nova Scotia and Prince Edward Island.

Those who entertain the most conservative views of the claims of officials displaced in subservience to a question of public policy, usually admit that the example of England is a safe and just guide for the settlement of any analogous case. The committee append a statement showing what was the scale of compensation adopted for the officers who were dismissed under the Imperial Customs Act of 1853; and here it will be seen that there is as little affinity with the scale proposed by his Excellency, as in the arrangements adopted in the two provinces before mentioned.

In Nova Scotia the Provincial Secretary, an officer of 30 years' standing, received a pension of 400*l.* sterling per annum. The Attorney-general in Nova Scotia, who had been seven years in that office, and who held the office of Solicitor-general previously, received no retiring allowance; and in Prince Edward Island the sum of 133*l.* 6*s.* 8*d.* was granted to the displaced incumbent, who had held the office for 20 years.

The committee propose for the following officers to be removed on the introduction of responsible government, the yearly pension as follows, which do not materially differ from the scale suggested by his Excellency:

	£.
The Colonial Secretary, in office over 20 years - - - - -	400
The Surveyor-general, ditto - - - - - - - - -	285
The Attorney-general, in office 8 years - - - - - - -	140

The Solicitor-general being under suspension, the committee do not conceive that they have at present any power definitely to determine. Should he be restored, they think he would be entitled to a pension of 90*l.*

Respectfully submitted,

(signed) *A. Shea.*
P. F. Little.
Edm. Hanrahan.
Clem. Benning.
Geo. J. Hogsett.

Committee-room, 3 June 1854.

Reply of his Excellency the Governor.

I am happy to receive the assurance, contained in this address, of the desire of the Assembly to make an equitable arrangement in respect of the officers whose places will be vacated on the introduction of responsible government.

I perceive from the report of the committee which accompanies the address, that the scale of retiring allowances recommended by me is not acquiesced in; and that the committee has not adopted the received principle on which I had proceeded, and which justice requires, namely, that the loss of a regular service under the Crown in the colony is the point for consideration, and the loss to be compensated for, and not merely the loss of a particular office held at a certain juncture, and which might have been held for one month only by an officer whose period of service had extended over 20 or 30 years. If the principle I have adverted to should be departed from, it would operate with manifest injustice towards the Attorney-general.

I do not concur in the rule proposed to be applied to the case of the Attorney-general; a reference to the blue book of the colony shows that he has been in the service of the colony for nearly 22 years; and the House will, I doubt not, on further consideration of the circumstances, see the justice of adopting the scale I had laid down, or of placing the Attorney-general in the same category with the Colonial Secretary and the Surveyor-general.

Encl. 2, in No. 13.

Enclosure 2, in No. 13.

Vote of Thanks to Clerk.

Tuesday, 28 April 1846.

On motion of the Honourable C. F. Bennett, seconded by the Honourable Mr. Morris, Resolved unanimously, That this House cannot separate without expressing its sense of the merits of Edward Mortimer Archibald, Esq., Clerk of this House, and of his strong claims upon its regard. Educated under the especial care of his late lamented father, when Speaker of the House of Assembly of Nova Scotia, he arrived in this country at the period of the first introduction of a representative form of government. Under his instructions the members of the first House of Assembly were initiated into a knowledge of those laws and rules so necessary for the guidance of deliberative bodies. From that time to the present period, with some slight interruption, he has filled the important office of clerk to the House of Assembly, in which office his unceasing industry, his great abilities, and his obliging disposition have, even under circumstances of the greatest political excitement, invariably won the lasting esteem of every Member of the House, and they therefore deem it a duty they owe him to place on record this public acknowledgment, and to express a wish that services such as these may be appreciated by his sovereign and his country.

— No. 14. —

No. 14.
Governor Hamilton to the Duke of Newcastle.
28 June 1854.

(No. 109.)

Copy of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle.*

Government House, St. John's, Newfoundland,
28 June 1854.

My Lord Duke, (Received, 17 July 1854.)

I have the honour to inform your Grace that, in compliance with a request contained in an address from the Council to me, I have appointed Mr. Archibald and Mr. William Row to be delegates from that body to Her Majesty's Government, for the purpose of bringing under the consideration of Her Majesty's Government the present condition of Newfoundland, and of supplying such information as may be required touching the affairs of this colony.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 15. —

No. 15.
Sir G. Grey, Bart., to Governor Hamilton.
14 August 1854.
* Pp. 59 and 44.

(No. 8.)

Copy of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton.*

Sir, Downing-street, 14 August 1854.

Adverting to my despatch of the 6th* ultimo, in answer to yours of the 14th* of June, forwarding addresses from the Council and Assembly of Newfoundland on the subject of responsible government, I have now to inform you that I have attentively considered the substance of those addresses, and have also had the advantage of personal communication with the gentlemen who have been deputed to visit me on the part of both those legislative bodies.

2. Her

2. Her Majesty's Government cannot but greatly regret the state of political feeling which these addresses represent. The language in which each of the contending parties has thought proper to characterise the acts of the other, is much to be lamented; and still more the step which the Assembly has taken, assuming the hopelessness of any satisfactory adjustment; namely, that of subjecting the island to the serious inconvenience which must result from their withholding the usual Supply Bill.

3. It is especially to be regretted that these feelings should have been exhibited when there is so very little of substantial difference between the two parties. The conditional concession of responsible government made by Her Majesty's Government meets with opposition from no party. The terms of that concession were framed by the Duke of Newcastle after full consideration of what had been urged on both sides; nor is any objection taken to the more important of these terms, which, for my own part, I regard as reasonable, and calculated to meet the exigencies of the case in a satisfactory manner. The subsisting quarrel turns almost wholly on matters of detail; questions as to the mode of carrying out the general views entertained by Her Majesty's Government; and I cannot but believe that mutual concession and forbearance, even after all that has passed, may find a way to dispose of them.

4. I shall therefore continue to hope for a peaceful solution of these disputes, and that the Council and Assembly may be brought to act together in the promotion of their common interest, irrespectively of those religious differences on the political bearing of which a stress has been laid which I trust is very exaggerated, and I entertain no doubt that you will feel it to be your peculiar duty to exercise all the influence you may possess, as an impartial arbitrator, in soothing irritated feelings, and reconciling discordant views.

5. But whatever may be your success, I can only refer you to my former despatch, as expressing my conviction that Parliamentary interference is not to be expected. It is not from any feeling of indifference, or any want of sympathy with the trouble which these political differences have brought on the community of Newfoundland, that Her Majesty's Government must continue distinctly to decline making any application to Parliament for such interference; it is from consistent adherence to established policy, and from a conviction that if Parliament were to interfere, it would only be to the ultimate aggravation of existing differences. The only measure which Her Majesty's Government have in their own power is, that of advising Her Majesty to remodel the Council in such a manner as to make it act harmoniously with the Assembly; a measure to which they would resort to with regret, and of which they at present cannot admit the necessity.

6. To apply the foregoing observations more in detail to the points at issue. The principal dispute brought before me relates to the projected electoral divisions: both parties being agreed on their expediency, and differing only on a narrow question of detail, supposed to affect the balance of parties in the island. On this question I feel myself incompetent, in the absence of minute local knowledge, to express any opinion, farther than by saying that undue importance seems to me to have been attached to it. I must add, however, that the exceptional provision introduced by the Council into the Bill as to the mode of voting in the district of Burin, appears to me open to considerable objection. Without entering into any question as to the general expediency of such a mode of voting, there would be a great anomaly in enforcing or allowing it in one district exclusively.

7. With regard to allowances to retiring officers, the scale suggested by yourself appears to meet with general acquiescence; the only debated question regards the amount to be allotted to Mr. Archibald; a question which forms the particular subject of your despatch, No. 108,* of the 26th June last, hereby acknowledged. I cannot concur in the view, that this gentleman is entitled to a pension, calculated only on the period of his service as Attorney-general, exclusive of his previous service in the colony. But I think that a satisfactory arrangement may be arrived at, by calculating it on the whole length of his services to the colony in whatever capacity, but not according to the amount of his annual income during the eight years of his tenure of the office of Attorney-general, but the annual average of his income from public funds during the whole of his service in the colony.

* Page 60.

8. With

8. With regard to the condition embodied in paragraph 9, of the Duke of Newcastle's despatch of 21st February last, requiring that payment of Members of Assembly for their expenses and attendance should be made, not by the Colonial Treasury, but by local assessment, I have to state, that although I concur in the expediency of the measure itself, it is not one which I consider indispensable, and as it has not been insisted on in other North American colonies, I am not prepared, if the other conditions are complied with, to press for a fulfilment of this one, against the deliberate opinion of the Assembly.

9. It will be desirable, with a view to the settlement of this question, that the Legislature should be called together at an early period. The circumstances indeed under which the last Session terminated, would in any case render it inconvenient that a long interval should be allowed to elapse before another Session is held.

Messrs. Little & Emerson, 22 July 1854.
Ditto, 28 July 1854.
Ditto, 31 July 1854.
Messrs. Archibald & Row, 28 July 1854.
Ditto, 7 August 1854.

10. In order that you may be fully aware of all that has passed in this country, I transmit to you copies of the representations in writing which have been made to me by the delegates of both parties, and of the answers which I have caused to be returned to them.

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

Enclosure 1, in No. 15.

Tavistock Hotel, Covent-garden, London,
22 July 1854.

Encl. 1, in No. 15.

Sir,

HAVING requested the honour of an interview with you on behalf of the delegates appointed by the Assembly of Newfoundland to represent their views on the subject of responsible government, I deem it my duty, in the absence of my colleague, who has not yet arrived in London, to place before you a brief outline of the present state of the question, while I take the liberty of soliciting your particular attention to the accompanying documents and those which I have already transmitted for your consideration.

According to the despatch of his Grace the Duke of Newcastle, dated the 24th February last, the principles of responsible government were to be put in operation in Newfoundland upon the performance by the Legislature of the four following conditions, viz.: First, that retiring allowances should be provided for such officials as were subject to removal upon the adoption of the new system, according to the rule pursued in Nova Scotia and Prince Edward Island; secondly, that a law should be passed to increase the number of members in the Assembly from 15 to 30; thirdly, that the election expenses should be paid by the candidates; and fourthly, that the allowance usually granted to members to meet their expenses during their attendance in the Assembly should be defrayed by direct assessment on their constituents in their respective districts. Some of these conditions were deemed by his Grace essential to justice, and others necessary to the proper working of the new system.

You will perceive by the Address of the Assembly to his Grace the Duke of Newcastle, a duplicate of which I have had the honour to transmit to you, and which I should state was adopted before they were advised of your appointment; that all of these conditions, on which the Council insisted, have been complied with on the part of the Assembly; and if they have not become the law of the island, I venture to affirm, the fault does not rest with them, for they have honestly and earnestly endeavoured to carry them out, waiving anything approaching to extreme opinions, for the purpose of effecting a compromise on the points in dispute.

As the most conclusive evidence of the anxiety of the Assembly to meet the Council fairly, I would refer, not only to their general measures on the subjects in question, but also to an Address* adopted by them to his Excellency the Governor, soliciting his mediation with the

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* The following is a copy of the Address above referred to, as extracted from the Journals of the House of Assembly.

To his Excellency *Ker Baillie Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

THE House of Assembly beg to inform your Excellency, that since the receipt of your message of the 22d March last, accompanying a copy of the despatch of his Grace the Duke of Newcastle on the subject of responsible government, they have passed a Bill for increasing the number of Members of the Assembly, in accordance with their address to his Grace in reply to the said despatch, and to carry out as far as practicable his wishes in this respect.

That for the purpose of anticipating and obviating objections on the part of the Council, the Assembly subdivided in their measure all the districts heretofore sought to be divided by the former; added two Members to the mercantile district of Trinity, instead of one allotted to it in former Bills, and so framed their Bill as to give the mercantile, fishing, farming, in fact all classes and denominations, as they humbly conceived, a just share of representation. A mainly denominational and mercantile basis having been

the Council in their executive capacity on the Representation Bill, in accordance with his previous tender of co-operation to carry out the conditions mentioned in the despatch, after the Assembly had vainly used every reasonable means in their power to conciliate the Council; having made several substantial concessions in the details of that measure by subdividing the districts of St. John's and Conception Bay; by conceding two members more to the mercantile and conservative districts of Trinity and Bonavista than they had on any former occasion felt themselves justified in granting; and by imposing the election expenses on candidates. His Excellency sent a written message through Mr. Secretary Crowdy to the Speaker of the Assembly, declining to receive the address, as he considered it unconstitutional for them to make such a request, or for him to interfere; I may not use the exact language of the message, as it was privately withdrawn, and at his Excellency's request returned to him by the Speaker, after it had been received and opened by the latter, but before it was formally communicated to the House. Such, however, was the purport of his Excellency's subsequent reply to the deputation who presented the address.

As to the first condition, I would respectfully refer you to the accompanying copy of the Report of the Select Committee (No. 1) adopted by the Assembly on the subject of the retiring allowances. Looking at the financial condition of the colony, and the manner in which the retiring officials have been treated in the neighbouring colonies of Nova Scotia and Prince Edward Island, the Assembly were persuaded that they have gone as far as justice and a regard to the public interest required. Although his Excellency suggested a higher scale than the Assembly adopted, yet by his message (No. 2) he admits inferentially the reasonable character of the allowances provided by them, with the exception of the case of Mr. Attorney-general Archibald, for whom he claimed a retirement, not only for the period he held the office of Attorney-general, bnt also for the time he was clerk of the Supreme and Circuit Courts of the island, being about 14 years, an office which is not affected in any way by the contemplated change of government, which is not of a political tenure in any of the colonies, and which he voluntarily abandoned for the office of Attorney-general, after resolutions affirming the principles of responsible government, as applicable to Newfoundland had passed the amalgamated Legislature. In his case, the Assembly were inclined to act as liberally as the circumstances would permit, and they offered him the full amount prescribed by the Governor himself for an officer of 6 years standing and under 12 years (140*l.*), being one-fifth of his salary; while they felt that it would be wrong to extend the compensation to any special service not coming within the rule prescribed by the Duke of Newcastle, and followed in the colonies named by his Grace.

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been forced upon their consideration by the manner in which previous Bills on this subject had been treated by the co-ordinate branch of the Legislature, they respectfully refer your Excellency to the accompanying Tabular Statement, No. 1, * to illustrate the justice of their distribution of Members on this head, and also the fairness of its operation in respect of the popular and conservative parties and their interests in this colony.

That this measure thus passed by the Assembly, having been sent to Her Majesty's Council for their concurrence, has been returned by them, with several amendments upon it, first taking away the third Member from the popular district of St. Mary's and Placentia, and adding a third Member to the conservative district of Bonavista, which is more under mercantile influence than the other, and besides being territorially not nearly as extensive, the difference in the population of these respective districts is only 754 inhabitants, according to the census of 1845. By another amendment, a novel principle of representing Ministers was introduced in the district of Burin. This principle was merely suggested by Mr. Frederick Peel, the Under-Secretary of State for the Colonial Department, for the consideration of the Delegates of the Assembly; they showed that it would not apply to the circumstances of this colony, and it must be regarded as abandoned by the Imperial Government, if they ever entertained the idea of testing it in this colony, for the Duke of Newcastle suggests a general subdivision of districts in lieu of it. Its partial application in Burin, with its limited population, to return only two Members, would only tend, like a subdivision of that district, to promote mercantile interests and sectarian differences, and there is no precedent to be found for it on this side of the Atlantic, or in Great Britain. Without any real necessity, but for the purpose of combining mercantile influences in the district of Trinity, as defined by the proclamation of Sir Thomas Cochrane, was also sought to be mutilated for the purpose of adding a portion of it to the district of Bonavista, while the extent and boundaries of no other district in the island were disturbed. An unusually high scale of election expenses to be paid by candidates was also added to their Bill.

Thus altered and amended, the Bill was returned to the Assembly, and for the purpose of putting an end to further agitation on this important question, more than from a sense of justice, they consented to allow the third Member to remain to the district of Bonavista, but as a consequence of this concession to the views of the Council, they deemed it but fair, in justice to its relative population and territorial claims, to restore the third Member to the district of Placentia and St. Mary's; they also provided a reasonable scale of election expenses to be paid by candidates, since assented to by the Council, and disagreed to the other amendments of Her Majesty's Council. The Tabular Statement, No. 2,† hereto annexed, will show, even on the denominational and mercantile basis, the Bill thus passed returned to the Council cannot, with any show of reason, be objected to by the parties the Council assume to represent.

Your Excellency having in your message tendered your co-operation to the House of Assembly, "in fulfilling those pre-requisites, some of which his Grace considers essential to justice, and others highly important to the satisfactory working of the new system of Government," and the Increase of Members Bill being deemed by his Grace one of those pre-requisites referred to by your Excellency, the Assembly therefore avail of your Excellency's offer, and most respectfully solicit your mediation with your Excellency's confidential advisers in the Executive Council, to induce them to come to an understanding and agreement with the Assembly upon this subject.

The Assembly adopt this course for the purpose of exhausting every means available in this colony to settle this question; and while they concede to the Council their right of exercising their best judgment upon the matter, they most respectfully submit that, under the present anomalous constitution, and the existing state of the affairs of the Government, your Excellency may with propriety intimate your opinion to your confidential advisers for the purpose of terminating the agitation existing on this subject.

* *See* page 47 of this Paper.

† *See* page 48 of this Paper.

As regards the Bill for the increase of the representation of the people, I would also respectfully refer you to the accompanying copy of the Bill (No. 3), and the reasons of the Assembly (No. 5 and No. 7), to prove the fairness of the measure in every point of view. The assumed anxiety of the Council to balance the representation solely by a reference to sectarian distinction, is an utter fallacy; and the Assembly have always repudiated the attempts of the Council to foist such a standard upon the public as the sole basis of representation, while they have invariably desired that equal justice should be done to all denominations in the distribution of members. That the Council have made use of the sectarian hue, which they have managed to impart to the question, as a cloak to conceal their real object—being the peculiar interests of themselves and their mercantile allies—can be seen upon the least impartial consideration of the facts and figures contained in the reasons of the Assembly upon their conferences with the Council.

At present the island is divided into nine districts; in six of these, there are Protestant majorities of electors, capable of returning nine of the 15 Members who represent the colony, if they were influenced by the test of the Council. The Assembly have always been willing to duplicate the representation without disturbing the existing electoral districts, which would give a result of 18 Protestants to 12 Catholics by the same mode of action. But the Council have always opposed that proposition, and contended for a subdivision of the districts. Their motives are apparent from the facts, that the electors have not acted on the sectarian test; that in the districts of Conception Bay, for the subdivision of which they have so long contended, and which the Assembly have at length granted, there are 16,446 Protestants and 11,580 Catholics (according to the Census of 1845), giving a majority of 4,866 Protestant inhabitants or about 800 electors; that they have also contended for and obtained the consent of the Assembly to subdivide the district of St. John's, where the Catholic majority of electors being so large, that if they were influenced by the Council's test, they could return all the members for the district of their own persuasion, contrary to their invariable course; that after the Assembly had consented to give a third member to the mercantile district of Trinity, the Council, in their amendments on the Representation Bill, cut off a portion of this district and added it to the conservative, though not so mercantile district of Bonavista; that they have also attempted to provide, in the district of Burin, for the representation of a majority, by allowing each elector the power of giving two votes to one candidate or dividing them, to secure, as they alleged, an aggregate result of 15 Protestants and 14 Catholics; while they refused to accept the proposal of the Assembly, to add a third member to Bonavista, which would be 16 to 14 in the distribution of members, viewed in the sectarian light, although they proposed a measure in the Session of 1853, by which they then stated that a fair return of 13 to 13 would be the result; that in a measure of the present acting Solicitor-general, in the Assembly of 1850, he proposed to allow the liberal district of St. Mary's and Placentia, which has been lately rapidly freeing its trade from the control of the merchants of St. John's, four members, and only two to Trinity and two to Bonavista; while the Assembly have allowed three to each of the latter, and only require three for St. Mary's and Placentia, to which the Council would only allow two.

In order to arrive at a correct conclusion on this singular array of facts, it is necessary to inquire into the constitution of that body, who could be guilty of such contradictions and resort to such expedients as I have pointed out. It is mainly a combination of irresponsible salaried officials and their mercantile friends, who have always united in opposition against all popular reforms in the colony. The mercantile body, though few in number, first opposed the granting of a representative form of government to the colony; defeated in their opposition, they have obtained the control of the Government, not as the elected of the people, but as the irresponsible nominees of the Crown. As they have so long and so fatal to the progress of the colony, to the increase and independence of its population, and the development of its vast resources, monopolized the trade, they naturally desire the power to continue this state of affairs, so conducive to their individual aggrandizement, that after being a few years engaged in its trade, they retire from the country to some other land with handsome fortunes, handing their business over to clerks or agents, who assume the position and, in time, follow the example of their employers.

It is, therefore, no matter of surprise that the Council, so constituted, and influenced by such objects, should have opposed free trade with the United States, the introduction of responsible government and the passing of any measure of representation that would have the effect of obliging them to relinquish their ill-used authority, or submit to the constitutional checks secured by responsible rule. But to attempt to cover their intentions with the assumed garb of religion, is, I do not hesitate to assert, without wishing by any means to wound their pious sensibilities, little more than mere hypocrisy.

Having, I trust, fully shown that the Bill of the Assembly was a fair measure, and ought to have been accepted by the Council, it is only necessary that I should state that the Assembly complied with the third condition; and as to the fourth, I presume that, as in Canada, Nova Scotia, New Brunswick, and Prince Edward Island, the people think fit to pay the expenses of members during their Parliamentary attendance out of the general revenue, and no precedent is to be found to the contrary, even in the United States, Newfoundland should not form an exception to the general rule adopted in the neighbouring colonies.

In conclusion, I beg most respectfully to say, that, as the Assembly anticipated, it was utterly hopeless to expect any arrangement with the Council on the Representation Bill, and the prolonged agitation of the matters in difference can lead to no beneficial results to the colony, all that they ask is, that you adopt the same course with reference to that body, as

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was found necessary to adopt under similar circumstances in Nova Scotia and Prince Edward Island. They want no other rights or privileges for the people than Her Majesty's Government have granted to the far less important and less populous Island of Prince Edward. Had the Imperial Government waited for the concurrence of the Councils in the neighbouring colonies under the old system of colonial government, before they granted them the constitutional management of their own affairs, no reform would have taken place in them to this day; and the consequences would have been a subject of common regret to the parent Government as well as to the colonies. As a British colonist, I am happy to find that such a line of policy is the reverse of that liberal and enlightened system of colonial administration, which experience has justified the Imperial Government in adopting. The people of Newfoundland, therefore, appeal with confidence to you to place them upon a footing of equality with their fellow subjects in Nova Scotia and Prince Edward Island, that they may participate in the blessings of that wise and prudent system of colonial government, for the judicious extension of which Her Majesty's present Ministry have been so peculiarly distinguished; and under which all the British North American provinces in the enjoyment of its invigorating influence, are flourishing and contented; while Newfoundland, the oldest of the sisterhood, is bowed down under accumulated afflictions, and oppressed with a combination of adverse circumstances, which nothing will so much tend to correct as a total change in its government.

I have, &c.
(signed) *P. F. Little.*

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

SCHEDULE of Papers transmitted with the foregoing Letter.

1. Report of Select Committee in reference to Retiring Allowances. (*See* Extract at page 61.)

2. Reply to Governor to Address on Retiring Official Allowances. (*See* page 62.)

3. Act to increase the present number of Representatives in the General Assembly, and to regulate the Representation. (This copy differing from that printed at page 48 is annexed *infra.*)

4. Instructions to Managers of Conference on the Representation Bill, 29 May 1854. (*See* page 51.)

5. Instructions to Conferees on the subject of the last Conference with the Council on their Amendments on Bill to increase the Representation, 1 June 1854. (*See* page 52.)

6. Instructions to Conferees from Her Majesty's Council on the Representative Bill, 3 June 1854. (*See* page 55.)

7. Instructions to Managers on the part of the Assembly on the Increase of Representatives Bill, 5 June 1854. (*See* page 56.)

8. Resolutions of House of Assembly, 8 June 1854. (*See* page 57.)

Sub-Enclosure to Enclosure 1, in No 13.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.

WHEREAS by proclamation, bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as members of the said Assembly, in the manner mentioned and appropriated in and by the said proclamation; and whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein:

Be it therefore enacted, by the Governor, Council and Assembly, in legislative session convened, that from and after the dissolution or expiration of the present General Assembly, the House of Assembly shall consist of 30 members, of whom 10 shall be a quorum, and that for the purpose of the election of the members of the said Assembly, this island shall be divided as follows; that is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two members; the district of Bonavista, which shall be comprised within the limits of the present electoral district of Bonavista, and shall be represented in the said General Assembly by three members; the district of Trinity, which shall be comprised within the limits of the present electoral district of

Trinity, and shall be represented in the said General Assembly by three members; the district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven members, of whom two shall be chosen by the electors residing in that part of the said district, to be called the Southern Division thereof, lying between the districts of St. John's and Turk's Gut, exclusive; one by the electors residing in that part of the said district, to be called the Port de Grave Division thereof, lying between Turk's Gut, exclusive, and Port de Grave, inclusive; two by the electors residing in that part of the said district, to be called the Harbor Grace Division thereof, lying between Port de Grave, exclusive, and Harbor Grace, inclusive, including Harbor Grace Island; one by the electors residing in that part of the said district, to be called the Carbonear Division thereof, lying between Harbor Grace, exclusive, and Fresh Water, exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds Division thereof, lying between Fresh Water and Bay de Verds, both inclusive; the district of St. John's, which shall comprise the present electoral district of St. John's, and shall extend southward and westwardly to a straight line drawn from Petty Harbour, inclusive, to the Northern Goulds Bridge on the Bay Bulls Road, and thence to Broad Cove, inclusive, shall be represented in the said General Assembly by six members, of whom three shall be chosen by the electors of the said district residing southward of St. John's Harbour, and westward of a line drawn from said harbour through the centre of Beck's Cove, thence across Duckworth-street round the west side of the Playhouse-hill, along the centre of Carter's-lane, up Carter's-hill, thence along Cook's-town-road, thence along Freshwater-road to the west end thereof, and thence in a direct line to Broad Cove Settlement, inclusive, which shall be called the Division of St. John's, West, and three by the electors of the said district residing eastward and northward of the above-named Cove Line, lane, and roads, including Belle Isle, which shall be called the Division of St. John's, East; the district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the district of St. John's, and shall be represented in the said General Assembly by two members; the district of Placentia and St. Mary's, which shall be comprised within the limits of the present electoral district of Placentia and St. Mary's, and shall be represented in the said General Assembly by three members; the district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two members; the district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one member; and also all that part of the south coast of the island lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one member.

And whereas, in pursuance of the provisions of an Act passed in the 10th and 11th years of the reign of Her present Majesty, entitled "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions bearing date the 19th day of July 1848, did, among other things, declare that the qualification of persons thereafter to be elected to serve as members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100*l.*; or the possession of property, clear of all incumbrances, exceeding 500*l.* in value; and the length of the period of residence within the said island which should be required in addition to any other qualification for being elected to the General Assembly aforesaid, should be the period of two years preceding such election:

2. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for members to serve in the General Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

3. For the purpose of the election of members to serve in any future General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of returning officer in each of the said electoral districts, and divisions of districts of this island, to whom writs in Her Majesty's name shall be issued, directing them to summon the freeholders and householders of all the said districts, and divisions of districts respectively, to proceed to the election of persons to represent them in the General Assembly according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid, and such other regulations and directions as shall be signified in any proclamation or proclamations to be issued by the Governor according to the laws of the island now in force or hereinafter to be in force in that behalf.

4. The returning officer from each district shall be entitled to receive from the Colonial Treasury thirty shillings for every member returned upon the return of the writ for such district. When there is no contest he shall be entitled to ten shillings from every candidate for such district and when there shall be a contest and poll demanded, twenty shillings from every candidate instead of ten shillings; and further, when there shall be a contest, there shall be paid to the returning officer of each district by the candidates for such district, in just proportions, according to the number of the polling places in which each candidate is interested, the following sums: Twenty shillings for presiding in booth or polling place for each district, or division of district, except where the polling place shall be a public

a public building that can be had without charge; twenty shillings for every presiding officer, and ten shillings for every poll clerk, to include their travelling fees; and the fees shall be paid to the returning officer for each district on the day of nomination for candidates for such district, and the name of no candidate shall be entered on the returning officer's poll book, or returned to presiding officers who shall not have paid or tendered the full amount due from him under this section before the expiration of the time named for the nomination of candidates: provided always, that the amount to be paid by any candidate shall not exceed the sum of ten pounds.

5. That this Act shall have no force or effect until Her Majesty's pleasure shall have been first duly signified.

Enclosure 2, in No. 15.

Encl. 2, in No. 15.

Sir, Tavistock Hotel, Covent-garden, 31 July 1854.

In compliance with your request, we have the honour to enclose the accompanying letter, containing the substance of our remarks at the interview with which you were pleased to favour us.

Reposing the same confidence in your judgment and impartiality as the Assembly did in the Duke of Newcastle, we are confident that, upon a perusal of the documents submitted on both sides, your decision will be in favour of the Assembly. Experience has shown that in the conflicts which have taken place between the Councils and the popular branches in all the other British North American provinces on the question of self government, the Imperial Government have decided in favour of the latter, notwithstanding all the intrigues and secret misrepresentations that were made use of to mislead the judgment of the Imperial authorities.

The Assembly of Newfoundland have always felt that the rights of the colonists have been more endangered by similar expedients than they possibly could have been by any open attempts that can be made to crush them.

If the principles of self government have been conceded to the colony against the opinion and desire of the Council, we would respectfully submit that the Assembly are thereby justified in their belief, especially from what has since transpired, that the Government cannot consistently stop short in their work of reform; but, regarding the Assembly as the organ of public opinion in the colony, expressing the well understood wishes of the people, carry their proceedings out in the same direction to their practical and logical conclusion, otherwise the concession would be only nominal, and tend to impart an impetus to renewed political agitation, and spread general discontent among the colonists.

The necessity for a prompt and final decision we are persuaded must be apparent to you. Procrastination is the aim of the Executive party. They have nothing to lose by delay; but the public service must suffer. While the officials are sure of their full salaries being ultimately paid, no consequence how they may prolong the contest.

Permit us respectfully to remind you of Mr. Hume's remark to you, that it was as a mere matter of form he presented the petition of the Assembly to the House of Commons; and, relying on the assurances of the Duke of Newcastle, who kindly presented a counterpart of it to the House of Lords, he refrained from taking any action whatever on it, and the delegates returned to the colony under the promise that as soon after the rising of Parliament as leisure should permit, the affairs submitted for the consideration of Government would be finally arranged. Mr. Hume now holds another petition from the Assembly to the House of Commons, and he hopes that there may not be any necessity for even presenting it, conceiving that reason, justice, and the moderation displayed by the Assembly will justify the expediency of placing Newfoundland upon a footing of equality, as to self government, with Prince Edward Island without any further delay.

Soliciting your indulgence for what may appear to be importunity in our manner of urging the rights of the people whom we represent, may we take the liberty of requesting copies of any documents which may have been, or shall be, received from the delegates of the Council on the subjects in controversy, that we may have an opportunity of answering them. While,

We have, &c.
(signed) *P. F. Little.*
G. A. Emerson.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Tavistock Hotel, Covent-garden, London,
Sir, 28 July 1854.

1. We have the honour to tender our acknowledgments to you for the interview with which we were favoured, in company with Mr. Hume, by you on yesterday, and for the frankness with which you discussed the various matters which we, as the delegates of the House of Assembly of Newfoundland, deemed it our duty, in accordance with their resolutions on responsible government, to submit for your consideration. In accordance with your request, we have much pleasure in thus formally submitting the substance of our verbal remarks upon that occasion.

2. In the first place, the House of Assembly had every reason to expect, from the assurances of his Grace the Duke of Newcastle to Mr. Hume and their delegates, that Newfoundland should participate fully in that reformed system of government which had been granted to the neighbouring colonies, especially as his Grace fairly stated the Imperial Government had no interest in upholding any but a good system of colonial government. The Assembly hoped that they would not again be reduced to the necessity of seeking the concurrence of the Council in passing a Bill for the increase of members in the popular branch, as they had failed in their efforts for several years past to induce the Council to consent to a fair Bill on this subject; nor did they expect that the passing of such a Bill by the Council would have been made a condition precedent to the surrender of their political position in the government of the colony, or to the introduction of that responsible system which they had most strenuously opposed.

3. The conditions mentioned in the despatch of his Grace, dated 24th February last, were, first, that retiring allowances should be provided for the officials, who were subject to removal upon the introduction of the new system of government; secondly, that a law should be passed by the local Legislature for increasing the number of members in the Assembly from 15 to 30, not by a duplication of the present representation, but by a subdivision of the present electoral districts; thirdly, that the election expenses, now defrayed out of the Colonial Treasury, should be paid in future by the candidates; and, fourthly, that the allowance usually granted to members, to meet their expenses during their Parliamentary attendance, should be defrayed by direct assessment on their constituents. It was evident to the Assembly that all these conditions but one were specified, not in deference to the opinion of the Assembly, but of the local Executive, and that his Grace put some of them forward in connexion with the concession of the principles of self government, with the view of conciliating both parties, and inducing them to compromise their differences. The result shows how useless it was to hope for a favourable issue from bodies so differently constituted, and having such diverse objects in view, as the Assembly and Council of Newfoundland have always had.

4. But, as the Assembly reposed the most implicit confidence in the intentions of his Grace, they sincerely determined to adopt all the means in their power to comply, as far as practicable, and consistently with the rights confided to their guardianship, with the conditions mentioned in his despatch. In carrying out this intention they acted in a spirit of unusual liberality towards the outgoing salaried officials, and of compromise towards the Council, and made several substantial concessions to them in some of the most important details of the Representation Bill, while we defy them to point out in their amendments a single real concession to the views of the Assembly, except on the question of election expenses, which the Assembly assimilated to those allowed in Nova Scotia, to prove the existence of a corresponding spirit on their part, or that they were actuated by a sincere desire to arrive at a just and reasonable settlement with the Assembly.

5. As to the first condition, that has been fully complied with by the Assembly, and no objection has been made to the retiring allowances which they have provided for the outgoing officials entitled thereto, except in the case of Mr. Attorney-general Archibald, who claims a pension, not only on account of the loss of the office of Attorney-general, but for his period of service in the office of chief clerk and registrar of the Supreme and Central Circuit Courts, an office which he voluntarily relinquished for his present position, and which cannot be in any way affected by the contemplated change. Besides, resolutions affirming the principles of responsible government were passed by the amalgamated Assembly before he became Attorney-general. Under these circumstances the Assembly felt that they could only regard the office to be affected by the change in awarding him a pension as compensation for its loss, and accordingly allowed him one-fifth of the official income thereof as a retirement. Mr. Johnstone had been Attorney-general in Nova Scotia for eight years when responsible government was introduced into that province, and he received no retirement. The amount allowed by the Assembly to Mr. Archibald exceeds that given by the Legislature of Prince Edward Island, upon the change in its government, to its Attorney-general, although the latter was in that office for nearly 25 years, while Mr. Archibald has held his office not quite eight years.

6. It is therefore evident that he has no claim, of right, to any additional allowance, and it would only be with the view of all other differences being now satisfactorily disposed of, that we should feel ourselves authorised to pledge the Assembly to increase his allowance, in accordance with your suggestion; for it would be manifestly unfair that they should be called upon generously to reward him for his continued hostility to the rights of the people.

7. As to the second condition, we feel that we can fearlessly refer to the Bill, as originally passed by the Assembly, to prove the fairness of the measure in every point of view. Before entering into its details, we should state that they, and the whole liberal party in the colony, have for many years contended against the adoption of the sectarian standard which the Council have endeavoured to make the ostensible basis of a new Representation Bill. The island is at present divided into nine electoral districts, six of them having decided Protestant majorities of electors, able to return nine members of the 15, who constitute the Assembly, if they acted on the test of the Council. The Assembly have always been willing, and passed Bills which were rejected by the Council, to duplicate the representation, without disturbing the existing electoral districts, which would give a result, if the mode of action which the Council would force upon the country were adopted, of 18 Protestant members to 12 Catholics. But the Council have opposed this proposition, and

and contended for the subdivision of the electoral districts, so that the popular party should be divided, and mercantile and official influences should triumph under a close borough system.

8. The Bill passed by the Assembly provided for the return of 29 members, and to meet the views of the Council two of the largest districts, in population were divided, St. John's, the capital of the island, where a large majority of the electors are Catholics, which is territorially small, though more populous than any other district, except Conception Bay, was divided into two, and Conception Bay district, where there is a majority of about 800 Protestant electors, was divided into five divisions; a new district was also created, called La Poile, a mere mercantile nomination borough, having about 300 electors, and adjoining another similar borough called Fortune Bay, where there has never been a contested election, and which is at present represented by the acting Solicitor-general, who, we understand, took his election writ in his pocket last year to that district, and brought back his own return. The number of electoral districts was thus increased from 9 to 15, and in the distribution of members regard was had, as far as practicable, to population, and to the present relative adjustment of members, which was, however, deviated from in three important particulars, in trebling the representation of Trinity, a mercantile and conservative district; in only giving one member, in addition to the present number, to the liberal district of St. Mary's and Placentia; and reducing the chances of the liberal party by one in Conception Bay; while the representation of all the other districts, except one, where the population was small, was doubled.

9. The Bill was then sent to the Council, and they made several amendments on it, by taking away the third member from the liberal district of St. Mary's and Placentia, where mercantile influence is powerless, by adding a third member to the Conservative district of Bonavista, which is considerably under mercantile influence, by taking off a portion, about five or six miles, of the adjoining mercantile district of Trinity, and adding it to Bonavista district, to neutralise the liberal votes in the present Bonavista district, and thereby secure a complete triumph to the mercantile and official party there, by introducing the novel principle of representing a minority in one district, Burin, for the alleged object of securing a return of 15 Protestant and 14 Catholic members, and by introducing an enormous scale of election expenses, to be paid by candidates, which would have had the effect of throwing the representation into the hands of a few capitalists and officials.

10. The Bill thus altered, was returned to the Assembly; and for the purpose of satisfying the Council, though against their sense of justice to the popular party, the third member added by the Council to the district of Bonavista, was agreed to by the Assembly; the third member taken away by the Council from the popular district of St. Mary's and Placentia, was restored; the clause introduced by the Council to secure, as they alleged, a member to the Catholic minority in Burin, but which would have had the effect of permanently establishing sectarian feuds, and prove the existence of an anomalous state of society in Newfoundland, different from that which really exists—was disagreed to, as well as that cutting off a portion of the district of Trinity; and a scale of election expenses, similar to that in force in Nova Scotia, was substituted for that proposed by the Council.

11. The Assembly conceived that the Bill, thus amended, was open to no objection from the mercantile or official party, for while it gave 30 members, the exact number prescribed by the Duke of Newcastle, the distribution of them, even by the Council's sectarian test, gave to nine districts, with Protestant majorities in each, the power, if they wished to exercise it, of returning 16 members out of the 30. But the Council refused to agree to the amendments of the Assembly, or to recede from their amendments.

12. The points of difference between the Assembly and the Council are, therefore, not merely one, as the latter erroneously state, in their late address, but three, viz., First, shall the liberal district of St. Mary's and Placentia have a third member, or no increase on its present representation? Secondly, shall the more independent portion of the electors of Bonavista be overpowered by the mercantile dependents from that portion of the district of Trinity, sought to be added to the former, while the territorial boundaries of no other district have been disturbed? And, Thirdly,—Shall the untried principle of representing minorities be adopted in the district of Burin, to serve the double policy of the Council and their mercantile friends?

13. To adduce additional evidence of the anxiety of the Assembly to come to an agreement with the Council, the former proposed, rather than accede to the amendments of the Council, to abandon their own Bill altogether, and adopt a measure introduced by the present acting Solicitor-general in 1850, with a slight modification: that the division of any other districts, besides St. John's and Conception Bay, should be made only on a requisition to the Governor by two-fifths of the electors of any district requiring such subdivision. That measure proposed four members for St. Mary's and Placentia district, for which the Assembly in their last Bill only claimed three, and to which the Council would only give two; two to Bonavista. to which the Assembly allowed three; and two to Trinity, to which the Assembly also allowed three. The Council refused to comply with this offer. The Assembly appealed to the Governor to use his mediation. He refused to interfere. Four months and a half were chiefly spent on the measure. The representatives of the people did their utmost to effect an arrangement, according to the desire of the Duke of Newcastle; and failing to effect it, they determined to appeal again to the Imperial Government for a change of system, as they found from long experience, that it was impossible for them to work with the Council.

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14. As to the fourth condition, it is only necessary, we presume, that we should state that neither in Canada, Nova Scotia, New Brunswick, nor Prince Edward Island are the members of the Assembly paid by direct assessment on their constituents, but out of the general revenue; and there does not appear to be any reason why a different course should be adopted in Newfoundland. The address of the Council, which we regret to perceive displays a total disregard of facts, to which it is our duty respectfully to direct your attention—states that it was "from a regard to the privileges of the House of Assembly, the Council did not insert a provision for preventing members receiving pay from the public chest;" a statement singularly at variance with their imposition of election expenses on candidates, in the insertion of which provision in the Bill sent up from the Assembly, the privileges of the Assembly were as much involved as they could have been on the other question, and evinces a regard for those privileges, which is both novel and unexpected, especially in the face of their repeated violations thereof, in altering Education, Road, and other Money Bills of the Assembly, Session after Session. It would, however, have been more frank on the part of the Council to have stated the fact, that every member of the Assembly, with the exception of the Solicitor-general, was opposed to that condition, and would have resisted its adoption in any shape, if the attempt had been made to insert it.

15. The assumed dignity, with which the Council charge the Assembly, "with having cast unworthy and unwarranted imputations" on them, they consider sufficient evidence of the existence of such imputations, without on their part deigning to particularise, or answer any of them; while they also assume that their character justifies their passing them, if they have been made, without observation. Now, we are perfectly satisfied, that the conduct of both branches of the Legislature, on the Representation Bill, and on all their other measures bearing on the differences between them, shall be judged not by the mere professions of either party, but by the intrinsic merit of their actions.

16. They state, that by taking one member from St. Mary's and Placentia, with a population of 6,743 (in 1845), and now nearly 10,000, leaving it only two, being no increase in its present representation, and allowing three to Bonavista, with a population of 7,227 (in 1845), "secured the object equally desired by both branches, without in any degree affecting the fair principle of representation as regards population." Now the proportion of the population for each member of thirty would be about 3,200. To give three members to 7,227, and only two to 6,473, while the district of La Poile, like Fortune Bay, a mere mercantile nomination borough, was to have had one member for 2,180, and Fortune Bay one for 2,920, are facts not at all consistent with the unqualified statement of the Council. How this unjust mode of action could secure the object of the Assembly we are at a loss to understand. This is like their gratuitous libel on the peaceable character of the electors of Burin; certainly in accordance with the acts of a body who acknowledge no responsibility to the public for their conduct; and as they are not obliged to justify themselves in any constitutional manner, they conceive that they may with impunity continue to misrepresent the people, as they have hitherto done.

17. They also state that "because the amendments of the Council do not suit the views of eight or nine members of the Assembly, the Council shall be put aside or reconstructed, so as to be the mere instrument of the Assembly, is too extravagant to require observation." This assumption strikes at the root of responsible government, and is quite in keeping with many others of a similar character made by the Council, to justify their acts and conceal their weakness. It is not alone for this reason, but because they have by their general mismanagement of the affairs of the colony forfeited, if they ever possessed the confidence of the people, that they must submit to the consequences of their conduct and the action of public opinion. It is evident from this view of their position that they are resolved to retain their salaries and power as long as they can, and that they will not sanction the passing of any measure of representation that will deprive them of either.

18. As a consequence of the refusal of the Assembly to grant supplies, they state that act "will leave a vast number of aged, infirm, and widowed paupers without legal provision, and will also leave the youth of the colony utterly destitute of the means of education." * * * "Such conduct proclaims the unfitness of its authors for being the depositories of legislative powers." The Assembly were assured that they could not, consistently with their pledges to their constituents, and the rights and integrity of the popular branch, vote supplies for the support of a system of government which they had frequently declared had lost all public confidence, without compromising their honour, and stultifying their previous resolutions; which would have aroused public indignation, and brought on the Assembly a share of that odium which attaches to the conduct of the Council, whose unfitness to govern the colony has been too clearly demonstrated to require any other proof than that which their address affords. The Assembly regretted the necessity imposed on them by the Council of taking such a step: it was taken upon calm and due deliberation, and from a sense of honour as well as a knowledge of their constitutional rights; and they were prepared to assume all the responsibilities consequent upon their determination.

19. But at the opening of the last Session, the Assembly gave a guarantee to his Excellency in reply to his opening speech, that they would indemnify him for his past extra expenditure for the relief of the poor, and also for any future outlay that might be necessary for that purpose. His Excellency acted upon this assurance for several months; and to remove any doubt on this head, and prevent any difficulty occurring to the Government thereon, the liberal party, on the last day of the Session of the Assembly, moved an address

to

to his Excellency, authorising a continuance of any necessary expenditure for the relief of the poor, the support of the lunatic paupers, and an outlay of about 750*l.*, for the completion of the new lunatic asylum, so as to render it fit for the immediate reception of the lunatic paupers. This address was strongly opposed by Mr. Hoyles, the acting Solicitor-general, who spoke for nearly two hours, against time, to prevent its passing, until the Governor summoned the attendance of the Assembly before him in Council, for the purpose of proroguing the Legislature; and he thus succeeded in defeating it, though standing in a minority.

20. Now, we must suppose that the Solicitor-general acted thus according to instructions from the Government, as the usual notice had been given in the Assembly of the address, and a copy of the previous day's proceedings, containing the notice, had been sent to the Governor, according to the practice of the House. Then, for the Council, under these circumstances, to state that through the misconduct of the Assembly, no provision has been made for this branch of the public service, is not only untrue in fact, but the conduct of their organ in the Assembly reflects great discredit upon them, for resorting to such an expedient to make out a case against the Assembly. The Assembly were actuated by a desire to meet, as far as they consistently could, the more pressing demands on the executive; and the claims of the poor were, in their opinion, of such a character as to justify them in making an exception in their favour. Besides passing the Revenue Bill for the current year, they also passed a Loan Bill, to enable the Government to raise 6,000*l.* to meet past and accruing liabilities.

21. As regards the Education Bill, the Assembly have been so often subjected to the dictation of the Council, in attempting to pass a measure on this subject, and the Council having, in the Session of 1853, informed the Assembly, by a written message, of their expectation that the Assembly would pass one in accordance with their views, having refused, at that time, to pass the Act of 1853 for more than one year; the Assembly, therefore, resolved not to subject themselves to a renewal of a controversy on this question, as it was likely to result in no practical good. This was an influential motive on the part of the Assembly for their conduct on this subject; and the manner in which the Council had acted on the Education Bill in previous Sessions, partly induced the adoption of the general resolution not to vote any supplies.

22. The assumption of the Council, that a majority of the Assembly represent a minority of the people, is too transparent to require any further remark, than that, in the course pursued by the Assembly, on the points where they have differed with the Council, they are sustained by all the liberal and enlightened men in the colony, by every disinterested observer outside of the Government circle, and on the general principles at stake, by no less than three or four distinct Houses of Assembly.

23. As for the community of interest which the Council state exists between certain members of their body, and the operative and other classes, they have taken a singular mode of giving effect to such a notion. It is notorious, that they have resorted to every expedient to rivet the chains in which they, and others like them, have bound the operative population. That only a few years since they secretly obtained, through the Imperial Government, the repeal of the Fishermen's Charter, which, since the time of the benevolent Sir Hugh Palliser, had secured them in the payment of their hard-earned wages out of the proceeds of their voyage; and now, if the voyage should fall short of the amount of the outfits given to the planter, with their most enormous overcharges, the unfortunate fisherman is deprived of his wages and thrown on the Government to be supported as a pauper. That this same disinterested body have rejected several Bills sent up by the Assembly, to secure the poor fishermen in the payment of their wages, out of their voyage, in case of the insolvency of the planter; and from the monopolising spirit of these few St. John's merchants, the shopkeepers and tradesmen of St. John's are scarcely able to maintain their business, and many of them have, therefore, like vast numbers of our oppressed fishermen, been obliged to leave the country, for the purpose of improving their condition. Let us not be understood as including in the mercantile-official party, all the gentlemen engaged in the trade of Newfoundland. There are some honourable exceptions—high-minded men, who have declared that the Representation Bill of the Assembly was a fair and reasonable measure, and that Newfoundland is as well entitled to responsible government as any of the neighbouring colonies.

24. In conclusion, permit us to state, that it will be perfectly useless for the Imperial Government to send us back to the colony to tell the people, that their representatives must again submit to a renewal of their efforts to appease the Council on the Representation Bill; especially if the latter should succeed in inducing the Government to acquiesce in their desire to postpone the concession of responsible government, until they come to an agreement with the Assembly, which they have assailed in the most unmeasured terms in their address: and it should be remembered that, however desirable an increase of representatives may be to work out the details of the new system, such a measure is not necessary before its introduction.

We have, &c.
(signed) *Philip Francis Little.*
Geo. H. Emerson.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

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273. Enclosure

Enclosure 3, in No. 15.

Encl. 3, in No. 15.

3, Tanfield-court, Temple,
28 July 1854.

Sir,

Mr. Row and myself, who have been named by the Governor of Newfoundland as delegates to furnish information in reference to the state of the colony, and more especially in reference to the measures preliminary to the introduction of responsible government, considering that it will be more convenient that, in any statement we may submit, we should confine our observations to the points which may have been raised, or allegations made by the delegates of the Assembly, respectfully request, for this purpose, that we may be put in possession of, or be furnished with a copy of any representation which may have been laid before Her Majesty's Government by the delegates of the Assembly.

We have, &c.
(signed) *E. M. Archibald.*

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

Enclosure 4, in No. 15.

Encl. 4, in No. 15.

17, St. Alban's-place, London,
7 August 1854.

Sir,

As delegates named on behalf of the Council of Newfoundland, we have the honour respectfully to submit for your consideration, some observations upon the subject matters which we have been authorised to bring under the notice of Her Majesty's Government, and to some of which, at the interview with which we were honoured, we have already called your attention.

We deferred submitting any formal statement, in the expectation of being furnished with a copy of any representation which may have been made by the delegates of the House of Assembly, in order that we might direct our observations more particularly to any allegations or statements therein put forth, which it might be necessary to controvert or explain; but it not being deemed advisable (we presume) to furnish us with the documents in question, we proceed to state for your information, as briefly as we may, our observations on the following matters.

From the communications which doubtless will have been made by the Governor of Newfoundland, and the addresses and documents from both branches of the Legislature, Her Majesty's Government will have learnt the state of confusion in which the public affairs of the colony have been involved by the Assembly, in the virtual abdication of its functions for the purpose, in the first place, of compelling the Imperial Government to concede the introduction of responsible government; and, in the second place, of coercing the Council, in disregard of the equal rights and interests of all classes of the population, to submit to the dictation of a majority of the Assembly, not fairly representing a majority of the people, upon the details of the Bill for the increase of the number of representatives.

The great injury to the public service and to the educational and other public institutions of the colony, and the severe distress and privation inflicted, more particularly on all the subordinate functionaries of the Government, as well as on the aged, infirm and lunatic poor, by the reckless refusal of the Assembly to grant the usual supplies for the support of the civil government, have already been noticed in the address of the Council,* of which we beg to annex a copy, and upon which we need hardly enlarge. We trust that Her Majesty's Government will not be misled by the assertion that the inconvenience which has resulted and will result from this step is, in any view of the question, esteemed by the people other than an evil of great magnitude. It was a bold proceeding in order to give a fictitious importance to the question at issue; but not more by the Protestant population than by those whom a majority of the Assembly represent, could their voice be fairly heard, is this proceeding condemned and deplored.

* See page 50.

We may further remark, that not only has the Assembly refused to grant the usual supplies, but it likewise failed to fulfil its engagement, entered into at the commencement of the Session, to indemnify the Governor for advances made by him, at their especial instance to meet certain exigences of the public service.

The question of the introduction of responsible government is no longer, perhaps, to be regarded as a practical one, except so far as concerns the adoption of the pre-requisites prescribed in the despatch of his Grace the Duke of Newcastle; but many circumstances in the social and political condition of the colony, which had a bearing upon the main question, are yet important to be borne in mind in the adjustment of the details of the precedent conditions referred to.

Of these conditions, manifestly the most important, is that for the increase of the number of representatives in the Assembly. Difficulties in the regulation of the details of such a measure are not of recent origin or occurrence. For, notwithstanding, that from the very

institution

institution of the Legislature, an increase of the number of members was recommended and was obviously necessary, every attempt made since the year 1834 (when an useful Act passed for this purpose, was disallowed by the Crown solely owing to a geographical error) has, sometimes in the Assembly, sometimes from disagreements between the Council and Assembly, signally failed.

The question of such a measure has from the outset, or rather since the year 1834, assumed a sectarian aspect; and the history of the different struggles upon it, which have taken place, clearly proves that the leaders of the Roman-catholic party in the Assembly never would consent to any Bill, however reasonable, which did not admit of their gaining an ascendancy. If the objections to yielding to the unreasonable demands of that party heretofore were well founded, there is the greater necessity, under the important modification which is now about to be introduced into the constitution of the colony, which will place the whole executive as well as legislative authority under the control of the majority of the Assembly, for establishing a fair and just representation of the relative numbers of the different religious bodies, which, in fact, is the only classification in regard to political rights that now, by common consent, obtains in the colony. This classification, we beg to observe, had its origin in the perfect union and organization, with which ever since the year 1836, if not from an earlier period, the members of the Roman-catholic persuasion have been constrained, at the dictation of their clergy, to act in the exercise of their political rights. There are no such class interests in Newfoundland, as in other countries grow out of the conflict of different industrial employments and pursuits.

The great body of the population, employed in one unvarying pursuit, is scattered along a rugged coast line, a thousand miles in extent; postal communication is imperfectly maintained with any of the outports except those in Conception Bay; and during the winter season, the population in many parts of the island are in entire ignorance of what transpires in the capital. Local, that is, county and township organization, such as exists in the continental provinces, is entirely unknown. With the exception of a partial contribution in the district of St. John's for the support of a seaman's hospital, no public rate or assessment is collected in the island. Not a single newspaper is now published out of St. John's. Two-thirds of the members of the Assembly are residents in the capital; and the legislative constitution itself has failed to command, especially in the outports, much, if any, sympathy among the great body of the people.

The Bill for increasing the number of representatives, adopted by the majority of the Assembly during the last Session, and sent to the Council for its concurrence, the history of which will be found in the conferences upon it between the the two Houses, was framed by the Assembly, avowedly, on a sectarian basis; and although assumed party names, such as Conservative and Liberal are used, there are, in reality, but two general parties known in the colony, Protestant and Roman-catholic. The former being the majority of the population, the Assembly admitted were entitled, in the scale of representation, to a majority of one member, and they professed to have provided for this. But, apart from the fact that the Protestants are not only the majority of the population, it is important to bear in mind that they are composed of two distinct bodies; viz., members of the Church of England and Wesleyans, between whom jealousies will naturally exist, and who do not, therefore, act always in unison; and that, as separate and distinct religious communities, an adjustment of the representation in proportion merely to their aggregate number will not, at the best, more than place them on an equality as to political influence with the Roman-catholics, who act in thorough union. Now, while on the part of the Protestant population there has been no hindrance to, nor any desire to restrict the free exercise by their Roman-catholic brethren of their political rights, the former entertain a too well-grounded fear, that with the undue ascendance of the latter, the whole body politic would be subjected to the dominancy of a centralizing power, inconsistent with the freedom of representative institutions; in other words, instead of being governed by the influence of the independent opinions of their Roman-catholic brethren, they would be subject to the irresponsible control of the head of the Roman-catholic Church.

In the Bill in question, the Assembly did not adopt the suggestion of a new general subdivision of the electoral districts, which in other respects than the exercise of the elective franchise is highly desirable. The Council seeing what a field of controversy it would open up, and might possibly cause the whole measure to fail, deemed it wise not to enter on any such subdivision. The Bill being referred by them to a sub-committee, a report was submitted showing certain anomalies and defects in the measure, and the unsupported assumptions on which the Assembly professed to have provided for the return of 15 Protestant and 14 Catholic members. To this report,* a copy of which is hereto annexed, and more particularly to the fourth, eighth, and ninth paragraphs of it, we beg leave particularly to refer.

* See page 78.

In the first electoral division of the island (in 1832) an error was committed in assigning to the district of Placentia and Saint Mary's two members; a district not so populous and certainly not so important in other respects as the district of Bonavista, or that of Twillingate and Fogo, and greatly inferior to that of Trinity, to each of which districts but one member was assigned. Again, the district of Burges and La Poile was neither represented by itself, nor embraced in the district of Fortune Bay, though contributing to the colonial revenue much more than that of Placentia and Saint Mary's.

If sectarian considerations had any influence at the time, which is hardly possible, it might be said that the district of Conception Bay, of the population of which a considerable majority was Protestant, had four members assigned to it; but the history of the returns in

this district is instructive. In no one instance have the Protestants been able to return more than two out of the four members; at one general election, only one Protestant member; at another they did not return one. In short, out of the 20 members returned in all for this district, seven have been Protestants and thirteen Roman-catholics. This result is attributable to the violence and outrages which have marked the contested elections in this district, and which have had the effect of deterring the peaceful inhabitants from the exercise of their franchise. In the Burin district, again, to which one member had been assigned, and which had not quite so large a relative Protestant majority as Conception Bay, in the three last elections, which have been the only contested ones, a Roman-catholic has been twice returned, and a Protestant once. These are important facts.

Now, in the amendments which Council made in the Bill, in order to carry out, in fairness, the proposition of the Assembly (and for which we beg to refer to the address of the Council), it is impossible to be shown either that injustice is done to any one district in the relative number of members assigned to it, or that in the general adjustment, the full proportion of members claimed by the Roman-catholic party, is not secured to them.

In the amendment made by the Assembly on the Council's amendments, they left Bonavista with a third member, but assumed a third member also for Placentia and St. Mary's (to which in point of population it was not entitled, until the district of Twillingate and Fogo had three members first assigned to it), making 30 in all; and thus giving, at the most, but an equality to the Protestants, whom they had clearly admitted to be entitled, in proportion to numbers, to a majority, at least, of one. In their Bill as sent to the Council, the Assembly assumed, contrary to the results of experience both in Conception Bay and Burin, that the latter district would return two Protestants. Their last amendment, however, would on this assumption give a majority of two against the Roman-catholic party in the general arrangement; whereas, the Council's amendments protected them against such a contingency, and would in fairness effectuate the original proposition in the Bill.

The proviso with regard to the mode of voting in Burin (a district which it is very difficult to divide geographically with fairness), a proviso which, it should be borne in mind, is in its terms permissive and not compulsory, does nothing more than what both parties have agreed to do in Conception Bay, where, notwithstanding there is in the whole district a Protestant majority of nearly 5,000 inhabitants, five sections or subdivisions have been created for the express purpose of securing the return of three Roman-catholic with four Protestant members.

As bearing on the probable returns for Burin, we beg to call attention to the fact that to the section of Carbonear, with a population of 5,000 inhabitants, and having a Catholic majority of 350, the Council had first assigned two members,* assured that the Roman-catholic body there, from their union and organisation, would return both members, but on the representation that with two members assigned to Carbonear, one would be returned by the Protestants, the Council, in a spirit of fairness, at once transferred one of the representatives to the Harbour Main section, with a population of barely 4,000, almost entirely Roman-catholics, thus giving two members to this, the less populous section, and but one to Carbonear. Now the result which it was feared would take place at Carbonear, and against which the Council thus provided, is morally certain to occur at Burin; and the Council only manifested the sincerity of its opinion in this respect by the adoption of the proviso in question.

*See the Report of their Committee.

But while Conception Bay has thus been subdivided to secure the return of members representing as well the minority as the majority in that district, no such provision has been made for the district of St. John, where a Protestant minority of 6,000 out of 25,000 is unrepresented by a member of their own choice.

On the whole, we feel confident that on an impartial consideration of the amendments of the Council, it will be admitted that their adjustment of the representation is one which will work not the slightest injustice to the Roman-catholic body, but rather falls short of the justice due to the interests of the two other religious denominations. At least, it will honestly and fairly effectuate the arrangement professed to be a just one by the Assembly, but which their Bill would not have carried out.

In reference to the alteration of the boundary line of the districts of Trinity and Bonavista, the reasons stated by the Council in their conference we feel assured will be deemed quite satisfactory. The provision in the Bill, as altered by the Assembly, for defraying the expense of the election of members is altogether inadequate; and we deem it of importance to call attention to this particular. The scale of charges adopted by the Assembly is, it is true, a copy of that adopted in Nova Scotia, but clogged with the rather absurd addition of a limitation of the maximum amount to 10*l.* The extent of districts, want of facilities for communication, and other circumstances in the condition of Newfoundland, require a larger scale of compensation to enforce the proper performance of the necessary duties, and defrayal of incidental expenses; otherwise, unless it be intended that the returning officer is to bear all charges beyond the maximum limit, a considerable expense must be borne by the public revenue. We would recommend the adoption of the moderate scale of fees and charges proposed by the Council in their amendment, of which a copy is annexed.†

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† This is not annexed, but will be found in the Minutes of the Council and Assembly for May, transmitted to the Colonial Department.

As stated in the address of the Council, a regard for the privileges of the Assembly prevented the Council from inserting in the Bill a provision that members of the Assembly should not receive pay from the public revenue. This is, however, regarded as one of the most important and beneficial conditions in his Grace's despatch; but the Council anxious that no objection should be taken to the Bill on the ground of privilege, were content to let that subject be otherwise regulated. The very large amount of the contingent expenses of the Legislature, which with an increase of the number of members, under the present system will be greatly extended, suggests the necessity for a reform in this branch of expenditure, which (without any addition to the number of members in the Assembly) has already, from the average annual amount of 1,264*l.*, in four sessions of the first General Assembly, gradually increased to a sum upwards of 5,000*l.* in the Session preceding the last one.

Upon the subject of the remaining condition prescribed by his Grace, viz., the compensation to those officers who may be displaced on the introduction of responsible government, we deem it hardly necessary to say anything in support of the justice and propriety of the views entertained by the Governor of the colony, which will doubtless receive due consideration from Her Majesty's Government, to whom, by the terms of his Grace's despatch, the subject was in case of difficulty to be submitted.

Among the measures which are intended to precede the introduction of so important a modification of the constitution of the colony as that contemplated, we think it advisable that the existing law in reference to the qualification of members should be more clearly defined. An amendment of the local law, relating to the registration of voters, providing, as in this country, that none except those who are duly registered shall be entitled to vote, would also prevent disputes, difficult of adjustment, which are of frequent occurrence in the taking of the polls. Whatever may be the conditions Her Majesty's Government may now finally prescribe as pre-requisites to the introduction of responsible government, we would respectfully suggest the expediency of the whole being embodied in one enactment for the amendment of the constitution.

In submitting the foregoing statements and explanations, we have not thought it necessary to make any allusion to the imputations on the Council in which the Assembly have indulged, as well in their addresses and other documents in reference to the matters above adverted to, as in their representations upon other occasions. Nor would we now allude to them at all, except merely to remark, that while they are as unwarranted as they are unbecoming, and cannot impose on parties in the colony, where all the facts and circumstances, as well as the characters of individuals are well known, the object of them is to create prejudices, and, if possible, to mislead the judgment of parties elsewhere, especially of those under whose review the subject matters may be brought.

In the discharge of the duty which has devolved upon the Council in legislating on the matters in question, the Council is content (if any vindication were necessary) to rely upon its acts and proceedings, as its best justification to Her Majesty's Government. In the arrangement of the preliminary measures which are to usher in so important a modification of the constitution, the Council has endeavoured to maintain the balance equally between the different parties in the colony; and while the majority of the Assembly are forward to complain that it has not adopted their views upon the Representatives' Bill, complaints are not wanting on the other hand, that the Council has not in many respects, done justice to those not represented by the majority of the Assembly.

In the observations which we have made, we have thought it best to speak with plainness, and not to mislead by using terms which suppose the existence of other than sectarian parties interested in the distribution of political power in the colony. We assure Her Majesty's Government that the Council unfeignedly laments that such should be the case; but being so, it is not the less essential that the relative rights and interests of these parties should be duly guarded; and that in the inception of so important a change of system as that now about to be introduced, the body most numerous, and possessing the greatest stake in the community, should at least have its fair share of influence in the future government of the colony.

We, have, &c.
(signed) *E. M. Archibald.*
W. R. Row.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Sub-Enclosure 1 to Enclosure 4, in No. 15.

[Copy of an Act to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof. (As sent up to the Council)—will be found printed at page 48.]

Sub-Enclosure 2 to Enclosure 4, in No. 15.

REPORT of Select Committee of the Council on Increase of Representatives Bill.

1. THE Select Committee to whom was referred the Bill for increasing the number of representatives, have examined its provisions, and find that the Bill proposes to increase the number of representatives to 29, of whom 10 shall be a quorum; that with the exception of the formation of La Poile into a new district, never before represented, and now to have one member, the original electoral districts of 1832 are retained; that of St. John's to return six members, comprising two subdivisions; and Conception Bay, comprising five subdivisions, which will now return, in all, seven members.

2. The proportion of representatives to the whole amount of population, according to the last Census (of 1845), is one for every 3,327; but this proportion is, of course, far from uniform; and indeed would be impracticable in view of the principle which, second only to that of an increase of the number of members of the Assembly, is the professed object of this Bill—namely, the securing the probable return of certain relative numbers of representatives of the two great religious denominations, that is to say, 15 members representing the whole Protestant population of 49,521, composed of different sects, and 14 members representing the whole Roman-catholic population of 46,775.

3. The Committee consider the suggestion of the Right honourable Secretary of State contained in his recent despatch on this subject, a wise and judicious one, namely, that "the increase should be effected, not by giving additional members to existing constituencies, but by subdividing, as equally as geographical positions will admit, the districts now returning members." And if, with this modification, provision were made for the representation of minorities in districts returning more than one member, on a plan now likely to be adopted in the representation of counties in England, and which is practised with advantage in other countries possessing representative institutions, justice would be done to all parties, and the whole constituency be fairly represented.

4. By this means also, the errors and inequalities in the first division of the island into electoral districts, as well in the extent of the districts as in the number of representatives assigned to each, and which division, it was then intended, should be but temporary, would be removed or remedied. It could alone have been owing to imperfect information of the extent of population, that two members were assigned to the district of Placentia and St. Mary's, while but one was assigned to each of the districts of Bonavista and Twillingate and Fogo; since (according to the last Census) the first-named district has but 6,473 inhabitants, while the two latter have respectively 7,227 and 6,744, an injustice which the present Bill would confirm and perpetuate.

5. Again, it is proposed by the Bill to double the number of members of the district of St. John's, which increase, in proportion to the whole number of representatives, and having regard to the rule which in the United Kingdom is invariably applied to the representation of large towns, is a larger proportion than is fairly due to the district. When it is borne in mind that the sessions of the Legislature are held in St. John's; that at present many outport members reside here, and that with an increase of members there is every probability of an equally large, if not a greater proportion of members for the outport districts being residents in the capital; so large an increase of the number of representatives as this Bill assigns to it, will, it is to be feared, create a preponderance of influence in its favour injurious to the interests of the outport districts. Five out of 29 would, under all circumstances, be a more just proportion (six being even in excess of the existing proportion), and, moreover, a larger proportion of the whole representation, the committee believes, than that of the metropolitan county or district of any of the British North American provinces. The subdivision of the town and district into two parts will have no other influence on the returns, than that of avoiding the inconvenience of electing so many representatives at once.

6. The committee, however, in noticing these among other inequalities, which are owing in no small degree to the representation being adjusted to the old electoral districts, recommend that no alteration be made in the principle or details of the Bill sent up from the Assembly, beyond such as will effectuate the object which the Assembly professes to have in view, namely, that of providing for the probable return of 15 Protestants and 14 Roman-catholics.

The committee will therefore confine their suggestions of alteration to two or three districts only. In that of Conception Bay, it is proposed by the Bill to provide for the return of four members representing the Protestant inhabitants (16,445), and three members representing the Roman-catholic inhabitants (11,570). The scheme of subdivision in the Bill will, as it appears to the committee, effect this object, but for the reasons which influenced the Council last year, they think it desirable that Brigus should not be included in the first subdivision, namely, that from the St. John's district to Cupids; but, in place thereof, they recommend the subdivision at the foot of this report as well in respect of the first as of the other four subdivisions. The proportion of inhabitants to each member will be somewhat different, but this is of little importance, as the end sought by all parties in reference to the general return for the district will be equally attained.

7. There

7. There is likewise another mode of effecting the same object (that of allowing the minority as well as the majority of the extensive district of Conception Bay being fairly represented) which the committee suggest for consideration, namely, to form one district from Horse Cove to Brigus exclusive, containing 3,230 Roman-catholics, and 737 Protestants, with one member; and to embrace the rest of the district in two subdivisions, each to return three members: the electors in the two latter subdivisions being permitted, at their option, to give three votes to one candidate, or one vote to each of three candidates. These subdivisions might extend from Brigus to Harbour Grace inclusive, and from Carbonear to Bay de Verds inclusive, the former containing 9,348 Protestants, and 4,168 Catholics; the latter, 6,328 Protestants and 4,182 Catholics.

8. The reasons which on former occasions have influenced the Council in refusing to assent to an increase of the number of members for the district of Placentia and St. Mary's, appear to the committee to be unanswerable; and until the two districts of Bonavista and Twillingate and Fogo shall first have had three members assigned to each of them, they can see no justice in assigning three members to that of Placentia and St. Mary's.

9. It cannot fail to be perceived that while provision is made for the full representation of both religious denominations in Conception Bay, and while, at the same time, a minority of 6,210 Protestants in the district of St. John's, embracing the principal portion of the commercial body of the island, is overlooked; the three districts of Ferryland, Placentia, and Burin, with an aggregate population of 15,201 inhabitants, have seven members apportioned to them, and the three districts of Trinity, Bonavista, and Fogo, with an aggregate population of 22,942, being an excess of 7,348; have, by the Bill, only an equal number.

10. But, in order to carry out the intentions of the Assembly, and to preserve the relative proportion of members to represent Protestant and Roman-catholic constituencies, the committee recommend that three members be assigned to the district of Bonavista, and two to the district of Placentia and St. Mary's.

11. In this adjustment the committee assume that the return from Burin, which will now have two members, will be of one Protestant and one Roman-catholic. Notwithstanding there is in that district a majority of Protestants, yet, in two contests which have taken place, a Roman-catholic member has been returned to the rejection of the Protestant candidate. But to put at rest all cause of dispute on this point, and to remove every objection to the fairness of the adjustment, the committee recommend that in this district, at all events, the principle above adverted to be acted on, if the Council should not think fit to adopt it elsewhere (and which the committee are not at present prepared to recommend) namely, that of allowing the constituents to vote for one candidate only, which will allow the minority to be represented.

(signed) *E. M. Archibald.*
W. Thomas.

Committee Room,
27 April 1854.

PROBABLE Returns under the Bill, if amended as above suggested.

	Population.	Protestants.	Catholics.	Protestants.	Catholics.
District of St. John's - - - -	25,196	6,210	18,986	- -	6
„ Trinity - - - -	8,801	7,518	1,286	3	—
„ Bonavista - - - -	7,227	5,418	1,809	3	—
„ Twillingate and Fogo - -	6,744	5,616	1,128	2	—
„ Ferryland - - - -	4,581	182	4,399	- -	2
„ Placentia and St. Mary's -	6,473	1,018	5,455	- -	2
„ Burin - - - - -	4,356	2,407	1,951	1	1
„ Fortune Bay - - -	2,920	2,557	363	1	—
„ La Poile - - - -	2,180	2,151	29	1	—
District of Conception Bay:					
1st Subdivision, Horse Cove to Turk's Gut, inclusive - - - -	3,997	769	3,230	- -	1
2d ditto, Brigus to Port de Grave, both inclusive - - - -	5,538	4,150	1,388	1	—
3d ditto, Bay Roberts to Harbour Grace, both inclusive - -	7,981	5,198	2,783	2	—
4th ditto, Carbonear and Musquito -	5,071	2,340	2,731	- -	2
5th ditto, Fresh Water to Bay de Verds, inclusive - - -	5,439	3,938	1,451	1	—
				15	14

Sub-Enclosure

Sub-Enclosure 3 to Enclosure 4, in No. 15.

[COPY of an ADDRESS from the Legislative Council to his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c., dated 13 June 1854, will be found printed at page 50 of this Paper.]

Encl. 5, in No. 15.

Enclosure 5, in No. 15.

Sir, Downing-street, 9 August 1854.

I AM directed by Secretary Sir George Grey to state in reply to your letter of the 28th ultimo, requesting on behalf of yourself and Mr. Row to be placed in possession of any representation which may have been made to Her Majesty's Government by the delegates of the Assembly, that Sir George Grey has already since his interviews with the delegates of both parties, addressed to the Governor of Newfoundland, a despatch embodying his views on the points in dispute. He is not aware, therefore, that any object is to be attained by a prolongation of the controversy. But he considers it just to both parties that each should be aware of the arguments which may have been used by the other; and you are, therefore, at liberty to read, on application to this Department, such letters as have been received from Mr. Little and Mr. Emerson.

Copy of your letter and this answer have been sent to those gentlemen.

I have, &c.

E. M. Archibald, Esq., (signed) *F. Peel.*

Encl. 6, in No. 15.

Enclosure 6, in No. 15.

Sir, Downing-street, 9 August 1854.

28 July 1854.
9 August 1854.

I AM directed by Secretary Sir George Grey to transmit to you copy of a letter which has been addressed to him by Messrs. Archibald and Row, and of the answer which he has caused to be made thereto, and which you will consider as conveying a similar permission to yourself and Mr. Emerson with that granted to those gentlemen.

I have, &c.

P. F. Little, Esq. (signed) *F. Peel.*

Encl. 7, in No. 15.

Enclosure 7, in No. 15.

Gentlemen, Downing-street, 31 August 1854.

I AM directed by Secretary Sir George Grey to acknowledge your letter of the 7th of this month, in which, as delegates on behalf of the Council of Newfoundland, you submit for his consideration some remarks upon the subject of your mission.

2. With reference to your observation, that you presume it is not deemed advisable to furnish you with copies of representations made by the delegates of the Assembly, I am to refer you to my letter of August 9, in which you were told that you were at liberty to read the letters received from Mr. Little and Mr. Emerson. The same facility has been afforded to those gentlemen to read the letters addressed by you to Sir G. Grey.

3. Previously to the receipt of your letter, and after hearing the representations personally made to him by you on the one part, and by Messrs. Little and Emerson on the other, Sir G. Grey had addressed instructions to the Governor as to the course to be taken with reference to the points in dispute between the Council and Assembly.

With the purport of these instructions you are already acquainted.

Under these circumstances Sir G. Grey does not think that it could tend to any practical benefit to prolong a correspondence on the topics referred to in your letter.

I have, &c.

E. M. Archibald, Esq. (signed) *F. Peel.*
W. B. Row, Esq.

No. 16.
Governor Hamilton to Sir G. Grey, Bart.
19 September 1854.

— No. 16. —

(No. 120.)

COPY of DESPATCH from Governor *Hamilton* to the Right Honourable Sir *George Grey*, Bart.

Government House, St. John's, Newfoundland,
19 September 1854.
(Received, 10 October 1854.)

Sir, (Answered, 24 October 1854, No. 13, page 81.)

INTENDING to summon an early Session of the Legislature for the purposes, and pursuant to the instructions contained in your despatch No. 8*, of the 14th August,

* Page 62.

August, I have to request the further directions of Her Majesty's Government, as to my assenting to a Bill for increasing the number of Representatives without a clause suspending it for the Royal Assent.

2. Should the Council and Assembly, as I trust they may, agree upon the details of such a measure within the first fortnight of the Session, and it be necessary to transmit the Bill to England for Her Majesty's approval and then returned to me; it will then, I fear, be too late to hold the elections this year, or, indeed, before the month of May, and in such case, the principal object for which the Session will have been held at considerable public expense and inconvenience, will be defeated.

3. Although it is not probable that any Bill that may now be passed will substantially vary from the Bill of last Session which has already been under the consideration of Her Majesty's Government, yet I should hardly feel myself justified in assenting to it without a Suspending Clause; and, under these circumstances, I think it advisable that I should be instructed to assent to the Bill when passed, should there be nothing of an extraordinary nature in it, in order to obviate the inconvenience that will result from the delay in obtaining the Royal Assent, should circumstances permit the holding of the elections this autumn; of which I cannot, as yet, form a definite judgment.

4. A reply to this communication, if despatched by the first mail after its receipt, will reach me by the 31st of October.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 17. —

No. 17.
Sir G. Grey, Bart. to Governor Hamilton, 24 October 1854.

(No. 13.)
COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 24 October 1854.

I HAVE received your despatch of the 19th September, No. 120, inquiring whether, if the Council and Assembly of Newfoundland agree upon the details, you may assent to a Bill for increasing the number of Representatives of the General Assembly without a clause suspending it for the Royal Assent.

I regret that the interval between the arrival of your despatch, and the first outward mail did not allow of answering your despatch as promptly as you wished that I should do.

I have now to state, that provided the Bill which you expect will be passed appears to you in other respects unobjectionable, you are at liberty, under the peculiar circumstances of the case, to assent at once to it, although containing such a provision as that to which your inquiry refers.

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

— No. 18. —

No. 18.
Governor Hamilton to Sir G. Grey, Bart.
3 October 1854.

EXTRACT of a DESPATCH from Governor *Hamilton* to the Right Honourabl Sir *G. Grey*, Bart.; dated Government House, Newfoundland, 3 October 1854.

(Received, 15 October 1854.)

"JUST before the departure of a steamer direct to England, I have received the enclosed letter from the Official Members of the Council."

Encl. in No. 18.

Enclosure in No. 18.

Sir, St. John's, 3 October 1854.

As official Members of the Council we beg leave to call your Excellency's attention to the present position of the differences between the two branches of the Legislature on the Representatives Bill and the difficulties with which the measure will still be beset in the ensuing Session.

A reference having been made to the Imperial Government, we hoped that some expression of the opinion entertained by the Government on the points in dispute would have been given which might have led to a settlement of the question.

The propositions of the Council in the last Session were such as appeared to us to be fair to all parties, but as we believe the Government are anxious to have the disputes on this matter terminated, if the Bill, as last amended by the Assembly, appears to Her Majesty's Government to be fair and such as should be adopted, we shall feel ourselves bound (in case the two branches cannot come to an agreement otherwise) to act upon such view of the question as the Government may be pleased to express.

We have, &c.
(signed) *E. M. Archibald.*
Jas. Crowdy.
Jo. Noad.

His Excellency the Governor.

— No. 19. —

No. 19.
Governor Hamilton to Sir G. Grey, Bart.
14 October 1854.

(No. 123.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
14 October 1854.

Sir, (Received, 20 November 1854.)

HAVING summoned the Legislature to meet on the 10th instant for the despatch of business, I have the honour to enclose a copy of the speech with which I opened the Session, and of the addresses of the Council and Assembly in reply.

I have, &c.
(signed) *Ker B. Hamilton.*

Encl. in No. 19.

Enclosure in No. 19.

SPEECH of his Excellency the Governor on opening the Third Session of the Fifth General Assembly.

Tuesday, 10 October 1854.

Mr. President, and Gentlemen of Her Majesty's Council;
Mr. Speaker, and Gentlemen of the House of Assembly;

THE circumstances under which the last Session terminated having resulted in a reference by both branches of the Legislature to Her Majesty's Government, who have expressed their views upon the matters brought under their consideration, in despatches from Her Majesty's Secretary of State, copies of which I will cause to be laid before you, I have, in compliance with the instructions conveyed to me, called you together at this period of the year—inconvenient though I fear it may be as regards the general business of the country—for the purpose of settling the preliminary conditions to the introduction of the system of responsible government, and of remedying the inconveniences arising from the circumstance of last Session having closed without the usual Bill of Supply.

The suggestions and recommendations contained in the despatches of Her Majesty's Secretary of State leave me little to add beyond the expression of a hope that in the apparently only remaining point at issue between the two Houses, namely, the settlement of the details of the Representation Bill, the discussion of whatever measure may be proposed will be conducted in a spirit of moderation on all sides; and that such a Bill may be perfected as will be fair, and, I trust, acceptable to all parties.

I have to acquaint you that a treaty for the reciprocal free interchange of certain staple products of the United States and the British North American colonies was signed at Washington on the 5th of June last between the Government of Great Britain and that of the United States; and has since been ratified by the two Governments. The admission of Newfoundland to a participation in this treaty is conditional on certain preliminary arrangements, and the action of the Legislatures as well of the United Kingdom and United States, as of this colony.

I shall

I shall cause to be laid before you copies of a despatch addressed to me by Sir George Grey on this subject; but in the absence of an authentic copy of the treaty, and of the suggestions of the Governor-general of Canada, which the Secretary of State has informed me I shall receive for my guidance in proposing any measure for securing to this colony the advantages derivable from the treaty, I am not at present in a position to invite your further attention to this matter.

During the recess my attention has been directed to the defective sanitary state of St. John's. While we gratefully acknowledge the distinguishing mercy shown to us by Divine Providence in exempting us from such visitations of sickness as have devastated other countries, both of the old and new world, we are warned that even in this climate of extraordinary salubrity we cannot neglect with impunity certain general sanitary laws. I will cause to be laid before you a report prepared by a competent person with a view to a system of drainage of St. John's, and specifying that part which being immediately indispensable, I directed to be performed. I recommend this subject to your consideration; and that provision be made for giving effect to such measures for the preservation of the public health as may be approved of by the Board of Health.

Although I regret to say the fishery during the past season has, to a great extent, failed on some parts of the coasts of the island, I trust that the general fishery will, on the whole, be found to have been not below an average one. On the other hand, I have to congratulate you on the very great diminution of the potato disease compared with its ravages in past years.

Mr. Speaker, and Gentlemen of the House of Assembly;

I will transmit to you a statement of the revenue up to the present period of the year. I will also direct to be laid before you the estimates for the present year, and rely on your making the necessary provision for the public service, and for the additional expenditure incurred in carrying out measures to protect the public health.

On Saturday the 14th inst., at a quarter before two o'clock, the address of Her Majesty's Council, in answer, was presented to his Excellency at the Government-house, by the President and the whole House; and is as follows:

To His Excellency *Ker Baillie Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects the Council of Newfoundland in General Assembly convened, beg leave to thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature.

Called together, as the Legislature has been for the purpose of settling the preliminary conditions to the introduction of responsible government, and of remedying the inconvenience arising from the circumstance of last Session having closed without the usual Supply Bill; we assure your Excellency that any despatches from Her Majesty's Secretary of State on these important subjects which your Excellency may be pleased to lay before us, shall receive our earnest and careful attention; and we will add that it is our sincere desire to enter on the discussion of whatever measure may be proposed for the settlement of the details of the Representative Bill, in such a spirit of moderation as may tend to the final and satisfactory adjustment of that question.

The subject of free trade between Newfoundland and the United States is one of great moment, and any documents in relation to a matter which will have an important bearing on the prosperity of this island, which your Excellency may now or hereafter be enabled to lay before us, we shall thankfully receive, and will devote to them our best consideration.

We join your Excellency in gratefully acknowledging that mercy which for so long a time has been providentially extended to us, in preserving us from those severe visitations of sickness, which have spread over so many other parts of the world; and, at the same time, we beg to express not only our readiness, but our solicitude to join in perfecting such measures as have for their end the preservation of the public health.

We regret to learn that the fishery should, to a great extent have failed, on any portion of our shores during the past season; but trust with your Excellency that from the abundant catch on other parts of our coasts, it will, on the whole, be an average fishery.

With feelings of great satisfaction we reciprocate your Excellency's congratulation on the diminution of the potato disease; a fact which seems to warrant our entertaining the hope that we may escape its ravages in future years.

Edward D'Alton, President.

Council Chamber, 13 October 1854.

To which His Excellency was pleased to make the following reply:—

Mr. President, and Honourable Gentlemen of the Council;

I thank you for this address.

On the same day, at two o'clock, the address of the House of Assembly was presented to his Excellency by Mr. Speaker and the whole House; and is as follows:

To his Excellency *Ker Baillie Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c.

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects the Commons of Newfoundland, in General Assembly convened, thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature.

The Imperial Government having determined to introduce responsible government into this colony, in accordance with the reiterated demands of the people and the necessities of the country, it is satisfactory to find that the conduct of the Assembly, in reference to the preliminary conditions, has met the approval of the Imperial authorities in such a manner as to lead us to anticipate that no further difficulty will be experienced in effecting that desirable change. The only point, in the measures of the Assembly, to which any exception has been taken, being the retiring allowance of the Attorney-general, is susceptible of easy adjustment; and while we shall willingly reconsider that matter with the view of meeting their suggestions, we should hope that the Representation Bill, the only remaining preliminary, as adopted by the Assembly in its last Session, may without any further opposition or procrastination become the law of the land. It contains several substantial concessions to the opinions of Her Majesty's Council, and looking to the fairness of its details, and the result of the late appeal of both branches to the Secretary of State for the Colonies, we deem it almost needless to add that a regard for the interests of the people and the beneficial working of the new system entirely prevent our making any further concessions in relation to that measure. We, therefore, hope that Her Majesty's Council may at length see the propriety of meeting the Assembly in a conciliatory spirit, and by terminating the differences on this measure, enable your Excellency to give effect to the liberal intentions of Her Majesty's Government.

These being the only measures, for the settlement of which this Session has been wisely called at this unusual period of the year, under the instructions of the Secretary of State, that an end may be put as speedily as possible to the present unfortunate state of affairs; we beg to assure your Excellency that as soon as they shall be adjusted we shall not hesitate to pass the usual Bill of Supply, and such other Bills as the welfare of the country and the brief period which we expect to be in Session, may warrant.

We are gratified to learn that a treaty for the establishment of reciprocal free trade in certain staple products, between the United States and the British North American colonies, has been passed and ratified by the Government of Great Britain and the United States, and that Newfoundland has been included in its arrangements.

We are fully alive to the great advantages which this colony must derive from a participation in that measure; and we anticipate no difficulty in adjusting our tariff of duties so as to avail of its terms as soon as circumstances shall permit.

We cordially acknowledge the correctness of your Excellency's suggestions in reference to the draining and sewerage of St. John's; and we shall give due consideration to any report which your Excellency may be pleased to furnish thereon with the view of adopting measures for the improvement of the sanitary condition of this town.

We reciprocate your Excellency's congratulations on the subject of our fishery during the past season, which, though only partially successful in some localities, will on the whole, we have reason to believe, amount to an average; and it is no less a subject of thankfulness to Divine Providence that the potato disease has been far less extensive than in past years.

In certain localities, however, relief will have to be provided for the support of the really destitute; and we beg to assure your Excellency that we shall not only indemnify you for any past expenditure, but also for any future outlay that may be necessary for this branch of the public service.

House of Assembly, 12 October 1854. *John Kent*, Speaker.

To which his Excellency was pleased to make the following reply:

Mr. Speaker, and Gentlemen of the House of Assembly;

In replying to this address I will confine myself to thanking you for the assurance it contains that you will pass such Bills as the welfare of the country may warrant, and that you will indemnify me for any past expenditure for the support of the poor, and also for any future outlay that may be necessary for this branch of the public service.

— No. 20. —

(No. 124.)

No. 20.
Governor Hamilton to Sir G. Grey, Bart.
26 October 1854.

Copy of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
26 October 1854.

Sir, (Received, 20 November 1854.)

I have the honour to transmit herewith, copies of the Votes and Proceedings of both branches of the local Legislature from the commencement of the Session until the departure of the present mail.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure in No. 20.

Encl. in No. 20.

EXTRACT of the Journal and Proceedings of the Third Session of the Fifth General Assembly of Newfoundland.

Tuesday, 10 October 1854.

MR. LITTLE, as member of the delegation appointed last Session to proceed to London to advocate the claims of this colony to responsible government, presented the report, which he handed in at the clerk's table, when the same was read, as follows:— Report of the Delegates to London.

* * * * *

REPORT of *Philip F. Little*, Esq., M. H. A., and *George H. Emerson*, Esq., M. H. A., Delegates from the House of Assembly of Newfoundland, to the Imperial Government, on the subject of Responsible Government.

THE House of Assembly having honoured us with the appointment of delegates to represent their views to the Imperial Government, on the right of the people of this colony to the enjoyment of self-government—on the obstructive policy of Her Majesty's Council in resisting its introduction, and the proceedings of the Assembly on the Duke of Newcastle's despatch—we beg to submit the following report of our proceedings, in discharge of the high and responsible trust reposed in us.

Mr. Little having arrived in London on the 20th July, immediately applied to that able and faithful friend of colonial reform, Joseph Hume, Esq., M. P., for an interview, which was promptly granted on the same day. Mr. Hume having been in possession of the past history of the misgovernment of this colony furnished by the delegates of the Assembly last year, Mr. Little now laid before him an accurate detail of the proceedings of the Assembly upon the despatch of his Grace the Duke of Newcastle to the Governor, dated February last, in compliance with the principal conditions thereof; and having satisfied Mr. Hume that the Bill adopted by the Assembly to increase the number of members in the Assembly was a fair and reasonable measure, he described the conduct of the Council thereon, and the necessity which they had thrown on the Assembly of stopping the supplies. Mr. Hume quite approved of the course pursued by the Assembly, declaring that he saw no other one open by them, under the circumstances, as the Council had evinced an obstinacy and overbearing tone, which evinced anything but a sincere desire to settle the preliminaries for a change of government; that he would cheerfully continue to sustain the right of the people of Newfoundland to self-government, and, if necessary, present the petition of the Assembly to the House of Commons, which was entrusted to him by the resolution of the Assembly, and now delivered to him with other documents by Mr. Little; that he would, however, first adopt such steps, in a conciliatory spirit towards the Imperial authorities, as would probably be effectual, and obviate the necessity for presenting the petition; that the friendly intentions of the Duke of Newcastle in favour of the extension of constitutional freedom of the colony remained unchanged; and that he had no doubt Sir George Grey, the newly-appointed Secretary of State for the Colonies, would realise those just intentions. Having obtained full information on the present state of our affairs, he made arrangements to obtain an interview for the delegates with the Secretary of State, and kindly offered to accompany them upon the occasion.

On the following day (the 21st) Mr. Little waited upon Frederick Peel, Esq., M. P., Under Secretary of State for the Colonial Department, at his residence in Whitehall-gardens, who received him very affably, and entered frankly into a lengthy and interesting discussion upon the conduct of the Assembly and the Council in relation to the conditions mentioned in the Duke of Newcastle's despatch. After hearing attentively a statement of what the Assembly had done to comply with them, he stated that he regretted to learn, from information previously received, the extent to which sectarian differences appeared to have gone into the proceedings on the Representation Bill; that he considered the Bill as amended by the Assembly a fair and reasonable measure; that he conceived it ought to have been assented to by the Council, and had he been a member of that body he would have assented to it; that the Governor might with propriety have acted as a mediator between the Assembly and the Council, as requested by the former, and that according to his views, there could be no danger of any undue sectarian ascendancy under that Bill, as, if parties wished to act, and the electors voted on denominational grounds, the result would be 16 Protestants and 14 Catholics; or if Burin returned a Catholic, 15 and 15 would be the result of the Parliamentary elections; but he trusted that experience would show the folly of adopting any exclusively denominational standard of qualification for candidates, and men would not be accepted or rejected simply on account of their religious belief. Mr. Little stated that it should be clearly understood, that the Council forced on the Assembly the consideration of the denominational element in adjusting the Representation Bill; that the Assembly did not desire, and would not sanction, any undue sectarian ascendancy in the hands of any party; that the only fear the Council's party had on this head was, that their individual interest would suffer if the existing sectarian and family compact ascendancy, which they sustained in the government of the colony, were broken down, and the portals of office thrown open to men of meritorious character and ability, in whom the people reposed confidence, irrespective of sectarianism; not but reference should be had to the rights of all denominations entitled to participate in power and patronage, and that it should be divided among them as fairly and equally as might be practicable and consistent with the

public service. It was evident, however, that the Council made use of the sectarian element to cover their real objects, and that their great anxiety was to secure the extension of mercantile influence over the electors, and thereby continue to rule the country.

With reference to the condition to provide retiring allowances for the outgoing officials, he thought the Assembly had acted liberally, except in the case of Mr. Archibald, the Attorney-general; and although he did not conceive that there was any principle involved in the difference on the allowance to be made to him; yet concessions should be made in political life, or there would be great difficulty experienced in most positions in getting on; he felt that the Assembly would not be wrong in giving way on that point. Mr. Little replied that there was no desire on the part of the Assembly to underrate the services or claims of any of the out-going officials; that they were allowed a higher scale of retirements than had been adopted in any of the other colonies, and that if the Attorney-general's were the only point of difference, that might have been settled in the colony, if he were reasonable in his expectations; but his conduct in the Council as the admitted leader of the most obstructive party at the Board, did not place him in a favourable position before the people, or entitle him to any special favour from the Assembly. After a lengthy and satisfactory discussion on other points, Mr. Little left with Mr. Peel the duplicate of the address of the Assembly to the Secretary of State on the subject of the delegation, with other documents bearing thereon, and requested him to have the kindness to inform Sir George Grey of his desire to obtain an interview with him for the delegates at an early day. He kindly promised compliance, and stated that he would be happy to see Mr. Little and Mr. Emerson again if they should desire it.

Mr. Little then addressed a letter [marked No. 1 in the annexed correspondence] to Mr. Peel, with a duplicate of letter No. 2, for Sir George Grey; this was done before Mr. Emerson's arrival in London, as time was of much importance at that juncture of affairs, and as the delegates of the Council and Mr. Hoyles, who it was understood pretended to represent some party or interest in Newfoundland, had been pressing their views on the Secretary of State. They were, no doubt, anxious to have the first story with the Minister; and it was, therefore, desirable at once to counteract any erroneous impressions they may have attempted to make.

Sir George Grey having named the 27th July for an interview with the delegates, Mr. Hume was so kind as to attend with them (Mr. Emerson having arrived on the 25th July), at the Colonial Office at four o'clock P.M. on the former day, for the purpose of laying the whole case before the Secretary of State. Sir George received the deputation very courteously; and Mr. Hume having intimated to him that Mr. Little was prepared to enter into a detail of the proceedings of the Assembly and the Council, since the receipt of the Duke of Newcastle's despatch by the Governor of Newfoundland in March last, that it was to be greatly regretted that the Governor of the colony did not act with firmness towards his Council, for had he done so in an impartial manner, it was quite evident, from the moderate and just conduct of the Assembly, matters might have been arranged without obliging the Assembly to stop the supplies, and appeal again to the Imperial Government for justice, but he would reserve his further remarks for the present.

Mr. Little then proceeded to lay before Sir George Grey his statement: he referred to the measures adopted by the Assembly since 1846, on the subject of responsible government, to the constitution of the present Government, and the general desire of the inhabitants for a fundamental change; the opposition given by the Council to send home delegates from both branches last year, arising, doubtless, from fear of an exposure of the abuses perpetrated under the present system, and a conscious weakness of their position; to the proceedings of the delegates of the Assembly last year; to the assurances of the Duke of Newcastle of his desire to place Newfoundland upon a footing of equality as to responsible government, with Prince Edward Island and the other neighbouring provinces; to the four conditions on which the noble Duke had granted responsible government to Newfoundland, as stated in his despatch of February last to the Governor, and the compliance of the Assembly with three of them; to the differences which existed between the Governor and Assembly in relation to the allowance provided for the Attorney-general, and with the Council on the Representation Bill; to the Sectarian standard forced on the consideration of the Assembly by the Council in reference to that measure, and the attempts of the latter to increase the political power of a few mercantile houses, to the detriment of the popular party, and the progress of the colony; to the large concessions made by the Assembly to conciliate the Council, and, if possible, settle the preliminaries of the change without further troubling the Imperial authorities; to the absence of a corresponding spirit on the part of the Council, as shown by the fact, that they had not made one substantial concession in the Representation Bill, on the contrary, the terms they claimed were more unreasonable than they contended for at any previous period; to the appeal made by the Assembly to the Governor, to act as a mediator to induce the Council to come to an arrangement with the Assembly, and his refusal to interpose; to the circumstances connected with the address presented to the Governor, and his manner of treating it; to the stoppage of supplies, which was an inevitable step, and the determination of the Assembly not to grant any to support the present system; to their guarantee of an indemnity to the Governor for the necessary outlay for the support of the poor; to the misrepresentations by the Council of the acts of the Assembly, and particularly in reference to the vote of indemnity for the relief of the poor. That in fact the Assembly had done all that was in their power to comply with the conditions stated by his Grace, with the exception of the fourth, and as there was no such condition as the payment of members by assessment in force in

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any other British colony, the people of Newfoundland were unwilling to submit to it, and the Assembly therefore considered that the Imperial Government would not attempt to enforce it. He also referred to the financial affairs of the colony, which he said was in a deplorable state; and it required no small amount of economy and judgment to place them upon a safe and desirable footing; and he concluded, by repeating the prayer of the address of the Assembly for the immediate dissolution of the Council, as they only obstructed the contemplated change, and the preliminaries to its introduction might now be considered as settled by the Assembly, for whatever they might do as to Mr. Archibald's retirement on the suggestion of Sir George, they were determined. at any risk, to adhere to their Representative Bill, and not to make any further concessions therein.

Sir George Grey deprecated the idea of attempting to divide the colony, or any part of it, into electoral districts, not so much by a reference to population, as to denominational distinctions, and expressed a hope that the difficulties which were anticipated on the score of sectarianism, in the working of the new system, would not be experienced; that there was so little to differ upon, as to the retiring allowance of the Attorney-general, he conceived, if other matters were disposed of, the Assembly should not hesitate to take an average of his official income received from the colony for the offices of Clerk of the Court and Attorney-general, and allow him a retirement on that basis, which would be less than if the retirement were calculated upon his official income as Attorney-general, but more than the sum allowed by the Assembly. With reference to the Representation Bill, he was sorry and surprised that it had not been adjusted in the colony; the points of difference were now so few between the Assembly and the Council upon it, that he was convinced there would be an arrangement effected upon them through the intervention of the Governor, whom he would instruct to act as arbitrator or mediator for the purpose of effecting a settlement. As he had little doubt under the instructions which would be sent out of any further difficulty being experienced on this head, he did not think it would be necessary at present to resort to the extreme step of dissolving the Council to secure the passing of the Bill, while he refused to sanction the application which had been made for Parliamentary interference with the constitution which the Duke of Newcastle intended to confer on the island, or the enactment of any Imperial Statute or Revenue Bill, as sought by a petition from some commercial men in the island, which would infringe upon those rights which have been impliedly, if not expressly, guaranteed to Newfoundland under the general rule adopted towards all the British North American colonies for their better government, he meant the rule of abstaining from any acts of legislation upon purely local affairs, which properly formed matter of local concern, and should therefore be disposed of by, and according to the opinions and judgment of those to be affected by them; the only interference that he could, therefore, advise, until the conditions were arranged for the general change, would be the modification of the Council if it should be found, contrary to his anticipations, that they did not come to an arrangement with the Assembly on the Representation Bill. He much regretted the necessity of stopping the supplies, and hoped the Assembly would not be again placed in such a position as to deem a repetition or continuance of such an extreme course necessary.

The delegates here stated, that it was their duty and desire to be candid on this point; and they did not hesitate to say, that as the anticipations expressed by the delegates last year to the Duke of Newcastle, and also by the Assembly, both before, upon, and since the receipt of his Grace's despatch, as to the improbability of the Council agreeing on a fair Representation Bill had been realised; so had any promises which the delegates had made to the Duke, as well as their anticipations of the stoppage of supplies, as a consequence of the continued obstructive conduct of the Council. Yes, remarked Mr. Hume, that is quite true, and for his part, he saw no other course open to the Assembly than that which they adopted, to vindicate the rights of the people and demonstrate their entire want of confidence in the present Council, and the system which they have fought so hard to uphold. That the Assembly, as well as himself, regretted the necessity they were under of taking so extreme a step, but who is to blame for its serious consequences? Not certainly the Assembly, but the Council and the Governor, who refused to interpose, and who acted more as a partisan of his Council than as an impartial ruler between the contending parties. He was convinced, as the delegates were, if the Governor had acted upon the address of the Assembly with firmness and discretion, his Council would, under the circumstances then existing and the position of parties in the Council at that time, have been brought to terms, and the country would have been saved from any loss or inconvenience which may result from the present unfortunate state of things. With reference to the support of the poor, he thought the Assembly had acted with much consideration; and he put it to Sir George Grey, to say, what was to be expected from the executive party when they permitted their Solicitor-general to speak for two hours against time in the Assembly to prevent the passing of an address to the Governor, authorising a continued outlay for the support of the poor, the lunatic, and the completion of the lunatic asylum, and then attribute to the misconduct of the Assembly the absence of any legal provision for that part of the public service; surely, he continued, such things cannot be sustained or tolerated in any person connected with the Government. Sir George Grey appeared to be much surprised at this description of the conduct of the executive party and their organ in the Assembly, and expressed a hope that in future extremes would be avoided on both sides.

The delegates stated, that the measures of the Assembly were an evidence of their moderation; and, in continuation of the observations they were making when Mr. Hume

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introduced his appropriate remarks, they felt themselves bound to inform Sir George Grey, that whatever might be the consequences, the Assembly would not surrender one jot more of the people's rights to subserve the caprice or policy of the Council. and if the question of self-government were not settled satisfactorily without delay, the people would not submit to any further taxation for the support of the present corrupt and arbitrary system; that Sir George was at liberty, if a radical change did not soon take place in the Government, to take away the sham representative Government with which the colony was burthened, and introduce whatever form he pleased in its stead, provided he undertook to relieve the people from all taxation and supported the public institutions and necessary public improvements in the colony, which would cost the Imperial Government about 200,000 *l.* a-year. No, replied Sir George Grey, I shall not advise the adoption of any such policy with the colony. It is the desire of the Government that Newfoundland should stand upon an equality with the neighbouring colonies; reforms are not effected in a day, even in England; we only gain them by degrees, and you must have a little patience and all will be right by and by. Doubtless, they replied, our affairs will be ultimately right, but while the contending parties have been discussing abstract points, or having settled these, have come to a dead lock on details, the operative population are quitting the country, the middle classes are following in their footsteps, and with the exception of the mercantile body who are realising fortunes, the whole colony going to ruin. This is plain language, Sir George, remarked Mr. Hume, but there is nothing like speaking out plainly upon such an occasion as the present, and I have no doubt that it will not be lost on the present Government. Had such language been attended to many years ago, when I appealed to the Secretary of State for the Colonies on behalf of Canada, the outbreak of 1837 would not have taken place, and all the reforms which have since been made in that fine country would have been matured long ago, and we should not have to deplore a sacrifice of blood and treasure to uphold bad government and family compacts.

After a lengthened discussion on several other points taken up by Mr. Emerson, the Secretary of State informed the delegates that he should fully consider the matters submitted; and if they desired any further interviews, he would be happy to see them.

He said that he required a little time for consideration, as he was not then prepared to express conclusively the opinion of the Government upon the points submitted. In the meantime, however, he would remark in reference to the Representation Bill, that he could not sanction the principle introduced to secure the representation of a minority in Burin. It was contrary to the practice of the mother country and the neighbouring colonies, and without expressing any more definite opinion on the general principle, he did not see anything to justify its adoption in the district of Burin. As to the cutting off a portion of Trinity district to add to Bonavista, he could see no necessity for that. And it therefore follows, gentlemen, remarked Mr. Hume, that as there is only about 100 less electors in Placentia and St. Mary's district than in Bonavista, that the former is entitled to a third member; with such an expression of Sir George's opinions, I should advise you to be content at present, and allow him time to mature his views. When I have fully determined on the course to be taken, remarked Sir George, I shall have no objection to show Mr. Hume the despatch which I shall write to the Governor on the subject, and inform you of its substance. He then requested the delegates to reduce the matters they had brought under his notice to writing, and furnish him with a statement of them. They felt that decision and candour were more than ever necessary in their movements, as Sir George appeared to be undecided in his intended line of action, and they availed of the opportunity thus afforded to place their views clearly before him, and expressed in the copy of their letters No. 3 and No. 4 in the annexed correspondence.

Perceiving by the reported Parliamentary debates in the London "Times" of the 1st August, that Sir John Pakington had stated on the previous day in his place in Parliament, on asking a question as to the intentions of the Government with reference to the affairs of Newfoundland, that he understood the Assembly had rejected the conditions on which the Duke of Newcastle had granted responsible government to the colony, we deemed it necessary to bring the misrepresentation of the proceedings of the Assembly under the notice of the Government, through Mr. Hume, as will appear by our letter, No. 5, to him, and his No. 6, to Sir George Grey, in the correspondence annexed. It was gratifying to perceive that Sir George Grey denied in Parliament the matter alleged by Sir John Pakington, as to the course taken by the Assembly, and stated that they had complied with the principal conditions mentioned in the noble Duke's despatch, though a difference arose between the Assembly and the Council on a few matters of detail, which he conceived would be easily adjusted.

Mr. Hume intimated to the delegates, that as the Duke of Newcastle was much interested in the welfare of Newfoundland, and anxious to see the principles of self-government infused into its constitution, as he had assured him frequently before our arrival in London, as well as since, we determined, at Mr. Hume's suggestion, to address his Grace on the subject of our affairs. This step was deemed the more advisable as Sir George would, as he stated, carry out the Duke's intentions. We therefore, on the 1st August, addressed a letter, No. 7, to his Grace, with a copy of letter No. 4, and of the last resolutions of the Assembly on the state of the colony; and on the following day we were gratified to receive the satisfactory reply (No. 8) from the noble Duke, by which it will be seen that he fully recognises "the great concessions made by the Assembly in a conciliatory spirit," and takes a fair and impartial view of their proceedings, with a clear assurance "that the close of this unfortunate contest is near at hand;" a conclusion which he subsequently repeated to Mr. Hume in unmistakable terms.

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Upon the receipt of the Duke's despatch, we sent a copy of it to Mr. Hume, with letter, No. 9, requesting him to remind Sir George Grey of our anxiety for a final decision, and pointing out the practical details which should be adopted to put an end to the existing differences, and organise a new Government: first, by an immediate dissolution of the Council; secondly, an absolute concession of responsible government, the appointment of two separate Councils; the Legislative Council to consist of not more than 15 members, and the Executive nine; the members of the latter to hold seats, some in the Assembly and the rest in the Legislative Council, and to include all the heads of the principal departments; and thirdly, the new Government should be directed to pass the Pension and Representation Bills; and that the general elections should take place this autumn.

As Mr. Hume was about to place these views before Sir George Grey, we deemed it advisable to address letter No. 10 to him, for the purpose of briefly reiterating the three points of dispute in the Representation Bill—the admission frankly made by the Duke of Newcastle of the "great concessions" made by the Assembly in a "conciliatory spirit," and the determination of the Assembly to make no further concession in the measure;—that the Assembly applied to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but also for the immediate concession of responsible government; that we conceived that it would be useless to give the Council another chance to come to an agreement upon it; and unless, Sir George Grey should satisfy him as to the propriety of the course he was disposed to adopt, that he would bring the affairs of the colony before Parliament; and we should solicit the influential co-operation of certain liberal Members of Parliament.

On the 9th August we, in company with Mr. Hume, were favoured by the Secretary of State with another lengthy interview; at his instance, Sir George having delayed writing his despatch to the Governor of the colony until he should more fully know our opinions, we showed, by a reference to the past acts of the Council, as well as their conduct on the Representation Bill, why they ought to be dissolved, why they have fomented sectarian discord, and involved the Governor in their obstructive policy; that they ruined Sir Gaspard Le Marchant's administration, and prevented him and other Governors before him from exercising an independent and impartial opinion; and as they have been so far successful in their machinations with Mr. Hamilton, they would doubtless endeavour to persuade him to continue to identify himself with their party, for the ostensible purpose of justifying his previous policy in the eyes of the Imperial Government, but for the real object of securing his co-operation to obstruct the progress of reform in the colony, prolong their tenure of power, not caring anything about the consequent obloquy which they would bring on him as they had brought on his predecessor, nor the wide-spread discontent, and the consequences which would inevitably flow from a continuance of their influence in the government of the colony. No consequence who the Governor might be, under the present system, if he followed their advice his administration would be unpopular and impracticable, while the marked success attending Sir Alexander Bannerman, certainly a Governor of rare abilities and long Parliamentary experience, in the government of the smaller colony of Prince Edward Island, as well as that of Sir Gaspard Le Marchant, who had failed to give satisfaction in Newfoundland, but has experienced no difficulty in the government of Nova Scotia, proved beyond doubt, not only the adaptation, but absolute superiority of the responsible system over any other. Although our Council are confident that the day of their dissolution cannot be very distant, and the official members have had retiring allowances provided for them, they will hold on to full pay as long as possible; the non-official would lend their influence to the official members of the Council, and put themselves in the foreground to stave off the change, all indulging, too, in the vain hope that some fortunate circumstance might happen in the chapter of accidents to restore their advocate, Sir John Pakington, to power, when they as vainly imagine they would obtain a renewal of their reign of misrule; that as Sir George Grey would not venture to disapprove of the conduct of the Assembly, and only took exception to the retirement named for the Attorney-general, there could be no hesitation in complying with the demand of the Assembly. There is no doubt that secret misrepresentations of the grossest character had been made to the Secretary, which in justice ought to have been shown to us, that we might have had an opportunity of exposing their fallacy; that, whatever the Council's delegates might say to the contrary, more competent, and as respectable citizens as any in the present Executive, would be found to work out the new system. But they said that there was a fear of Catholic ascendancy; there was no danger of that, if, as they stated, a majority of the colonists be Protestants, with the power given to them, under the Representation Bill of the Assembly, then, if they wished to use it, of returning 16 out of the 30 members, and the certainty, judging from the past, that in the districts where Catholics are a majority, several liberal Protestant members will be returned, who would not, of course, sanction anything like Catholic ascendancy. But this cry is the strongest evidence of the expedients to which the Council resort to cover their retreat; they certainly measure their neighbour's corn by their own bushel, and as they only allow one solitary Catholic to sit in their Council, and only deign to give one-fifth of the patronage of the Government to persons of the Catholic religion, and this from their spirit of exclusiveness and intolerance towards nearly one-half of the population, they would contort the recognition of the right of that half to perfect equality and fair play into an undue ascendancy; the Catholics seek no undue ascendancy, and would not have the power to carry on any government based on so pernicious and objectionable a principle.

Sir George Grey remarked, that, even admitting for the sake of argument, we were quite

correct in reference to the past conduct of the Council, it should not be forgotten that they had something at stake besides their opinion, and he could not suppose, if the Representation Bill were referred back to them, that an arrangement would not be effected. He meant plainly to state that he would instruct the Governor that a modification of the Council should take place if they could not be brought to agree with the Assembly; it would be fair, therefore, to that body to let them know their true position, and not impose so heavy a penalty on them as that which would result from their immediate dissolution.

There is certainly one point which strikes me, said Mr. Hume, if the Council be dissolved now, as they and the Governor are identified in all their recent transactions, that would necessarily lead to his recall; and, while I am decidedly of opinion that the conduct of the Governor and Council merits such treatment, it may be that delicacy or prudence would point to the adoption of the course suggested by Sir George, that they may have a fair trial; and if either of them fail to realise the expectations of Sir George, certainly there would be no alternative left to the Imperial Government but to appoint other men to do the work, and carry out the intentions of the Government. For my part, however, continued Mr. Hume, I have no delicacy or hesitation in supporting the demand of the Assembly for a dissolution of the Council at once.

Well, remarked the delegates, if, Sir George, you are so confident of success in your experiment, we must say that, while we are inclined to protest against it, we shall give it full consideration. It certainly may be successful if the Governor acts with energy and determination, if he judges for himself, and shapes his own policy by a reference to the intentions of the Imperial Government as expressed by the Duke of Newcastle and yourself. A regard for his own position, under this new responsibility which is thrown on his shoulders, to act as mediator or arbitrator, and a decided expression of the opinion of the Government, would not only influence and fortify him in shaking off the trammels in which the Council have held him, but enable him to control them. It is therefore desirable that four points should be clearly expressed to him as the first has been to us; viz., first, that the Bill of the Assembly is a fair measure; secondly, that the Legislature should be convened without delay to test the experiment; thirdly, that in case a reorganization of the Council be necessary, it shall be made upon the advice of a majority of the Assembly by the Governor; and fourthly, that general elections shall take place in the autumn of this year. As to the first point, replied Sir George, all I can say to you is to offer a general opinion of the fairness of the Bill; I have not sufficient local knowledge to pronounce upon all of its details, but the instructions of the Governor will be such that I shall have no reason to anticipate any further difficulty on this subject. The second point is new, and I shall consider it. There are certainly advantages in it, as I presume supplies and other necessary measures would be passed upon the present difference being adjusted. Certainly, we replied, but not otherwise. The third point would be a matter of course, if the necessity should arise; and as to the fourth, that is only reasonable, as it is desirable to put an end to the present contest and place the Government of the colony upon a permanent and satisfactory footing. If matters should not turn out as I anticipate, you can appeal to me again, but shall not have occasion to come across the Atlantic again on this subject. If, remarked Mr. Hume, the official members of the Council should give any further opposition to the wishes of the Government, the Assembly would be justified in withholding their retirements.

Having considered the views expressed by Sir George Grey, we then determined to follow our original instructions—that is, not accept them as a compliance therewith; to maintain the rights of the people to call for the immediate introduction of self-government; and although we regarded the course he had resolved on pursuing as a decided triumph to the liberal party, it did not satisfy us, because it was not final. We therefore addressed letter No. 15 to Mr. Hume, which more fully expressed the position which we conceived it advisable to take under the circumstances.

On the following day (the 10th August) Mr. Hume addressed letter No. 16 to Sir George Grey, enclosing a copy of ours (No. 15) of the previous day to him. It will be seen by these communications that neither he nor we used language that could be misunderstood. We felt that the subject and the occasion alike demanded the unequivocal expression of our convictions, as to the consequences which would result from further delays, nor has any exception been taken by Sir George Grey to our frankness. Doubtless the Assembly will not hesitate to realise, not only every assurance which we made to the Minister as to their legislation on the matters in dispute, and, if necessary, resort to every constitutional means to vindicate the rights of our fellow-colonists to self-government.

Before we received an answer to those communications we addressed a more specific note (No. 17) to Mr. Hume for his decision, on the propriety of presenting the petition of the Assembly to the House of Commons. In the meantime he had seen the Duke of Newcastle and Sir George Grey, and held communications on the affairs of the colony, not only with them, but also with other influential members of the Government, and the result was of so favourable a character as to justify him in advising us to return to the colony without any apprehension as to the success of the course resolved on by Sir George Grey; that he had placed matters in such a train that a failure could not be anticipated. After a full explanation from him on the matters on which he founded his advice, some of which being of a private and confidential nature, we determined to acquiesce in his decision, as expressed in his letter (No. 18) dated 11th August, and rely on the expressed determination of the British Government to render constitutional justice to Newfoundland.

On the 15th August we were favoured by Frederick Peel, Esq., Under Secretary of State, with a very satisfactory interview at his residence. He repeated the opinion which

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he had expressed to Mr. Little as to the Representation Bill of the Assembly; discussed many details as to the organization of the new Government under the system about to be introduced; declared, in answer to a question put by us, that as a draft of the Representation Bill had been sent home by the Governor, and fully considered by the Government, there would be no necessity whatever for a suspending clause to it. After all that had been said on the Bill on all sides, he remarked, the Governor cannot for a moment imagine, under his instructions and the despatches which he will receive, that such a clause would be necessary. The object in directing the Legislature to be convened at an early day, we stated would be frustrated if such a clause were necessary. The Bill once passed, the general elections may take place in the coming autumn, which could not be if any mistake occurred on this head. There is no danger of that, he replied; it is too clear a matter to require a moment's consideration; and it is a point on which the Governor cannot err, as he will know the anxiety of the Government to have the matter settled without further reference to the Colonial Office. The financial condition of the colony was then discussed, and Mr. Peel stated his opinion, that if responsible government were necessary for no other purpose in Newfoundland, its establishment was desirable for the improvement of its financial affairs, and the mode of expending and appropriating public monies. There were several other important points touched upon, and after receiving such assurances from him as to the course to be taken by the Governor, we took our leave of him, perfectly satisfied, not only with the manly avowal of the only true principles of colonial government, but of the sincere determination of the Government to carry out the Duke of Newcastle's despatch.

On the 17th August we addressed Sir George Grey by letter (No. 20) enclosing copies of our communications with Mr. Hume, informing him of our determination to accept his terms and return to our homes, in the hope that his assurances would be realised, and requesting copies of the extraordinary and, we might almost say, unexampled documents addressed to him by the delegates of the Council and Mr. Hoyles. Having been made acquainted with the contents of these novel and almost fabulous productions, we conceived that common justice demanded their publication in the colony, that the people might see to what unscrupulous lengths the leaders of the obstructive party have gone to frustrate their hopes of political freedom, and blast the character of a large portion of the population. It will be seen by letter No. 24, from Herman Merivale, Esq., Under Secretary of State, that Sir George Grey was of opinion that to furnish us with copies of the correspondence of the Council's delegates might only lead to further discussion, tending to no practical benefit; and with respect to Mr. Hoyles's letter, "that he did not address Sir George Grey in any public capacity, nor was he understood by Sir George Grey to be the authorised representative of any party in the colony," hence we were enabled to do no more in this respect than obtain a perusal of these documents, which we trust their authors may have the courage to publish in the colony. They will give some idea of the character of the misrepresentations which have been heretofore made by the Council's party to the Imperial Government, to prejudice the minds of the Imperial authorities, and make them believe that Newfoundland is totally unfit for self-government.

On the 26th August we received a note (No. 23), from Arthur Blackwood, Esq., informing us that it was the wish of Sir George Grey that we should peruse the despatch which was addressed by the present mail to the Governor of Newfoundland, on the subject of responsible government. On the 28th we waited on Mr. Merivale for that purpose, and having read the despatch and discussed its terms, we submitted to Mr. Merivale a legal point with reference to the re-organization of the Legislative Council, upon the change taking place under the Royal Instructions to the Governor, and he expressed his concurrence in the view we took thereon.

We should mention that we had interviews with several highly influential members of Parliament, when we contemplated bringing the affairs of the island before the House of Commons. We were gratified to find them true to the principles of colonial reform, anxious to meet our views, and willing to lend their aid in promoting them. They treated with ridicule the obstacles attempted to be thrown in the way of its introduction by the Council, and some of them expressed their surprise at the flagrant acts of misgovernment which were perpetrated under our system, and said they would not hesitate to expose them in Parliament, as we were prepared to prove the truth of them before a Committee of the Commons if necessary; but from the assurances we received from the Government, both directly and through our faithful adviser, Mr. Hume, we conceived that it was unnecessary to resort to Parliament, and that justice would be speedily rendered to the colony by Sir George Grey, in pursuance of his promises, the general colonial policy of the Government, and the expressed intentions of the Duke of Newcastle.

Mr. Bright, the talented and energetic Member for Manchester, told us that Mr. Hoyles had been with him, and that he was disgusted with the sectarian statement of the affairs of the colony given by Mr. Hoyles; that Mr. Hoyles had said, if the Assembly had their way the Catholics would oppress the Protestants; to which Mr. Bright replied, that he did not agree in that conclusion at all, but rather thought the oppression would come from the other side, if they had undue power; that the 15 and 14 arrangement was ridiculous. We found him, as the delegates did last year, a manly advocate of colonial freedom. He read our documents, and asked if he could do anything for our cause, only to give him notice of our desire and he would co-operate with Mr. Hume in obtaining justice for the colony. The able and indefatigable Mr. Cobden, having read our statements also, freely consented to lend his very influential and practical support in connexion with Mr. Hume and Mr. Bright. And, among several other Members on whom we relied for support, we should

mention that Mr. Lucas, alike remarkable for his zeal and his talent, had fully informed himself on the abuses of the Local Government, and was prepared to expose them to the House of Commons if the affairs of the colony came before Parliament.

It must be gratifying to the Assembly and the public, as it has been to us, that our delegation has been so successful.

The points gained by our mission may be thus briefly recapitulated: First, the course pursued by the Assembly on the Duke of Newcastle's despatch has met the approval of the Imperial Government, except as to the retiring allowance of the Attorney-general. This is clear, not only from the opinions expressed by the present Secretary of State, Sir George Grey, and Mr. Under Secretary Peel, but put beyond doubt by the Noble Duke of Newcastle, who, to use the words of Mr. Hume's note of the 18th of August (No. 21) "told me, (Mr. Hume) last night that he had read the letters I sent to him with attention, and that he was pleased with the conduct of the Assembly." He greatly regretted the conduct of the Governor and Council in not meeting the Assembly; but he hoped that all would be settled on the receipt of Sir George Grey's despatches; stronger evidence is unnecessary to prove the fairness of the Assembly's Representation Bill, and the light in which their measures are viewed by the home Government. Secondly, instead of stopping the supplies by the Assembly, and their consistent refusal to attempt to renew the farce of general legislation with the Council, being considered a justification for withdrawing our constitution, according to the request of some of our opponents, the Imperial Government merely "regretted the necessity of having recourse to the strong measure of stopping the supplies," but positively refused to sanction the introduction of any Act in the Imperial Parliament to infringe on our colonial rights. The party who created the "necessity," the cause of the regret, are clearly admitted by the Government in the Duke of Newcastle's despatch to us (No. 8), and Mr. Hume's letter (No. 21), to adduce no further testimony, not to be the Assembly, but their opponents. Thirdly, whatever objection his Excellency the Governor had last session to interpose for the purpose of inducing his Council to come to an arrangement with the Assembly on the Representation Bill, he can have no further hesitation on this subject, as we have been assured by the Imperial authorities that instructions have been sent to his Excellency to carry out the wish of the Assembly in that respect; and Mr. Merivale states in his communication of 31st August (No. 24), that Sir George Grey had despatched "instructions to the Governor as to the course he is to take on the points disputed in the last session between the Legislative Council and the Assembly;" and the Duke of Newcastle concludes, in his despatch of 2d August to us, that "the close of this unfortunate contest is now near at hand." The general despatch which his Excellency has received, corroborates this view conclusively; and, Fourthly, that the only interference which the Secretary of State will advise Her Majesty to adopt with our institutions, is to recommend the modification of the Council if they should not harmonise with the Assembly for the introduction of the new system.

Such is an outline of the proceedings adopted by us to carry out the resolutions of the Assembly, and other objects of our mission. If we have not attained the end which the Assembly sought in the direct way prayed for, we conceive that we have put in the power of the Assembly the means of attaining it in another way.

The responsibility will rest with his Excellency to carry out the intentions of the home Government. The Assembly have clearly done their part on the Representation Bill, consistently with the interests of the popular party, and the rights of all parties, and it is clear that no further concession can be made by them on that subject.

The arrangement of the points of difference will, therefore, have to be made really between the Governor and Council; and we only think it proper to state, that we have assured the Secretary of State, notwithstanding any opposition which the Assembly have experienced from his Excellency, there would be no hesitation in giving him a fair trial, and the most cordial support in any measure which he may adopt to carry out the liberal intentions of the Right honourable Secretary of State, and his noble predecessor in the Colonial Department, so as to enable his Excellency to bring the new system into operation, and conduct the affairs of the colony effectively and harmoniously.

Before concluding this report, we conceive that we should be highly ungrateful and censurable if we did not avail of this opportunity of recording our sense of the deep and lasting obligations due by the people of Newfoundland to the veteran reformer, Joseph Hume, Esquire, for his noble and energetic exertions in their behalf, without whose effective co-operation we should have been comparatively powerless, except in the innate strength of our cause; but to his great exertions, and the liberal and sound colonial policy of the present Ministry, must we attribute our success. As a token of regard for his disinterested exertions, we have procured for the Assembly a lithographic copy of his likeness, taken from the original recently presented to him for his distinguished public services by Lord John Russell, and several other Members of the present Ministry, including a large number of the Members of the House of Commons.

All which we most respectfully submit,

St. John's, Newfoundland,
30 September 1854.

(signed) *Philip F. Little.*
Geo. H. Emerson.

(No. 1.)

Mr. *Little's* Letter to *Frederick Peel*, Esq., Under Secretary of State.

Dear Sir,

I HAVE the honour to transmit the accompanying documents to you, and to request that you will be pleased to lay them, with those which I left with you on yesterday, before the Right honourable Sir George Grey, after you shall have perused them, and to retain the duplicates of the printed documents for your own information.

May I take the liberty of asking your special consideration of their details, and I am satisfied you will perceive in them a full justification for the course adopted by the Assembly, and that no other was open for their adoption consistently with the maintenance of their integrity, and their obligations to their constituents.

They considered that, if they granted supplies to a Government in which the public have no faith, it would have been construed into a want of confidence, and have tended to stultify all their previous proceedings and pledges to effect a change of system. They regretted the necessity they were under of again appealing to the Imperial Government for the rights of the colonists, but they had no other alternative, as the Governor refused to interpose.

Presuming that the Government can have no further difficulty now in deciding upon the claims of Newfoundland to be immediately placed upon a footing of constitutional equality as to responsible government with my native island of Prince Edward, I shall hope that I am not asking too much in soliciting the exercise of your influence to secure the decision of Her Majesty's Government as soon as may be consistent with the convenience of Sir George Grey and yourself.

I fully expect the arrival of my colleague, Mr. Emerson, by Monday next, and I hold a written authority from Mr. Parsons, the other delegate, expressing his concurrence in such steps as we may adopt consistently with the resolutions of the Assembly, to accomplish the object of our delegation.

I have, &c.
(signed) *P. F. Little.*

(No. 2.)

Mr. *Little's* letter to the Right honourable Sir *George Grey*, Secretary of State, dated Tavistock Hotel, Covent-garden, London, 22 July 1854, will be found already printed at page 64 of this Paper.

(No. 3.)

DELEGATES' Letter to the Right honourable Sir *George Grey*, Bart., dated Tavistock Hotel, Covent-garden, 31 July 1854, will be found already printed at page 69 of this Paper.

(No. 4.)

STATEMENT of Case by the Delegates to the Secretary of State, dated Tavistock Hotel, Covent-garden, London, 28 July 1854, will be found already printed at page 69 of this Paper.

(No. 5.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
1 August 1854.

Dear Sir,

WE beg to draw your attention to a statement reported in to-day's "Times," as having been made by Sir John Pakington in his place in Parliament last evening, upon putting a question to the Right honourable Sir George Grey, in reference to the affairs of Newfoundland, to the effect that the Legislature of Newfoundland had rejected the conditions on which responsible government was granted by the despatch of the Duke of Newcastle.

Now, as Sir John is the acknowledged agent of the Executive party, we feel that we have good cause to complain of this misrepresentation, at least, of the conduct of the Assembly in relation to those conditions. They have done their utmost to comply with them as far as practicable. The failure to comply with them rests therefore with the Council, who, we presume, has been misled in this matter by their delegates, or some of their colleagues connected with the local Executive.

We have, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 6.)

LETTER from *Joseph Hume*, Esq., to Sir *George Grey*.

My dear Sir George, Bryanston-square, 1 August 1854.

FROM the question put to you last night by Sir John Pakington, I fear that the delegates from the Council have been making erroneous representations, calculated to widen and not to heal the breach that remains between the Council and the Assembly.

The difference is so trifling that I hope you will exercise your power in settling it, and you cannot be wrong in deciding to place the people of Newfoundland (as promised by the Duke of Newcastle) on the same footing as the provinces of Nova Scotia, Prince Edward Island, &c. &c.

The people of Newfoundland want nothing more, and I really cannot think that the delegates here can be satisfied with less.

My anxiety to see all the differences healed will, I hope, excuse,

Yours sincerely,
(signed) *Joseph Hume.*

P. S.—I will call, or see you in the House, on Thursday, by which time I hope to learn that all has been adjusted.—*J. H.*

(No. 7.)

THE Delegates' Letter to his Grace the Duke of *Newcastle.*

Tavistock Hotel, Covent-garden,
My Lord Duke, 1 August 1854.

WE have the honour to inform you, that we have been requested by Mr. Hume to enclose for your perusal the accompanying letter, containing a report of our statements to Sir George Grey, as to what the Assembly of Newfoundland have done in compliance with the conditions mentioned in your despatch of the 24th February last, and of the exact position of the differences between them and the Council.

We trust that your Grace will perceive in the proceedings of the Assembly, a display of no ordinary degree of moderation, and an anxious desire to preserve that just opinion which you formed of them, when you resolved, in compliance with their address, to place Newfoundland upon a footing of equality with her sister colonies as to the enjoyment of responsible government.

In their anxiety to carry out your wishes, and, if possible, conciliate the Council on the Representation Bill, in the opinion of many of their friends, they have gone too far in their concessions; their advances, however, have not been met, for, as they fully anticipated, nothing would satisfy the Council but an absolute surrender of the rights of the people into their hands.

Under these circumstanoes, we feel that as the delegates of the Assembly. it is our duty to inform you of these facts, as bearing upon an important act of your colonial administration. You gave the Council the best possible chance of obtaining reasonable terms for their party in connexion with the contemplated change of government. They have gained much by the opportunity thus afforded. Nor are the Assembly disposed to retract any of their concessions, but they cannot make any further concession, nor would it be just to require them to submit to any further sacrifice of the people's rights and what is due to their own honour.

May we, therefore, so far intrude upon your friendly disposition and your spirit of fair play, as to interpose on behalf of the people of Newfoundland, that your expressed intentions to the delegates last year may not be frustrated, and that responsible government may at once be put into operation, upon the understanding that one of the first acts of the new Government should be to pass a Representation Bill similar to that agreed to by the Assembly last Session.

In thus intruding upon you, we most frankly apologise for the adoption of what we conceive to be an irregular mode of proceeding; but we feel that in thus following the advice of a mutual friend, anxious that justice shall be done, with your friendly disposition, you will not misconstrue our motives, nor fail to do that, as one of the most exalted of Her Majesty's Ministers, which we are confident you would not have hesitated doing as the head of the Colonial Department.

We beg to inform your Grace, that we have a petition from the House of Assembly to the House of Lords, but we hope there may not be any necessity to solicit your Grace to honour the Assembly by presenting it.

We have, &c.
(signed) *P. F. Little.*
Geo. H. Emerson.

(No. 8.)

THE Duke of *Newcastle*'s Reply.

Gentlemen, Downing-street, 2 August 1854.

I AM obliged to you for sending me a copy of your letter to Sir George Grey, and for informing me of the present position of your differences in Newfoundland upon the subject of responsible government.

I have carefully perused your letter and its enclosures, and I am glad to express the great satisfaction with which I learn that the Assembly departed from the determination to adhere to its extreme demands, which I was apprehensive they meant to make upon the receipt of my despatch to the Governor in March last.

Great concessions in a conciliatory spirit seem to have been made, and the points of difference between you and the Council are now so few and so small, that I feel very confident that the close of this unfortunate contest is now near at hand.

I come to this conclusion the more hopefully in consequence of the conversation which I have this day had with Sir George Grey, in whose hands I am sure you will leave the settlement with safety and without apprehension.

Sincerely hoping that prosperity and concord, free from all religious differences, may be in store for the colony of Newfoundland,

I am, &c.
(signed) *Newcastle.*

P. F. Little, Esq., and
George H. Emerson, Esq.

(No. 9.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
Dear Sir, 3 August 1854.

We have the honour to enclose, for your information, a copy of a letter which we have just received from the Duke of Newcastle, in reply to our communication to his Grace, and also a copy of your letter to Sir George Grey.

Judging from the just and impartial views of the Duke of Newcastle, we think that Sir George Grey can have no hesitation in deciding at once to comply with the address of the Assembly, by issuing instructions to the Governor, first, dissolving the Council; secondly, conceding responsible government to Newfoundland, as it is in force and understood in Prince Edward Island, and authorising the immediate appointment of two separate Councils, the Legislative Council to consist of not more than 15 members, and the Executive Council not more than nine; the latter to be selected from both branches of the Legislature, including the heads of the principal departments; and thirdly, directing the new Government, upon its organisation, to pass a Pension Bill, securing the retiring allowances to the outgoing officials, a Representation Bill, similar to that adopted by the Assembly last Session, and such other measures as the exigencies of the Government may judge expedient. The Assembly are bound by their resolutions of the 5th June last to pass these Bills, and we do not hesitate to say that they will honourably discharge their obligation.

To enable the new Government to pass these measures without delay and dissolve the Assembly, so as to have the general elections for the island in the coming autumn, it is necessary that Sir George should decide as soon as possible.

If you will be so kind as to place these views before him, you will add to the many favours you have conferred upon the people, whose rights you have so ably and disinterestedly advocated.

With sentiments of gratitude, we beg to say, that one of us will take the liberty of calling on you to-morrow morning, to ascertain the result of your interview with Sir George Grey, while we have the honour to remain.

Your, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 10.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
Dear Sir, 5 August 1854.

WE beg to remind you that the three points of difference between the Assembly and Council of Newfoundland on the Representation Bill are, first: Shall a portion of the mercantile district of Trinity be cut off and added to the district of Bonavista, to neutralise the liberal votes in the latter, and secure the return of three mercantile members for that district? Secondly, shall the only member added to the representation of the popular district

of St. Mary's and Placentia be taken away, territorially one of the most, if not the most extensive district in the island, while the representation of nearly all the other districts—many of these being smaller in size and population—has been doubled, and in two districts trebled, one of which contains only 100 more electors. And, thirdly, shall the principle of representing minorities, by allowing each voter to give two votes to one candidate, be adopted in the district of Burin, while no such principle is sought to be applied to any other district?

The Assembly, so far as they are concerned, have decided these questions in the negative; and having, as the Duke of Newcastle, in his letter to us of the 2d instant, correctly states, "made great concessions in a conciliatory spirit," they have resolved to make no further concessions on this subject, nor could they surrender their position on any of those points without sacrificing the right of the people.

On the 8th June last the Assembly resolved to appeal to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but to concede the immediate application of responsible government, with the understanding that on the formation of a new Council, a measure of representation similar to that recently adopted by the Assembly, be passed and brought into operation without delay. While, however, we are grateful for the expression of the just opinion formed by his Grace on the conduct of the Assembly, and satisfied to adopt his suggestion, "to leave the settlement with safety and without apprehension" to Sir George Grey, we should not feel justified in transferring it to the Governor and his Council. Such an experiment, we are confident, would only result in prolonging the conflict, as the Council would return to the consideration of the subject with feelings of triumph, arising from the inevitable conclusion that their obstructive policy having been so far successful, they were in the right, and would be justified in maintaining their position.

Looking to their past conduct and the desire of the Council for such a contingency, the Assembly, as late as the 8th June, declared their opinion, that notwithstanding the concession of the principle of responsible government, "the present Council will leave no means untried to stay the introduction of the change."

If, under these circumstances, Sir George Grey should imagine that the Council of Newfoundland, if unfortunately for the colony they should be continued in power, may in their future proceedings form an exception either to their past history, or the character common to all such bodies, aptly described by Mr. Peel on yesterday, in the House of Commons, on the discussion of the Canada Bill, as "obstructive" to legislation; then, we must say with great deference, that we know of nothing in this case to justify the exception, or the adoption of a different policy in Newfoundland, from that which has been successfully pursued in Canada and Prince Edward Island in relation to their obstructive Councils.

If, therefore, Sir George Grey should not satisfy you as to the propriety of the course he may be disposed to adopt, you will oblige us by showing him this letter, and informing him of the reluctance we have evinced to adopt any step in relation to our affairs that should not meet the approval of the Duke of Newcastle and himself. In such case our duty obliges us to repeat our request, that you will be so kind as to present the petition of the Assembly to the House of Commons, and move for the despatches mentioned in a former note. As soon as you shall inform us of the necessity, we shall see Mr. Bright, and we have already arranged to meet other Members, who, like him, have tendered their co-operation to obtain equal justice for Newfoundland.

Yours, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 11.)

THE Delegates' Letter to *Richard Cobden*, Esq., M. P.

Tavistock Hotel, 5 August 1854.

Messrs. Little and Emerson, the delegates from the Assembly of Newfoundland, present their compliments to Mr. Cobden, and have the honour of enclosing the accompanying documents, to which they would respectfully call his attention. They consider that colony as well entitled to the possession of self-government as any of the neighbouring provinces, and they therefore solicit the influential co-operation of Mr. Cobden, in whom the colonists repose the utmost confidence, to obtain equal justice for the oldest and worst governed of Her Majesty's British North American possessions.

Mr. Hume is in possession of the petition of the Assembly of Newfoundland to the House of Commons, praying for the immediate introduction of responsible government, and as soon as he may determine on the course to be adopted in relation to it, the delegates will inform Mr. Cobden thereof.

(No. 12.)

LETTER from *Frederick Peel*, Esq., to Mr. *Little*.

Sir, Downing-street, 9 August 1854.

I AM directed by Secretary Sir George Grey, to transmit to you copy of a letter which has been addressed to him by Messrs. Archibald and Row, and of the answer which he has caused to be made thereto; and which you will consider as conveying a similar permission to yourself and Mr. Emerson with that granted to those gentlemen.

I am, &c.
(signed) *Frederick Peel.*

(No. 13.)

LETTER from the Hon. *E. M. Archibald* to Sir *George Grey*.

Sir, 3, Tanfield-court, Temple, 28 July 1854.

MR. ROW and myself, who have been named by the Governor of Newfoundland as delegates to furnish information in reference to the state of the colony; and more especially in reference to the measures preliminary to the introduction of responsible government, considering that it will be more convenient that in any statement we may submit, we should confine our observations to the points which may have been raised, or allegations made by the delegates of the Assembly; respectfully request for this purpose, that we may be put in possession of, or be furnished with, a copy of any representation which may have been laid before Her Majesty's Government by the delegates of the Assembly.

We have, &c.
(signed) *E. M. Archibald.*

(No. 14.)

LETTER from *Frederick Peel*, Esq., to the Hon. *E. M. Archibald*.

Sir, Downing-street, 9 August 1854.

I AM directed by Secretary Sir George Grey to state, in reply to your letter of the 28th ultimo, requesting on behalf of yourself and Mr. Row to be placed in possession of any representation which may have been made to Her Majesty's Government by the delegates of the Assembly, that Sir George Grey has already, since his interviews with the delegates of both parties, addressed to the Governor of Newfoundland, a despatch embodying his views on the points in dispute. He is not aware, therefore, that any object is to be attained by a prolongation of the controversy, but he considers it just to both parties that each should be aware of the arguments which may have been used by the other, and you are therefore at liberty to read, on application to this department, such letters as have been received from Mr. Little and Mr. Emerson.

Copy of your letter and his answer have been sent to those gentlemen.

I am, &c.
(signed) *F. Peel.*

(No. 15.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
Dear Sir, 9 August 1854.

WE have the honour to inform you of our opinion on the course which Sir George Grey intimated to us to-day it is his intention to pursue upon the application of the House of Assembly of Newfoundland for the immediate introduction of responsible government into that colony.

In declining to comply with the request of the Assembly to dissolve the Council without any further delay, and referring back the Representation Bill to the Local Legislature, with the view of making the Governor a mediator between both branches, so as to effect an arrangement on its details, he seemed, at first, to forget that, upon the conditions mentioned in the Duke of Newcastle's despatch being complied with, the Council should be forthwith dissolved, otherwise there would be no practical concession of the new system.

The course adopted in Canada, Prince Edward Island, and all the neighbouring colonies, upon the introduction of responsible government, was to dissolve the old obstructive Councils and organise new bodies, in accordance with public opinion, in their stead. Upon a little reflection Sir George admitted that the same course should be adopted in Newfoundland, upon the conditions being complied with. It is desirable that there should be no mistake on this point; for if the Council are to retain power after the conditions shall have been fulfilled, and general elections should take place under their administration, there would be a plain injustice to the Assembly and the people in such a step. This is the view generally entertained in the colony as to the purport of the Duke's despatch.

 There

There is a more serious aspect of our affairs to which we deem it necessary to call your attention and that of the British Government. Believing in the injustice and inutility of obliging the Assembly to renew their abortive efforts to come to an arrangement with the obstructive Council on the Representation Bill—a majority of whose members do not care for any mediation that might have the effect of depriving them of their position in the Government, or what becomes of the colony or the people, so that they can carry out their own selfish policy—we have therefore to enter our protest against the adoption of such a measure. If the Assembly is to be regarded as the organ of public opinion in advocating the principles of responsible government, and the Council are admitted to be wrong in originally resisting and still continuing their opposition to its introduction, we are at a loss to know why the Government have hesitated to apply the same impartial mode of reasoning to the details of a measure which has been deemed necessary for the better working of the new system. As, however, the Government have resolved to try the experiment, we think it fair that they should fully understand the determination of the Assembly, that the responsibility may rest in the proper quarter for the consequences which may result from this line of action.

The Governor is a decided partizan of his Council, and all the Government patronage which he has had at his disposal he has bestowed on their favourites. When the Assembly sought his mediation on the Representation Bill last Session, he insulted them by declaring their address unconstitutional, then refusing to receive it, and afterwards, on retracting that resolution, positively declining to interpose. He has come into collision with the Assembly on other occasions, instigated by the Council, and the Assembly have denounced his conduct in reference to their proceedings on two distinct subjects, and at two separate periods, one of them being in reference to the Representation Bill. Is it reasonable, then, we would ask, to make him an umpire between his own Council, to which he is so allied, and the Assembly, which he has thus opposed? Besides, we think it only frank to state, that the Assembly have resolved not to recede one jot from their late Representation Bill, as they have already conceded too much, for the purchase of peace and the settlement of the question in dispute. The question then remains to be solved by the Imperial Government as to which party shall give way.

If, however, the Government have resolved upon the expedient with a sincere desire for a settlement, we would suggest the propriety of its efficacy being at once tested, by calling the Legislature together forthwith, and using their influence with the Council to pass the Representation Bill of the Assembly. If that be adopted, the Assembly would not hesitate to pass a Supply Bill, and other necessary measures for the benefit of the public service. But until the people are in the full enjoyment of their constitutional rights, the Assembly have resolved to vote no supplies, and they will not hesitate to throw out the Revenue Bill next year, if the question of self-government should not be satisfactorily settled in the mean-time. Hence the necessity for an early call of the Legislature. The Liberal representatives of the people are pledged to their constituencies to follow this line of action. Their past conduct shows that they have sufficient spirit to maintain the people's rights. The time for half measures with the colonies we hoped had passed away, and we trust that the people of Newfoundland will find a justification before the British public for refusing to support (if matters should unfortunately be driven to such an extreme) as pure an engine of oppression and misrepresentation as can be devised under the form of an irresponsible Colonial Government.

Thanking you for your great kindness and valued services to obtain equal justice--long withheld and still denied to Newfoundland—and requesting your opinion on the propriety of presenting the petition of the Assembly to the House of Commons,

We have, &c.
(signed) *P. F. Little.*
Geo. H. Emerson.

(No. 16.)

LETTER from *Joseph Hume*, Esq., to Sir *George Grey*.

My dear Sir, Bryanstone-square, 10 August 1854.

ON my return here I found a letter from Messrs. Little and Emerson, dictated evidently from the conversation that passed with you yesterday afternoon.

I have read their letter with care, and I am obliged to agree with them.

The party in the Council, who have acted so inconsistently, seems utterly regardless of the demands of the population of 120,000 souls.

Both Protestants and Catholics desire responsible government, and the despatch of the Duke of Newcastle concedes it.

To give an idea of the reckless manner in which the party are acting, I mention that Mr. Hoyles, the Solicitor-general, one of the public officers, has come to this country as the pretended representative of the Protestant interest, whereas he is the paid agent of a few of the merchants, who, in a hole and corner meeting, in private, subscribed to pay him and his expenses.

Surely such a proceeding shows the animus of the Governor who permits his Solicitor-general so to act; and I have no hopes of any change, such as has taken place in Canada, Nova Scotia, and Prince Edward Island, to meet the Assembly, and bring matters to a settlement.

I hope

I hope these facts may have the same effect on your mind as they have made on mine, and then you cannot hesitate as to the course to be taken.

In the letter, however, now sent to you, there is the means pointed out of your bringing the dispute to an early settlement; viz., your directing the Assembly to be called together in the end of the next month, for the renewal of the negotiations between the Council and the Assembly.

I partake strongly in the belief that the members of the Council care little about the desire of the population, and that they will, if countenanced by the Governor, hold on to the last extremity.

I am anxious to avoid that, and venture to suggest the early meeting of the Assembly, to bring matters to the test, and to put an end as speedily as possible to the present unseemly state of affairs there.

The letter of Mr. Archibald, of the 28th July, to you, stating that he and Mr. Row have been sent by the Governor as delegates, mark, in my opinion, the intention of the Governor and his Council, if you shall send these delegates back without decidedly making up your mind and telling them what it is. But I must conclude, and remain,

Yours sincerely,
(signed) *Joseph Hume.*

(No. 17.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
Dear Sir, 11 August 1854.

HAVING been hitherto guided by your advice in our proceedings, the time has now come to request your decision on the propriety of presenting the petition of the House of Assembly entrusted to you to the House of Commons, and your advice as to our future measures; and, whilst we shall be entirely directed by you in carrying out the resolutions of the Assembly, we must assure you that the people of Newfoundland will be dissatisfied and disappointed if we return without obtaining the favourable determination of Her Majesty's Government.

With sentiments of gratitude, we have the honour to remain,

Yours, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 18.)

LETTER from *Joseph Hume*, Esq., to the Delegates.

Gentlemen, Bryanstone-square, 11 August 1854.

I HAVE received your letter of this date, and am well aware of the anxiety you must have as to the course to be adopted, when only a few hours remain of the present Session.

I have seen the despatch prepared by Sir George Grey to the Governor of Newfoundland, and I have conversed fully on the subject. I have the conviction that Sir George will give the requisite orders for establishing responsible government as speedily as the forms which he considers requisite will admit.

To present the petition (entrusted to me by the House of Assembly) to the House of Commons would be to throw doubts on the intentions of the British Government as to their sincerity in placing Newfoundland on the same footing as Nova Scotia, Prince Edward Island, and other British colonies.

I assure you that I have no such doubts as to the future, and I therefore advise that the petition should not be presented, and that you should return to the colony in the perfect confidence that Sir George Grey will carry out the despatch of the Duke of Newcastle, and that he will not allow the Governor and Council any longer to oppose and protract the establishment of responsible government, but that he will, by the modifying of the Council, do as has been done in all the other British North American provinces.

This is my deliberate advice, and it rests with you to act, in your very responsible situation, with the knowledge you have of what passed at the Colonial Office.

I remain, &c.
Messrs. P. F. Little, and (signed) *J. Hume.*
George H. Emerson.

(No. 19.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Dear Sir, Tavistock Hotel, London, 12 August 1854.

WE have the honour to acknowledge the receipt of your favour of the 11th instant, and in reply we beg to inform you that we shall follow your advice and rely upon the assurances of the Duke of Newcastle and Sir George Grey, to place Newfoundland upon a footing of equality with the neighbouring colonies, by the immediate introduction of responsible Government.

We regret that there should have been any hesitation, on the part of Sir George Grey, to adopt the only practical course open to him, by dissolving the Council according to the practice pursued in all the other colonies with their Executive Councils, upon the concession of responsible Government to them.

If, however, Sir George thinks fit to refer the Representation Bill again to the Council, in the hope that they will pass it—of course we mean the Bill of the Assembly—we feel confident that he will be disappointed. Being convinced that the Council, in pursuing their obstructive policy, will hold on to the last; if any good can come from this experiment, it can only be by the Government giving positive orders to the Governor to the following effect, viz.:

1. That the Representation Bill passed by the Assembly is a fair measure, and has met the approval of the Secretary of State. If this opinion should not be clearly expressed, the whole of the details will be re-opened, and all the old ground will have to be gone over again without any rational prospect of effecting a settlement.

The justice of the Bill in every respect, and the resolution of the Assembly not to depart from it, not only justify but require the expression of that opinion by the Government.

2. If the Council should not sanction the Bill, the Secretary of State should instruct the Governor forthwith to organise the Council "according to the well understood wishes of the people as expressed by their representatives."

3. That two separate Councils should then be formed and responsible Government put into immediate operation, as in Prince Edward Island and Nova Scotia, which is all that the Assembly ask, and which the Duke of Newcastle promised.

Such are the suggestions which we deem it incumbent on us to offer upon the determination of Sir George Grey, and we need only add that a compliance with them on his part will go far to satisfy the people of Newfoundland of his desire to meet their views and place the Government of the colony upon a safe, just, and permanent footing.

Awaiting the final, and we trust satisfactory, determination of Her Majesty's Government,

We have, &c.

(signed) *P. F. Little.*
G. H. Emerson.

(No. 20.)

THE Delegates' Letter to Sir *George Grey.*

Tavistock Hotel, Covent-garden, London,
Sir, 17 August 1854.

WE have the honour to enclose for your information, copies of certain communications which have passed between Mr. Hume and us on the subject of our delegation.

Being anxious that no further appeal should be rendered necessary from the Assembly of Newfoundland to the Imperial Government, on the pending difficulties with the Council, and believing in the sincerity of the assurances which we have received from you and the Duke of Newcastle, as well as from Mr. Hume and Mr. Peel, that it is the sole desire of Her Majesty's Government to render equal constitutional justice to this colony, before quitting England, and would respectfully refer you to the suggestion contained in your letters to Mr. Hume, of the 5th, 9th, and 12th August, and those which we have since made to Mr. Peel, as to the most practical means of effecting that desirable object.

Having read Messrs. Row and Archibald's letter of the 9th of August to you, at the Colonial Office yesterday, we deem it our duty to request a copy of it, and also of Mr. Hoyles's letter to you of the 12th July last, which Mr. Blackwood did not consider himself authorised to permit us to peruse, but with the general contents of which we have been otherwise made acquainted.

While Mr. Hoyles, though the Acting Solicitor-general and one of the Executive party, cannot be regarded as the authorised delegate of the people, or any party in the colony, except his few mercantile friends who subscribed to pay his expenses, and those who privately nominated him, and while both of these communications bear their own condemnation on their face, yet we should desire an opportunity of placing before you a clear and minute refutation of their wilful misrepresentations and our drawn conclusions, which we cannot satisfactorily do without copies of them. If you should not deem it expedient to comply with this request, we beg to solicit the favour of your transmitting such copies to the Governor, with instructions to lay them before the Assembly, together with the communications we have had the honour of addressing to you.

This would be a simple yet an important act of justice to the people of Newfoundland. While they have been confident that the Imperial Government has been unfortunately too often misled by such representations, they have been denied the opportunity of exposing them, from the secret and confidential manner in which it is understood they have been made. Nor should they be surprised at the policy heretofore adopted by the Imperial Government, on the information supplied by such extraordinary productions.

In charity, however, we conclude that, as we conceive these are the last, they are therefore their most unscrupulous efforts to retain power in the hands of that party whose leaders have by such means gone far to alienate the affections of the colonists from the Crown.

We should not wish the frankness of our language to be miconstrued into mere personal recrimination. Standing upon the broad and solid principles of truth and justice, we feel that we can afford to pass unnoticed the insulting remarks contained in these documents, in relation

relation to the members of the Assembly and the liberal party in Newfoundland. But no consideration of unmerited forbearance would have justified us in the eyes of our constituents, in passing entirely without observation the mis-statements of Mr. Hoyles and the delegates of the Council.

Thanking you for the consideration you have given to the important subject of our mission,

We have, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 21.)

LETTER from *Joseph Hume*, Esq., to Mr. *Little*.

My dear Sir, Bryanston-square, 18 August 1854.

I HAVE left a letter for the Speaker of your Assembly, which I request you will take charge of, and if you should not have left London on Thursday next, I shall be here at 10 a.m., to take leave before going to Scotland.

In the meantime you will be pleased to learn that the Duke told me last night, that he had read the letters I sent him, with attention, and that he was pleased with the conduct of the Assembly.

He greatly regretted the conduct of the Governor and Council in not meeting the Assembly; but he hoped that all would be settled on the receipt of Sir George Grey's despatch.

Wishing you a speedy and pleasant passage, I remain,

Yours sincerely,
(signed) *Joseph Hume.*

(No. 22.)

LETTER from *Joseph Hume*, Esq., to the Hon. the Speaker of the Assembly of Newfoundland.

To the Honourable *John Kent*, Speaker of the Assembly of Newfoundland.

Sir, Bryanston-square, 19 August 1854.

THIS will be delivered by Mr. Little, who with Mr. Emerson, have been active to carry out the wishes of the Assembly and of the people of Newfoundland; and they will show by the copies of the correspondence, what has been done and why they return without having the petition for the Assembly presented to the House of Commons.

I found in His Grace the Duke of Newcastle and in Sir George Grey, great regret that the Governor and Council had not met the House of Assembly to settle, as in the other provinces, responsible government. They regretted, as I do, the necessity of having recourse to the strong measure of stopping the supplies, and assured me that the despatch by the first packet should enjoin the carrying out of the Duke's intention.

With the knowledge and the assurances that measures would be taken to place Newfoundland in the same situation as the other provinces of British America, I determined not to present the petition to the House of Commons.

I know that that course has given satisfaction, and I trust that I shall soon learn that you approve of what I have done, and that the changes requisite to be made, have all been made to the satisfaction of the people of Newfoundland.

I cannot allow Mr. Little and Mr. Emerson to return without assuring you of their devotion to fulfil your wishes, and of the zeal and ability they have manifested in the delicate proceedings they have had to conduct here.

I trust that the same moderation in your proceedings with the Governor and Council will secure that mutual good feeling which must exist in every responsible Government.

As long as my services can be useful to the province, I shall with pleasure afford every assistance in my power to promote peace and good feeling, the harbingers of prosperity in every country.

I remain, &c.
(signed) *Joseph Hume.*

(No. 23.)

LETTER from *Arthur Blackwood*, Esq., to Mr. *Little*.

Dear Sir, Colonial Office.

SIR GEORGE has intimated his wish that you and Mr. Emerson should peruse the despatch which he addressed by the last mail to the Governor of Newfoundland, on the subject of responsible government. Mr. Merivale will therefore be happy to show you the despatch if you will take the trouble to call on him here on any day except Saturday, from 2 to 5 p.m., giving him notice beforehand which day you select.

I am, &c.
(signed) *Arthur Blackwood.*

(No. 24.)

LETTER from *Herman Merivale*, Esq., Under Secretary of State, to the Delegates.

Gentlemen, Downing-street, 31 August 1854.

I AM directed by Secretary Sir George Grey, to acknowledge your letter of the 17th of this month, enclosing copies of certain communications which have passed between Mr. Hume and yourselves on the subject of your delegation.

2. With reference to your request for a copy of Messrs. Archibald and Row's letter of the 9th August, I am to state, that as Sir George Grey afforded to the representatives of each party the opportunity of reading what has been addressed to him by the other, and has despatched instructions to the Governor as to the course which he is to take on the points disputed in the last session between the Legislative Council and Assembly, he does not think that any advantage could arise from his complying with an application which might only lead to further discussions, tending to no practical benefit.

3. With respect to Mr. Hoyles's letter (of which you also apply to be furnished with a copy) I am to state, that Sir George Grey has never received this letter in manuscript, a printed copy only has been placed in his hands, and he presumes that you will not have any difficulty in obtaining one; but I am to add, that Mr. Hoyles did not address Sir George Grey in any public capacity, nor was he understood by Sir George Grey to be the authorised representative of any party in the Colony.

I have, &c.

P. F. Little, Esq., and George H. Emerson, Esq. (signed) *Herman Merivale.*

(No. 25.)

Mr. *Little's* Letter to *Arthur Blackwood*, Esq.

Tavistock Hotel, Covent-garden,

Dear Sir, 26 August 1854.

I HAVE the honour to acknowledge the receipt of your polite note of the 24th instant, which I found at my hotel on my return this evening.

Mr. Emerson unites with me in requesting you to have the kindness to tender our acknowledgement to Sir George Grey, for his consideration in intimating a wish that we should peruse the despatch which he had addressed by the last mail to the Governor of Newfoundland on the subject of responsible government, and that we shall be happy to comply with his desire on Monday next.

I remain, &c.

(signed) *P. F. Little.*

— No. 21. —

No. 21.
Governor Hamilton to Sir G. Grey, Bart.
14 November 1854.

(No. 127.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
14 November 1854.

Sir, (Received, 5 December 1854.)

* Page 81.

I HAVE the honour to acknowledge the receipt of your despatch No. 13,* of the 24th of October, authorising me to assent to the Bill for increasing the number of members in the General Assembly, without the addition thereto of a Suspending Clause. As the Bill had not passed through its final stage in the Council, which will take place to-day, this despatch has reached me just in time to obviate the necessity of adding the Suspending Clause.

2. The Bill sent up from the Assembly to the Council was precisely the same as the one finally amended by the Assembly during the last Session, providing for the return of 30 members, and which was the subject of the reference to Her Majesty's Government. In the Council, after considerable discussion, an amendment was made on the Bill, by taking away one member from each of the districts of Bonavista and Placentia, thus reducing the whole number of members from 30 to 28. This alteration, notwithstanding it was admitted that it would not produce a different result, so far as regards the balance of parties, from that which would follow from the Assembly's Bill, was rejected by the Assembly; and the Council having since receded from its amendment, have at length by the votes of the majority, consisting of the official members and of Mr. O'Brien, adopted the Assembly's Bill.

3. The

3. The Assembly, who had postponed all other business to the passing of this measure, have now gone vigorously to work, and are engaged in voting the supplies, passing the Pension Bill, and other pressing matters, with a view to bringing the Session to an early termination; which, I think, may be accomplished in the course of another week or 10 days.

4. So soon as the Representation and Pension Bills shall have been assented to by me, I will bring under the consideration of my Council, the question of the proper time for holding the elections. At the time I addressed my despatch to you of the 19th of September,* I counted on a much earlier close of the Session than can now be the case; and, at the same time, I did not sufficiently consider the length of time, which would be requisite for completing the revision of the registration of electors, as required by the Local Act (13 Vict., c. 14), and the necessary preliminary registration, for the first time, of the electors in the new district of Burgeo and La Poile under the Local Act. 4 Will. 4, c. 15. The remoteness of this district, as well as those of Twillingate and Fortune Bay, and the infrequency and difficulty of communication with them and their different outports at this late period of the year, and especially during winter, seem to render quite impracticable, in such a country and climate as this, the holding of the elections before May; any earlier period would, under these circumstances, be unfair to electors, as well as to intending candidates under the increased representation now to take place. I will, of course, be guided by the advice of my Council, at the proper time, upon this point.

* Page 80.

5. It is perhaps hardly necessary for me, after all the information which has been laid before Her Majesty's Government on the subject, to say that the Bill just passed is not such a one as, in the estimation of the Protestants generally, secures to them that share in the representation to which they conceive themselves entitled. I say secures; for although the district of Burin which will return two members, and which is the turning point, has a considerable Protestant majority, still it is urged that, considering past experience, violence and intimidation will be resorted to by the Roman-catholic party; and the returns will therefore be different from what they would be, if the electors were left to exercise their free choice. In this colony, we are unfortunately, so defective in our police arrangements, that it is impossible to prevent or check violence or intimidation by such means; while it is quite out of the question to recommend or countenance a resistance of force by force.

6. There is one mode, by which it appears to me, that greater freedom of election can be secured to voters, and which may in a great degree prevent a resort to lawless violence during the elections; and that is by permitting duly registered electors, in the districts, at all events, of Fogo, Bonavista, Placentia, Burin, and Fortune Bay, and the new district of La Poile, under the necessary regulations, to vote by written notice, in the same manner as electors may vote whose dwelling-houses are distant 15 miles from the nearest polling station. The Proclamation of the 26th July 1832, and the Royal Instructions authorise the issuing of subsidiary proclamations, containing requisite directions and regulations for the proper conducting of the elections. Such proclamations have from time to time been issued, containing directions and provisions, modified to meet the exigencies of the case, and will be found in the preface to the Assembly's Journals for the years 1843 and 1848-49. And in the Bill which has just been passed, it is provided, that the Governor shall appoint proper persons as returning officers in the different districts and divisions of districts to whom the writs shall be issued, directing them to proceed to the election of persons to represent the freeholders and householders, according to the regulations and directions contained in Her Majesty's Royal Instructions, and "such other regulations and directions as shall be signified in any proclamation or proclamations, to be issued by the Governor, according to the laws of the island now in force, or hereafter to be in force in that behalf." I enclose for reference a printed copy of the Bill.

See copy of Act at page 123.

7. As I apprehend, therefore, it will be consistent with the power vested in me to insert such a regulation as that to which I refer, in the proclamations for holding the elections, and as it will conduce to the greater freedom and convenience of election, and cannot with any show of fairness be objected to by any party, it is my intention in issuing the necessary proclamations (which will

in other respects require alterations in some details from those adopted on previous occasions) to insert a direction permitting electors in the districts in question, probably in all the districts, to vote, under certain qualifications, in the manner above adverted to, unless Her Majesty's Government be of opinion that it is not competent for me to do so. Should any doubt be entertained on this point, the opinion of the Imperial law officers of the Crown can be obtained in ample time for my guidance, as it will not be necessary to issue the proclamations until within two months of the period of the holding of the elections, which, under all circumstances, I feel convinced cannot be earlier than May.

8. By the next mail I hope to be able to report the termination of the Session.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 22. —

No. 22.
Governor Hamilton to Sir G. Grey, Bart.
29 November 1854.

(No. 130.)

Copy of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
29 November 1854.
(Received, 18 December 1854.)
(Answered, 18 January 1855, No. 25, page 115.)

Sir,

In my despatch, No. 127*, of the 14th instant, by the last mail, I informed you that the Council had receded from their amendments on the Increase of Representatives Bill, and had finally passed it as sent up from the Assembly. Since then the Pension Bill has also been passed by both Houses; and although the allowances are in every instance less than the sums prescribed in the scale submitted by me to the Assembly last Session, the Council made no amendment on this Bill.

*Page 102.

2. These two measures, which form the preliminaries to the introduction of responsible government, are now only waiting my assent; but, in reference to certain proceedings of an extraordinary nature which the Assembly adopted yesterday, I deem it necessary to enter into some particulars connected with the progress through the Legislature of the first-mentioned measure, and will then call your attention to the proceedings of the Assembly above referred to.

3. The Session, as you are aware, commenced on the 10th of October. On the 17th the Representation Bill was sent to the Council, and was returned to the Assembly on the 2d of November with amendments, which were a concession of almost all that the Council had contended for last Session; for, while they would have effectuated a more just and equal distribution of the representation, and remove a just complaint in reference to the district of Fogo, they would in no degree disturb (as was admitted on all sides) relative party returns. In the discussions on the Bill the Council took no more time than was necessary to bring to an amicable issue a question so long agitated, and so vitally affecting the interests of the colony. The Assembly, however, regardless of the recommendation of mutual concession and forbearance in your despatch of the 14th of August, rejected the amendment, peremptorily refusing to admit any alteration of the measure as framed by them. I may observe, that the minority of the Assembly concurred in rejecting the amendment, but on the ground of its injustice to the Protestants.

4. It remained, then, for the Council to recede from or adhere to their amendments, the former step being rendered more embarrassing by the obstinate and dictatorial conduct of the majority of the Assembly; but the official members, actuated by a sincere desire to set at rest a question which had so long agitated the public mind, and which they knew Her Majesty's Government to be most desirous of having settled, at the cost of much painful collision with friends, and the sacrifice of previously-held opinions, finally carried the Bill. This they were

were enabled to effect on the 13th day of November, and not earlier, and then only by the casting vote of Colonel Law, the Commandant, who arrived from England a few days previously, and required a little time to consider the question before voting on it. Major D'Alton, who held the temporary command of the troops, declined to vote on the question, Colonel Law being daily expected. I enclose a copy of the correspondence which I had with Major D'Alton on this subject.

Governor to Major D'Alton.
Major D'Alton to Governor.

5. Up to this period the majority of the Assembly had pertinaciously refused to proceed with the voting of the supplies or upon any other business; but upon which they now entered, and sent to the Council on the 17th of November the other pre-requisite to the introduction of responsible government, namely, the Pension Bill, which passed the Council on the 23d instant, the Education Bill on the 15th instant, which has also been passed by the Council, and on the 17th instant the general Bill of Supply for the current year.

6. I must now advert to my despatch to you*, No. 120, of the 19th September, requesting instructions as to my assenting to the Representation Bill, without a Suspending Clause. At the time I addressed that despatch to you, I not only fully believed that the details of the Representation Bill would be adjusted and agreed upon, but that all other necessary legislation, of every kind, would have been proceeded with and completed in time to permit me (had I received your reply on the 31st of October) to terminate the session within a day or two afterwards. My despatch of the 19th of September was written hurriedly, as the mail was on the point of closing, and it is proper for me to observe that at the time I wrote and forwarded it, the necessity for a revision of the registration of voters before the elections could be held, was entirely overlooked, or rather forgotten by me; nor need I add, that even if I had adverted to them, the legal and physical hindrances would have still remained. It was, therefore, in anticipation of your reply, and the close of the Session at the period I have mentioned, and without taking into account any delay by reason of the registration of voters, that I contemplated, as I certainly desired, that the elections should be held this year. But under these favourable circumstances, the practicability of holding them with fairness to all parties (having regard to this climate) seemed even then doubtful, and I reserved to myself the determination on this point until the proper time for deciding arrived. I should hardly have deemed it necessary to make this explanation, or to assure you that my sole desire in writing my despatch to you was for the purpose of enabling me to hold the elections at the earliest possible period, but for the misrepresentations of the Assembly and their assertion that I had shown myself ready "to violate the compact with Her Majesty's Government, as contained in his letter aforesaid." (*See* 27th Resolution.

*Page 80.

7. Instead, therefore, of having closed the Session on the 1st of this month, I am only now in a condition to do so, and to assent to the Representation and Pension Bills. Independent of this delay, and apart from the hindrances to the holding of the elections this year, if the Session had closed even at the period anticipated by me, it is necessary that a revision of the registration of voters should, in compliance with the law, first take place. To prevent or correct misapprehensions on this point, it may be proper for me to observe that by the Act for the registeration of voters (4 Will, 4, c. 15) an annual revision was prescribed and required until four years ago, when by the Local statute (13 Vict., c. 14) this revision was made quadrennial, corresponding with the length of duration of the Assemblies; but it is provided that "in the event of a particular or general election of a person or persons to serve as member or members in the House of Assembly, being appointed to take place at any time before the expiration of any one of the periods of four years, therein limited for taking and revising the said lists, and after the expiration of one year from the time when such lists shall have been last taken and revised, it shall and may be lawful for the Governor for the time being, by and with the advice of Her Majesty's Council, to cause the provisions of the said Act to be put into operation in any one or all of the said districts of this island; provided, that should it be found necessary or expedient to hold an election or elections at any period of the year when, by reason of the times limited in the said recited Act, for serving notices and holding courts of revision, the provisions of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be according to

the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary." Until, therefore, an election is actually appointed to be holden, I have no power to direct a revision, but then it becomes imperative ; power being given to the Governor to substitute other times for holding courts of revision, &c., than those named in the Registration Act. By the Representation Bill, moreover, a new district, that of Burgeo and La Poile, is created, of the electors in which there has never yet been any registration, and who cannot, by law, vote without having been first registered. This district extends from the Fortune Bay district westwards to Cape Ray, embracing an extent of 150 miles of sea coast; the latter place being 350 miles from St. John's. The coast is open to the unbroken roll of the Atlantic, and accessible only by vessels and boats.

8. If under ordinary circumstances the observance of the law with regard to the registration of voters so essential to the purity of election was ever necessary, I need hardly point out that it is peculiarly necessary at the present juncture, when a new system of government is about to be introduced, and before an election which is to decide by what party the colony is to be governed. Still, in order to overleap this constitutional barrier, the Assembly tacked to the Bill of Supply a proviso, not only dispensing with the necessity for a revision of the registration, but, in effect, abrogating entirely the registration law. This Bill was passed by the Council with the exception of this proviso, the improper insertion of which into the Supply Bill, the Assembly admitted by sending up a separate Bill embodying the proviso, which Bill was introduced into the Assembly without notice, in the evening, after the supposed close of business, and passed through all its stages in a few minutes. At the same time the House presented to me the address, No. 12, herewith enclosed, requesting me to hold elections. I think it right, in passing, to call attention to a characteristic misrepresentation in this address, namely, that the Assembly had passed the Supply Bill " only upon the understanding that effect should be given without any further delay to the intentions of the Imperial Government in reference to the immediate introduction of responsible government; an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a Suspending Clause;" the "understanding" now appearing to be that only of the Members composing the majority of the Assembly. I made the following reply : —

" The proposition contained in this address is one on which the Royal Instructions require that I should act with the advice and the consent of the Council; and I feel assured that the Council will advise the elections being held at the earliest practicable period. It is necessary I should observe that I was not a party to the understanding upon which it is said the Supply Bill was passed ; and I do not recognize any legitmate connexion between the passing of that Bill and the question of the period of holding the elections."

I did, accordingly, bring the questions, forthwith, under the consideration of the Council, who are of opinion that the hindrances to the elections being held before May are insuperable.

10. These opinions are given by gentlemen who would most gladly have seen them held at, if possible, an earlier period, and the strife in reference to the question set at rest, but whose experience satisfies them that this is impossible. This country is still to a great extent without roads, except in this neighbourhood, and its deep bays, even where there are paths, makes water communication necessary. Our season has been hitherto unusually mild; but at this time last year the thermometer was at zero, with violent storms and snow-drifts, and the same description of weather may be daily expected. Some of the districts have upwards of 100 miles of coast, and as the elections must be simultaneous, and must be completed in 10 days from the day the writ reaches the hands of the returning officer, the probability (almost certainty) is, that in some of them the returns would not be completed. This occurred with respect to one of the northern districts in 1842, when the election took place at a considerably earlier period than it now could, and when neither return nor member reached St. John's until some months after the House had been in Session. I may also add, that the special messenger who conveyed the writ for holding the election nearly lost his life, his boat being wrecked on the way.

11. The

11. The general election to which I advert was that held in December 1842, when the Legislature had been suspended for nearly two years; the Revenue Bill had expired six months previously, and thus rendered it absolutely necessary to hold the elections at that late period, the registration of voters having been revised at the usual period in September preceding. There were, moreover, but few districts contested in that election (such, particularly, not being the case with either of the two most remote ones); whereas, under the Bill now passed, doubling the number of members, subdividing two of the former districts, and creating one new district, so important are the results, that there will be few districts left uncontested, requiring, consequently, more than usually preparatory arrangements. In the more distant outport districts it is the practice for a large number of the inhabitants to remove in the month of November from their dwellings on the coast into the woods and recesses of the bays, where they remain until spring. The following extract of a letter, dated the 11th of November 1854, from the resident magistrate at Twillingate, who has no interest in the elections, will show what must be the case, more or less, in many of the outport districts: "I need not point out to you, to drive us into an election at this late period would be most unjust; one-third of our population are now away; indeed, few would hazard leaving their homes to come to the poll." I also laid before the Council the enclosed protest addressed to the Governor in Council, signed by nine gentlemen who propose offering themselves as candidates, in proof of the impracticability, as well as injustice, of holding the elections this year.

12. Assuming even a dispensation of the law with regard to the registration of voters, the elections, as they must be simultaneous, could not take place before the middle of January (in 1842, with every necessity for haste, the proclamation was issued on the 9th of November, and nomination fixed for the 16th of December), a period at which it would be quite impracticable to hold them; but the Council having justly rejected the Bill for Suspending the Law for the Registration of Voters, the general revision will be at once proceeded with so soon as the Session shall have closed (when I can formally appoint the time for holding the elections), and will require for its completion at least six weeks. On the advice and with the consent of the Council, I accordingly notified to the Assembly, in reply to their address, that the elections would be held at the earliest practicable period, namely, the first week in May.

13. The Council, I may observe, concur in the opinion that the most convenient season of the year is the early part of November. The next most convenient season is the early part of May, after the close of the seal fishery, and before the people make their preparations for commencing the cod fishery. One general election, that of 1837, was held on the 8th of May, and was attended with no inconvenience whatever; and in reference to an objection urged against an election at that season of the year, from a supposed increase of mercantile influence at that period, it is worthy of remark, that the Assembly returned in May 1837 was the most anti-mercantile or "liberal" House ever elected in this colony.

14. As to any necessary purpose for a meeting of the Legislature in February, the Assembly could, if so inclined, dispose of many matters before the close of the present Session. On the subject of reciprocal free trade with the United States, there are no dissentients in the Assembly; but the effect of the treaty on our revenue, independent of other considerations, renders unadvisable too precipitate a change in our fiscal system, and legislation in May or June on this subject will be at as early a period as, looking also to the necessary Imperial legislation upon it, and all the circumstances of the case, can be safe or useful. It will, moreover, be necessary for Royal Instructions, in the terms of the Duke of Newcastle's despatch of the 21st of February 1854, separating the Councils, and the requisite directions for inaugurating the new system to be transmitted to this country, which I can hardly expect before the end of February.

15. It now becomes my painful duty to advert to the violent conduct of the majority of the House of Assembly in reference to this matter of the elections. In carrying out the necessary preliminary arrangements to the introduction of a system of government, which, long deprecated, on account of our peculiar social condition, by the Protestants, who are the majority of the people, has been reluctantly acquiesced in by them, I have felt it to be my peculiar duty to use every

endeavour to avert or remove causes of irritation or offence on either side, while the change was being effected. If, in addition to the injustice which the Protestants assert has been done to them in the Representation Bill, carried by the votes of the official members of Council, the latter body has concurred in the Bill for dispensing with the safeguards to the purity of election provided by the law for the registration of voters, and the elections had been fixed to take place at a period of the year by which it is asserted two Protestant districts would be virtually disfranchised, exasperation would have been occasioned, which would increase, embitter, and perpetuate existing local differences, and odium would have attached to the Imperial Government itself. But after the necessary preliminary measures have been enacted, and when every effort is made consistent with what is due to the just rights and fair claims of all to have the elections at the earliest possible period; yet because they cannot be held so as to enable me to call the Legislature together at so early a period by between three and four months as is desired by the majority of the present Assembly, the country is still deprived of a Supply Bill, the unfortunate and unoffending officers of Government receiving small salaries, in these times of high prices kept without means of subsistence; and because I will not violate my duty, and act in opposition to the advice and consent of the Council, whose decision is imperative on me, my own removal from this Government is made the subject of an address to the Crown.

16. It is to me a source of mortification and pain that, after concession to the utmost limit had been made, this most unreasonable course should have been pursued. The only question remaining is, whether the Legislature can assemble at the beginning of February or in May; the former I deem to be not only legally but physically impossible, and yet this extreme and arrogant course of conduct is adopted.

I have, &c.
(signed) *Ker B. Hamilton.*

30 November 1854.

P.S.—In reply to the deputation of the Assembly who yesterday presented to me the address and resolutions, I made the following written communication:—

"I will, of course, forward this address and the resolutions to the Secretary of State.

"Having observed in them the statement that the Revenue Act, which will expire on the 28th of May next, is imperiled, I must remind you that its safety is within the power of the Assembly. On my part, I will concur in any such measure for promoting the existence of that Act as will place its safety beyond a doubt."

I have not yet learnt what the Assembly intends to do.
(signed) *K. B. H.*

Encl. 1, in No. 22.

Enclosure 1, in No. 22.

RESOLUTIONS adopted in Committee of the whole House on the state of the Colony.

Resolved, That the present session of the Legislature was expressly summoned by instructions from Her Majesty's Government for the purpose of arranging the preliminaries to the introduction of responsible government, and passing a Bill of Supply.

Resolved, That the House opened on the 10th October, and the most important precedent to the change of government, viz., the Representation Bill, was passed by the House, and sent to Her Majesty's Council on the 17th day of the same month.

Resolved, That the same Bill was returned from the Council on the 2d November, so amended as to induce all parties in the House to concur in its rejection.

Resolved, That Her Majesty's Council did on the 14th November assent to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and all its details the same Bill to which that body refused their assent in June last, thereby producing a collision with the popular branch which led to an appeal to Her Majesty's Government and to the loss of the supplies for the public service.

Resolved,

Resolved, That his Excellency K. B. Hamilton, in a communication to the Right honourable Sir George Grey, under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government, to dispense with a reserving clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of this extraordinary Session would be defeated, and the elections delayed till next spring.

Resolved, That no intimation of any other difficulty was made by his Excellency to the immediate holding of the elections under the new Bill, and the House accordingly proceeded to transact the other business embraced in the objects for which they were called together.

Resolved, That after the passing of the Representation Bill by the Council, and the receipt of the authority from Her Majesty's Government, asked for in his letter of the 19th September, this House necessarily concluded, by reference to the terms of his Excellency's letter, that he was in a position to give immediate effect to the Act in question.

Resolved, That on the 22d day of November members of this House became accidentally aware that the Government did not contemplate the holding of the elections this fall, an intention since formally communicated in reply to an address from this House.

Resolved, That this decision of his Excellency wilfully defeats the principal object for which the Session was held at considerable inconvenience and expense, and is at variance with his views contained in his letter to Sir George Grey, and with all his communications to the House up to the time of this disclosure.

Resolved, That the alleged reasons for postponing the elections are, the lateness of the season and the want of a revision of the registration of voters.

Resolved, That in 1842 a general election was held on the 20th December, and that no inconvenience was experienced in effecting it, and that it could therefore be held again at the same period.

Resolved, That even though the plea of the late season were valid, it is attributable to his Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby created an assumed difficulty, of which they now avail for defeating the views of the country with regard to the approaching change.

Resolved, That the revision of the registration of voters was the duty of the Executive, and should have been performed in due course, and that the Act gives the following discretionary power, which might have been used in the present case, "Provided, that should it be found necessary or expedient to hold an election or elections at any period of the year, when, by reason of the times limited in the said recited Act for serving notices and holding courts of revision, the provisions of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be according to the provisions of the said recited Act, but with such alterations, in the manner of taking and revising the same, as may be found necessary."

Resolved, That the new district of Burgeo and La Poile not being provided for in the Registration Act a special provision was made in the Supply Bill to meet this case, and seeing the neglect of the Government with regard to the general revision of the registration, and their believing it to have been the result not of design, but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for the next election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of this election.

Resolved, That the Council objected to this provision in the Supply Bill on a point of form, and the House then passed a Bill to carry out the same object.

Resolved, That this Bill was rejected by his Excellency's advisers, and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government and the avowed object of his Excellency the Governor, looking to the manner in which the business was protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by his Excellency, who has therefore forfeited the confidence of this House.

Resolved, That his Excellency, having caused or permitted the defeat of that which in his letter of 19th September he declared to be the principal object of the present Session, has now announced his intention of causing the elections to be held in May next.

Resolved, That this course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of responsible government, would now endeavour to thwart its legitimate operation.

Resolved, That in the month of May the great bulk of our fishing population are peculiarly subject to mercantile influence, that being the period when the issues of supplies on credit are made.

Resolved, That from the 1st of March to the 1st of November our fishing population are actively engaged either in the seal and herring fishery, or in preparing for, and carrying

on, the cod fishery ; and that an election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony.

Resolved, That we most distinctly and emphatically protest against the proposal of his Excellency to hold the elections in the month of May, and in deciding on this course, his Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House, and the wishes and desires of the general public.

Resolved, That regarding the conduct of the Governor and Council, as disclosed in the foregoing resolutions, this House cannot consent to send up another Bill of Supply to Her Majesty's Council.

Resolved, That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a legislature until after the general elections shall have been held.

Resolved, That the population of the country are in a state of severe suffering and privation, urgently demanding the most vigorous efforts of the legislature for the amelioration of their condition.

Resolved, That in the establishment of free trade with the United States, under the treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that treaty are now indefinitely postponed by the proceedings of the executive in reference to the elections.

Resolved, That as the Revenue Bill expires on the 27th May, this most important measure is imperiled by the conduct of the Governor and Council.

Resolved, That notwithstanding the avowed hostility of his Excellency to the policy of the majority of the Assembly ever since his assumption of the Government, we were willing to enter upon the change of system, and give him a fair trial, in the spirit of Sir George Grey's despatch ; but his Excellency having made it apparent by his conduct in the present Session that his sympathy with the obstructive party is paramount, and that so repugnant are his feelings to constitutional popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government, as contained in his letter aforesaid.

Resolved, Therefore, that it is necessary to the peace, welfare, and good government of the colony that his Excellency and his advisers should forthwith be removed from the administration of its affairs, and that an address embodying these resolutions be prepared and transmitted to Her Majesty's Secretary of State and both Houses of Parliament.

Resolved, That a copy of the foregoing resolutions, together with a copy of the address to the Right honourable the Secretary of State for the Colonies, be transmitted to Joseph Hume, Esq. M. P., and that the petition to the House of Commons be sent to him for presentation.

Resolved, That an address be presented to his Excellency the Governor respectfully requesting that his Excellency will be pleased to forward the foregoing resolutions and address to the Right honourable the Secretary of State for the Colonies.

Passed the House of Assembly, 27 November 1854.

(signed) *J. Kent*,
Speaker.

Encl. 2, in No. 22.

Enclosure 2, in No. 22.

Sir, Government House, 2 November 1854.

REFERRING to the conversation I had with you some days since, in which I stated that I considered it your duty to attend the Council at this juncture, I wish now formally to record that expression of my opinion.

I cannot comply with the request you then made to me, that I should intimate how you should vote ; but as to giving your vote, that is a duty which, I repeat, you cannot escape the responsibility of discharging.

I have, &c.
(signed) *Ker B. Hamilton*

The Hon. Major D'Alton,
President of the Council,
&c. &c. &c.

Sir,

Commandant's Office, Fort Townshend,
Sir, 2 November 1854.

I HAVE the honour to acknowledge the receipt of your Excellency's communication of this date, having reference to the conversation that took place between your Excellency and myself some days since. In doing so, I beg to inform your Excellency that I did, according to your desire, as expressed in our first conversation, attend the Legislative Council to vote on questions of protracted adjournments; and on leaving the Council Hall on that day, I informed the Colonial Secretary where I was to be found, and that I was always prepared to vote on such questions when necessary, so that the public interest should not suffer by any protracted adjournments.

With reference to our second conversation on the same day, on which your Excellency submitted your opinion that it was my duty to attend the Legislative Council, and vote on the Bill for the increase of the Representatives, I, in reply, informed your Excellency that, from my short residence in the colony, my being only in temporary command of the troops, and expecting Colonel Law by the packet now due, and from never having mixed myself up in any legislative proceedings (except as before alluded to, having become the President of the Legislative Council only since the 10th October last), I felt myself incompetent, for these reasons, to vote on such a grave question; at the same time, I expressed my willingness to do so, if your Excellency gave me instructions how to vote on the Bill referred to, as, under the circumstances above alluded to, I repeat, I felt it a question of too serious a nature to decide on myself, not knowing which party was acting for the future welfare of the colony. In conclusion, I beg most respectfully to adhere to the opinion I have already expressed to your Excellency on the subject; and

I have, &c.

(signed) *E. D'Alton*, Brevet Major,
Commanding the Troops.

His Excellency Ker B. Hamilton, Esq.,
Governor, &c. &c. &c.,
Newfoundland.

To his Excellency the Governor in Council, &c. &c. &c.

WE, the undersigned, having been invited to become candidates for seats in the House of Assembly at the next general election, are compelled to enter our protest against such elections being held during the present autumn or ensuing winter, and to request your Excellency to withhold your assent from any measure calculated to have such an effect.

1st. Because they would be in express violation of an existing fundamental law of the colony, which requires a registration and revision of voters to take place before each election, and which registration and revision are indispensable to secure the purity of election, and have not taken and cannot take place this year.

2d. Because in the new district of Burgeo and La Poile, embracing an extensive sea coast, no registration of voters has ever been made; and it would, at an election holden before such registration, be impossible to ascertain who would or would not be entitled to the privilege of voting.

3d. Because a large portion of the freeholders of the colony would thereby be practically disfranchised, inasmuch as they have retired from their usual places of abode into their winter habitations, and would therefore be deprived of the capability of voting, and probably of ever hearing of an election.

4th. Because, from the lateness of the present period of the year, communication between the remote districts and St. John's would be cut off, and candidates would be wholly unable to canvass their proposed constituencies; and if they reached their respective districts, and were elected, they would probably not be able to reach St. John's, and attend the Legislature during the ensuing winter; and thus, in the first and most important Session under the new system of responsible government, the two Protestant districts of Twillingate and Fogo and Burgeo and La Poile, returning one-tenth of the whole representation, would be wholly unrepresented.

(signed) *H. W. Hoyles.* *Bryan Robinson.*
John H. Warren. *R. Carter.*
Stephen March. *John Winter.*
William Henry Ellice. *F. B. T. Carter.*
M. D. Wallbank.

St. John's, 23 November 1854.

AN ACT to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony.

Preamble.

WHEREAS on the introduction of responsible government into this colony, it is expedient that provision should be made, out of the public funds thereof, for the payment of the retiring allowances of certain public officers hereinafter named;

Pensions granted to certain persons as follows:

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that there shall be paid quarterly to the several persons hereinafter mentioned, for their respective lives, out of the public funds, income, and general revenue of this colony, the following pensions, in the sterling money thereof, to wit:

Hon. J. Crowdy - -	£400
„ E. M. Archibald -	350
„ J. Noad - -	285
H. A. Emerson, Esq. -	90

To the Honourable James Crowdy, the annual sum of four hundred pounds; to the Honourable Edward Mortimer Archibald, the annual sum of three hundred and fifty pounds; to the Honourable Joseph Noad, the annual sum of two hundred and eighty-five pounds; to Hugh Alexander Emerson, Esquire, the annual sum of ninety pounds.

Pensions to cease upon said persons respectively accepting office in this colony of equal or greater value.
Act not to have any force or effect until responsible Government shall be in operation.

II. That the said pensions to the said James Crowdy, Edward Mortimer Archibald, Joseph Noad, and Hugh Alexander Emerson, shall cease upon their respectively accepting an office under the Government of this colony of equal or greater value: Provided always, that this Act shall not have any force or effect until responsible government shall be in operation in this colony.

THE subjoined Address from the House of Assembly was presented to his Excellency the Governor on Thursday last:—

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland, and its Dependencies.

May it please your Excellency,

THE House of Assembly respectfully intimate to your Excellency that the present Special Session of the Legislature, having been convened for the purpose stated in your Excellency's opening speech, "of settling the preliminary conditions to the introduction of the system of responsible government, and remedying the inconveniences arising from the circumstance of the last Session having closed without the usual Bill of Supply;" and the matters having been disposed of, so far as this House was concerned, it is the desire of this House and of the people generally, that your Excellency will be pleased to close the Session at an early day, that the general elections for this island may be held with as little delay as possible, with a view of introducing the new system of government, and thereby enable the Legislature to adopt such measures as may be necessary to avail of the Reciprocity Treaty for the establishment of free trade with the United States, and the interests of the country may require. The practicability of holding the general elections before the close of the present season is quite evident; while the great injustice to the electors, and the clear loss to the country which would result from postponing them until the spring, are matters to which we would solicit your Excellency's grave consideration.

The House would further remark that they passed the Supply Bill, only upon the understanding that effect should be given, without any further delay, to the intentions of the Imperial Government, in reference to the immediate introduction of responsible government, an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a suspending clause.

(signed) *John Kent*, Speaker.

House of Assembly, 22 May 1854.

REPLY.

Gentlemen, Secretary's Office, 24 November 1854.

REFERRING to the Governor's reply to the address of the House of Assembly (No. 12) which you presented to him yesterday, I am now directed by his Excellency to transmit to you the enclosed memorandum for the information of the House.

I have, &c.

P. F. Little and A. Shea, Esqrs., M.H.A. &c. &c. &c. (signed) *James Crowdy.*

I have brought under the consideration of Her Majesty's Council the question of the period at which the elections should be held, and have been advised by the Council that the hindrances to the elections being held before the month of May are insuperable; and that the elections should, accordingly, take place in the first week of that month.

(signed) *K. B. H.*

Enclosure

Enclosure 3, in No. 22.

Encl. 3, in No. 22.

To the Right Honourable Sir *George Grey*, Bart., Her Majesty's Principal Secretary of State for the Colonial Department.

THE petition of Her Majesty's faithful Commons of Newfoundland in legislative session convened, respectfully showeth, that the Duke of Newcastle having determined to establish responsible government in this old and loyal colony, in accordance with the repeated demands of the people, and the growing interests of the country, his Grace annexed certain conditions to the concession thereof, the principal of which were the passing of a Bill to increase the number of members in the Assembly, and the making of provision for the retiring officials upon the introduction of the new system. In the adjustment of these conditions a conflict arose last session between the Governor and his Council on the one hand, and this House on the other, which resulted in an appeal to the Imperial Government, a suspension of legislation, and a refusal to grant supplies. The Imperial Government having approved of the conduct of this House as to the Representation Bill, you were pleased to instruct his Excellency Ker Baillie Hamilton, Esquire, the Governor of this island, to summon the present session of the legislature for the express purpose of arranging the differences existing on the preliminaries to the granting of responsible government, with a view to its immediate introduction, and remedying the inconveniences arising from withholding the usual Bill of Supply. This session commenced on the 10th of October last, and the most important precedent to the change of government, viz., the Representation Bill, was passed by this House and sent to Her Majesty's Council on the 17th day of the same month, for their concurrence.

That this Bill was returned from the Council on the 2d day of November so amended as to induce both parties in this House to concur in rejecting the amendments. The Council at length receded from their amendments, and on the 14th day of November assented to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and in all its details identical with the Bill to which that body refused their assent in June last, and thereby produced the collision with the popular branch which led to the appeal to Her Majesty's Government, and to the loss of the supplies for the public service.

That his Excellency the Governor in a communication to you, under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government to dispense with a suspending clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of the extraordinary session would be defeated by the delaying the holding of the elections until next May. No intimation of any other difficulty was made by his Excellency to the immediate holding of the elections under the new Bill as soon as it should become law, and the House accordingly proceeded to transact the other business embraced in the objects for which this session was convened. After the passing of the Representation Bill by the Council, and the receipt of the authority from you asked for in his Excellency's letter of 19th September, the House necessarily concluded, by reference to the terms of his Excellency's letter, that he was in a position to give immediate effect to the Act in question; on the 22d day of November members of this House, however, became accidentally aware that the Governor did not contemplate the holding of the elections this fall, a determination since formally communicated by his Excellency in reply to an address from this House, declaring their opinion not only on the absolute necessity, but also on the evident practicability of holding the elections this fall, and pointing out the loss to this country, and the injustice to the electors, which would result from a postponement until the spring. That the decision of his Excellency wilfully defeats the avowed object for which this session has been held, at considerable inconvenience and expense, and is at variance with his views contained in his letter to you, and with all his communications to this House up to the time of this disclosure. The alleged reasons for postponing the elections are the lateness of the season, and the want of a revision of the registration of voters. In the year 1842, general elections were held on the 20th December, and no inconvenience was experienced in holding them; since that time the facilities of communication through the country have been much increased, and there is now no physical obstacle, or any other fair reason why they should not be held at a corresponding period this year. Whatever pretext the lateness of the season may afford, is attributable to his Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby overrated an assumed difficulty of which his Excellency, with their advice, now avails to defeat the views of the country with regard to the approaching change. That the revision of the registration of voters was the duty of the Executive, and should have been performed in due course, and the amended Registration Act (13 Vict., c. 14), gives the following discretionary power which might have been used in the present case, viz.; "Provided, that should it be found necessary or expedient to hold an election or elections, at any period of the year when by reason of the times limited in the said recited Act for serving notices and holding courts of revision, the provision of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be, according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same, as may be found necessary." The new district of Burgeo and La Poile not being provided for in the Registration Act, a special provision was made in the Supply Bill to meet this case; and seeing

the neglect of the Government with regard to the general revision of the registration, and believing it then to have been the result not of design but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for one year for the purposes of the next election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of the elections held within that period. The Council objected to this provision in the Supply Bill on technical grounds, and the House then passed a separate Bill with as little delay as possible, to carry out the same object. This Bill was rejected by his Excellency's advisers, and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government, and the avowed object of his Excellency; looking to the manner in which the business was designedly protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by his Excellency, who has, therefore, forfeited the confidence of the House. His Excellency having caused or permitted the defeat of that, which in his letter of September, he declared to be the principal object of the present session, has now announced his intention of causing the elections to be held in May next. This course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of responsible government, would now endeavour to thwart its legitimate operation. The great bulk of our fishing population are peculiarly subject to mercantile influence in the month of May, when supplies are issued to them on credit. From the 1st of March to the 1st November, our fishing population are actively engaged either in the seal and herring fishing, or in preparing for and carrying out the cod fishery, and that an election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony. This House, therefore, most distinctly and emphatically protest against the proposal of his Excellency to hold the elections in the month of May; and in deciding on this course, his Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House, and the wishes and desires of the general public.

Having regard to the conduct of the Governor and Council as disclosed by the foregoing facts, and to the duty which this House owe to the public, this House has been constrained to the resolution not to send up another Bill of Supply to Her Majesty's Council.

That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a Legislature until after general elections shall have been held. The operative population of the country are in a state of severe suffering and privation, owing to a partial failure of their ordinary pursuit last season, and other causes, urgently demanding the most vigorous efforts of the Legislature for the amelioration of their condition.

That in the establishment of free trade with the United States under the treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that treaty are now indefinitely postponed by the proceedings of the Executive in reference to the elections; and, as a further consequence, the Revenue Bill, which expires on the 27th of May next, is imperiled by the conduct of the Governor and Council, a subject of vast importance in the present financial embarrassment of the Government.

That notwithstanding the avowed hostility of his Excellency to the policy of the majority of the Assembly, the House was willing to enter with him on the change of system, and give him a fair trial in the spirit of your despatch. The utmost forbearance and the most conciliatory conduct have been manifested to him by the Assembly since the receipt of that despatch. But his Excellency having made it apparent by his conduct in the present session that his sympathy with the obstructive party is paramount to his duty to the country and the Crown; and that so repugnant are his feelings to constitutional and popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government, as contained in his said letter, to discard the rights of the electors, and come into direct collision with this House, after having received the clearest expression of their opinions on the impropriety and injustice of the course which he was about to adopt.

Therefore, convinced that it is necessary to the peace, welfare, and good government of the colony, that his Excellency and his advisers should forthwith be removed from the administration of its affairs, this House appeals with confidence to you for that purpose, and that the new system of government may be inaugurated without any further delay (the conditions stipulated by the Duke of Newcastle having been fulfilled by this House) under the auspices of a practical and impartial Governor, who shall reflect the honour of the Crown and conciliate the affections of the people, by the adoption of a constitutional and straightforward policy, divested of all sectarian antipathies and partizan predilections.

And, as in duty bound, will ever pray.

Passed the House of Assembly,
27 November 1854.

(signed) *John Kent*,
Speaker.

— No. 23. —

(No. 25.)

No. 23.
Sir G. Grey, Bart., to Governor Hamilton.
18 January 1855.

Copy of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 18 January 1855.

I have to acknowledge your despatch No. 130,* of 29 November, reporting to me the progress of events in the session of the General Assembly of Newfoundland, the reasons which had rendered it necessary for you to prolong the session until the date of your writing, and the obstacles which presented themselves to the holding of the first elections under the Act to increase the number of representatives in the General Assembly at as early a period as you had contemplated, when you addressed to me your despatch No. 120,† of the 19th September last.

* Page 104.

† Page 80.

2. You enclose in the same despatch, in pursuance of an address presented to you by a deputation of the House of Assembly, a copy of Resolutions agreed to by that House on the 27th ultimo, and a Memorial addressed to me founded upon these Resolutions.

3. It is with great regret that I have read the imputations upon your conduct and motives contained in these Resolutions, as, although I can understand that some disappointment might not unnaturally be felt at the postponement of the elections, I think it due to you to state, that the reasons which you have given for the course you have pursued, appear to me quite satisfactory.

4. I shall cause immediate steps to be taken for furnishing you with amended instructions, founded on the Duke of Newcastle's despatch of the 21st February last. I understand this has been ascertained to be now necessary.

5. I take the same opportunity to acknowledge your despatch, No. 127, of the 14th of November, which I have delayed answering in order, at your suggestion, to obtain the opinion of the law advisers of the Crown in this country on the points of law raised thereon. I have not yet received this opinion.

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

— No. 24. —

(No. 132.)

No. 24.
Governor Hamilton to Sir G. Grey, Bart.
30 November 1854.

Copy of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
30th November 1854.
(Received, 18 December 1854.)

Sir, (Answered, 30 December 1854, No. 21, page 116.)

I have been requested by the House of Assembly to forward the enclosed address to you, acquainting you that they had appointed Mr. Little to proceed to England to make representations to Her Majesty's Government on the affairs of the colony.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure in No. 24.

Encl. in No. 24.

To the Right Honourable Sir *George Grey*, Bart., Her Majesty's Principal Secretary of State for the Colonies.

Sir,

The House of Assembly of Newfoundland having, on the 27th instant, adopted an address to you in reference to the affairs of this colony, now beg to acquaint you that they have appointed Philip S. Little, esq., a member of their body, to proceed to England to justify to Her Majesty's Government the statements and views embodied in the address in question.

(signed) *J. Kent,*
Speaker.

House of Assembly, 29 November 1854.

— No. 25. —

No. 25.
Sir G. Grey, Bart., to Governor Hamilton.
30 December 1854.

(No. 21.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 30 December 1854.

I HAVE to acknowledge the receipt of your despatch No. 132, of the 30th November, forwarding an address to myself from the House of Assembly of Newfoundland, notifying the appointment of Mr. Little to proceed to England to make representations to Her Majesty's Government on the affairs of the colony.

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

— No. 26. —

No. 26.
Governor Hamilton to Sir G. Grey, Bart.
30 November 1854.

(No. 133.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
30 November 1854.
(Received, 18 December 1854.)
(Answered, 30 December 1854, No. 22, *infra*.)

Sir,

REFERRING to my despatch, No. 130, of the 29th instant, I have the honour to inform you that, at my request, a gentleman fully conversant with the present position of affairs in this colony will proceed to England, a fortnight hence, authorised by me to put you in possession of all the circumstances connected with the recent proceedings of the Legislature.

2. I am induced to adopt this course, inasmuch as in a written despatch I could not communicate all those circumstances which can be so much better learnt from personal explanation. I think it prudent also to adopt this course, from the circumstance of the Assembly having again appointed Mr. Little to make representations to Her Majesty's Government.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 27. —

No. 27.
Sir G. Grey, Bart., to Governor Hamilton.
30 December 1854.

(No. 22.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 30 December 1854.

I HAVE to acknowledge the receipt of your despatch No. 133, of the 30th ultimo, reporting that a gentleman would proceed to this country, authorized by you to put me in possession of all the circumstances connected with the recent proceedings of the Legislature of Newfoundland.

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

— No. 28. —

(No. 134.)

No. 28.
Governor Hamilton to Sir G. Grey, Bart.
9 December 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
9 December 1854.
(Received, 9 December 1854.)
(Answered, 17 January 1855, No. 24, page 119.)

Sir,

REFERRING to my despatch No. 130,* of the 29th November relative to the Address and Resolutions of the Assembly, and to the postscript dated the 30th, in which I acquainted you that I had informed the Assembly that I would concur with them in a measure for prolonging the existence of the Revenue Act, I have the honour to enclose a copy of their reply. I feel that I have followed a safe course in simply stating the facts connected with the subject in the order of their occurrence; and that in that despatch will be found an answer to anything tangible that can be gathered from the string of resolutions passed by the Assembly.

* Page 104.

2. My letter of Thursday, the 30th of November, which I was just able to throw into the despatch bag as it was being closed, will have informed you that I had assented to the Representation Bill, and will have announced the fact of the Assembly having, in the face of a notice of my intention to prorogue the Legislature at four o'clock p.m. on that day, adjourned at two o'clock, to the 10th January next, avowedly for the purpose of avoiding the prorogation.

3. A proceeding so unexpected and unprecedented, so disrespectful to the Crown, and so defiant of the Queen's prerogative and authority, took me so much by surprise that I was unable, before the departure of the mail on that day, to determine upon the course fit to be adopted in such emergency; but subsequent reflection satisfied me I ought not, by this conduct of the Assembly, to be deterred from the course which I had originally intended to pursue. Having, therefore, by proclamation, notified that I had, in accordance with the fact, on the 30th of November (the day of the intended prorogation) signed and assented to the Bills which had passed the other branches of the Legislature, I dissolved the present Assembly by proclamation on the 5th instant; and having, with the advice and consent of the Council, appointed the elections to be holden on the 7th and 12th May, I have directed the necessary revision of the registration of voters to be immediately undertaken, preparatory to that event.

Royal Gazette, 5 December 1854.

4. One of the objects of the Assembly in adjourning to the 10th of January was, I presume, to give Mr. Little, while preferring his charges against me and the Council, a certain *locus standi* as the representative of an existing body. My motive in dissolving the Assembly, however, was not to defeat this object, but, 1stly, to vindicate the authority of the Crown by a proper use of the function and prerogative committed to me by the Queen; and 2dly, as the preliminary measures to the introduction of responsible government had been completed by the Legislature, to prevent the postponement of the elections until next fall; a result which would probably ensue from the continuance of the present Assembly until after the 10th of January, which would, under the Duke of Newcastle's despatch, delay responsible government and continue the present unhappy state of affairs until the winter of 1855-56; would, in the meantime, prevent all useful legislation; and would probably leave the country for eight or nine months without a revenue. The Legislature will now be convened in May, in time to continue the present Revenue Act, or to adopt any modification of the revenue laws which may then be deemed expedient.

5. With respect to the official members of the Legislative Council, they, in difficult circumstances, as I have already pointed out to you in the 4th paragraph of my despatch No. 130, of 29th of November, evinced, in a high degree, temper, moderation, and the discretion of persons experienced in public business. The explanation of their proceedings is to be found in their own words in the enclosed report of the debates of the Council.

See Newfoundland Express, 21 November 1854.

6. All differences between the several branches of the Legislature have thus died a natural death; and the battle must be fought, for the future, at the hustings, or in the Assembly House.

7. With regard to the charges, if they may be so called, against myself, I must, however, distinctly disavow any desire to escape from them, or to urge against them the fact of the body from whom they emanated having now no legal existence. It is true that in the next House, on whichever side may be the majority, all motive or occasion for collision with the Governor will be removed, and a past example of firmness and determination in the discharge of my duties will be most likely to procure respect for my office for the future. But in this matter, something more is involved than a mere passing difference; and I owe it to the honour of the office I hold, and to myself, to request that the question may be determined upon its own merits, and, if it shall be found, as I believe it will, that I have been actuated solely by a desire faithfully to administer the government of this colony in accordance with the instructions I have received from Her Majesty's Government, and to carry out their views, and that my conduct has been such as, under the embarrassing circumstances by which I was surrounded, was best calculated to promote that end, that I may receive from the Imperial Government that support to which, under these circumstances, I conceive I am fairly entitled.

8. When I reflect upon those events so full of profound incident and importance which now engage the attention of Her Majesty's Government, and of every loyal heart, it is a source of pain to me to be obliged to occupy your time and attention by a reference to a quarrel so entirely gratuitous as this.

I have, &c.
(signed) *Ker B. Hamilton.*

10 December 1854.

P. S.—Having just learnt that it is extremely doubtful whether the regular mail from England will be despatched so as to enable me to communicate at the usual time by the return mail, I take advantage of a sailing vessel about to sail for Liverpool, to transmit the foregoing duplicate of a despatch intended to have been forwarded by the packet. I will transmit by the earliest opportunity copies of the Acts which have been passed with a view to their being submitted for the Royal confirmation. The Representation* and Pension Acts* (the preliminaries of responsible government) I would suggest should be confirmed with as little delay as possible. As the publication of them in the "Royal Gazette" is authentic, the copies enclosed may, perhaps, suffice for this purpose.

* Copies of these Acts will be found at pp. 123, 124.

Royal Gazette, 5 December 1854.

Encl. in No. 28.

Enclosure in No. 28.

Resolved, That the House was fully justified in declaring that his Excellency, in refusing to hold the elections this fall, imperiled the Revenue Bill, which expires on the 27th May next.

Resolved, That the next Revenue Bill to be passed by the House must be adapted to the requirements of the treaty for the establishment of free trade with the United States; and his Excellency, in his opening speech, having informed the House that he had not the necessary instructions to enable them to legislate on this subject, the question has not occupied our attention on this account, independent of our unwillingness to trust legislation on the question of free trade to a hostile Council.

Resolved, That in view of the present collision between the House and the Executive Government, the Assembly are of opinion that all legislative proceedings should be suspended until the issue of the appeal which has now been made to Her Majesty's Government, and that the House accordingly do adjourn to the 10th January.

— No. 29. —

No. 29.
Sir G. Grey, Bart., to Governor Hamilton.
17 January 1855.

(No. 24.)

EXTRACT of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart. to Governor *Hamilton*.

Downing-street, 17 January 1855.

"I HAVE to acknowledge the receipt of your despatch No. 134, of the 9th of December last, reporting the circumstances under which you had dissolved the House of Assembly of Newfoundland, and in signifying to you my approval of the course you adopted on this occasion, I have to remind you that the copies of the Representation and Pension Acts, as published in the Gazette annexed to your despatch, cannot be submitted for Her Majesty's assent, and the confirmation of these Acts must necessarily await their receipt in a duly authenticated form."

— No. 30. —

No. 30.
Governor Hamilton to Sir G. Grey, Bart.
14 December 1854.

(No. 137.)

EXTRACT of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland.
14 December 1854.

(Received, 18 January 1855.)
Answered, 24 January 1855, No. 27, page 120.)

"REFERRING to my Despatch, No. 133,* of the 30th ultimo, informing you that a gentleman fully conversant with the present position of affairs in this colony would proceed to the Colonial Department by the next mail steamer, I have the honour to acquaint you that, at my request, Mr. Hoyles, a member of the late Assembly, has consented to undertake the mission.

* Page 116.

"During the absence on duty of Mr. Archibald in England in the year 1853, Mr. Hoyles, as Solicitor-general, was my confidential legal adviser; and I am therefore well acquainted with his merits. I request you will do me the favour to refer to Sir Gaspard Le Marchant's despatch to Sir John Pakington, No. 32, of the 1st of June 1852, recommending Mr. Hoyles for the office of Solicitor-general; and I need only add, that experience has proved the correctness of the high estimate my predecessor had formed of Mr. Hoyles's character and ability. On the 9th of October, the day before the last meeting of the Legislature, Mr. Hoyles, in a letter, a copy of which I enclose, tendered his resignation of this office; and although, in fact, actual circumstances did not demand this step on his part, yet, to preclude any possible misapprehension at that juncture, I accepted the resignation he offered. As I feel, however, that it might be of some advantage to Her Majesty's Government that a law officer of the Crown should, on the present occasion, be at hand; Mr. Hoyles, as you will perceive from the enclosed letter, has acquiesced in my wish that he should again accept the office of Solicitor-general, in which capacity he will present himself to you.

Mr. Hoyles to Governor Hamilton, 9 October 1854.
Mr. Hoyles to Governor Hamilton, 6 December 1854.

"Mr. Hoyles, who was born in Newfoundland, considers it his home; and, unlike the officers of the Government, and even the merchants who hold comparatively a fleeting relation to the colony, his interest in its welfare is of a more permanent kind; and by universal consent he is regarded as the leader and head of that portion of the people which forms the majority. His personal and professional character is without spot, and he would be valuable in any government—in any law court—in any senate. * * * *

"I am persuaded that Mr. Hoyles's upright and moderate views on subjects appertaining to the well-being of Newfoundland will, at least, secure your sympathy if not your concurrence."

Encl. 1, in No. 30.

Enclosure 1, in No. 30.

Sir, St. John's, 9 October 1854.

HAVING for some time past, as your Excellency is aware, taken a very active part on one side of the important political question by which the colony has of late been agitated, I think I ought not, when that question has been referred by the Imperial Government for the consideration of the Legislature, to continue to hold my present appointment.

Not that I have any reason to suppose that the principles which I have heretofore advocated in my place in the Assembly, and which of course I shall continue to maintain, are in any manner opposed to the policy of the Government, either here or at home, but I am aware that your Excellency has on more than one occasion written of me to the Colonial office as representing in the House your Excellency's Government, and that the same opinion has been generally entertained here, and therefore, as well that the Government may not by any proceedings of mine be in any way embarrassed in any possible contingency, as that I may be perfectly untrammelled in the advocacy of my own views, I beg leave most respectfully to resign my office of Solicitor-general.

With many thanks for the very great kindness and consideration which I have always in official intercourse received from your Excellency,

I have, &c.

His Excellency the Governor, (signed) *Hugh W. Hoyles.*
&c. &c. &c.

Encl. 2, in No. 30.

Enclosure 2, in No. 30.

Sir, St. John's, 6 December 1854.

BELIEVING that my holding an office under your Excellency's Government would promote the object of my intended visit to England, I readily accept, for that purpose only, the temporary appointment of Solicitor-general, with the understanding, however, that, for the reasons which I have already explained to your Excellency, I shall be permitted to resign on my return to Newfoundland.

I have, &c.
(signed) *Hugh W. Hoyles.*

No. 31.
Sir G. Grey, Bart., to Governor Hamilton.
24 January 1855.

— No. 31. —

(No. 27.)

COPY of a DESPATCH from the Right Honourable *Sir G. Grey*, Bart., to Governor *Hamilton.*

Sir, Downing-street, 24 January 1855.

I HAVE to acknowledge the receipt of your despatch No. 137, of the 14th of December last, apprising me that you had selected Mr. Hoyles to proceed to this country for the purpose of supplying me with information on the present position of affairs in Newfoundland. On Mr. Hoyles announcing to me his arrival, and asking for an interview, I informed him, as I had previously informed Mr. Little with regard to the communications with which he was charged, that I could not receive from him, except in writing, any statements tending to inculpate persons in Newfoundland, between whom and yourself differences may have arisen. I afterwards saw Mr. Hoyles, when he acquainted me that his only object was, to place before me the reasons which had influenced you in your decision as to the time of holding the elections, with respect to which a charge had been preferred against you in the resolutions adopted by the late House of Assembly; but as I had received from you a full statement of these reasons, and as I had already conveyed to you my opinion that they were satisfactory, I thought it unnecessary (and I understood Mr. Hoyles freely to concur with me in this opinion) that he should make an oral statement, which could only be a repetition of what you had more regularly and with sufficient clearness already made to me in writing. I regret that Mr. Hoyles should have incurred the inconvenience, to which you informed me he would be subject, by a voyage to England without, as it appears to me, any adequate occasion for it.

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

— No. 32.—

(No. 138.)

No. 32.
Governor Hamilton to Sir G. Grey, Bart.
26 December 1854.

Copy of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
26 December 1854.
(Received, 18 January 1855.)

Sir,

I have the honour to enclose a copy of an address from the Legislative Council to me, acquainting me that they had thought it desirable that one of their number should proceed to England for the purpose of giving Her Majesty's Government information on the proceedings of the Legislature during the last Session, and that they had nominated Mr. Crowdy, the Colonial Secretary, to discharge the duties adverted to.

2. Mr. Crowdy, on account of his capacity for public business, was selected by Her Majesty's Government, and appointed by the Royal Instructions to administer this Government on the death or absence of the Governor; and, in addition to his ordinary duties, having held the office of Administrator of the Government, he is perfectly competent to afford any information you may desire to receive in relation to the affairs of the colony, as well as to fulfil the object indicated in the address of the Legislative Council.

I have, &c.
(signed) *Ker B. Hamilton.*

Enclosure in No. 32.

Encl. in No. 32.

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

May it please your Excellency,

We, Her Majesty's Council, having thought it desirable that one of our number should proceed to England as a delegate for the purpose of giving to Her Majesty's Government such information on the proceedings of the Legislature during the present session as circumstances may render necessary, respectfully beg leave to acquaint your Excellency that they have nominated the Honourable James Crowdy as the most fitting person to discharge the duties adverted to.

Council Chamber, 5 December 1854.

— No. 33.—

(No. 142.)

No. 33.
Governor Hamilton to Sir G. Grey, Bart.
29 December 1854.

Copy of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
29 December 1854.
(Received, 18 January 1855.)

Sir,

(Answered, 25 January 1855, No. 28, page 123.)

Referring to my despatch No. 127,* of the 14th November last, I have now the honour to acquaint you that having, with the advice and consent of the Council, fixed the elections to take place on the 7th and 12th May, I have issued the necessary proclamation for that purpose in the form heretofore followed, with such modifications only as were requisite to make it accord with the terms of the recent Act for increasing the number of representatives.

* Page 102.

2. At the time I forwarded my despatch of the 14th November above referred to, I did not contemplate issuing the proclamation for the election until March;

but the state of our internal communication is such as, in the opinion of the Council, to make it advisable to forward the proclamation and the writs to the remote districts without delay before the winter closes in. In reference to the sixth paragraph of that despatch, I beg leave to state that the law officers, entertaining doubts as to the legality of the insertion in the proclamation of a direction authorising the electors in certain districts to vote by ticket, notwithstanding their dwelling-houses might be situate within 15 miles of the nearest place of election; conceiving that such a direction might possibly exceed the authority given to the Governor by the proclamation of July 1832, the Royal Instructions, and the recent Representation Act, I have not embraced any such direction in the proclamation now issued. Such a modification, however, I consider would be most desirable in the peculiar social condition of the population of this island; and should you deem it legally within the compass of my authority, it can be embraced in a subsequent proclamation in sufficient time to be made available at the ensuing general election.

3. I have now to solicit your directions with reference to the separation of the Councils, for which purpose, I presume, a Royal Instruction will be forwarded to me. The number of the present Executive and Legislative Council is reduced, by the resignation of Messrs. Thomas and Row, to eight members, viz.: the Commandant, the Attorney-general, the Colonial Secretary, Mr. Noad, Mr. Bennett, Mr. O'Brien, Mr. Job, and Mr. Grieve. I presume that, in future, the officer commanding the troops here will not be a member of the Council. In order, therefore, to raise the number of the Legislative Council to 12 members in all, I would recommend the names of the following gentlemen, as well qualified in respect of property, intelligence, and standing in the community: Mr. Bryan Robinson, a leading member of the profession of the law, and who formerly was for several years a member of the Executive Council; Mr. Nicholas Stabb, a most highly respectable and intelligent merchant, and a member of the Wesleyan body; Mr. Roger Forstal Sweetman, and Mr. William Donnelly, two highly respectable merchants, justices of the peace, both Roman-catholics; and Mr. Eugenius Harvey, an intelligent merchant of high character, a member of the Church of England.

4. Irrespective of the present Colonial Secretary, Attorney-general, and Mr. Noad, whose places will be vacated on the meeting of the new Assembly, and will be supplied, I presume, by persons recommended by the leaders of the party which may then come into power, the composition of the Council would be as follows; viz., Mr. Bennett, Mr. Robinson, Mr. Harvey, members of the Church of England, Mr. O'Brien, Mr. Sweetman, and Mr. Donnelly, Roman-catholics; and Mr. Job, Congregationalist; Mr. Grieve, Presbyterian; and Mr. Stabb, Wesleyan.

5. Considering the relative number of the members of the Assembly, I am of opinion that the number of the Council need not, for the present, exceed 12. The Executive Council may, for the present, with convenience, consist of the remaining members of the existing Council, excepting the officer commanding the troops; seven in all. Of course, on the meeting of the Legislature, a reconstruction of the Executive Council will necessarily take place; and it will then embrace such a number (seven would be ample) of the members of the Legislative Council and Assembly as might be selected by the party having the majority in the Assembly under the new system of government.

6. For any further information which may be necessary on this subject, I beg to refer you to Mr. Crowdy, the Colonial Secretary, whose long residence here, and thorough acquaintance with the affairs of the colony, render valuable the information he will be enabled to afford.

I have, &c.

(signed) *Ker B. Hamilton.*

29 December 1854.

P.S.—I think it right to add, in reference to the recommendation of Mr. Robinson for a seat in the Council, and with a view to his being a member of the Legislative Council under the new system of government, that Mr. Robinson had

had made preparations for becoming a candidate for a seat in the Assembly for the new district of La Poile, for which, I believe, there is no doubt he would be returned; but on my acquainting him of my intentions, he has withdrawn from becoming a candidate, in full confidence of being a member of the future Legislative Council.

(signed) *K. B. H.*

— No. 34. —

(No. 28.)

No. 32
Sir G. Grey, Bart. to Governor Hamilton.
25 January 1855.

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir, Downing-street, 25 January 1855.

I HAVE to acknowledge the receipt of your despatch No. 142,* of the 29th of December last, reporting that you had fixed the elections to take place, under the provisions of the new Representation Act, on the 7th and 12th of May, and requesting instructions with reference to the separation of the Legislative and Executive Councils.

* Page 121.

On the latter point I have to acquaint you that the necessary instrument, under the Royal Sign Manual, for the reconstruction of the Councils, will be transmitted to you by an early opportunity.

I have, &c.

(signed) *G. Grey.*

APPENDIX.

Appendix, No. 1.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

Cap. II.

AN ACT to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony.—Passed 30 November 1854.

WHEREAS on the introduction of responsible government into this colony, it is expedient that provision should be made, out of the public funds thereof, for the payment of the Retiring Allowances of certain public officers hereinafter named. Preamble.

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that there shall be paid quarterly to the several persons hereinafter mentioned, for their respective lives, out of the public funds, income, and general revenue of this colony, the following pensions, in the sterling money thereof, to wit: Pensions granted to certain persons as follows:

To the Honourable James Crowdy, the annual sum of 400*l.* Hon. J. Crowdy, 400*l.*
To the Honourable Edward Mortimer Archibald, the annual sum of 350*l.* Hon. E. M. Archibald, 350*l.*
To the Honourable Joseph Noad, the annual sum of 285*l.* Hon. J. Noad, 285*l.*
To Hugh Alexander Emerson, Esq. the annual sum of 90*l.* H. A. Emerson, Esq., 90*l.*

II. That the said pensions to the said James Crowdy, Edward Mortimer Archibald, Joseph Noad, and Hugh Alexander Emerson, shall cease upon their respectively accepting an office under the government of this colony of equal or greater value: Provided always, that this Act shall not have any force or effect until responsible government shall be in operation in this colony. Pensions to cease upon said persons respectively accepting office in this colony of equal or greater value.
Act not to have any force or effect until Responsible Government shall be in operation.

Appendix.

Appendix, No. 2.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

Cap. III.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.—Passed 30 November 1854.

Preamble.

WHEREAS by proclamation bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as members of the said Assembly, in the manner mentioned and provided in and by the said proclamation: And whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein :—

House of Assembly to consist of 30 Members.

I. Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, the House of Assembly shall consist of 30 Members, of whom 10 shall be a quorum; and that for the purpose of the election of

Division of Districts.

the Members of the said Assembly, this island shall be divided as follows:—That is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two Members. The district of Bonavista, which shall be comprised within the limit of the present electoral district of Bonavista, and shall be represented in the said General Assembly by three Members. The district of Trinity, which shall be comprised within the limits of the present electoral district of Trinity, and shall be represented in the said General Assembly by three Members. The district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven Members; of whom two shall be chosen by the electors residing in that part of the said district to be called the southern division thereof, lying between the district of Saint John's and Turk's Gut inclusive; one by the electors residing in that part of the said district to be called the Port de Grave division thereof, lying between Turk's Gut exclusive, and Port de Grave inclusive; two by the electors residing in that part of the said district, to be called the Harbour Grace division thereof, lying between Port de Grave exclusive and Harbour Grace inclusive, including Harbour Grace island; one by the electors residing in that part of the said district, to be called the Carbonear division thereof, lying between Harbour Grace exclusive and Fresh Water exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds division thereof, lying between Fresh Water and Bay de Verds both inclusive. The district of Saint John's, which shall comprise the present electoral district of Saint John's, and shall extend southward and westwardly to a straight line drawn from Petty Harbour inclusive to the Northern Goulds Bridge on the Bay Bulls road, and thence to Broad Cove inclusive, shall be represented in the said General Assembly by six Members, of whom three shall be chosen by the electors of the said district residing southward of Saint John's Harbour, and westward of a line drawn from said harbour through the centre of Beck's Cove, thence across Duckworth-street round the west side of Playhouse Hill, along the centre of Carter's-lane; up Carter's Hill, thence along Cook's Town road, thence along Fresh Water road to the west end thereof, and thence in a direct line to Broad Cove settlement inclusive, which shall be called the division of Saint John's west; and three by the electors of the said district residing eastward and northward of the above-named cove, line, lane, and roads, including Belle Isle, which shall be called the division of Saint John's, east. The district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the said district of Saint John's, and shall be represented in the said General Assembly by two Members. The district of Placentia and Saint Mary's, which shall be comprised within the limits of the present electoral district of Placentia and Saint Mary's, and shall be represented in the said General Assembly by three Members. The district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two Members. The district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one Member; and also all that part of the south coast of the island, lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one Member.

Preamble.

And whereas in pursuance of the provisions of an Act passed in the 10th and 11th years of the reign of Her present Majesty, intituled "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions, bearing date the 19th day of July 1848, did, among other things, declare that the qualification of persons thereafter to be elected to serve as Members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100 *l.* or the possession of property, clear of all incumbrances, exceeding 500 *l.*

in

in value; and the length of the period of residence within the said island which should be required in addition to any other qualification for being elected to the General Assembly aforesaid, should be the period of two years preceding such election:

Qualification of Members of Assembly.

II. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for Members to serve in the General Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

Mode of election of Members of the Assembly.

III. For the purpose of the election of Members to serve in any General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of Returning Officer in each of the said electoral districts and divisions of districts of this island, to whom writs in Her Majesty's name shall be issued, directing them to summon the freeholders and householders of all the said districts and divisions of districts respectively, to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid; and such other regulations and directions as shall be signified in any Proclamation or Proclamations to be issued by the Governor, according to the laws of the island now in force or hereafter to be in force in that behalf.

Fees of Returning Officers, and other election expenses.

IV. The Returning Officer from each district shall be entitled to receive from the Colonial Treasury 30*s.* for every Member returned, upon the return of the writ for such district. When there is no contest, he shall be entitled to 10*s.* from every candidate for such district, and when there shall be a contest, and poll demanded, 20*s.* for every candidate instead of 10*s.*; and further, when there shall be a contest, there shall be paid to the Returning Officer of each district by the candidates for such district, in just proportions according to the number of the polling places in which each candidate is interested, the following sums:—20*s.* for procuring a booth or polling place for each district or division of district, except where the polling place shall be a public building that can be had without charge; 20*s.* for every presiding officer, and 10*s.* for every poll clerk, to include their travelling fees; and the fees shall be paid to the Returning Officer for each district on the day of nomination of candidates for such district; and the name of no candidate shall be entered on the Returning Officer's poll-book, or returned to presiding officers, who shall not have paid or tendered the full amount due from him, under this section, before the expiration of the time named for the nomination of candidates: Provided always, that the amount to be paid by any candidate shall not exceed the sum of 10*l.*

NEWFOUNDLAND.

COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State and the Governor of *Newfoundland*, on the recent Changes in the Constitution of that Colony.

(*Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*,
25 *May* 1855.

[*Price* 1 *s.* 4 *d.*]

273.

Under 20 *oz.*

NORTH AMERICAN COLONIES.

COPIES OF ACTS

RECENTLY PASSED BY THE LEGISLATURES

OF

CANADA, NOVA SCOTIA, NEW BRUNSWICK, AND PRINCE EDWARD ISLAND

FOR GIVING EFFECT ON THE PART OF THOSE PROVINCES

TO THE

RECENT RECIPROCITY TREATY WITH THE UNITED STATES.

Presented to both Houses of Parliament by Command of Her Majesty,
2d February 1855.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

COPIES OF ACTS, &c.

I.
CANADA.

An Act for giving effect, on the part of this Province, to a certain Treaty between Her Majesty and the United States of America.

WHEREAS it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the fifth day of June one thousand eight hundred and fifty-four: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled "An Act to re-unite the "Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted by the authority of the same, as follows:

I. Whenever the Governor of this Province shall, by Proclamation, declare that the said Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule hereunto annexed, being the growth and produce of the said United States, shall be admitted into this Province free of duty, so long as the said Treaty shall remain in force; except that if at any time the said United States shall, under the terms of the said Treaty, suspend the operation of the third article thereof, so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue, but the Governor may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

II. It shall be lawful for the Governor in Council, by any Order or Orders to be made for that purpose, to do anything which shall be found necessary to be done on the part of this Province to give full effect to the said Treaty, and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III. The Act passed in the twelfth year of Her Majesty's Reign, intituled "An Act to provide for the free admission into Canada of certain articles "of the growth or production of the United States of America, on certain "conditions therein mentioned," is hereby repealed.

SCHEDULE.

Grain, flour, and breadstuffs of all kinds.
Animals of all kinds.
Fresh, smoked, and salted meats.
Cotton-wool, seeds, and vegetables.
Undried fruits, dried fruits.
Fish of all kinds.
Products of fish and all other creatures living in the water.
Poultry, eggs.
Hides, furs, skins, or tails undressed.
Stone or marble in its crude or unwrought state.
Slate.

CANADA.

Butter, cheese, tallow.
Lard, horns, manures.
Ores of metals of all kinds.
Coal.
Pitch, tar, turpentine, ashes.
Timber and lumber of all kinds, round, hewed, sawed, unmanufactured in whole or in part.
Firewood.
Plants, shrubs, and trees.
Pelts, wood.*
Fish-oil.
Rice, broomcorn, and bark.
Gypsum, ground or unground.
Hewn or wrought or unwrought burr or grindstones.
Dye-stuffs.
Flax, hemp, and tow unmanufactured.
Unmanufactured tobacco.
Rags.

* Sic in copy.

I do hereby certify the above to be a true copy of the Bill passed by the Legislative Council and Legislative Assembly of Canada in the First Session of the Fifth Provincial Parliament, and assented to in Her Majesty's name by his Excellency the Governor General on Saturday the twenty-third day of September 1854.

J. F. Taylor,
Clerk, Legislative Council.

II.

NOVA SCOTIA.

NOVA SCOTIA.

Province of Nova Scotia.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

CAP. I.

An Act for giving effect, on the part of the Province of Nova Scotia, to a certain Treaty between Her Majesty and the United States of America

[Passed the 13th day of December 1854.]

Whereas it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the fifth day Jnne in the Year of our Lord one thousand eight hundred and fifty-four:

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

I. Whenever the Governor of this Province shall, by Proclamation, declare that the Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule to this Act, being the growth and produce of the United States of America, shall be admitted into this Province free of duty, so long as the Treaty shall remain in force, any law, act, or statute to the contrary notwithstanding, except that if at any time the United States shall, under the terms of the Treaty, suspend the operation of the third article thereof so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue; but the Governor may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

II. It shall be lawful for the Governor in Council, by any Order or Orders to be made for that purpose, to do anything further in accordance with the spirit

and intention of the Treaty which shall be found necessary to be done on the part of this Province to give full effect to the Treaty, and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III. When and so soon as the Treaty shall be declared by Proclamation of the Governor to be in force, and to have taken effect according to the terms thereof, as provided for by the first section of this Act, the first eighteen sections of the ninety-fourth chapter of the revised statutes, "Of the Coast Fisheries," together with such provisions of all other laws, acts or statutes of this Province now in force as are contrary to or inconsistent with the terms and spirit of the Treaty, are hereby declared to be suspended as regards citizens and inhabitants of the United States of America, and vessels, boats, and crafts belonging to the citizens and inhabitants of that country, and shall continue to be so suspended and not in force so long as the Treaty shall continue and be in force, any law, act, or statute to the contrary notwithstanding.

SCHEDULE TO THIS ACT.

Grain, flour, and breadstuffs of all kinds.
Animals of all kinds.
Fresh, smoked, and salted meats.
Cotton-wool, seeds, and vegetables.
Undried fruits, dried fruits.
Fish of all kinds.
Products of fish and all other creatures living in the water.
Poultry, eggs.
Hides, furs, skins, or tails undressed.
Stone or marble in its crude or unwrought state.
Slate.
Butter, cheese, tallow.
Lard, horns, manures.
Ores of metals of all kinds.
Coal.
Pitch, tar, turpentine, ashes.
Timber and lumber of all kinds, round, hewed, and sawed, unmanufactured in whole or in part.
Firewood, plants, shrubs, and trees.
Pelts, wool.
Fish-oil.
Rice, broomcorn, and bark.
Gypsum, ground or unground.
Hewn, wrought, or unwrought burr or grindstones.
Dye-stuffs.
Flax, hemp, and tow unmanufactured.
Unmanufactured tobacco.
Rags.

Province of Nova Scotia. Halifax, December 1854.

It is hereby certified, that the foregoing is a true copy of an Act passed by the Legislature of Nova Scotia in the present session.

J. GASP. LE MARCHANT,
Lieut.-Governor.

NEW BRUNSWICK.

III.

NEW BRUNSWICK.

CAP. I.

An Act for giving effect, on the part of the Province of New Brunswick, to a certain Treaty between Her Majesty and the United States of America.

Section.

Preamble refers to Treaty signed 5th June 1854.

I. Free importation of certain articles on Proclamation that Treaty has effect; power to suspend.

II. Other things may be done to effectuate the Treaty.

III. Suspension of certain Acts during force of Treaty.

Schedule of articles to be free.

[Passed 3d November 1854.]

WHEREAS it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the 5th day of June in the year of our Lord 1854:

Be it therefore enacted, by the Lieutenant-Governor, Legislative Council, and Assembly, as follows:

I. Whenever the Governor of this Province shall, by Proclamation, declare that the said Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule to this Act, being the growth and produce of the said United States of America, shall be admitted into this Province free of duty, so long as the said Treaty shall remain in force, any law, act, or statute to the contrary notwithstanding, except that if at any time the said United States shall, under the terms of the said Treaty, suspend the operation of the third article thereof, so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue; but the Governor aforesaid may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

2. It shall be lawful for the Governor in Council, by any Order or Orders to be made for that purpose, to do anything further, in accordance with the spirit and intention of the said Treaty, which shall be found necessary to be done on the part of this Province to give full effect to the said Treaty; and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III. When and so soon as the said Treaty shall be declared by Proclamation of the Governor to be in force, and to have taken effect according to the terms thereof, as provided for by the first section of this Act, an Act made and passed in the fifteenth and sixteenth years of the reign of Her present Majesty, intituled "An Act relating to the Coast Fisheries, and for the prevention of "illicit trade," together with such provisions of all other laws, acts, or statutes of this Province now in force as are contrary to or inconsistent with the terms and spirit of the said Treaty, are hereby declared to be suspended, and shall

continue to be so suspended, and not in force, so long as the said Treaty shall continue and be in force, any law, act, or statute to the contrary notwithstanding. NEW BRUNSWICK.

SCHEDULE TO THIS ACT.

Grain, flour, and breadstuffs of all kinds.
Animals of all kinds.
Fresh, smoked, and salted meats.
Cotton wool, seeds, and vegetables.
Undried fruits, dried fruits.
Fish of all kinds.
Products of fish and all other creatures living in the water.
Poultry, eggs.
Hides, furs, skins, or tails undressed.
Stone or marble in its crude or unwrought state.
Slate.
Butter, cheese, tallow.
Lard, horns, manures.
Ores of metals of all kinds.
Coal.
Pitch, tar, turpentine, ashes.
Timber and lumber of all kinds, round, hewed, and sawed, unmanufactured in whole or in part.
Firewood, plants, shrubs, and trees.
Pelts, wool.
Fish-oil.
Rice, broomcorn, and bark.
Gypsum, ground or unground.
Hewn or wrought or unwrought burr or grindstones.
Dye-stuffs.
Flax, hemp, and tow unmanufactured.
Unmanufactured tobacco.
Rags.

IV.

PRINCE EDWARD ISLAND.

PRINCE EDWARD ISLAND.

An Act to authorize Free Trade with the United States of America, under a Treaty between Great Britain and the United States of America.

WHEREAS it is deemed expedient to authorize Free Trade with the United States of America, under and by virtue of the provisions of a Treaty entered into between Great Britain and the United States of America, signed on the fifth day of June one thousand eight hundred and fifty-four:

I. Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That whenever the Lieutenant-Governor or other Administrator of the Government of this Island for the time being shall receive satisfactory evidence that the articles herein-after enumerated will be admitted into the United States of America by law free of duty, the said Lieutenant-Governor or other administrator of the Government of this Island for the time being is hereby authorized and empowered to issue his Proclamation declaring that he has such evidence, and thereupon, from the date of such Proclamation, the following articles, being the growth and produce of the United States of America; to wit, grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, smoked, and salted meats; cotton wool; seeds and vegetables; undried fruits; dried fruits; fish of all kinds; products of fish and of all other

PRINCE EDWARD ISLAND.

creatures living in the water; poultry, eggs; hides, furs, skins, or tails undressed; stone or marble in its crude or unwrought state; slate; butter, cheese, tallow, lard; horns; manures; ores of metals of all kinds; coal, pitch, tar, turpentine, ashes; timber and lumber of all kinds,—round, hewed, and sawed, unmanufactured in whole or in part; firewood, plants, shrubs, and trees; pelts, wool, fish-oil, rice, broomcorn, and bark; gypsum, ground or unground; hewn or wrought, or unwrought burr or grindstones; dyestuffs, flax, hemp, and tow unmanufactured; unmanufactured tobacco; rags,— shall be introduced into this Island free of duty, so long as the said Treaty shall remain in force; and all the other provisions of the said Treaty shall go into effect and be observed on the part of this Island with the United States of America.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

CHURCH CONVOCATION (NOVA SCOTIA).

RETURN to an Address of the Honourable The House of Commons, dated 30 July 1855;—*for*,

"COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State for the Colonies and the Lieutenant-Governor of *Nova Scotia*, on the Subject of the ESTABLISHMENT of a CHURCH CONVOCATION in the Diocese of *Nova Scotia*."

Colonial Office, 10 August 1855. JOHN BALL.

COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State for the Colonies and the Lieutenant-Governor of *Nova Scotia*, on the Subject of the ESTABLISHMENT of a CHURCH CONVOCATION in the Diocese of *Nova Scotia*.

— No. 1. —

(No. 6.)

COPY of a DESPATCH from the Right Honourable Lord *John Russell* to Lieutenant-Governor Sir *J. G. Le Marchant*.

No. 1. Right Hon. Lord John Russell to Lieut.-Governor Sir J. G. Le Marchant. 27 April 1855. 12 April.

Sir, Downing-street, 27 April 1855.

I TRANSMIT, for your information, the copy of a letter from the rector and churchwardens of St. George's parish, Nova Scotia, enclosing certain resolutions, passed at a public meeting, on the subject of the establishment of a Church Convention in that diocese.

You will acquaint the rector and churchwardens that I have received their communication, but that it should, in accordance with the established regulation, be transmitted through you, in order that Her Majesty's Government may have the benefit of any report or observations which the importance of the subject may require.

I have, &c.
(signed) *J. Russell.*

Enclosure in No. 1.

Encl 1, in No. 1.

Vestry Room, St. George's Parish, Halifax, Nova Scotia, 12 April 1855.

To the Right Honourable Lord *John Russell*.

WE, the Rector and Churchwardens of Saint George's Parish, in this city, having been delegated by a meeting of the parishioners, held on Easter Monday last, to transmit to your Lordship certain resolutions passed at that meeting in reference to the proposed Church Convention to be established in this diocese; we have now the honour to enclose for your Lordship's information the accompanying resolutions.

We feel it our solemn and conscientious duty, in conjunction with the parishioners whom we represent, respectfully to protest against the formation of any Church Synod in this diocese at present, and to beg that the Act proposed in the Imperial Parliament may not pass, as it is not required, and would only tend to produce novelties and discord among us.

The Church of England in these colonies has perfect freedom of action, and sufficient laws to govern and enforce all her proceedings; we therefore wish for no changes in her constitution or ritual; nor do we desire our Bishop to be invested with any authority beyond the legitimate prerogatives of his office.

Whilst

Whilst we should be willing to adopt the constitution of the Episcopal Church in America, we are opposed to the introduction of any changes into the diocese at present, until we are first made fully acquainted with the principles of the proposed new constitution.

We are also of opinion that many other parishes in the diocese coincide with us on these points, and would rather that things should remain as they are at present in the diocese; and if any legislative interference be required, we would rather that it should be instituted here in our Colonial Parliament, upon the joint representation of the Church.

We therefore hope that your Lordship will defer the consideration of the Colonial Church Bill now before Parliament, and allow the enclosed resolutions from the second parish in importance in the diocese to have some weight.

We have, &c.

(signed) *Robert Fitzgerald Uniacke*, A. M.,
Rector of St. George's.

(signed) *John T. Walford*, } Churchwardens.
J. W. Merket, }

Encl. 2, in No. 1.

Enclosure 2, in No. 1.

Parish of Saint George's, Halifax, Nova Scotia,
9 April 1855.

EXTRACT from the Minutes of a Meeting of the Church Wardens, Vestry and Parishioners, held this day at the Parish School House.

ON motion of J. W. Merket, Esq., seconded by F. W. Morris, Esq., the following Resolutions were submitted:

Whereas, at the parish meeting, held in St. George's parish, in the City of Halifax, on the 18th September 1854, it was unanimously resolved,

"That this meeting is of opinion that the establishment of periodical Church assemblies in this diocese, at the present time, is both inexpedient and unadvisable."

"That the Bill passed last year by the House of Lords, referred to in the recent circular of his Lordship the Bishop to the clergy, and by which Bill he states the assembly is to be governed, is inadequate to a full and free synodical action, and would not sufficiently enlarge the privileges of churchmen, inasmuch as by the provisions of that Bill no voice is allowed to clergy or laity in the future nomination or appointment of their bishop, and, further, that no regulations for the management of Church affairs are valid without the consent of the Bishop; that while we respect the office of a Bishop, we do not approve of a Bishop possessing the power to nullify the deliberate action of so large and influential a body as the clergy and laity." And at which meeting Napean Clark and Thos. B. Aiken, Esquires, were appointed delegates to represent the congregation of St. George's, with instructions to oppose the formation of a Church Synod.

And whereas our said delegates have this day reported their proceedings to this meeting,

Resolved, "That this meeting approve of the course pursued by the said delegates, in voting against the establishment of a Diocesan Synod or Convention in Nova Scotia."

Resolved, "That in consequence of it being the intention of the Bishop to construct the Synod, in conformity with the terms of a certain Act, introduced into the House of Lords in 1853, which places an unconditional veto in the Diocesan on all the proceedings of colonial synods, it is the opinion of this meeting that such a constitution would not be acceptable to the laity, because a direct unqualified veto in the Bishop, in his capacity of a separate branch of the synod, would in a great measure deprive the clergy and laity of that independent position which would render it worth the while of laymen to take an interest in Church legislation; that such a constitution would give to the opinion of one person a greater weight than the collective opinions of the whole body of the clergy and laity of the diocese, and they are confirmed in this opinion by the working of the system in the American diocese of Vermont, where the convention is in fact reduced to a cipher, as is shown by the words of Bishop Hopkins, of that diocese, in his pamphlet lately published, who says, "If the proposition under debate be so obnoxious to the Bishop's judgment that he cannot accede to it, he says so, and there is no vote taken at all."

That this meeting is strengthened in their opinion by the fact, that out of above 32 dioceses in the United States of America, but one has adopted the veto; all the other bishops having relinquished any claim to such an authority in the various conventions, though in some of the dioceses where the Bishop disagrees to the measure passed by the Convention, the question is sent back for further discussion, when two-thirds of both clergy and laity must affirm it before it can pass in opposition to the opinion of the Bishop.

That by placing an unqualified veto on the Bishop, he becomes clothed with a power beyond that of the Sovereign under the British constitution, who, though a separate branch of the Legislature, yet exercises no direct veto in opposition to the other two branches. In the case of the Sovereign, there is a council selected from the other two branches, who advise the Crown, so that no important measure is introduced by Government

ment into the Legislature which they are of opinion cannot be carried. The Crown, in its legislative as well as its administrative capacity, is compelled to change its policy; but in the case of a bishop with a right of veto, sitting in a synod of clergy and laity, his position is very different; he sits and debates in the same chamber, and by expressing an absolute and irresponsible opinion, he must necessarily influence the independent action of the clergy and laity, and thus (as in Vernon) nothing is put to vote in the Convention which does not comport with the views entertained by the diocesan; the Bishop thereby possessing the power which is not recognised in any free constitution in Europe or America.

Resolved,—That this parish remains unaltered in its opinion, expressed in its resolutions of September 1854, and respectfully protest against the formation of such a convention, as calculated to disturb the present harmony and unity of this diocese, and to lead to the introduction of novelties and changes destructive of the peace of the Church.

Resolved,—That this meeting desire to express their respect for their Bishop, and regret that they are compelled to differ with him in opinion on this important subject.

Resolved,—That the foregoing Resolutions be forwarded by the rector and churchwardens, accompanied by suitable remonstrances to his Grace the Archbishop of Canterbury and the Colonial Secretary, and that they be also published.

Passed unanimously.

(A true Copy.)

(signed) *John C. Crargen,*
Vestry Clerk.

— No. 2. —

(No. 61.)

No. 2.
Lieut.-Governor Sir J. G. Le Marchant to the Right Hon. Lord John Russell.
24 May 1855.

COPY of a DESPATCH from Lieutenant-Governor Sir *J. G. Le Marchant* to the Right Honourable Lord *John Russell.*

Halifax, N. S., 24 May 1855.
(Received 4 June 1855.)

My Lord,

A DESPATCH, No. 6, dated 27th April last, which I had the honour of receiving on the 8th of May, enclosed to me the copy of a letter from the rector and churchwardens of St. George's parish, Halifax, Nova Scotia, together with certain resolutions, passed at a public meeting, on the subject of the establishment of a Church Convocation in that diocese. 12 April 1855. 9 April 1855.

The letter of the rector and churchwardens, therein referred to, I conceived it my duty to forward to the Archdeacon of this diocese, in the absence of the Lord Bishop of Nova Scotia, with a request that he would be so good as to afford me the benefit of any report or observations which the importance of the subject, in his opinion, may require, for your Lordship's information.

I now have the honour to transmit to your Lordship the enclosed report of the Archdeacon, by which your Lordship will perceive, that the Bishop of Nova Scotia has lately received a letter from the Archbishop of Canterbury, in which he congratulates his Lordship on the success which has attended his first movements, and expresses a hope that he may also succeed in the establishment of such meetings. 23 May 1855.

I have, &c.
(signed) *J. Gaspard Le Marchant.*

Enclosure in No. 2.

Encl. in No. 2.

Sir,

Halifax, 23 May 1855.

I HAVE had the honour to receive your letter of the 10th instant, enclosing copies of certain documents from the rector and churchwardens of St. George's Parish, Halifax, requesting me to report, for his Excellency's information, upon the circumstances of the case.

On the 4th August 1854, the bishop of the diocese addressed a circular to the clergy, appointing 11th October 1854 as the day of his visitation at Halifax. In his circular he also stated, in reference to the Colonial Church Bill then before the British Parliament, that he had at length determined to summon a meeting of clergy and lay delegates, to be held the day following the visitation day, "in order that the members of the Church may decide for themselves whether they will hold periodical Church assemblies or not."

Consequently a large meeting was held at Halifax, consisting of clergy and lay representatives of the Church. After much deliberation it was decided by a large majority in favour of holding such meetings, viz.:

For the Meetings, 37 Clergymen and 28 Lay Delegates.
Against them - 9 ditto - - 10 ditto.

Such are the circumstances of the case.

The Bishop has lately had a letter from the Archbishop of Canterbury, in which he congratulates his Lordship on the success which has attended his first movements, and expresses a hope that he may also succeed in the final establishment of such meetings.

I have, &c.
(signed) *Robert Willis*, Archdeacon.

Captain Walker,
&c. &c. &c.

No. 3.
Right Hon. Lord John Russell to Lieut.-Governor Sir J. G. Le Marchant.
11 June 1855.

— No. 3. —

(No. 9.)

COPY of a DESPATCH from the Right Honourable Lord *John Russell* to Lieutenant-Governor Sir *J. G. Le Marchant.*

Sir, Downing-street, 11 June 1855.

I HAVE to acknowledge the receipt of your despatch, No. 61, of the 24th of May, enclosing a letter from the Archdeacon on the subject of the establishment of a Church Convocation in the diocese of Nova Scotia.

I have, &c.
(signed) *J. Russell.*

CHURCH CONVOCATION (NOVA SCOTIA).

COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State for the Colonies and the Lieutenant-Governor of *Nova Scotia*, on the Subject of the ESTABLISHMENT of a CHURCH CONVOCATION in the Diocese of *Nova Scotia.*

(*Mr. John Ball.*)

Ordered, by The House of Commons, *to be Printed,*
11 *August* 1855.

515.

EMIGRATION (NORTH AMERICA).

RETURN to an Address of the Honourable The House of Commons, dated 13 July 1855;—*for*,

"COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Papers presented April 1854.")

Colonial Office,
6 August 1855.

JOHN BALL.

(Mr. John Ball.)

Ordered, by The House of Commons, *to be Printed*,
7 *August* 1855.

SCHEDULE.

CANADA.

DESPATCHES FROM GOVERNOR-GENERAL SIR E. HEAD, BART.

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		Wrecks: Returns of Shipwrecked Emigrants; Measures for their reception, &c.; Necessity for prompt settlement of the Claims of Masters of Vessels who rescue Shipwrecked Passengers - - - - - -	4
		Remarks relative to the Emigrants sent out from the Irish Poor Law Unions; conduct and prospects of Female Emigrants from Ireland; great importance of care in the selection of these Persons by the Poor Law Authorities; system adopted for their disposal on Arrival - -	4
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NEW BRUNSWICK.

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CANADA.

Despatches from Governor Head.

— No. 1. —

CANADA.

No. 1.
Governor-General Sir E. Head, Bart., to Sir G. Grey, Bart., 13 February 1855.

(No. 14.)

COPY of a DESPATCH from Governor-General Sir *E. Head*, Bart., to the Right Honourable Sir *George Grey*, Bart.

Government House, Quebec,
13 February 1855.

Sir, (Answered, No. 15, 8 April 1855, page 31.)

I HAVE the honour to enclose copies of the Report and Appendix made by Mr. Buchanan, Emigration Agent at Quebec. I am desirous of calling particular attention to that portion of Mr. Buchanan's Report which relates to the conduct and prospects of the female emigrants from Ireland, and the great importance of care in the selection of these persons by the Poor law authorities.

Very serious questions are suggested also by the remarks of the emigration agent on the character of the passengers from the German States.

It will be my business to bring these and other matters under the consideration of my Executive Council with as little delay as possible.

The advantages and the economy described in the Report as characterising the route to the Far West by way of the St. Lawrence, form a most important element in the future prospects of Canadian commerce.

With regard to the concluding paragraph of Mr. Buchanan's Report, it is right for me to say that the precise relation between the Steam Navigation Company and the Canadian Government is, at the present moment, the subject of consideration by me and my Council upon a Report from the Board of Works, and must form a matter of discussion by the Legislature on their meeting after adjournment.

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

Enclosure.

EMIGRATION REPORT, 1854.

Office of Her Majesty's Chief Agent
for the Superintendence of Emigration to Canada,
Quebec, 30 December 1854.

May it please your Excellency,

I HAVE the honour herewith to submit to your Excellency, for the information of Her Majesty's Government, my annual report of the emigration into this colony during the season of 1854, accompanied by the usual statistical tables.

CANADA.

Table No. 1, in the Appendix, furnishes a synopsis of the season's emigration, from which it will appear that the total number landed at this port was 53,183; viz., 52,365 steerage, and 818 cabin passengers. The number that left Europe was 51,965 steerage, and 811 cabin. There were born on the passage, 83; the deaths at sea were 487, and in quarantine 46, leaving the number of emigrants landed in this province from the United Kingdom and the continent of Europe 52,326, to which must be added 857 persons from the Lower Provinces, making the total number of souls landed at this port, 53,183. This number, when compared with the emigration of 1853, shows an increase of 16,484, or equal to near 45 per cent. This is the largest emigration into Canada in any one year, with the exception of 1847. The following is a comparative statement of the emigration of the last two years :—

Number from	1853.	1854.
England	9,585	18,175
Ireland	14,417	16,168
Scotland	4,745	6,446
Germany	2,400	5,688
Norway	5,056	5,849
New Brunswick	496	857
	36,699	53,183

This statement shows a large increase on the number of arrivals from each country. From England the number is nearly doubled, being equal to 90 per cent. From Ireland the increase has been 12 ¼ per cent.; from Scotland, equal to nearly 36 per cent.; from Germany, over 137 per cent.; Norway, 15 ½ per cent., and from the Lower Provinces, 73 per cent.

Of the emigration under the head of England, 13,471, nearly three-fourths, sailed from the port of Liverpool; a large number were foreigners and Irish. On examining the lists of the several ships, it will appear that the number embarked were natives of—

	Cabin.	Steerage.	Total.
England	238	2,501	2,739
Ireland	69	4,194	4,263
Scotland	57	670	727
Germany	19	4,594	4,613
Norway	-	199	199
Holland	-	231	231
Sweden	7	634	641
United States and Canada	58	-	58
	448	13,023	13,471

It also appears that 295 Germans sailed from Hull, and 255 from Dublin, and 108 were brought to this port by a London ship, taken from the wreck of the "Cachalet" from Havre, for New York, abandoned at sea.

The emigration from Europe during the past two seasons will appear as follows :—

Natives of	1853.	1854.
England	3,928	7,353
Ireland	18,972	20,269
Scotland	4,913	7,186
Germany	3,135	11,034
Norway	5,123	5,811
Sweden	96	910
Holland	32	231
Switzerland	-	7
United States	-	25
Canada	4	33
	36,203	52,859

From

From this statement it will appear that the foreign emigrants, during the past season, by this route number 18,018, against 8,389 in 1853. The number from England and Scotland also shows an increase of 5,698; but from Ireland, this season's emigration only exceeds that of last year by 1,297 persons. On a further reference to this return, it will appear that the number of vessels engaged in the passenger trade from Europe was 386, measuring 204,058 tons, and navigated by 7,474 seamen. Of this number 235 vessels came under the regulation of the Passenger Act, and 151 vessels were exempt. The number from each country was as follows:—

	Vessels under the Act.		Vessels not under the Act.	
	No.	Passengers.	No.	Passengers.
England - - -	57	16,886	89	1,572
Ireland - - -	81	15,878	16	366
Scotland - - -	37	5,779	5	673
Foreign Ports - -	60	11,615	1	7
	235	50,158	151	2,681

Of the whole number of ships, 10 brought exclusively cabin passengers: 46 sailing vessels made two voyages, and the four steamers of the Canadian Mail Line made nine voyages during the season, and brought out 1,786 steerage and 429 cabin passengers from Liverpool.

The number of adults on board the whole 386 vessels were 43,476, while the vessels could have legally carried, according to their tonnage measurement, 94,555, exclusive of their crews. The average length of the passage from the United Kingdom was 47 days, and from Continental Ports 58 days. The average passage of the steamers from Liverpool was 16 days. On further reference to this table it will appear that the excess of female adults over males from Ireland has been very considerable, equal to 2,209 adults, being double that of last season; and I find, on referring back to the returns of 1851, the first season in which any excess was perceived, that the number each season has been gradually increasing, and now shows an excess during these four years of 5,270 more female than male adults.

A return of the ships and passengers arrived from each port and country, with the deaths on the passage and in quarantine, will be found at Table No. 2 in the Appendix.

The whole number of deaths among 18,488 persons from England was 313, equal to 1·69 per cent., of which number 270 occurred among the emigration from Liverpool, being equal to 2 per cent. on the number from that port. The deaths from all the other English ports were 43, or equal to 0·86 per cent.

From Ireland the deaths among 16,261 persons were 93, or equal to 0·57 per cent. Among 6,459 from Scotland, 13, equal to 0·20; and among 5,763 from Germany, 75, equal to 1·30; from Norway, among 5,888, 39, equal to 0·66 per cent. It may be observed, that, as in former seasons, the largest mortality was from the port of Liverpool; but which this season appears to have been confined chiefly to the foreign emigrants, as among 4,639 Germans who sailed from that port, 136 died on the passage, being equal to 2·93 per cent.

Table No. 3 presents a general hospital return showing the number of emigrant patients admitted for medical relief, with the results at the quarantine establishment up to its close at the Marine and Emigrant Hospital in this city during the year, and at the general hospital in Montreal, from which it appears that the total number of cases treated at these several institutions was 1,647, and the deaths 224.

This return, when compared with that of 1853, shows an increase of 707 on the admissions and 129 on the deaths.

The large increase in the mortality is to be attributed to the cholera, as I find the admission of emigrants from this disease at the Marine and Emigrant Hospital was 198; of which 92 died. The deaths from cholera at the Montreal General Hospital were 48, and at Grosse Isle 8; total 148; so that if the deaths from this disease are deducted, the health of the season's emigration will bear an equally favourable comparison with that of any former year.

Table No. 4 contains a return of the adult male emigration, distinguishing the trades, &c., as specified on the passenger lists.

The total number of males embarked was 19,548; of these there appear to have been 3,195 artizans or tradesmen, which is an increase of 1,637 persons of this class over that of last year; farmers and farm servants 5,632, servants 117, clerks 156, and unskilled labourers 10,448.

Table No. 5 shows a comparative statement of the number of emigrants landed at Quebec

since the year 1829 inclusive, amounting, in the aggregate, to 825,187 souls; affording an average of 31,738 per annum for 26 years past.

I have to report the loss of three vessels with emigrants bound to this port during the past season, but which was happily unattended with any loss of life.

The first was the "Helen Thompson," from Troon, with 145 passengers, lost in the ice on the 18th May; 15 of the passengers reached this port in the brig "Dykes," and 130 were taken on board the brig "Sarah" and landed at Richibucto, N. B.

The second, the "Anne Kenny," from Liverpool, with 13 passengers, wrecked on Anticosti on the 17th June, passengers all saved, and reached this port by the steamer "Doris."

The third was the barque "Tottenham," from Cork, with 101 passengers, lost near Port Nova, Cape Breton, on the 20th October, passengers and luggage all saved. They were forwarded by the master by a schooner to Halifax, and from thence proceeded to Boston, their destination being chiefly to the United States. A large number of shipwrecked emigrants have been brought to this port taken from ships bound to Boston or New York.

The following is a return of the number of those received during the past season, viz.:

Vessels arrived at Quebec.	Vessels from whence the Emigrants were received, from whence, and where bound.			No. of Passengers.
	Name.	Whence.	Destination.	
Paragon - -	Winchester -	Liverpool - -	Boston - -	29
Mary Caroline -	- - -	- - -	- - -	130
Ann - - -	- - -	- - -	- - -	15
Transit - - -	- - -	- - -	- - -	19
Robert Burns -	- - -	- - -	- - -	41
Good Intent - -	Black Hawk -	- - -	New York -	70
Leonard Dobbin -	Cachelot - -	Havre - -	- - -	108
Dykes - - -	Helen Thompson	Troon - -	Quebec - -	15
Wilkinson - -	- - -	- - -	- - -	14
			TOTAL - - -	441

The passengers from the "Winchester" were, on arrival here, taken in charge by the agents of Messrs. Train & Co. and conveyed to Boston. Those by the "Cachelot" were forwarded by this department to New York, the cost of which was repaid by the agents of that ship, Messrs. Lane, West & Co. Those by the "Black Hawk" were also forwarded, but no part of this expense has been recovered. The claims of the ships which rescued these people are still unsettled, amounting in some of the cases to a large sum: those by the "Mary Caroline" had been over 30 days on board of that vessel, and the master not only expended his ship's stores, but he had to purchase from several vessels he spoke at sea. The delay and difficulty which masters of vessels experience in obtaining a reimbursement of the expenditure incurred by them in their humane act of saving the lives of their fellow-creatures has subjected them to much inconvenience, and even to personal loss; and it is greatly to be regretted that, instead of stimulating them to increased exertions in the performance of acts which are not unfrequently attended with very great peril to life, as well as serious loss, by an immediate and liberal acknowledgment of their just claims, that great unwillingness on the part of those interested in their payment should become the subject of complaint by the masters; and it is needless to observe that the true policy in such cases is to encourage instead of throwing impediments in the way of efforts specially made in the spirit of humanity. A remedy for this might be found by granting authority to the collectors of this port to settle these claims at a fixed scale, as allowed by the Lords Commissioners of the Admiralty in the case of shipwrecked seamen, and remit the accounts to England for liquidation in the manner prescribed and provided for under the 50th clause of the Passenger Act.

But one vessel failed to reach her destination during the past season. The "Industry," from Sligo, with 99 passengers, returned to that port after having reached 32° longitude, with a slight leak; it being too late to refit and reach this port during the present season, the passengers have returned to their homes.

Table No. 6 furnishes a return of the number of persons sent out during the season by the Irish Poor Law Unions, or who have received assistance from parish or other funds.

From this return it will appear that 3,407 persons received landing money on arrival here, amounting to 3,271 *l.* 17 *s.* sterling, 2,848 *l.* of which was paid through this department, and the balance, 423 *l.* 17 *s.* was paid by agents in this city.

The

The number from England was but 28; 14 of whom received 8 *l* 10 *s.* landing money, and 14 appear only to have received a free passage to this port.

The number aided in their emigration from Ireland was 2,963, viz., 61 male, 2,591 female adults, and 311 children, being an increase of 1,559 of the same class of persons sent out in 1853. They were from 58 different unions, chiefly from the south and west of Ireland.

This class of our emigration continues to give great satisfaction, and notwithstanding the large number who have been sent out during the past season, complaints of misconduct have only reached me against two, the South Dublin, and Cork Unions, and, I regret to say, that the conduct of a portion of the females from the Dublin Union has been anything but good: 26 of the females from this union have been committed to the Montreal Gaol, as loose, idle and disorderly, and from a report received, 12 of them have been committed twice, and one for the third time.

These girls were all offered to be forwarded into the country settlements, where they would have at once obtained employment among the farmers, but they refused to leave the city, preferring a life of idleness and vice to that of honest industry.

I regret to have to report so unfavourably of even so small a proportion of these females, as, in the great majority of the cases their conduct has given much satisfaction, and their services are eagerly sought for. At the Appendix will be seen an extract from a letter received from the mayor of Port Hope, reporting the arrival and disposal of a party of these young women; this is one of many similar ones, received during the past season, by this department, and it shows the manner in which these female emigrants have been provided for; and, if ordinary care is taken in their selection, and they are sent in the early part of the season, no difficulty exists in disposing of them in a satisfactory manner; but on reference to this return it will appear that over 500 of their number arrived here after the 15th September, 276 of whom were landed after the 26th October, a period of the year much too late to permit their being provided for, in a satisfactory manner, before the approach of winter.

I would desire to impress upon the Poor Law Commissioners and guardians of the unions the importance of strict attention being paid to the selection of the females they may propose to send out, in future, both as regards their health and moral character, as if due attention is paid to these qualities, and they are despatched at any period not later than the month of July, this province will provide for all they may be disposed to send.

The system adopted as to the disposal of their young females is as follows:

On arrival, they were paid their landing money in full; those that have friends, or any particular destination in view, are furnished with the route, and sent forward. In the early part of the season considerable numbers at once find employment on arrival in this city and Montreal, under the superintendence, and with the sanction, of this department; as, unless they were taken by respectable parties, and with a prospect of permanent employ, they were recommended, in preference, to proceed to the country settlements. Of the whole number arrived this season, between 200 and 300 proceeded direct to their relations in the United States, chiefly to Boston and New York; those for the United States were required to contribute from 15 *s.* to 20 *s.* currency towards their passage, which was generally sufficient to meet that expense; those who proceeded under the direction of this office to Western Canada, were required to pay 7 *s.* 6 *d.* each, the balance of their passage-money being made chargeable on the Emigrant Fund; this was done in order to induce them to proceed into the country settlements, where their services are required, retaining the balance of their money to provide provisions for the journey, and to meet their more immediate necessities until they obtained employment.

This was found to answer well, as, previous arrangements having been made for their reception at different points along the route, they generally found themselves provided for within a very short time of their arrival.

Of the foreign emigrants, 422 paupers were sent out by this route during the past season from Baden, viz., 124 men, 90 women, and 208 children: the number from the same quarter in 1853 were but 30 souls. It appears that these parties were sent out at the joint expense of the municipalities and Grand Duchy of Baden; they were provided with a passage to this port, and received 10 guilders each adult on landing. These people, on landing here at so late a period of the season as October, and presenting an appearance of such squalor and destitution, scantily clothed, ignorant of our language, without any particular destination in view, and possessed of but the small sum paid to each on landing here, which at most would be barely sufficient for a week's support, cannot but give rise to the most serious reflection, and would appear to call for legislative enactment to protect the province from the expense of supporting a foreign pauper emigration. Had they been sent out here in the early part of the season, when a good demand existed for labour, and with the summer before them, the province might not object to receive them, and assume the responsibility of their support, but to permit a foreign state to relieve itself of paupers already physically ill adapted to labour, and thrown on a country requiring the aid of a robust and energetic emigration, and not of sick feeble men, helpless women and children, such as alluded to above, and that, too, at the near approach of a rigorous and inclement winter, would, independent of its cruelty, not only involve the province in the serious responsibility of providing for their maintenance and support, but evidence a tacit admission of right to inundate it with the refuse of foreign pauperism.

In consequence of the stringent regulations enforced in the United States ports, with the heavy capitation tax, and coupled with the fact, that the rates of passage by the St. Lawrence

are very much lower, parties interested in the removal of their poor have been induced to send them by this route; and I have been indirectly informed that there is a prospect of a large increase in this class of our foreign emigrants during the ensuing season. If the people are healthy and disposed to work, and arrive here in the early part of the season, I do not consider that any serious difficulty need be apprehended of the province being able to provide for them satisfactorily; but the case is very different, and open to the most serious objections, when the same parties arrive here in the month of October. I find that during the past few years the emigrants arriving here after the 1st October, have been gradually on the increase, as will be seen from the following statement:—

	MEN.	WOMEN.	CHILDREN.	TOTAL.
1852 - - -	342	447	483	1,272
1853 - - -	541	469	589	1,599
1854 - - -	1,853	1,915	1,969	5,737

And as these parties are generally of the poorest class of our emigrants and most likely to become chargeable on the public, I would suggest, that the tax on all emigrants on board any ship which may have cleared from any port in the United Kingdom, or from the continent of Europe, after the 1st August, should be 10*s.* each, being the rate now charged on emigrants to New York or Boston. The object in suggesting an increase to this tax is, certainly not with the view to placing any restriction on the emigration by this route, but solely to induce emigrants to come out in the early part of the season; by increasing the tax, it will also be the means of providing a fund to meet the expenses which the province would necessarily become subjected to on their account, when arriving in the fall of the year, now rendered the more necessary, as the grant of 1,500 *l.* sterling, from the Imperial Government towards the expense of emigration agency, will be discontinued after the present year. Legal proceedings were instituted in four cases for violation of the Passenger Act during the past season, viz.:

Captain Wallace, of the brig "Hannah," from Arbroath, for issuing impure and unwholesome water, was fined 20*l.* sterling, with costs.

Captain Hughes, of the "John Davis," from Liverpool, was fined 5 *l.* sterling, on a complaint of some of his passengers of the illegal issue of their provisions.

Captain Ray, of the "Hotspur," from Liverpool, was also fined 5 *l.* sterling with costs, for the same offence.

Also against Captain Owen, of the barque "Vixen," from Liverpool, for a breach of the 9th and 13th clauses of the Passenger Act. Proceedings were instituted in this case, under instructions from the Emigration Commissioner, on the report received from the emigration officer in Liverpool; the master having confessed judgment, the magistrates fined him in a penalty of 5 *l.* sterling, with costs.

Complaints were also preferred against the master of the "Crown" by a few of his passengers; the case was, however, compromised by the master paying to the complainants 50 dollars.

These were the only complaints instituted during the past season, and only one of them, the case against the master of the "Hannah" could be considered of a serious nature: in all the others, the evidence was so exceedingly conflicting, as to induce the magistrates to mark their sense of the complaints by imposing the lowest penalty provided by the Act.

When we take into consideration the great number of emigrants of all ages and conditions who crossed the ocean during the past season, and who were subject to all the inconveniences of a crowded 'tween-decks, it is surprising that so few complaints of infringement of the Passenger Act were made; of the few complaints brought before the judicial tribunals, the majority were against vessels sailing from Liverpool; and this may be explained by the fact, that the passengers embarking at this port are collected from all parts of the United Kingdom and the continent of Europe; while on board of vessels from other ports, with the exception of the case of the "Hannah" before referred to, not a single complaint was brought under my notice.

I may here be permitted to observe, that with the shipmasters, who are regularly employed in the passenger trade, I very seldom find any well-founded complaints; they appear to be confined almost exclusively to transient vessels occasionally taken up for a single trip, or where the master only joined the ship frequently, but a few days previous to sailing, and probably then put in charge of an emigrant ship for the first time.

When all these matters are considered, it may be found surprising that complaints are so few, the absence of which may, in a great measure, be attributed to the care and attention with which the emigration officers in the United Kingdom discharge their important and arduous duties; and as it appears that the Committee of the House of Commons appointed to revise the Passenger Act, which sat last year, intend to resume their proceedings on the meeting of Parliament, I avail myself of this opportunity to offer a few suggestions for their consideration.

From close inquiry and observation during the past season, I find that the most objectionable

able feature in the working of the present Act, is "the system of issuing the provisions in an uncooked state."

On board the large vessels, and particularly those from Liverpool, where the emigrants are generally strangers to each other, the use of the cooking places becomes a fertile source of quarrels, even bloodshed; the strong oppress the weak and timid. And I am assured, that it is no uncommon occurrence for timid females, and helpless young passengers, to be deprived of the facility of cooking their food during the entire day, while the fires have been monopolised by their stronger fellow passengers. It is also well established by the statement of several respectable emigrants made to me, that for days they preferred to subsist entirely on dry biscuit, rather than contend and fight for their turn at the fire. To obviate this great evil, I would desire to see the same regulations enforced in the emigrant ships to North America, as in those to Australia and all the masters and surgeons whom I have consulted on the subject are of opinion that the introduction of these regulations in the emigrant ships to North America would add materially to the comfort and health of the emigrants, and thereby remove the great source of difficulty and complaint which at present exists.

There is also under the present arrangement no adequate provision enacted for supplying medical comforts and nutritious food for females, or preserved milk for young children, during the passage. This omission in the details of the Act is one to which, from its importance, I would most anxiously call the attention of the Government; as to the want of proper comforts and nutritious food, may in a great measure be attributed the mortality which occurred among children, as well as sick and weakly females. It is established by the medical gentleman in attendance upon the hospital at Grosse Isle, that in his repeated inquiries from mothers touching the great mortality of children on board several emigrant vessels, they have acknowledged to him the painful fact, that while the children and young females were sick and greatly debilitated during long passages, the only sustenance they were enabled to provide for them was the crude oatmeal, mixed up with cold water: aged and weak persons were also often obliged to confine themselves to this mode of living, and it is therefore not surprising that bowel complaints of the worst and most severe character were of such frequent and fatal occurrence among this class of passengers.

I would also desire to see adopted, as a general rule, that the surgeons should be required to obtain from the medical superintendent at Grosse Isle a certificate that he has discharged his professional duties satisfactorily, and, unless a certificate to this effect be produced, a portion of his pay should be withheld, and he should be rendered incompetent to proceed again in charge of an emigrant vessel. These restrictions might appear objectionable, on the grounds of their tendency to enhance the cost of passage, if not also throw obstacles in the way of such of the poorer classes as may be disposed and able to emigrate. I do not however anticipate that the increased rate of passage would operate materially or prejudicially against the usual incitements to emigration.

Apart, however, from every consideration as well as tendency of the restrictions here suggested, it must be assumed that the paramount duty of all Governments is the providing, by legislative enactments, for the well-being and protection of life of their subjects, and happily forming, as this province does, an integral portion of a great empire. I have every reason to hope that the amendments which are about being introduced into the Act will secure the ends contemplated. Thirteen emigrants were bonded during the past season, under the 12th section of the Provincial Passenger Act, 16 Vict. c. 86, by the following vessels:

			£.	s.	d.
"Albatross" - - -	New Ross - - - -	2	150	–	–
"Delta" - - - -	Ditto - - - -	1	75	–	–
"Tottenham" - - -	Cork - - - -	1	75	–	–
"Onwards" - - -	Liverpool - - - -	1	75	–	–
"Columbus" - - -	Dublin - - - -	2	150	–	–
"Georgiana" - - -	Limerick - - - -	1	75	–	–
"Oregon" - - - -	Liverpool - - - -	3	225	–	–
"Canada" - - - -	Cork - - - -	2	150	–	–

The parties by the "Tottenham," "Columbus," and "Georgiana" were sent out from the poor-law unions; they had lost their sight from an attack of ophthalmia, and were taken back by the masters, in order to relieve themselves from the responsibility of the bond; the two by the "Canada" would also have been taken back, but their state of health, and the late period of the season, would not permit it; they are now under treatment in the Marine Hospital.

Two females have been sent to the Beauport Asylum as lunatics: Mary Kelly, who arrived here 21st June, from the Rathdrum Union, by the ship "New Brunswick," from Dublin, and Ellen Ryan on the 25th July, from the Limerick Union, by the ship "Theron," from Limerick. They arrived apparently in good health, and proceeded as far as Montreal, where they obtained employment, but were unable to retain their situations, and were sent back to this city, and after being under medical treatment in the emigrant hospital, an order was issued for their admission to the asylum.

The expenditure of the Emigration Department, including the quarantine establishment,

and the charges connected with the care of the sick, amounts to 16,915 *l.* 6 *s.* Of this sum there was disbursed for the expenses of the quarantine station 6,649 *l.* 13 *s.* 4 *d.*, as follows:

	£.	s.	d.	£.	s.	d.
Pay of Quarantine Establishment	1,802	16	3			
Supplies to hospital	420	12	10			
Washing	58	15	6			
Cartage	107	7	6			
Firewood	122	2	3			
Stoves and pipes for use of hospital	14	16	8			
Carriage for conveyance of sick	50	–	–			
Coffins	50	–	–			
Provisions to healthy division	145	3	11			
Steamboat service	1,580	–	–			
Telegraph	50	–	–			
Stationery, printing, advertisements, and sundries	39	14	4			
Amount expended under the authority of Board of Works for repairs, &c.	1,547	18	3			
Ditto - ditto steamboat service for conveyance of emigrants from the healthy division, G. I., to Quebec	575	–	–			
Ditto - ditto, pay of keeper of emigrant sheds at Montreal	41	15	–			
Allowance to Protestant and Roman-catholic missionaries	43	10	10			
				6,649	13	4
TOTAL Expenditure of Quarantine Establishment			£.	6,649	13	4
Salary of Inspecting Physician for the port of Quebec during the season of navigation	336	–	7			
Amount of expenditure incurred for the medical care and treatment of emigrants in the Marine and Emigrant Hospital during the year ending 31st December	523	1	3			
Disbursed for emigrant purposes, through the agents of this department, as follows: For the direct relief and assistance of emigrants	7,726	4	2			
For agencies	1,680	6	8			
				10,265	12	8
			£.	16,915	6	–

The Expenditure of this Department has been as follows:—

		£.	s.	d.	£.	s.	d.
Quebec Agency	Transport	4,118	2	–			
	Provisions	100	4	10			
	Other relief	420	7	11			
	Agencies	443	1	–			
					5,081	15	9
Montreal Agency	Transport	2,523	2	2			
	Provisions	138	1	4			
	Other relief	64	17	10			
	Agencies	316	11	9			
					3,042	13	1
Toronto Agency	Transport	279	11	9			
	Provisions	81	16	4			
	Agencies	714	4	6			
Hamilton Agency	Ditto	102	2	1			
Berlin Agency	Ditto	104	7	4			
					1,282	2	–
				£.	9,406	10	10

The

The expenditure of the past season, when compared with that of 1853, shows an increase of 7,364 *l.* 2 *s.* 2 *d.*, constituted under the following heads:—

	1853.			1854.		
	£.	*s.*	*d.*	£.	*s.*	*d.*
Quarantine Establishment	2,490	–	7	4,441	9	3
Repairs, &c.	368	2	11	2,208	4	1
Medical Inspector and Marine and Emigrant Hospital, Quebec	896	2	7	859	1	10
Emigration in direct relief of emigrants	4,328	–	9	7,726	4	2
Agencies, &c.	1,468	17	–	1,680	6	8
£.	9,551	3	10	16,915	6	–

The expenditure at the Quarantine Establishment shows an increase, when compared with that of 1853, of 3,791 *l.* 9 *s.* 10 *d.*, constituted as follows:—

	£.	*s.*	*d.*
On pay of servants of the establishment	512	4	6
On the supplies of the hospital and other expenses directly connected with the care of the sick	382	13	5
Steamboat service	992	10	–
Ditto for conveyance of emigrants from healthy division to Quebec during the prevalence of cholera	575	–	–
Repairs to hospital buildings	1,223	6	2
Sundry items, extra	105	15	9
£.	3,791	9	10

The great increase in the quarantine expenditure has been for the steamboat hire.

The contract in 1853 was for 20 *l.* per weekly trip; this last season it was taken at 37 *l.* 10 *s.* per trip, occupying one day, but subsequently increased to 56 *l.* 5 *s.* in consequence of the time being extended to two days.

The excess under this head alone amounted to 992 *l.* 10 *s.*, in addition to which there was a charge of 575 *l.* for extra services for the conveyance of emigrants from the healthy division during the prevalence of cholera, as recommended by the Central Board of Health. An increase of 25 per cent. was also granted to all the under-employés, from the hospital steward downwards; these additions, with the prolonged period to which the establishment has been kept open, will fully account for the excess of expenditure.

For further information respecting the internal management of this establishment, I would respectfully refer to the report of the medical superintendent, which has already been submitted to your Excellency.

I may be here permitted to offer a few observations with reference to this important establishment. It will, however, be unnecessary, as not falling within my peculiar province, to enter at length into any disquisition on the subject of quarantine, as a preventive to the spread of disease. I would only desire to submit my views as to the necessity of ameliorating the establishment, and thereby rendering it, as intended by Legislative policy, strictly subservient to great and important ends, as well as more consonant to the dictates of humanity and public economy than heretofore.

In conformity with these views, I would earnestly recommend that, independent of the necessity of an establishment for sick emigrants, another of still greater importance and absolute necessity should be provided for the proper accommodation of the healthy, where they might have the privilege of remaining a short period after their arrival from a long sea voyage, enjoy the salutary benefits of washing and purifying their clothes and baggage, recruiting their wonted vigour, and making all necessary inquiries touching their future pursuits.

It would therefore be very desirable that this lavatory establishment should be so situated that all emigrant vessels may be enabled to discharge their passengers where they could be thoroughly inspected, and all those labouring under disease, or debility consequent thereon, removed to hospital; the healthy classified, who should have the privilege of remaining 48 hours at the station for the purposes before mentioned.

The emigrant depôt and lavatory would require to be so situated as to afford safe and commodious anchorage for the shipping, and in such proximity to Quebec as to permit the

steamers plying between this city and the west to call daily and take off all such passengers as are allowed and prepared to leave.

By the adoption of an amendment of this character, I am impressed with the conviction that the most valuable results may be expected, both as regards the interests of society on the one hand, and the claims of humanity on the other. Among its numerous benefits, I may remark, that many of the difficulties and inconveniences under which the emigrants have long laboured, and which at all times have proved the fruitful causes of clamour and complaint, would be removed; the accumulation of emigrants on our wharves, and in the overcrowded, filthy, and ill-ventilated abodes of this populous city and Montreal be avoided; the ignorant and helpless, so often thrown in the way of the tempting allurements of the most depraved classes of society, would be protected from imposition and vice. By this change I am also persuaded that a vast amount of other evils, and which at present exist, and exercise the most important influence on this class, would not only disappear, but a very considerable saving in the public expenditure be effected.

This subject has not failed to engage the public attention during the past season; the report of Dr. Nelson, the mayor of Montreal, whose practical acquirements in every branch of sanatory and social economy are entitled to every consideration, has expressed his opinion as to the ineligibility of the present site of the establishment, chiefly owing to its distance from Quebec. In this opinion of Dr. Nelson, I may remark, the local Board of Health of this city concur, and justify me in submitting the propriety of its removal to a locality possessing superior advantages for all the purposes in contemplation. I would respectfully refer these documents to your Excellency's favourable consideration. The principal and most important objection to the present establishment at Grosse Isle is, not only its great and inconvenient distance from this city, and thereby subjecting the province to a serious expense for keeping up even a weekly communication; but it is an established fact, that during the prevalence of epidemic cholera, the past season, emigrants were detained 10 days at the healthy division of the quarantine establishment, without any cases of sickness; yet after re-embarking on board these vessels and proceeding to Quebec, several have fallen sick and had to be sent to the Marine Hospital on arrival.

It is also necessary to remark that the emigrants, in consequence of the vessels being detained at the station, are exposed to another great hardship; their beds, which are generally of straw, are necessarily thrown overboard, for the purpose of cleansing and purifying the ship, and therefore on their re-embarking many have not the means to replace them, and as vessels may be two or three days in reaching this port, the poor people are obliged during that period to lie and sleep on bare damp boards, a discomfort highly prejudicial to health, if not productive of disease.

In this view I would earnestly, but respectfully, press upon the consideration of your Excellency and the Provincial Legislature, the advantages of an early removal of the present Grosse Isle establishment to the upper end of the island of Orleans, a locality possessing within itself all that is desirable for the efficient establishment of an emigrant depôt, together with ample hospital accommodation and appliances for the sick and healthy emigrant. Having personally visited, and attentively inspected this locality during the course of the past season, I am satisfied that a desirable site could be acquired, which would offer all that is requisite for a most convenient and effective station; its proximity (a matter of the highest importance) is such, that the steamers engaged in our western trade would call there and receive the emigrants daily, without any expense to Government.

The advantages and increased facilities thereby afforded to the shipping interest would be very great, and which can only be fully appreciated by those who may have had their vessels detained for eight or ten days at Grosse Isle. It would also permit the removal of emigrants who might fall sick in this city to a healthy, airy and cheerful locality, where a competent and efficient staff of officers and nurses would be in constant attendance to receive them, and thus prove the means of rendering the Marine and Emigrant Hospital available for the better accommodation of sailors or sick citizens.

To these views it may be urged that the expenses attendant upon removal, and the acquisition of the necessary property, would prove a serious obstacle to their accomplishment; but no pecuniary consideration, in my humble opinion, ought to operate against the amelioration of an establishment involving so many important and such general interests.

In connexion therewith, I would also remark, that the buildings and establishment at Grosse Isle are of a temporary nature, and that many of them would not justify a further expenditure of public monies for repair.

I trust that I may be permitted to observe, that the great importance of the question now brought before your Excellency, and the very deep interest with which it has engaged the public mind during the past season, will, I hope, be admitted a sufficient apology for my anxiety in pressing it.

The central Board of Health in their Report, as well as the medical superintendent of Grosse Isle, have recommended the adoption of regulations restricting the number of emigrants on board of steamers plying on our inland waters. This I consider would be most desirable, at least during the prevalence of any epidemic.

Under all the circumstances of the case, and conceiving, as I do, that there can be no subject of more vital interest to a colony like Canada, possessing so many resources for its future greatness and prosperity, than the promotion by its Government of a vigorous and healthful emigration, I shall not, I trust, be wanting in the recommendation of such measures as may tend to remove every obstacle in the way of securing so desirable an end. In looking forward to the large emigration which may be annually expected by this

route,

route, the more particularly now that the navigation of our noble river is thrown open to the active enterprise and commercial intelligence of our energetic neighbours, and as the route of the St. Lawrence becomes more generally known and appreciated by the people of Europe, it is highly desirable that no improvement, arrangement or facility may be wanting to foster and encourage this very important branch of our trade.

The expenditure of this department shows a large increase when compared with that of the year 1853, amounting to 3,609*l.* 13*s.* 1*d.*

The average expenditure on the total emigration landed in the colony for the year 1853 was equal to 3*s.* 1¼*d.* on each person, and during the past season of 1854 it amounted to 3*s.* 6½*d.*, being an increase of about 13 per cent. This large increase occurring during a season which opened with unusual prosperity, and with an unprecedented demand for labour, may appear singular, but it will be fully accounted for in the advance which had taken place in the rates of inland transport, varying from 25 to 50 per cent. The appearance of cholera, which visited almost every section of the province, and from which our emigrant population suffered severely, also tended greatly to the increase of the expenditure, the more so as it became a matter of necessity to forward parties who, under ordinary circumstances, would not have been entitled to assistance, in order to prevent any accumulation of emigrants who were supposed by public opinion to carry the germ of disease within themselves. The number of persons assisted at the Quebec agency was equal to 6,700 adults, being an increase over that of 1853 of 2,000, and at an average cost of 12*s.* 3½*d.* against that of 10*s.* 3¼*d.* in 1853.

There were forwarded to Montreal - - - - - -	2,824
„ „ Western Canada - - - - -	2,122
„ „ Buffalo, Chicago, and the Western States	1,063
„ „ The United States, *viâ* Lake Champlain -	691
	6,700

At Montreal the number assisted was 6,051 persons, equal to 4,306 adults, at an average cost of 11*s.* 8½*d.* against 10*s.* 4¼*d.* in 1853.

Of this number there were,

Male adults - - - - - - - - - - -	515
Females - - - - - - - - - - - -	2,600
Children - - - - - - - - - - - -	2,382
Ditto, under three years - - - - - - - -	554

The large increase of the foreign emigration by the route of the St. Lawrence, has added materially to the expenditure of the past season, and it has been found necessary, both at this and the Montreal agency, to extend assistance to large numbers of this class, chiefly Germans.

The amount of expenditure in Western Canada shows a small increase on that of last year, amounting to 301*l.* 8*s.* 8*d.*: 206*l.* 9*s.* 5*d.* of this sum has been incurred in the re-establishing of an agency at Hamilton, and the temporary appointment of an agent at Berlin, in the Waterloo District.

From the growing importance of Hamilton, and the great increase of the emigrant traffic which passes through that city, since the opening of the Great Western Railroad, making it now the most direct route to the great West, it may be found desirable to establish a permanent and efficient agency there, for the purpose of affording every necessary protection and advice to the large emigration which will now annually pass by that route. The necessity of an agency at Berlin would not appear to be required during the ensuing season, as from its proximity to Hamilton the duties could be efficiently performed by that office.

The number of emigrant letters addressed to the care of this department during the past season, was 375, 173 of which contained remittances to the amount of 538 *l.* 0 *s.* 6 *d.* The Montreal agency received upwards of 260 letters, with remittances, amounting to near 300 *l.* currency. They were all delivered and the amount paid over to the parties in whose favour they were addressed.

It may be observed that many of these money-letters were received in answer to applications transmitted from this office for funds to enable the parties to join their relations. I beg to submit copy of a report from Mr. Hawke, the chief agent for Western Canada, as the result of the past season's emigration to that section of the province, and to which I beg respectfully to refer your Excellency.

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The Emigrant Tax realised in the course of the past season was as follows:

	£.	s.	d.
At Quebec:			
35,413 adults, at 5 *s.*	8,853	5	–
13,459 children, at 3 *s.* 9 *d.*	2,523	11	3
100 uncertified, at 7 *s.* 6 *d.*	37	10	–
87 ditto - at 40 *s.*	174	–	–
At Montreal:			
560 adults, at 5 *s.*	140	–	–
236 children, at 3 *s.* 9 *d.*	44	5	–
Amount of tax received - £.	11,772	11	3
Imperial appropriation 1,500 *l.* sterling, at par	1,825	–	–
£.	13,597	11	3

The number of shipwrecked emigrants that reached this port during the past season was 584; they were exempt from the payment of any tax, which otherwise would have realised the sum of 136 *l.* 5 *s.* 4 *d.*

The Emigrant Fund has yielded, as above stated, the sum of 11,772 *l.* 11 *s.* 3 *d.*, equal to 4 *s.* 8 ¼ *d.* on each emigrant liable to duty; while the expenditure amounted to 16,915 *l.* 6 *s.*, equal to 6 *s.* 9 *d.* per head. The deficiency, 5,142 *l.* 8 *s.* 9 *d.*, has been met by the balance remaining over from last year, which is now entirely expended, together with the imperial appropriation of 1,500 *l.* sterling; but as this assistance is hereafter to be discontinued, the resources of the department during the ensuing season will be exclusively dependent upon the sum derived from the Emigrant Tax.

In offering to give any approximate view of the distribution as well as disposal of the emigration of the past season, many difficulties must unavoidably present themselves, and the more particularly in the absence of any data from which an accurate return may be compiled; and I have only to reiterate what I have already had occasion in former years to do, that the changes which are annually taking place with regard to the enlarged and multiplied means of inland transport, render it almost impossible to obtain any reliable account of the transit of our emigrant population.

On referring to my several reports made from time to time, I find the estimate therein made, as to the probable distribution of the emigration of the past season, as follows:

Total emigration landed at Quebec		53,183
Emigrants of British origin	35,132	
„ Foreigners	18,051	
Foreign emigration direct to the United States	14,000	
British origin	8,000	22,000
Remained in Canada		31,183
In Western Canada	27,000	
In Eastern Canada	4,000	

In addition to the number who have proceeded to Western Canada by this route, that portion of the province continues to receive considerable numbers by the route of the United States, whom Mr. Hawke estimates at not less than from 6,000 to 7,000 souls; so that the total accession to our population, from the emigration of the past year, may be estimated at about 38,000 souls.

From a return of the emigration to the port of New York it would appear that 313,747 arrived there during the year 1854, being an increase of over 30,000 on the emigration of 1853. The emigration from the United Kingdom shows a decrease of 32,731 when compared with that of 1853; from Ireland a falling off of upwards of 34,000; from Scotland 1,600; while there appears to have been an increase of over 3,000 on the number from England. But the great increase appears to have been in the German emigration, which shows an excess of over 47,000 on the number in 1853.

The Norwegian emigration to the United States appears to have almost entirely ceased, having fallen off gradually from 3,000 in 1852 to 91 souls, the number landed during the past year. The Norwegian emigration to this continent appears now to be confined almost exclusively to this route, and the numbers have shown a steady annual increase since its commencement in 1850.

The emigration of 1854 has, on the whole, been satisfactory, and but for the appearance of cholera would have been most successful. In the early part of the season and throughout the summer months, the demand for all classes of labourers and mechanics was unprecedented, and the greatest difficulty was experienced throughout the country in securing the necessary

necessary supply. This has, however, experienced a very considerable check within the last two months, and wages of all classes have experienced a fall of from 25 to 50 per cent. This great change has been caused by the unfavourable state of the European market as to the value of our chief staple articles of export, and to the depressed state of the money market throughout the United States, which could not but materially affect all our industrial interests; this depression is, however, chiefly confined to the labouring classes and mechanics engaged about our cities and on the public works. The agricultural class and all those emigrants who possessed sufficient means to enable them to enter upon the occupation of land, have done well. The high price of all agricultural produce for several years past has placed the farmers of Canada in prosperous and independent circumstances. A very considerable increase in Scotch and English farmers and agriculturists possessing capital was observed among the emigrants of the past season which cannot but prove highly desirable and beneficial to the best interests of the country. The emigrants from Aberdeen and Hull, which show a large increase on former years, were chiefly of this class.

There were also a number of respectable and wealthy Germans who have settled in the western section of the province.

A small party of from 50 to 60 Norwegians have acquired some property in the eastern townships, near Sherbrooke, and from the steady and industrious habits of these people, I entertain great hopes of their proving a valuable acquisition to that important section of the province, and moreover be instrumental in attracting to it other parties of their countrymen in succeeding years. This is the first party of Norwegians of any consequence who have established themselves in Canada, and their attraction thereto is attributed to the favourable reports which they have received from two of their countrymen, who settled in that district in 1853. Should they prove successful (and of which I have little doubt) we may look for a further addition to their numbers during the ensuing season.

With reference to the prospects for 1855, he says, "I regret that it is not in my power to present so promising an aspect, nor is the season likely to open so favourably as that of the past year. It is not possible, in the present existing commercial crisis, which has so seriously affected the best interest of the province, that the wages of the past season can be maintained, and emigrants, therefore, must calculate upon a considerable reduction on the past year's rates during the ensuing season. The distress which has so severely pervaded most of the large cities in the American Union, will no doubt, on the commencement of spring operations, induce a large number of their unemployed labourers to seek employment on our public works, and thereby necessarily occupy the field of labour which has hitherto been open to the newly arrived emigrant. I, however, fully anticipate a falling off in our emigration during the ensuing season, for it is evident that the inducement or rather the disposition to emigrate from the United Kingdom is sensibly on the decrease, and if I may judge from present appearances, it is more than probable that that disposition will remain unchanged for some time." The increased demand for labour, with a proportionate advance in wages, and steady employment at home, connected as these advantages are with the return of large numbers of disappointed parties from the United States, cannot, I apprehend, but tend to diminish their numbers in 1855.

On the other hand, the increased advantages offered by the St. Lawrence route, since the opening of the Great Western railway (which renders it now the cheapest and most direct route to the Great West from Europe), are now becoming known. Our unrivalled inland navigation from Quebec to Hamilton, 590 miles, thence by railroad to Chicago, a distance of 465 miles further, places the emigrant at once in the heart of the great Western States; and when it is considered that this journey can be performed in the space of about five days, and at a cost of somewhat less than 2 *l.* sterling, these facts, in addition to the well-known protection afforded, whereby emigrants are exempt from many of the evils to which they have been too notoriously exposed in the United States, cannot but most materially benefit and encourage the emigration from Europe by this route, and which, at no distant day, must become the leading thoroughfare to the Great West; and to these causes, in a great measure, may be attributed the steady annual increase in the amount of our foreign emigration.

At paper No. 7 of the Appendix, will be seen a tariff of the rates of passage, distances, and best routes to the chief points in Western Canada and the United States. This paper is gratuitously distributed in large numbers on board each emigrant ship on arrival in this port, and every means are adopted to place reliable and correct information within the reach of all, and if they will but apply to any of the agents of this department, they will receive every advice and protection against imposition. The Canadian Navigation Company vessels have brought out a considerable number of the better class of emigrants; they have made nine trips from Liverpool during the season, and average 246 passengers each trip; their arrangements appear to have given very general satisfaction, and the passengers report favourably of the accommodations.

This company, from the difficulty of securing a sufficient number of steamers of the class adapted to Atlantic navigation, have laboured under many disadvantages, and from being unable to secure punctuality in their periods of sailing, have been less successful than they otherwise would have been; but from the information received, this difficulty will in future be avoided, and they will be prepared to commence this spring with a competent line of powerful and well-appointed steamers, that will make the passage in from 12 to 13 days. The regular establishment of an efficient line of steamers to this port, cannot but prove of vast importance to the best interests of the province, and will also, I trust, prove equally beneficial to the enterprising proprietors.

I have thus endeavoured, in as brief a manner as possible, to bring before your Excellency a review of the most important transactions connected with this department during the past season, all of which I respectfully submit to your Excellency's favourable consideration.

I have, &c.
(signed) *A. C. Buchanan,*
Chief Agent.

To his Excellency
Sir Edmund Walker Head, Bart.,
Governor General,
&c. &c. &c.

Dear Sir, Emigrant Office, Toronto, 30 December 1855.

With reference to the immigration of 1854, I am of opinion that the total number of emigrants to Canada, was a trifle over 60,000; of these, as you are aware, nine-tenths, or 54,000, landed at Quebec and Montreal. The remainder came to this province *viâ* Oswego, Rochester, and Lewiston.

What proportion of the former became actual settlers I have no means of ascertaining; but I am not inclined to estimate the number at more than half or 27,000. Of the latter who entered Canada by the ports I have named, almost all remain; but as some of them came here to seek employment on our public works, it is but reasonable to suppose that as soon as these are finished, a few will return to the States. The disposition to settle permanently in Canada was never so strong as at present amongst emigrants from the United Kingdom. An unusual number who have resided for years in the States, have come hither during the last year, and I have received frequent applications for information with regard to the price of land, the rates of wages, and the nature of the climate, &c., from others who expressed a strong desire to reside once more under "British rule," provided they could do so with a reasonable prospect of doing well. It is also somewhat unusual to witness the return of such a large number of emigrants from the States to the United Kingdom, as has taken place during the past season, which has been estimated by some of the American newspapers to exceed 20,000. Although the depressed state of business may in part account for this disposition to leave the States and settle in Canada or return to their native land, it is evident that the recent movements of the "native American," or as it is more generally called the "Know-nothing" party, against foreigners, and more especially against the Irish Roman-catholics, have been the chief cause, and if the hostile feelings manifested by the Americans should, as there is every prospect of their doing, influence their future legislation, it will induce still larger numbers to come and settle in this province and check British emigration to the United States.

During the spring and summer of 1854, the demand for labour in Canada has been unprecedented, and wages exorbitantly high, but owing to the sudden change which has taken place in our monetary concerns and the approach of winter, a depression has taken place which is likely to continue for some time; but there is every reason to believe that the year 1855 will be as prosperous in Canada as any of its predecessors.

The prices of all kinds of farm produce rule high, and our farmers were never better off.

The quantity of fall wheat sown, greatly exceeds that of any previous year, and the preparation for what are known as spring crops, indicate that the increased breadth of tillage will be equally great. The spring will also enable the contractors to proceed in their public and private undertakings with greater activity.

I think therefore that we may with confidence anticipate abundance of employment and fair wages for all the skilled as well as all the unskilled labourers who may land upon our shores in 1855.

The unhealthiness of the past season in consequence of the prevalence of cholera throughout Canada, occasioned much distress, especially amongst the German emigrants; but the number of deaths amongst the emigrants of British origin was not large. I attribute this difference to the fact that the vessels in which the former were transported were generally more crowded, as they came to Quebec in large bodies together, and proceeded in the same crowded state up the St. Lawrence and the lakes to their places of destination in the Western States.

With reference to limiting the number of emigrants on board of our Canadian steamboats, I have nothing to add in addition to what I have already communicated, nor can I suggest any change in the management of the business of the Emigration Department, which I would consider an improvement on the present system, except the passage of a law to restrict the number of passengers during the prevalence of cholera, or any epidemic disease, to such limit as medical men may consider safe.

The means of transport on our waters are ample for almost any number of emigrants, the rates are reasonable, the steamers commodious, expeditious and safe, and those who really require assistance are always promptly relieved on application to the emigrant agents. I know of no part of the world where an equal number of persons thrown suddenly together have been conveyed the same distance at the same rate, with less inconvenience and as few accidents, as the vast body of emigrants who have been transported from Quebec to Hamilton during the last 10 years.

I am, &c.
(signed) *A. B. Hawke,*
Chief Emigrant Agent for Upper Canada.

To A. C. Buchanan, Esq.,
&c. &c. &c.

APPENDIX to EMIGRATION REPORT, 1854.

No. 1.

RETURN of the Number of EMIGRANTS Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number Landed in the Colony, distinguishing Males from Females, and Adults from Children, with the Number of Souls from each Country; also the Number of VESSELS, TONNAGE, and SEAMEN Employed, and the Average Length of Passage, during the Season of 1854.

WHENCE.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	NUMBER EMBARKED.							Births.		Total Souls on Board.	DEATHS ON THE PASSAGE.					
					Cabin Passengers.	Adults.		Children, 1 to 14 years.		Infants.	Total Steerage.				Adults.		Children, 1 to 14 years.		Infants.	Total.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England	146	46 2/3	95,992	3,438	528	7,162	4,718	2,708	2,262	1,080	17,930	17	13	18,488	34	24	88	82	54	282
Ireland	97	47 1/3	42,818	1,625	107	4,605	6,814	2,138	2,122	458	16,137	10	7	16,261	25	18	16	14	11	84
Scotland	82	47	43,141	1,578	140	2,708	1,639	823	799	343	6,312	5	2	6,459	2	1	2	2	3	10
Continent of Europe	61	58	22,107	833	36	4,766	3,366	1,474	1,416	564	11,586	13	16	11,651	12	13	32	28	26	111
Lower Ports, &c.	55	- -	8,138	385	7	307	225	164	142	12	850	- -	- -	857	—	—	—	—	—	—
TOTAL	441	48 1/2	212,196	7,859	818	19,548	16,762	7,307	6,741	2,457	52,815	45	38	53,716	73	56	138	126	94	487

WHENCE.	DEATHS IN QUARANTINE.						Total Deaths.	TOTAL LANDED IN THE COLONY.								Grand Total Landed in the Colony.
	Adults.		Children, 1 to 14 years.		Infants.	Total.		Adults.		Children, 1 to 14 years.		Total.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England	3	9	6	10	3	31	313	7,125	4,685	2,614	2,170	9,739	6,855	1,053	17,647	528	18,175
Ireland	4	3	- -	2	- -	9	93	4,576	6,793	2,122	2,106	6,698	8,899	464	16,061	107	16,168
Scotland	1	- -	1	1	- -	3	13	2,705	1,638	820	796	3,525	2,434	347	6,306	140	6,446
Continent of Europe	1	2	- -	- -	- -	3	114	4,753	3,351	1,442	1,388	6,195	4,739	567	11,501	36	11,537
Lower Ports, &c.	- -	- -	- -	- -	- -	- -	- -	307	225	164	142	471	367	12	850	7	857
TOTAL	9	14	7	13	3	46	533	19,466	16,692	7,162	6,602	26,628	23,294	2,443	52,365	818	53,183

Deaths on the Passage - - - - - - - 0·92 per Cent.
„ Quarantine - - - - - - - 0·8 „
Total Deaths on the Number Embarked - - - - 1 „

Emigration Department, Quebec,
30 December 1854.

A. C. Buchanan,
Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Numbers of EMIGRANTS Embarked, Births on the Passage, with the Number Died at Sea, and in Quarantine, and Total Landed in the Colony, distinguishing the Countries and Ports whence they sailed during the Season of 1854.

Ports whence Sailed.	Number of Vessels.	PASSENGERS.		Births.	TOTAL.	DEATHS		LANDED in COLONY.
		Steerage.	Cabin.			at Sea.	in Quarantine.	
ENGLAND:								
Bristol	6	85	-	-	85	-	-	85
Cardiff	5	50	-	-	50	-	-	50
Carlisle	1	146	-	-	146	-	-	146
Falmouth	3	54	4	-	58	-	-	58
Fowey	2	396	-	1	397	6	-	391
Grangemouth	1	6	-	-	6	-	-	6
Hull	7	1,057	17	2	1,076	16	-	1,060
Ipswich	1	6	-	-	6	-	-	6
Liverpool	79	13,023	448	24	13,495	239	31	13,225
London	15	285	29	1	315	2	-	313
Maryport	3	17	-	-	17	-	-	17
Newcastle	2	16	-	-	16	-	-	16
Newport	2	14	-	-	14	-	-	14
Poole	1	22	-	-	22	-	-	22
Plymouth	9	2,671	29	2	2,702	19	-	2,683
Sunderland	1	5	-	-	5	-	-	5
Shields	2	13	-	-	13	-	-	13
St. Ives	1	3	-	-	3	-	-	3
Swansea	1	1	-	-	1	-	-	1
Teignmouth	1	10	-	-	10	-	-	10
Torquay	1	13	1	-	14	-	-	14
Whitehaven	1	19	-	-	19	-	-	19
Workington	1	18	-	-	18	-	-	18
	146	17,930	528	30	18,488	282	31	18,175
IRELAND:								
Belfast	9	918	16	1	935	-	-	935
Cork	13	2,542	27	1	2,570	5	7	2,558
Dublin	8	1,516	19	4	1,539	11	-	1,528
Galway	2	263	-	-	263	-	-	263
Limerick	31	4,962	26	2	4,990	55	1	4,934
Londonderry	3	265	-	1	266	1	-	265
New Ross	7	2,490	6	2	2,498	6	-	2,492
Newry	1	24	-	-	24	-	-	24
Sligo	2	392	4	5	401	4	1	396
Tralee	5	1,416	1	1	1,418	1	-	1,417
Waterford	13	1,050	7	-	1,057	1	-	1,056
Wexford	1	147	-	-	147	-	-	147
Youghal	2	152	1	-	153	-	-	153
	97	16,137	107	17	16,261	84	9	16,168
SCOTLAND:								
Aberdeen	12	1,559	48	-	1,607	1	-	1,606
Arbroath	1	46	-	-	46	-	-	46
Ardrossan	3	93	-	-	93	-	-	93
Alloa	1	2	-	-	2	-	-	2
Banff	1	144	8	-	152	-	-	152
Dumfries	2	56	-	-	56	-	-	56
Dundee	3	17	11	-	28	-	-	28
Fraserburgh	1	113	-	-	113	-	-	113
Glasgow	41	2,053	64	6	2,123	7	2	2,114
Greenock	9	1,778	9	1	1,788	1	1	1,786
Leith	4	48	-	-	48	-	-	48
Montrose	2	359	-	-	359	1	-	358
Troon	2	44	-	-	44	-	-	44
	82	6,312	140	7	6,459	10	3	6,446

Ports whence Sailed.	Number of Vessels.	PASSENGERS. Steerage.	PASSENGERS. Cabin.	Births.	TOTAL.	DEATHS at Sea.	DEATHS in Quarantine.	LANDED in COLONY.
GERMANY:								
Antwerp	4	394	-	1	395	7	-	388
Hamburgh	23	4,561	8	14	4,583	58	1	4,524
Bremen	3	779	6	-	785	8	1	776
	30	5,734	14	15	5,763	73	2	5,688
NORWAY AND SWEDEN:								
Arendal	1	188	-	-	188	-	-	188
Bergen	7	1,454	-	1	1,455	2	1	1,452
Christiana	8	1,749	4	4	1,757	16	-	1,741
Drammen	2	320	-	1	321	2	-	319
Gottenburg	2	259	14	3	276	13	-	263
Krageroe	3	523	-	-	523	-	-	523
Larvig	1	7	-	-	7	-	-	7
Ostersior	1	62	-	-	62	2	-	60
Posgrund	2	499	-	3	502	2	-	500
Stavanger	3	615	4	2	621	1	-	620
Walve Saltvork	1	176	-	-	176	-	-	176
	31	5,852	22	14	5,888	38	1	5,849
LOWER PORTS	55	850	7	-	857	-	-	857

RECAPITULATION.

England	146	17,930	528	30	18,488	282	31	18,175
Ireland	97	16,137	107	17	16,261	84	9	16,168
Scotland	82	6,312	140	7	6,459	10	3	6,446
Germany, &c.	30	5,734	14	15	5,763	73	2	5,688
Norway and Sweden	31	5,852	22	14	5,888	38	1	5,849
Lower Ports	55	850	7	-	857	-	-	857
	441	52,815	818	83	53,716	487	46	53,183

Emigration Department, Quebec, December 1854.

A. C. Buchanan, Chief Agent.

No. 3.

RETURN of the Number of Admissions to HOSPITAL, Discharges, and Deaths of Emigrants arrived during the Season of 1854.

	ADMITTED.	DISCHARGED.	DIED.	REMAINED.
Grosse Isle Hospital	690	644	46	—
Marine Emigrant Hospital, Quebec	615	447	130	38
General Hospital, Montreal	342	278	48	16
	1,647	1,369	224	54

Emigration Department, Quebec, 30 December 1854.

A. C. Buchanan, Chief Agent.

No. 4.

RETURN of Trades and Callings of the Emigrants who arrived at the Ports of *Quebec* and *Montreal*, during the Year 1854.

Bakers	51	Ropemakers	6
Butchers	23	Saddlers	18
Braziers, Plumbers, and Tinsmiths	16	Sailmakers	5
Bookbinders and Printers	19	Sawyers	16
Bricklayers and Stonemasons	228	Shipbuilders	17
Cabinet Makers and Turners	20	Shoemakers	358
Carpenters and Joiners	617	Smiths	354
Cart and Wheelwrights	39	Stonecutters	67
Coach Makers	8	Tailors	433
Coopers	40	Watch and Clockmakers	43
Curriers	2	Wool and Flax Dressers	4
Dyers	4	Weavers	85
Engineers	76	Servants	117
Gardeners	37	Unenumerated callings	163
Hatters	3	Farm Labourers	5,632
Millers and Millwrights	131	Common Labourers	10,448
Miners	238		
Merchants and Clerks	156	Deaths of Male Adults:	
Moulders and Foundrymen	24		
Painters and Glaziers	41	At Sea	73
Paper Makers	4	Quarantine	9
Plasterers	5		82
		Total	19,466

Emigration Department, Quebec,
30 December 1854.

A. C. Buchanan,
Chief Agent.

No. 5.

Comparative Statement of the Number of Emigrants arrived at the Port of *Quelec* since the Year 1829 inclusive.

COUNTRY.	Five Years from 1829 to 1833.	Five Years from 1834 to 1838.	Five Years from 1839 to 1843.	Five Years from 1844 to 1848.	1849.	1850.	1851.	1852.	1853.	1854.	Grand Total.
England	43,386	28,624	30,813	60,453	8,980	9,887	9,677	9,276	9,585	18,175	228,856
Ireland	102,264	54,898	74,981	112,192	23,126	17,976	22,381	15,983	14,417	16,168	454,386
Scotland	20,143	10,998	16,289	12,767	4,984	2,879	7,042	5,477	4,745	6,446	90,770
Continent	15	485	- - -	9,728	436	849	870	7,256	7,456	11,537	38,632
Lower Ports	1,889	1,346	1,777	1,219	968	701	1,106	1,184	496	857	11,543
	167,697	93,351	123,860	196,359	38,494	32,292	41,076	39,176	36,699	53,183	824,187

Emigration Department, Quebec,
30 December 1854.

No. 6.

RETURN of the Number of PERSONS who received Assistance to emigrate, the AMOUNT of MONEY paid them on landing at *Quebec* during the Season of 1854.

DATE.	VESSEL'S NAME.	WHENCE.	Number of Persons.	CLASS. M.	CLASS. F.	CLASS. C.	BY WHOM SENT OUT.	Amount of Landing Money Paid at Quebec. £. s. d.
24 May	Thetis	Limerick	60	–	60	–	Cashel Union	60 – –
26 „	Energy	„	32	–	28	4	Thurles ditto	30 – –
27 „	Jane Black	„	4	–	4	–	Ballyvaughan ditto	4 – –
27 „	„	„	12	–	8	4	Corofin ditto	10 – –
27 „	„	„	44	–	39	5	Ennis	41 10 –
27 „	„	„	36	–	32	4	Ennistymon ditto	34 – –
27 „	„	„	26	–	21	5	Killydysart ditto	23 10 –
27 „	„	„	47	–	45	2	Killrush ditto	46 – –
27 „	„	„	34	–	32	2	Scariff ditto	33 – –
27 „	„	„	18	–	17	1	Tulla ditto	17 10 –
3 June	Tottenham	Cork	19	–	17	2	Urlingford ditto	18 – –
3 „	„	„	30	10	20	–	Cork Foundling Hospital	45 – –
3 „	Joseph Howe	„	10	–	10	–	Clogheen Union	10 – –
9 „	Glenlyon	New Ross	37	–	34	3	Callan ditto	27 – –
17 „	Lady Russell	Tralee	55	–	46	9	Kenmare ditto	55 – –
17 „	„	„	37	–	32	5	Cahirciveen ditto	37 – –
17 „	„	„	54	–	49	5	Dingle ditto	54 – –
17 „	„	„	50	–	48	2	Tralee ditto	50 – –
17 „	Augusta	Sligo	21	–	16	5	Ballina ditto	18 10 –
17 „	„	„	17	–	14	3	Killala ditto	15 10 –
17 „	„	„	3	–	3	–	Glanamady ditto	3 – –
17 „	„	„	9	1	6	2	Westport ditto	8 – –
17 „	„	„	13	–	8	5	Newport ditto	10 10 –
17 „	„	„	18	–	16	2	Clanmorris ditto	17 – –
17 „	„	„	10	–	9	1	Castlebar ditto	9 10 –
18 „	John Howell	Liverpool	20	–	19	1	Carrick-on-Suir ditto	19 10 –
20 „	New Brunswick	Dublin	60	5	48	7	Ballinrobe ditto	56 10 –
20 „	„	„	75	14	38	23	Rathdrum ditto	63 10 –
20 „	„	„	120	–	106	14	Parsonstown ditto	113 – –
20 „	„	„	43	–	40	3	Athlone ditto	41 10 –
26 „	Delta	New Ross	10	–	6	4	Waterford ditto	8 – –
6 July	Waterford	Galway	80	–	80	–	Galway ditto	80 – –
6 „	„	„	4	–	4	–	Tuam ditto	4 – –
7 „	Blanche	Cork	40	–	39	1	Kanturk ditto	40 – –
7 „	„	„	33	–	33	–	Skibbereen ditto	33 – –
7 „	„	„	9	–	9	–	Skull ditto	9 – –
7 „	„	„	36	–	34	2	Bantry ditto	36 – –
7 „	„	„	21	–	19	2	Castletown ditto	20 – –
7 „	„	„	17	1	13	3	Millstreet ditto	17 – –
10 „	Northern Light	Liverpool	59	–	58	1	New Ross ditto	58 10 –
10 „	„	„	9	–	6	3	Lismore ditto	7 10 –
10 „	Triton	Galway	69	3	44	22	Galway ditto	58 – –
10 „	„	„	21	1	16	4	Oughterard ditto	19 – –
12 „	St. Lawrence	Cork	30	–	27	3	Nenagh ditto	28 10 –
22 „	Pemberton	„	59	–	56	3	Youghal ditto	59 – –
25 „	Theron	Limerick	108	–	105	3	Limerick ditto	106 10 –
25 „	„	„	2	–	2	–	Kilmallock ditto	2 – –
25 „	„	„	31	1	17	13	Croom ditto	24 10 –
26 „	Simonds	Liverpool	10	–	10	–	Ballina ditto	10 – –
29 „	Mauritius	Londonderry	4	–	2	2	Londonderry ditto	6 10 –
29 „	Columbus	Dublin	223	–	223	–	South Dublin ditto	223 – –
10 Aug.	Satellite	Cork	61	–	60	1	Clonmel ditto	60 10 –
10 „	„	„	109	1	104	4	Cork ditto	109 – –
11 „	Dykes	Tralee	19	–	19	–	Killarney ditto	19 – –
12 „	Janes	Limerick	14	1	6	7	Rathkeale ditto	10 10 –
19 „	Mary Carson	Liverpool	104	13	67	24	Gort ditto	92 10 –
20 „	Harriet	Dublin	32	3	25	4	Balrothery ditto	30 – –
22 „	Georgiana	Limerick	21	–	21	–	Limerick ditto	23 – –
22 „	„	„	21	–	17	4	Rathkeale ditto	19 – –
22 „	„	„	18	–	7	11	Glynn ditto	12 10 –
22 „	„	„	30	–	22	8	Newcastle ditto	26 – –
22 „	„	„	36	–	30	6	Listowell ditto	33 – –
1 Sept.	Triumph	„	78	–	75	3	Limerick ditto	76 10 –
15 „	William and Joseph	„	128	–	124	4	Ditto - ditto	125 – –
28 „	Anna Maria	„	78	–	76	2	Ditto - ditto	77 – –
10 Oct.	Jessy	„	54	1	48	5	Galway ditto	51 10 –
26 „	Canada	Cork	251	5	203	43	Cork ditto	229 10 –
26 „	„	„	7	1	6	–	Cork Foundling Hospital	11 – –
28 „	New Brunswick	Dublin	21	–	21	–	Rathdrum Union	21 – –

(*continued*)

DATE.	VESSEL'S NAME.	WHENCE.	Number of Persons.	CLASS. M.	CLASS. F.	CLASS. C.	BY WHOM SENT OUT.	Amount of Landing Money Paid at Quebec.
								£. s. d.
26 May - -	Oriental - - -	Plymouth - -	6	1	1	4	Parish - - - -	4 - -
3 July - -	Richard and Harriet -	Hull - - -	14	3	3	8	Ditto - - - -	—
30 Sept. - -	Lady Peel - - -	Plymouth - -	8	2	1	5	Ditto - - - -	4 10 -
26 May - -	Oregon - - -	Liverpool - -	80	18	15	47	Baden, in Germany -	64 - -
4 Oct. - -	Enterprise - - -	Dublin - -	191	55	42	94	Ditto - - - -	200 13 -
18 „ - -	Oregon - - -	Liverpool - -	151	51	33	67	Ditto - - - -	150 14 -
			3,421	191	2,694	536	£.	3,271 17 -

RECAPITULATION.

	ENGLAND.	£. s. d.	IRELAND.	£. s. d.	CONTINENT OF EUROPE.	£. s. d.
Parish funds - - - -	14	8 10 -	2,971	2,848 - -	422	415 7 -
Private ditto - - - -	—	—	—	—	—	—
Free passage only - - -	14	—	—	—	—	—
	28	8 10 -	2,971	2,848 - -	422	415 7 -

Emigration Department, Quebec, 30 December 1854.

A. C. Buchanan, Chief Agent.

No. 7.

ROUTES, DISTANCES, AND RATES OF PASSAGE, 1854.

From Quebec to Montreal,

180 Miles, by Steamers, every Day, at Five o'clock, through in 14 hours.

	Steerage. Sterling.	Steerage. Currency.	Cabin. Sterling.	Cabin. Currency.
	s. d.	s. d.	s. d.	s. d.
By the Royal Mail Packets - - - - -	3 -	3 9	14 -	17 6
„ Tait's Line - - - - - - -	3 -	3 9	10 -	12 6

From Montreal to Western Canada.

Daily, by the Royal Mail Line Steamer, at Nine o'clock, A. M., or by Railroad to Lachine, at Twelve o'clock.

	Distances.	Deck Fare.		Cabin Fare.	
		Sterling.	Currency.	Sterling.	Currency.
From Montreal to	*Miles.*	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Cornwall	78	– 5 –	– 6 3	– 11 –	– 13 9
Prescott	127	– 6 –	– 7 6	– 14 –	– 17 6
Brockville	139				
Kingston	189	– 8 –	– 10 –	1 – –	1 5 –
Cobourg	292	– 12 –	– 15 –	1 8 –	1 15 –
Port Hope	298				
Bond Head	313	– 14 –	– 17 6	1 14 –	2 2 6
Darlington	317				
Whitby	337				
Toronto	367	– 16 –	1 – –	1 16 –	2 5 –
Hamilton	410				
Detroit	596	1 4 –	1 10 –	2 16 –	$.14
Chicago	874	1 12 –	2 – –	4 – –	$.20

Passengers by this line tranship at Kingston to the lake steamers, and at Toronto for Buffalo.

Daily, by the American Line Steamer, at One o'clock, A.M.

	Distance.	Deck Fare.		Cabin Fare.	
		Sterling.	Currency.	Sterling.	Currency.
From Montreal to	*Miles.*	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Ogdensburg	138	– 6 –	– 7 6	– 14 –	– 17 6
Cape Vincent	190	– 8 –	– 10 –	1 – –	1 5 –
Sacket's Harbour	242	– 12 –	– 15 –	1 4 –	1 10 –
Oswego	286	– 14 –	– 17 6	1 6 –	1 12 6
Rochester	349	– 16 –	1 – –	1 10 –	1 17 6
Lewiston	436			1 14 –	2 2 6
Buffalo	467	1 – –	1 5 –	1 18 –	2 7 6
Cleveland	661	1 6 –	1 12 6	—	—
Sanduskey	721	1 8 –	1 15 –	—	—
Toledo and Monroe	975	1 8 –	1 15 –	—	—

Passengers by this line tranship at Ogdensburg to the lake steamers, for Oswego and Lewiston.

The passengers for both lines embark at the Canal Basin, Montreal.

	£. s. d.
Steerage passage from Quebec to Hamilton	1 3 9
Steerage passage from Quebec to Buffalo	1 8 9

From Hamilton to the Western States.

By the Great-Western Railroad. The new short Route to the West. Trains leave Hamilton daily for Detroit, connecting at that City with the Michigan Central Railroad for Chicago.

	Distance.	Emigrant Train.		First-Class Train.	
		Sterling.	Currency.	Sterling.	Currency.
	Miles.	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*	£. *s.* *d.*
To Dundas	6	– – 6	– – 7½	– 1 –	– 1 3
Flamboro	9	—	—	—	—
Paris	20	– 2 –	– 2 6	– 3 8	– 4 6
Woodstock	48	– 3 –	– 3 9	– 5 –	– 6 3
Ingersoll	47	– 3 6	– 4 4½	– 7 –	– 8 9
London	76	– 4 9	– 6 –	– 9 –	– 13 3
Eckford	96	– 6 –	– 7 6	– 14 –	– 17 6
Chatham	140	– 7 –	– 8 9	—	—
Windsor	186	– 8 –	– 10 –	1 – –	1 5 –
Detroit, Michigan					
Chicago, Illinois	465	– 16 –	1 – –	2 4 –	2 15 –

Steamers leave Chicago daily for Milwaukie and all other ports on Lake Michigan.

Emigrants on arriving at Chicago, if proceeding further, will, on application to Mr. H. J. Spalding, agent of the Michigan Central Railroad Company, receive correct advice and direction as to route.

Passengers for the western parts of the United States of New York, Ohio, Pennsylvania, and Indiana, must take the route *viâ* Buffalo.

Ottawa River and Rideau Canal.

From Montreal to Bytown and Places on the Rideau Canal, by Steam every evening, by *Robertson, Jones & Co.*'s Line.

	Distance.	Deck Passengers.	
		Sterling.	Currency.
	Miles.	£. *s.* *d.*	£. *s.* *d.*
From Montreal to			
Carillon	54	– 2 –	– 2 6
Grenville	66	– 3 –	– 3 9
L'Original	73	– 3 –	– 3 9
Bytown	129	– 4 –	– 5 –
Kemptville	157 (Rideau Canal.)		
Merrickville	175		
Smith's Falls	100		
Oliver's Ferry	199	– 6 –	– 7 6
Isthmus	216		
Jones' Falls	226		
Kingston	258		

Passengers proceeding to Perth, Lanark, or any of the adjoining settlements, should land at Oliver's Ferry, seven miles from Perth.

Route to the Eastern Parts of the United States.

Emigrants proceeding to any of the following States of the American Union, viz., Maine, New Hampshire, Massachusetts, Connecticut, Vermont, New York, and Pennsylvania, by the Champlain and St. Lawrence Railroad Company, Mr. W. A. Merry, secretary. Office opposite the Steamboat Landing, Montreal.

	Emigrant Train.	
	Sterling.	Currency.
From Montreal to	£. s. d.	£. s. d.
Burlington	– 8 –	– 10 –
Whitehall	– 12 –	– 15 –
Troy	– 18 –	1 2 6
New York	– 19 –	1 3 9
Boston	1 6 –	1 12 6

Trains of the above company leave Montreal daily.

From Toronto, steamers leave daily for Port Credit, 15 miles; Oakville, 25 miles; Wellington-square, 37 miles; Hamilton, 43 miles; also Port Dalhousie on the entrance of the Welland Canal, Niagara, Queenston, and Lewiston: passage, 3 *s.* 9 *d.*

Steamers leave Kingston daily for the Bay of Quinte and the River Trent, calling at Picton, Adolphustown, Belleville, and other landing places in the Bay.

To New Brunswick.

The best and most expeditious route is by the St. Lawrence and Atlantic railroad, from Montreal to Portland, thence by steamer, which leaves for St. John's, N. B., every Monday and Wednesday evening, at 8 o'clock.

Route:

	Sterling.	Currency.
	£. s. d.	£. s. d.
From Quebec to Montreal, by steamer	– 3 –	– 3 9
Montreal to Portland, by railroad	1 4 –	1 10 –
Portland to St. John's, by steamer	– 16 –	1 – –
	1 3 –	2 13 9

Freight Steamers leave Montreal daily for Kingston, Toronto, and Hamilton.

	Sterling.	Currency.
	£. s. d.	£. s. d.
Passage to Kingston	– 4 –	– 5 –
Passage to Toronto and Hamilton	– 8 –	– 10 –

Throughout these passages, children under 12 years of age are charged half-price, and those under 3 years are free.

Passengers by steamers from Quebec to Hamilton, luggage free; if by railroads, 100lbs. is allowed to each passenger, all over that quantity will be charged.

The gold sovereign is at present worth 1*l.* 4*s.* 4*d.* currency, the English shilling, 1*s.* 3*d.*, and the English crown-piece, 6*s.* 1*d.*

Through tickets can be obtained on application to this office.

Emigration Department,
Quebec, August 1854.

A. C. Buchanan,
Chief Agent.

No. 8.

EXTRACTS from the Notes appended to the Periodical Reports of Arrivals of Passenger Ships at the Ports of *Quebec* and *Montreal*, in the Season of 1854.

RETURN No. 1.—From 17th to 26th May 1854.

Note.—THE emigrants arrived from the 17th to 26th May 1854, number 8,135; showing an increase of 4,387 over the corresponding period in 1853. They have landed in good health, notwithstanding the fear entertained by many, that the existence of cholera in the United Kingdom would not fail to introduce it here; happily, so far, these fears have not been realised; and although sickness has existed on board several of the vessels, it has been chiefly from measles and small-pox. The only cases of cholera which appeared, were on board the "Primrose," from Limerick; 25 of the passengers died, two of which occurred previous to her sailing; the last death was on 3rd May, 15 days previous to her arrival at the quarantine station; and although several of the passengers were sent to hospital, suffering from extreme debility, no further symptoms of the disease appeared among them.

The increase over last season is chiefly from English ports, which gives an excess of 2,500 over last season. The port of Liverpool contributes over 1,800 persons; more than one-half of whom are foreigners, chiefly Germans. This is a branch of our emigration which is likely to increase very much, as, owing to the favourable reports which the emigrants of previous years have sent home of the St. Lawrence route, and the rate of the passage being much lower than to the United States, the attention of the shipping agents, as well as the emigrants, have been directed to this route.

The foreign emigrants which have arrived this season, have brought out a large amount of money with them, generally in drafts on New York and gold. The Norwegians all proceed to Wisconsin; the Germans are more generally scattered over the American Union, and a number of respectable, wealthy families have gone to settle in Western Canada.

The Scotch and English emigrants are of a superior class, and I have not seen a more substantial or respectable class of farmers arrive at this port for many years; a large proportion of whom intend settling in Western Canada, to which they cannot but prove a valuable acquisition. About 100 young females have been sent out by the Irish Poor-law Union; they received 1 *l.* sterling each on landing here; the greater part of them proceeded to Toronto, where they immediately found employment.

Employment is most abundant, and I have never known such a general complaint from all parties throughout the country, as this season, of the difficulty and almost impossibility of obtaining labourers, servants and all classes of mechanics. Constant applications are daily made to this department, from all sections of the province, which it is impossible to fulfil.

No. 2.—From 27th to the 28th May.

Two thousand seven hundred and twelve emigrants arrived in this port on the 27th May, in good health. The deaths on the passage were but 33, chiefly children, 19 of which occurred on board the "Lady Hobart," from Liverpool, viz., three adults and 16 children. The great majority of emigrants by these vessels were respectable farmers and mechanics, all of whom were emigrating to friends; very few even of the labouring class could be induced to stop here, and avail themselves of the present great demand for labourers.

Two hundred and twenty-one female paupers arrived by the "Jane Black" from Limerick, and

and 10 in the "Joseph Howe" from Cork. They received 20 *s.* sterling each on landing. They were sent out by the following unions:—

	ADULTS.	CHILDREN.	STERLING.
			£. s. d.
Ennystymon - - -	32	4	34 - -
Killadysart - - -	21	5	23 10 -
Kilrush - - - -	45	2	46 - -
Scariff - - - -	32	2	33 - -
Tulla - - - -	17	1	17 10 -
Ballyvaughan - - -	4	- -	4 - -
Corofin - - - -	8	4	10 - -
Ennis - - - -	39	5	41 10 -
Clogheen - - -	10	- -	10 - -
	208	23	219 10 -

From 75 to 80 of these young women were hired in Quebec the day they landed; the rest proceeded, some to friends in New York and Boston. Upwards of 120 were forwarded to Upper Canada, and were all immediately employed within a few hours of landing.

No. 3.—From 29th May to 3d June.

THREE thousand five hundred and twenty-nine emigrants landed at this port in good health from the 29th May to the 3d instant. The foreign emigration, which is largely on the increase by this route, numbered 1,311 persons, 1,203 of whom came direct from continental ports, and 108 by the "Leonard Dobbin" from London, were from the ship "Duchalot" from Havre to New York, abandoned at sea. These parties were forwarded to New York by the agents of the "Duchalot." The foreign emigration by the vessels in this return have, with few exceptions, proceeded direct to the Western States.

The English emigration number but 246 persons, chiefly from Fowey, were respectable farmers, and a few miners. The emigrants from the port of Liverpool are chiefly Irish. The vessels enumerated in this return, four in number, although they brought out 170 passengers, did not come within the regulations of the Act, having less than one passenger for every 25 tons of their registered tonnage. The "Good Intent," from Fowey, had on board, besides her own complement of passengers, 76 persons taken from the wreck of the "Black Hawk," from Liverpool to New York, abandoned at sea. These poor people lost all their baggage. They expressed themselves very grateful for the care and kindness which they received from Captain Gill, and the passengers on board his vessel.

The emigration from Ireland number 1,306 persons, a large proportion of whom were parties emigrating to join friends in Western Canada and the United States.

By the "Tottenham," from Cork, there were 19 females from the Urlingford Union; they received through this department 20 *s.* sterling each on landing, and were forwarded to Belleville, Upper Canada; furnished with a letter of recommendation, and I have heard since that they all obtained situations on the day they arrived there.

There were also by this vessel 10 boys and 20 girls sent out by the Governors of the Cork Foundling Hospital; they received 30 *s.* each on landing here, and have all been placed in situations in this city, the boys at trades, and the girls with respectable families.

The first complaint this season was made by the brig "Hannah," from Arbroath, against the master, for issuing unwholesome and impure water. Proceedings were instituted, and, after a lengthened inquiry, the master was convicted, and fined 20 *l.* sterling, with costs.

Employment of every description continues most abundant, and there is a great scarcity of labourers throughout the country. The emigration, on the whole, has been very satisfactory. The extent of applications for assistance has been less than last season in comparison with the number of arrivals. The only persons requiring relief have been women and children, who have come out to join their relations.

No. 4.—From the 4th to the 20th June.

THE emigrants arrived during the period embraced in this return, have landed in good health, with the exception of those by the "Glenmanna," from Liverpool; 44 deaths occurred among the passengers, from measles and diarrhœa, and 8 were reported sick on arrival at Grosse Isle. Sickness has appeared to a greater extent among the emigrants from Liverpool, this season, than from any other port. There were a good many foreigners on board of each of the ships from this port, chiefly Germans and Swedes, and disease has appeared to exist, to a greater extent among them, than with our own countrymen. Of the total emigration from Liverpool, 2,190 over 700 were foreigners, which would give the number of foreigners in this return 2,974 over, half of which are Norwegians, and who, with but few exceptions, proceeded direct to the Western States; 14 Norwegian families (60 persons) by the "Flora," from Christiana, have proceeded to settle in the Eastern townships, where they have been induced to proceed from the representations received from a few of their countrymen, who settled in Sherbrooke two years since, and where it would appear they have done well, and are held in high estimation by the inhabitants. Four of the families of this season have purchased farms, and the rest of the party are employed on the Railroad.

The English and Scotch emigrants are respectable farmers and agricultural labourers, and have proceeded to Western Canada.

Of the Irish 648 were female paupers sent out by the Poor-law unions; they received 20 *s.* sterling each on landing here; a few were employed in this city, and a number went to their friends in the United States; fully three-fourths proceeded direct to Western Canada, where they would all meet with immediate employment. Employment continues most abundant, and daily applications are received from all sections of the province for labourers and mechanics, but which it is impossible to supply.

No. 5.—From 21st June to 3d July.

THE emigrant ships included in this return have landed their passengers in good health: of the whole number of emigrants landed 4,206, 1,802 were foreigners, chiefly Norwegians; 1,444 came by vessels direct, and 358 *viâ* Liverpool. They have proceeded to the Western States.

The emigrants of this season appear generally in good circumstances, or at least possess sufficient means to enable them to reach their destination. I only assist helpless families of females and children, who have emigrated, to join friends; all others disposed or willing to work have not only obtained it at once, but their services have been eagerly sought after. Common labourers are now receiving from 5 *s.* to 7 *s.* 6 *d.* per day.

No. 6.—From 3d to 31st July.

TEN thousand five hundred and thirty-seven emigrants landed at this port during the month of July. The deaths on the passage were 112, chiefly confined to the Liverpool vessels; and among the foreigners the deaths on board vessels, from Liverpool, were 79; foreign ships 29; while among the emigrants from Irish and Scotch ports there were but 4. Of the emigrants from English ports (4,602), 4,273 were from Liverpool, of whom there were,

Foreigners - - - - - - -	2,504
English - - - - - - - -	722
Irish - - - - - - - -	844
Scotch - - - - - - - -	203
	4,273

The total foreign emigration during the month, may be stated as follows:

By ships direct - - - - -	2,651
„ *viâ* Liverpool - - - -	2,504
„ *viâ* Hull - - - - -	295
	5,450 souls.

being over one-half of the arrivals of the month. Fully four-fifths of this class of our emigration have proceeded to the public works in Western Canada, where they have found steady remunerative employment.

The English and Scotch emigrants were agriculturists and mechanics, many of the latter have come out under engagement to the Grand Trunk Company. The farmers and farm labourers all went to Western Canada, Toronto, and Hamilton, where they will doubtless prove

prove a valuable addition to the population of that section of the province, possessing, as many of them do, capital, intelligence, and agricultural skill.

Of the Irish emigrants, a number were pauper females from the Poor-law Unions, which numbered 333 souls; they received 20 *s.* sterling, each adult, and 10 *s.* each child, on landing; the remainder consist of families, chiefly women and children emigrating to friends, a large number of whom went to the United States. The total Irish emigrants are classed as follows:

Male Adults - - - - - - -	618
Females - - - - - - -	1,279
Children - - - - - - -	619
Cabin - - - - - - - -	12
	2,528

The chief part of the female paupers were directed to Upper Canada, where, notwithstanding the number previously sent, they will all do well, as their services are much required; and daily applications are received for domestic servants and labourers from all sections of the province. The accounts received all agree that the public works are retarded, and the farmers are suffering great inconvenience and loss from the scarcity and difficulty of securing labour. The emigrants, by the several vessels in this return, have all arrived free of complaints, with the exception of some of the foreign emigrants by the "Crown," from Liverpool, who complained of the treatment received on the passage, but which was afterwards settled by the master paying them 50 dollars as compensation.

No. 7.—From 31st July to 31st August.

Seven thousand one hundred and thirty-two emigrants landed at this port during the past month. The deaths on the passage were 46, chiefly children, 26 of which occurred on board three ships from Liverpool. Of the total number, 2,199 were foreigners, 1,610 of whom came direct, and 589 *viâ* Liverpool; 6,670 emigrated voluntarily, and 462 were sent out by the Irish Poor-law Unions, and were paid 20 *s.* sterling each adult on landing. One of the girls from Listowel Union, by the ship "Georgiana," having lost her eyesight, has been taken back to the union by the master. The conduct of these females has been reported as most exemplary, and they give equally favourable reports of the kindness and attention of the master to them during the passage. A number obtained situations in this city, and about Montreal. About 150 went to the United states to join their friends, chiefly to the manufacturing districts in the Eastern States, and the remainder were sent forward to Upper Canada, where they were immediately employed at fair wages, from two to three dollars per month. The remainder of emigrants from Ireland are labourers with their families, coming out to join friends in different parts of Canada and the United States. On board the "Christiana," from Cork, a family of 27 proceeded direct to Boston and New York, having engaged their passages through by this route, with Mr. Brenan, of Cork, on more favourable terms than they could procure a passage direct.

The emigration from Scotland, 1,397, consists of respectable farmers and mechanics, the greater part of them proceeded direct to Western Canada. Employment continues abundant, and constant applications are made to this department for labourers and servants, which it is impossible to supply.

Complaints were made by a portion of the passengers by the "John Davis," from Liverpool, for irregularity and deficiency in the issue of provisions during the early part of the voyage. The complaint was heard before the sitting magistrates, and the master was convicted in a fine of 5 *l.* with costs.

The number of persons assisted fiom the several ships in this return was 1,202, viz., 658 adults, 544 children, the adults were nearly all females.

No. 8.—From 31st August to 30th September.

The emigrants arrived during the month of September, numbering 4,566, have all landed in good health, but 26 deaths occurred during their passage, 10 of which were on board the Norwegian ship "Norden" from Christiana.

Among the emigrants from Ireland there were 283 females all from the Limerick Union; they received the usual landing money on arrival here, and with the exception of a few who had friends in the United States, they were sent forward to Western Canada in the neighbourhood of Coburg and Port Hope. The following is an extract from a letter from the Mayor of Port Hope, reporting the arrival and disposal of a party of these girls which were sent forward to him at his request:

"On the morning of the 5th instant I received from the agent at Montreal a list of 54 young women, forwarded by him in compliance with your instructions, and upon inquiry I learn that they had all been landed at this place during the night. I caused the necessary arrangements to be made immediately for providing them with food and shelter, and during the course of the day managed to dispose of 34 of them in good situations and at fair wages;

since that time they have been gradually provided for in a satisfactory manner, with the exception of two who are labouring under some slight indisposition and are under medical treatment. I have to return you my thanks for your prompt compliance with my suggestions in sending us these young women; you have conferred a great benefit upon the people of the place as well as upon the girls themselves; by the course adopted the former have been released from an inconvenience of a serious and harassing description in the want of servants, and the latter placed in a position which will give them all a fair start for a living in the New World. I think, to-day, if I had them, I could have placed 20 more in good situations in the country; as information of the arrival of this party spreads abroad we receive constant applications from parties in want of servants, and who are not aware that they are all disposed of already. It would be advisable, should you have it in your power, to send us, between this and the close of the navigation, 50 more, giving me a few days' notice previous to their arrival here."

Since the arrival of this note a further party have been forwarded to the care of his Worship, all of whom have been satisfactorily disposed of.

The Scotch and English emigrants landed during this month are generally respectable farmers and agricultural labourers; they have chiefly proceeded to Toronto and Hamilton; a large party of Scotch by the "John Mackenzie," from Greenock, proceeded to join friends at Pembroke, on the Ottawa River.

The foreigners are mostly German, whose destination, with but few exceptions, was the Western States. Employment continues, as heretofore, abundant, and labourers and farm servants are daily inquired for in almost every section of the province.

No. 9.—From 30th September to 8th November.

THE emigrants arrived during the month of October number 5,868 persons, being an increase upon the corresponding month in 1853 of 4,116 persons.

They generally landed in good health, the total mortality during the passage being but 65, 32 of whom occurred on board two vessels, the "Larvig," from Gottenburg, and the "Oregon," from Liverpool; both these vessels made long passages, the former 90 and the latter 62 days. The emigrants have come out chiefly to join friends, a large portion of whom had been assisted by their relations in this country. Among those from Ireland, there were 327 female paupers from the Cork, Galway, and Rathdrum unions, and seven orphans from the Foundling hospital in Cork; the former received 20*s.* sterling each adult, and the latter 30*s.* The orphan girls I have placed in respectable situations in this city; those from the unionshave proceeded, a few, to friends in the United States; but the greater part have been forwarded to Bytown, Belleville, and Port Hope, where there was every prospect of their meeting with employment.

Among the party from the Cork union, 14 were landed at Grosse Isle, suffering from severe attacks of ophthalmia; two of the cases it is feared will lose their eyesight, and they will consequently be bonded under the Provincial Passenger Act. On Board the "Enterprise," from Dublin, and "Oregon," from Liverpool, there was a party of German paupers; in the former vessel 191, in the latter 150; total 106 men, 75 women, and 160 children; these parties were sent out from the village of Amshodst, in the Duchy of Baden, the expense being made up one half by the Duchy and the other by the inhabitants of the village. They received a free passage to this port and 10 guilders each on landing here to meet their immediate necessities. They are chiefly labourers and a few trades, tailors and shoemakers, but owing to the late period in the season of the arrival, there was but little prospect of their procuring any suitable employment in this district; they were forwarded up the country; the first party to Bytown and Bay of Quinte, where some influential gentlemen had offered to secure them employment; and the party by the "Oregon" were sent to the public works near Williamsburgh, where they would be likely to secure permanent employment during the winter. This opening has proved very fortunate, as with so many women and children depending on them, and being unacquainted with our language, they would have been exposed to much suffering and hardship during the approaching winter. Had these parties been sent out here at a proper season, say in the month of May or June, in place of October, their arrival would have been hailed with satisfaction, and they might have calculated on successfully establishing themselves in such a manner as to have secured their families against the fear of want during the winter. From appearance I am disposed to look for a considerable increase on this class of our foreign emigration in future years, and unless they are sent out in proper season it may be found necessary to impose an additional tax on emigrants arriving after a certain date, in order to provide a fund to meet the expenses which the country may be subject to on their account.

The proportion of females and children by the several vessels in this return is unusually large, the women and children being considerably over two to one of the male adults; the claims on the department for assistance have consequently been heavy.

— No. 2. —

(No. 45.)

No. 2.
Governor-general Sir E. Head to the Right Hon. Lord J. Russell, 10 May 1855.

COPY of a DESPATCH from Governor-general Sir *E. Head* to the Right Honourable Lord *John Russell.*

Government House, Quebec,
10 May 1855.
(Received 28 May 1855.)

My Lord, (Answered, No. 29, 11 June 1855, page 33.)

IN reference to your Lordship's despatch, No. 15*, of the 8th of April last, enclosing the Report of the Colonial Land and Emigration Commissioners on the chief emigrant agents' annual statement of the emigration to Canada in 1854, copy of which was communicated to Mr. Buchanan; I have now the honour to transmit herewith a copy of that gentleman's explanations.

Page 31.

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

Enclosure in No. 2.

Enclosure in No. 2

Government Emigration Department, Quebec,
7 May 1855.

Sir,

I HAVE the honour to acknowledge the copy of a despatch from the Colonial Secretary to his Excellency the Governor-general, transmitting a copy of the Report* from the Colonial Land and Emigration Commissioners, on the report which I had the honour to make to his Excellency on the emigration of 1854.

* Page 32.

As the Commissioners have touched on one or two points in my report which calls for some explanation on my part, I avail myself of this opportunity of respectfully offering the following explanations, for the information of his Excellency.

1. With respect to the observations which I submitted on the issue of the provisions in an uncooked state. The Commissioners remark, that they have read these observations with surprise and regret, as they appear to show that I was not aware "that the issue in a cooked state of all provisions which require cooking has been required by law (section 33) since October 1852, in North America as well as in Australian voyages; that that provision of the law has been habitually neglected, and that no steps have been taken to punish such neglect."

In reply, I have to express my regret that in making these observations I should have failed to convey them in as intelligible a manner as I could have wished, the more particularly as these observations were not intended to bear the same application as the Commissioners would seem to give them; my desire was, as Parliament had under consideration the amending of the law regulating the carriage of emigrants, to avail myself of so favourable an opportunity as then presented itself of offering an opinion on that portion of the Act which appeared to me practically defective.

I had intended that all cooking by the passengers should be disallowed, and that all provisions should henceforth be supplied by the ship, and served out in a cooked state to individuals, or in messes of given numbers, much in the same manner as has been adopted on board the Canadian Steam Navigation Company's vessels, and which I had been given to understand was also followed on board of Australian emigrant ships; for I am persuaded that, should the emigrants be required or permitted to cook any portion of the provisions, the same objection and difficulty which I have pointed out would still continue to exist.

It may be remarked, that on board of the emigrant vessels from the United Kingdom to this port the only articles of food issued and which require cooking are oatmeal and flour; the several articles permitted to be substituted, such as meat, fish, and potatoes, are never issued while on board the Australian ships; a regular dietary scale of provisions is supplied, and the whole conduct and regulation of the ships are enforced by the surgeon superintendent, whose peculiar duty and interest is mainly to attend to the health and comfort of his charge; and I may here be permitted to observe, that the only complaint which has been made to me since the law of 1852 came into force, originated from the passengers of the "Blanche," from Liverpool, in 1853. The master, in obedience to the orders of the emigration officer at Liverpool, had the passengers' allowance of oatmeal cooked every day during the early part of the passage; but this was generally objected to by the passengers, and the cooked meal was either wasted or thrown overboard; after some time they, one and all, requested that he would discontinue the cooking, and serve them their allowance of meal, and permit them to prepare it themselves. During the period at which the oatmeal was cooked, a portion of their allowance of water was necessarily stopped from each passenger for the purpose of cooking, which caused dissatisfaction, and was made one of the subjects of complaint on their arrival here, which the captain at once admitted, but stated,

in justification, that he had acted in strict obedience to the orders of the Government emigration officer who cleared his vessel. The magistrates, however, gave judgment against him, and stated that he was bound by the Act to issue three quarts of water to each passenger, exclusive of any quantity which may have been required for cooking their food.

Since then the dietary scale, as provided for by the first clause of 33d section, has been issued, as heretofore, uncooked, and prepared by the passengers themselves; and I have never received any complaints from them on that point; and when emigrants will not prefer complaints, it would, in my opinion, serve no good purpose, if not supererogatory, to institute proceedings against the master.

I have, in reading attentively the 33d section of the Act, and to which your Excellency has been requested by the Commissioners to direct my particular attention, been fully impressed with the conviction that the obligation on the part of the master requiring all articles required to be cooked shall be issued in a cooked state, applied more particularly to cases in which the articles permitted to be substituted were provided, and which, from not being obligatory and more expensive, became a sufficient reason for preventing their issue.

Some of the objections made by parties interested in framing the Bill of 1852, making it obligatory on ships to supply the whole of the provisions required, appeared to be, that it would tend to enhance the rates of passage so much as materially to affect and check the emigration of the poorer classes. These causes do not at present exist, at least to the same extent; and the stimulus to emigration has become so strong of late years as to excite fears of an opposite nature in the minds of many in the mother country.

Should the Commissioners, however, see difficulties in carrying out the system of cooking for the passengers entirely, I would earnestly recommend that one meal per day at least, say their dinner, be prepared, and served out hot, by the ship; this would in my opinion tend, in some degree, to remedy the evil complained of, and by furnishing the emigrants, morning and evening, with an allowance of boiling water for breakfast and tea, the health and comfort of the emigrants would be materially benefited.

With reference to the enforcing the provisions of the law, in cases of its violation on the part of shipmasters, I can state, without fear of contradiction, that I have in no instance whatever, permitted any well-grounded or just complaint to pass unnoticed; and I firmly believe that it is owing to the knowledge that all complaints will be promptly investigated and punished at this port, that so few of any serious character occur.

2. With regard to the remarks of the Commissioners respecting the supply of medical comforts, particularly for the use of females and young children; I am glad to find that a much more ample scale of nutritious dietary has been provided in the present Bill.

I am fully aware of the difficulty which exists in providing a special dietary for special classes; but I was in hopes that a certain proportion of medical comforts might be placed under the charge of the captain or surgeon, for the use of young children, and available when required.

The Commissioners are of opinion that it would not be wise to introduce extras into the dietary scale presented by the Act; but that emigrants may fairly be expected to provide for themselves such luxuries as preserved milk, &c. I fear, however, that such expectations will seldom be realised; as in the great majority of cases the poor people would not be aware of their value and importance, and would also be deterred by the expense of procuring an article the value of which they could not appreciate, and the necessity for which they did not understand. So many instances have been brought to my knowledge in which deaths, in all human probability, might have been prevented by having a supply of these articles on board, that I could not permit the opportunity to pass without offering my testimony, strengthened by that of the medical officers of Grosse Isle, as to their value and importance.

3. On the subject of requiring surgeons to obtain certificates from the medical officer at Grosse Isle, as to the manner in which they discharge their duties, it was not suggested with the view that any such regulation should be introduced into the Act, but from a conviction that should a regulation to that effect be issued by the Commissioners, it would be generally adopted by the shipowners and charterers.

It may be necessary to observe that several of the most respectable shipowners in Ireland continue to require that their surgeon should be provided with a certificate from this office, as to the manner in which he has discharged his duties, before he can receive a moiety of his pay.

This regulation was suggested by the Commissioners in their circular of August 1849, addressed to the Emigration Officers in the United Kingdom, in consequence of some complaints which I forwarded against the surgeon of an emigrant ship, and in that view I was desirous that this question should be disposed of by the medical superintendent, who is more competent than I am in determining the qualifications of medical men.

4. The observations which were made in my Report to his Excellency on the difficulty experienced by masters in obtaining reimbursement for expenses incurred in rescuing emigrants at sea were addressed more particularly for the action of the Provincial Government; and suggesting that the Collector of Customs should be authorised to settle these claims at a fixed reasonable rate, and to take the necessary steps to recover the same as provided for by the Act.

The delay and difficulty to which I have referred may perhaps be attributable in part to the fact of there not being any fund at the disposal of the Provincial Government which can be properly charged with the expenses in the event of its not being possible to recover them

them from anyone, owing to the absence of a bond, and the residence of owners, charterers, and masters being beyond the jurisdiction of British Courts. The ships in question from which these passengers had been rescued were foreign (American) and bound to a foreign port. Had the vessels wrecked, whether British or foreign, been bound to a British port, the case would have been different, as any expenditure made could at once have been recovered against the ship's bond (sec. 59 & 60).

A correspondence having taken place between the Collector of Customs on behalf of several captains, and the Civil Secretary, in June, bearing immediate reference to the subject in question, I would beg leave to subjoin a copy of the letter received by the Collector from Mr. Oliphant in reply, dated 12th September last:

"With reference to your letter to his Excellency, of 17th June last, on the subject of the grievances to which the captains of the trading vessels are exposed who rescue persons that have been shipwrecked, I am commanded by the Governor-general to inform you that his Excellency has received a communication from the Secretary of State for the Colonies, stating that the subject-matter of that letter will be taken into consideration by the Lords of the Committee of the Privy Council for Trade, as soon as the Merchants' Shipping Act, which contains amended provisions for the relief of distressed seamen abroad, and which transfers the business of that department, has come into operation.

"(signed) *L. Oliphant*, Secretary."

The whole of which is, nevertheless, respectfully submitted.

I have, &c.,
A. C. Buchanan,
Chief Agent.

Despatches from the Secretary of State.

— No. 1. —

(No. 90.)

COPY of a DESPATCH from the Duke of *Newcastle* to the Earl of *Elgin*.

No. 1.
Duke of Newcastle to the Earl of Elgin.
8 June 1854.

My Lord, Downing-street, 8 June 1854.

WITH reference to your Lordship's despatch, No. 15 *, of the 24th November last, and with reference to my despatches, Nos. 73 * and 77 *, of the 15th February and 2d of March last, on the subject of certain outstanding claims of the Province of Lower Canada upon the Imperial Government in respect of immigration expenses; I have now to inform your Lordship, that the Lords Commissioners of the Treasury have given instructions to the officer in charge of the Commissariat in Canada to pay to the provincial government the balance of 11,697*l.* 16*s.* 6*d.* currency, by which proceeding it is understood that all claims and correspondence on this subject will be finally closed.

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

— No. 2. —

(No. 15.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to Governor *Head*.

No. 2.
The Right Hon. Sir G. Grey to Governor Head,
8 April 1855.
* Page 1.

30 March 1855.

Sir, Downing-street, 8 April 1855.

I HAVE to acknowledge your despatch, No. 14 *, of the 13th February last, enclosing Mr. Buchanan's annual report on the emigration to Canada during the past year, and I now transmit to you, for your information, the copy of a report

* Pages 8, 41, and 43 of Papers relative to Emigration to the North American Colonies, presented to Parliament by Her Majesty's command, April 1854.

report from the Colonial Land and Emigration Commissioners on the subject, especially with reference to the emigration from the German States.

With reference to Mr. Buchanan's remarks on the difficulty in obtaining reimbursement of expenses incurred in the rescue of shipwrecked passengers, I have to direct your attention to the observations of the Commissioners, in the sixth para. of their report, and to suggest that Mr. Buchanan should be instructed to govern himself accordingly.

I have, &c.

(signed) *G. Grey.*

Encl. in No. 2.

Enclosure in No. 2.

Colonial Land and Emigration Office,
30 March 1855.

Sir,

No. 14, 13 Feb.

With reference to your letter of the 6th instant, enclosing a despatch from Sir E. Head, and the annual report of the emigration agent at the port of Quebec, we have the honour to state, that we have communicated to the Poor Law Commissioners of Ireland that part of Mr. Buchanan's report which relates to female emigration from the workhouses of that country.

1. We now enclose an extract relating to a pauper emigration which took place last year from Baden to Canada, and we would submit, for the consideration of the Secretary of State, whether it would not be advisable to communicate Mr. Buchanan's observations to the Court of Baden, and also so much as are of a general character to the other German States from which emigrants are in the habit of proceeding to British North America. The importance of an early arrival of such emigrants in a country where they can find scarcely any profitable employment during the winter, cannot be exaggerated, and if they should continue to arrive, as they appear to have done last year, late in the autumn, the Canadian Legislature will probably be compelled, not only in self-defence, but in the interests of the emigrants themselves, to increase the emigrant-tax on late arrivals, in proportion to the increased risk of their destitution.

2. Mr. Buchanan makes some observations on the working of the Passengers Act, to which it is necessary that we should refer.

3. First: He expresses his opinion that the most objectionable feature of the present Act is the issue of provisions in an "uncooked state," and suggests that to obviate the evils thence arising, the same regulations should be enforced in emigrant ships to North America as in those to Australia. We have read these observations with some surprise and much regret, as they appear to show that Mr. Buchanan is not aware that the issue in a cooked state of all provisions which require cooking, has been required by law (section 33) since October 1852, in North American as well as in Australian voyages; that that provision of the law has been habitually neglected, and that no steps have been taken to punish such neglect. We would submit that the Governor should be requested to direct Mr. Buchanan's particular attention to section 33 of the Passengers' Act of 1852.

4. Second: Mr. Buchanan proposes that a proper supply of medical comforts, of nutritious food for females, and preserved milk for children, should be required. In the Bill now before Parliament a much more ample and nutritious dietary has been provided both for American and Australian voyages, and it is also required that there shall be on board, in addition to a proper medicine chest, an adequate supply of medical comforts. There is great difficulty, however, in providing a special dietary for special classes of emigrants in this description of emigration, because it is seldom known, till a ship is on the point of sailing, in what proportions the emigrants will be divided into men, women, and children. If, therefore, the law prescribed a certain proportion of particular articles of dietary for the several classes on board, the emigration officer could not ascertain whether the law was complied with, except by postponing his survey of the provisions till the emigrants arrived. But this would occasion a delay and confusion more than equivalent to any good which might be anticipated. We think it would not be wise to introduce such minutiæ into the dietary scale prescribed by the Act of Parliament, but that emigrants may fairly be expected to provide for themselves such luxuries as preserved milk, if they require them.

5. Third: Mr. Buchanan proposes that surgeons of emigrant ships should be required to obtain from the medical superintendent at Grosse Isle certificates of the satisfactory discharge of their duties, their pay being made subject to deduction or stoppage for the want of such certificate. Mr. Buchanan has in his mind, no doubt, the practice in regard to our surgeons in Australian ships. We see no objection to subjecting the conduct of the surgeons to inquiry before a local tribunal on their arrival in the St. Lawrence. On the contrary, we think it might be attended with many advantages. But as they are not in the pay of the Government, but of the shipowner or charterer, we do not see how they could be subjected by law to a mulct for misconduct on the voyage, or how such a law could be enforced if

passed

passed. The necessary provision for a local inquiry into the conduct of surgeons could be made more effectually and conveniently by a Provincial Act, or a regulation of the local government, than by the Passengers Act.

6. Lastly, Mr. Buchanan adverts to the delay and difficulty which masters of vessels experience in obtaining reimbursement of expenses incurred in the rescue of shipwrecked passengers, and the consequent discouragement to such important services. As a remedy, he suggests that the collector of the port to which the rescued passengers may be conveyed should be empowered to settle these claims at a fixed scale, as in the case of shipwrecked seamen. Mr. Buchanan adverts, in his observations, to the 50th section of the Passengers' Act, otherwise we should have supposed that he had overlooked that and the two preceding sections. By the 48th section it is provided that the expense of rescuing shipwrecked passengers may be paid—if they are brought to the mother country, by the Secretary of State, if taken to a colony, by the Governor, and, if taken to a foreign country, by the British consul. Section 49 authorises the governor or consul, as the case may be, to send on to their destination any passengers landed from wrecked vessels, or otherwise, in a colony or foreign country to which they had not intended to go. And section 50 makes the expense incurred under the two preceding sections a Crown debt, to be recovered, under certain conditions, from the owner, charterer, or master of the shipwrecked vessel. As far, therefore, as the law is concerned, everything has been done, as it appears to us, to meet the case referred to by Mr. Buchanan; and if, as he alleges, great delay has occurred in the case of a ship named the "Mary Caroline," it has arisen, not from a defect of the law, but from a defect of its administration. We entirely concur with him as to the extreme injustice, and still more extreme impolicy, of allowing pecuniary loss to be incurred by the masters of ships who have exerted themselves to rescue emigrants in distress; and we would accordingly suggest that the notice of the Governor of Canada should be called to the provisions of the 48th, 49th, and 50th sections of the Passengers Act, in order that whenever a case may occur of the nature referred to by Mr. Buchanan, the claim may be discharged at once.

7. Besides the matters above referred to, Mr. Buchanan's report contains the usual statistics of the Emigration to Canada, and recommendations for the improvement of the quarantine and other local arrangements. As we propose to embody the former in our General Annual Report, now in course of preparation, and as the latter are for the decision of the local government, it is unnecessary that we should enter upon them here.

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

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

— No. 3. —

(No. 29.)

No. 3.
Rt. Hon. Lord J. Russell to Governor-general Head, 11 June 1855.

COPY of a DESPATCH from The Right Honourable Lord *John Russell* to Governor-general Sir *E. Head.*

Sir, Downing-street, 11 June 1855.

I HAVE received your despatch, No. 45,* of the 10th of May last, accompanied by explanations from Mr. Buchanan, chief agent for immigrants, in reference to some remarks contained in the annual Report of the Emigration Commissioners for the year 1854.

* Page 29.

Mr. Buchanan's explanations are quite satisfactory. I enclose for your information the copy of a report on the subject from the Emigration Commissioners, pointing out to what extent and in what manner some suggestions thrown out by Mr. Buchanan will be carried into effect in the Passengers Act Amendment Bill now before Parliament.

I am, &c.
(signed) *J. Russell.*

Encl. in No. 3.

Enclosure in No. 3.

Colonial Land and Emigration Office,
6 June 1855.

Sir,

We have to acknowledge the receipt of your letter of the 29th ultimo, accompanied by a despatch from the Governor-general of Canada, enclosing an explanation from Mr. Buchanan on certain portions of his annual Report for 1854, to which we had called attention in our Report of the 30th of March last.

2. It appears from Mr. Buchanan's explanation, that we had somewhat misunderstood his remark in regard to the issue of a cooked meal; that his intention was to suggest the enforcement by law of a more ample dietary, similar to that given in the Canadian Steam Company's ships, and ships proceeding to Australia, which would make it unnecessary for the passengers to provide any stores of their own. We have satisfaction in stating that the suggestion, so understood, has been anticipated in the Bill now before Parliament, and we have every reason to believe that the plan of requiring the ship to find and cook all the provisions, so far from causing difficulty, will prevent a great deal of confusion, quarrelling and suffering which now occurs on board passenger ships.

3. In respect to the supply of medical comforts also, provision is made in the Bill now before Parliament, and though we think it would be scarcely practicable to provide different descriptions of dietary for different classes of passengers on board ordinary passenger ships, there would not be any difficulty in providing for those extreme cases of sickness or debility to which Mr. Buchanan refers. It is indeed with reference to those cases especially that it is proposed to put medical comforts on board passenger ships as well as medicines.

4. In regard to the difficulty which has been experienced by those who have rescued shipwrecked persons in recovering the expenses so incurred, the remarks in our report of the 30th of March last, applied exclusively to the case of passenger ships. The letter, of which he sends a copy, from the Secretary to the Governor-general to the Collector of Customs, refers apparently to the case of ordinary passengers or seamen, and not to those who come under the operation of the Passengers Act.

5. We have thought it right, in justice to Mr. Buchanan, to state the explanations which he has given of the remarks in his General Report, but it does not appear to us that any practical step now remains to be taken in these matters.

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

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

NEW BRUNSWICK.

Despatches from Lieutenant-Governor Sir E. Head, Bart.

— No. 1. —

(No. 18.)

No. 1.
Lieut.-Gov. Sir E. Head, Bart., to the Duke of Newcastle.
6 May 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
6 May 1854.

(Received 22 May 1854.)

My Lord Duke,

I HAVE the honour to enclose a report from Mr. Perley, the Emigrant Officer at Saint John, with respect to the ship "Blanche," from Liverpool.

It is with deep regret that I have to announce the mortality which has taken place on board this vessel on her passage out.

The later accounts, however, from Saint John show that the disease has been subdued, and that the present state of the passengers is on the whole satisfactory.

I enclose some of these last returns which have been forwarded to me.

I also transmit herewith the usual ship returns from Mr. Perley of the ships "Middleton" and "Blanche."

2.

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

Enclosure in No. 1.

Encl. in No. 1.

Government Emigration Office, St. John,
25 April 1854.

Sir,

THE packet ship "Blanche," 964 tons, from Liverpool to this port, still remains at the Quarantine Station, and no communication is permitted with her. I am unable, therefore, to visit the vessel, but have received the following information from Dr. Harding.

The "Blanche" sailed from Liverpool on the 20th March, having on board 309 steerage passengers, thus described:

Male adults - - - - - - - -	100
Female ditto - - - - - - -	79
Males under 14 years - - - - -	54
Females ditto - - - - - - -	56
Infants - - - - - - - -	20
TOTAL - - -	309 souls.

There were on board, besides, 10 cabin passengers.

A child

NEW BRUNSWICK.

A child three years of age died as the vessel was getting out of Liverpool, and afterwards deaths were almost of daily occurrence, until two days before the vessel arrived here, as will be seen by the list of deaths enclosed, amounting to 35 in all, previous to the arrival of the vessel at quarantine. This list includes one of the crew, who died after 24 hours' illness only.

Dr. Harding is of opinion that diseases of an infectious character, both Asiatic cholera and choleraic diarrhœa, were brought on board at Liverpool, and that they were in some measure propagated during the voyage by want of cleanliness. He says that the "Blanche" was in a most filthy state when he first went on board, and the air very impure between decks.

Immediately after the arrival of the "Blanche" at the Quarantine Station on the 20th instant the passengers were all landed at Partridge Island, and placed in apartments with good ventilation; the sick were separated from the others, and made as comfortable as possible. Eight persons were placed in hospital labouring under Asiatic cholera and choleraic diarrhœa, seven of them adults, and one child. Three of the adults were severely attacked, their prominent symptoms being coldness, clamminess, lividity of the skin, with severe cramps, vomiting of rice-water appearance, and pulseless.

By careful attention and constant applications these cases soon improved, the returning pulse showing the reaction in the system. Up to this day only one male adult has died on the Island, and one child. Two males and one female (adults) are still considered dangerous, while one male and three females (adults) are now in a state of convalescence.

No new case is reported; the disease appears to be stayed. It is to be hoped that the comfortable accommodation at the Island, with the cool, dry, and bracing air now prevailing, and the pains that have been taken to bring the emigrants and their clothing to a state of perfect cleanliness, will have the effect of preventing further cases, and bring all these emigrants to a state of perfect health.

Dr. Harding remarks that disease was more fatal among the German emigrants than among those from Ireland. Of 57 German emigrants embarked at Liverpool, no less than eight died on the voyage.

I am happy to state that the most unremitting exertions have been made by Mr. M'Airty, the superintendent of Partridge Island, for the accommodation of these emigrants, and that nothing appears to have been left undone, either by him or Dr. Harding, which would add to their comfort, or tend to restore their health.

Until discharged from the Island, these emigrants do not come within my personal knowledge; and it may happen, after seeing them, that another report will be necessary. In the meantime I may state that Messrs. Reed, the packet-owners, furnish the passengers with everything Dr. Harding states to be necessary, and are ready to do all in their power for the welfare of their passengers.

I have, &c.

The Hon. J. R. Partelow,
Provisional Secretary.

(signed) *M. H. Perley.*

List of Deaths on board the Packet Ship "Blanche," 964 tons, *M'Laughton* Master, on the Voyage from *Liverpool* to *St. John, New Brunswick*; sailed from *Liverpool*, 20th March, and arrived at *St. John, New Brunswick*, 20th April 1854.

1854:	22 March	W. Riley	Age, 3 years.
	24 „	William Scammel	„ 60 „
	29 „	David Riley	„ 40 „
	31 „	Eliza Malony	„ 1 „
	1 April	Jeremiah Hinley	„ 1 „
	4 „	Catherine Hinley	„ 4 „
	4 „	Edwin James	„ 3 „
	5 „	Peter Morrison	„ 34 „
	7 „	George Lyons	„ 3 „
	8 „	John Mason	„ 6 months.
	8 „	Mary Hare	„ 13 years.
	9 „	John Graghan	„ 24 „
	9 „	Feraine Spinner	„ 9 „
	9 „	Ludwic Weiner	„ 8 „
	9 „	Denis Weiner	„ 40 „
	9 „	Bernard Weiler	„ 38 „
	9 „	Denis Weiler	„ 46 „
	10 „	Francis Rogers	„ 35 „
	13 „	Ellen White	„ 28 „
	13 „	Wanburgher Weimer	„ 45 „
	13 „	Matthew Mickay	„ 2 „
	14 „	Ann Snowder	„ 9 „
	14 „	Richard Hodgrove	„ 40 „

1854: 14 April -	James Graghan - - -	Age, 34 years.
15 „ - -	Ann Menehane - - - -	„ 3 „
15 „ - -	Bernard Weiner - - -	„ 40 „
16 „ - -	George Snowder - - -	„ 7 „
17 „ - -	Eliza Cowan - - - -	„ 34 „
17 „ - -	John Caghan - - - -	„ 14 „
17 „ - -	James Caghan - - - -	„ 28 „
17 „ - -	Theresa Beodor - - -	„ 9 „
17 „ - -	Matthew Weikay - - -	„ 2 „
17 „ - -	John Henley - - - -	„ 3 „
17 „ - -	Peggy Henley - - - -	„ Infant.
17 „ - -	Marian Weiner - - -	„ 7 years.

TOTAL - - - 35 Persons.

From list furnished by Dr. Harding.

25 April 1854.

M. H. Perley,
Her Majesty's Emigration Officer.

Government Emigration Office, St. John,
3 May 1854.

Sir,

THE ship "Blanche," previously reported at quarantine, has come into port, and was yesterday boarded and inspected by me. The usual ship return is enclosed, and I submit the following special Report:

Return, No. 2

English - -	51
Irish - - -	249
German - -	57
TOTAL -	357

At the time of sailing from Liverpool the "Blanche" had on board 357 passengers, of whom 51 were English, 249 Irish, and 57 Germans.

The vessel has what is called a deck-house, the upper deck being housed over. The passengers were thus brought on two decks, the first case of the kind I have ever known here. The cholera broke out in an Irish family, on the lower deck, which must have been badly lighted, and worse ventilated; all the deaths were confined to that deck, except two, which occurred on the upper deck.

So far as I am yet informed, there was no complaint either as to the quantity or quality of the provisions and water; but the master complains of the sluggishness of these emigrants, especially of the Germans, and their unwillingness, after the disease appeared, to make any exertions to preserve or promote cleanliness. In consequence (as stated in my letter of 25th ult.) the disease was most fatal among the Germans. Out of 57 embarked, there are now only 47 surviving.

It is gratifying to state that not a single new case of cholera occurred after the vessel arrived at quarantine, and of eight cases landed at Partridge Island, of a dangerous character, only four proved fatal; 120 of the passengers came up to the city last Saturday, and 130 more will come up to-day; the rest will remain until the end of this week, being the members of families in which cholera occurred, and who are, therefore, retained for observation.

The building in the Lower Cove, formerly used as a place of worship by the Rev. Mr. Stavely's congregation (Cameronians), has been hired, and made comfortable, as lodgings could not be procured for the passengers of the "Blanche," owing to the fear of disease.

About a dozen of the Germans came up last Saturday, and on Monday situations were procured for all of them. They are from Baden, and speak no English. Mr. Trentowsky, the Prussian consul, has been very kind to them, and will lend his services in any way for their advantage.

I am informed that they all intend to remain in this province, except two, who go to Boston, to join their children settled there.

The numbers stated in my letter of 25th were incorrect, Dr. Harding having been misled by a mistake in the ship's list.

I am, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
&c. &c. &c.

NEW BRUNSWICK.

Government Emigration Office, St. John,
1 May 1854.

Sir,

I HAVE to report the arrival at this port during the month of April of the undermentioned vessels:

1854, April 3	-	Packet ship "Liberia,"	-	Liverpool	-	67 Souls.
„ 5	-	„ "Middleton,"		„	-	104 „
„ 8	-	„ "Lampedo,"		„	-	22 „
„ 14	-	„ "John Barbour,"		„	-	72 „
				TOTAL	- -	265 „

For the "Middleton" a ship return is enclosed; the other vessels did not come under the provisions of the Passengers Act.

I am happy to state that there was neither sickness nor death on board these vessels, and that the passengers all landed in a healthy and satisfactory condition.

The "Blanche," now at quarantine, will come into port to-day, after which I will visit her and make a special report.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Honourable J. R. Partelow.

— No. 2. —

(No. 21.)

No. 2.
Lieut.-Gov. Sir E. Head, Bart., to the Duke of Newcastle.
30 May 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to His Grace the Duke of *Newcastle*.

Government House, Fredericton, 30 May 1854.

My Lord Duke,

(Received 20 June 1854.)

23 May 1854.

I HAVE the honour to enclose to your Grace the copy of a letter addressed to the Provincial Secretary by Mr. Perley, the emigrant agent at St. John, reporting the arrival at that port of the ships "Joseph Tarratt" and "Mary Ann" with passengers, all of whom appear to have been landed in good health.

Reported in my despatch of 6 May, No. 18.

I am happy to say I have not heard of any new cases of cholera at Partridge Island, St. John, and the disease, I believe, may be said to be extinct.

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

Encl. in No. 2.

Enclosure in No. 2.

Government Emigration Office, St. John,
23 May 1854.

Sir,

I HAVE the honour to report the arrival of the ship "Joseph Tarrett," from Liverpool, with 394 passengers, and barque "Mary Ann," from Londonderry, with 213 passengers, for both of which vessels ship returns are enclosed.

I am happy to state that both these vessels landed their passengers in good health and cleanly condition. There was one passenger in excess in the "Mary Ann," owing to one person being secreted on board, whom the master had to feed during the voyage.

Among the passengers by the "Joseph Tarrett" were about 160 Prussians, nearly all of whom have obtained engagements in the country, although they do not speak one word of English.

Besides the two ships above reported, the following vessels have also landed passengers at this port during the present month, but not under the provisions of the Imperial Passengers Act.

May 15.	Ship "Dundonald"	from	Liverpool	- - - -	71 Souls.
„ 17.	Brig "Minerva"	„	Troon	- - - -	27 „
„ 19.	Ship "Barbara"	„	London	- - - -	34 „
„ 20.	Ship "Salacia"	„	Glasgow	- - - -	4 „
			TOTAL	- - -	136 „

It

It is gratifying to be able to state the good health of all the passengers now reported; very few of them have gone to the United States; in fact, none but those who had paid their passages through to Boston before leaving Liverpool.

At the present moment there is not in this office a single list of passengers to arrive, and I have no expectation of any more passenger vessels from Ireland. For the rest of the season the emigrants may be expected only by the regular packet ships from Liverpool.

The excessive demand for labour causes every emigrant, of whatever age or sex, to be engaged almost before landing, and small as is the number who have arrived, yet their coming has tended to keep down the price of labour, which previously had attained rates perfectly ruinous to the employer.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary.

— No. 3. —

(No. 27.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to His Grace the Duke of *Newcastle*.

No. 3.
Lieut.-Gov. Sir E. Head, Bart., to the Duke of Newcastle.
15 June 1854.

Government House, Fredericton, N. B., 15 June 1854.
(Received 3 July 1854.)

My Lord Duke,

I HAVE the honour to transmit herewith a copy of a letter from Mr. Perley, the emigration officer at St. John, enclosing the usual "Ship Return," and reporting the arrival at that port of the ship "Imperial," with a large number of emigrants, all of whom appear to have landed in good health.

15 June 1854.

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

Enclosure in No. 3.

Encl. in No. 3.

Government Emigration Office, St. John,
12 June 1854.

Sir,

I HAVE to report the arrival of the ship "Imperial," from Liverpool, with 508 passengers, and enclose a ship return.

There was no sickness on the voyage among these passengers. Captain Moran and his officers deserve great credit for the cleanly state of the vessel, to which may in a great degree be attributed the very healthy condition of all on board.

I believe the "Imperial" brings a larger number of emigrants than ever arrived here before in one vessel, but her accommodations are ample, and her perfect cleanliness worthy of all praise.

These passengers are all natives of the United Kingdom, and a very large proportion of them will remain in this province.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary.

— No. 4. —

(No. 30.)

No. 4.
Lieut.-Gov. Sir E. Head, Bart., to the Duke of Newcastle.
30 June 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
30 June 1854.
(Received 17 July 1854.)

My Lord Duke,

I HAVE the honour to enclose a copy of a letter from Mr. Perley, reporting the arrival of the ship "Liberia" at Saint John, with passengers, and also the usual ship return.

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

NEW BRUNSWICK.

Encl. in No. 4.

Enclosure in No. 4.

Government Emigration Office, St. John,
26 June 1854.

Sir,

I HAVE to report the arrival at this port of the packet ship "Liberia," from Liverpool, with 315 passengers, and enclose a ship return.

I have pleasure in again reporting the excellent condition in which the passengers by this packet ship have come into port, and their very healthy state.

One male adult from the South of Ireland, in feeble health on embarking, died soon after sailing of diarrhœa. A fine boy of 12 years of age was drowned on the Banks of Newfoundland while fishing, by accidentally falling overboard; every effort was made to save him by the boats of the ship and the boats of a fishing vessel close at hand, but he was unable to sustain himself until the boats reached him.

The steerage passengers by the "Liberia" are thus classified: English, 176; Scotch, 66; Irish, 147; others, 17. About 100 of the English and Scotch have gone to the Bend to-day by the steamer "Commodore" to work on the railway, and others will probably follow. Very few, if any, will go to the United States.

I have, &c.
(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

The Honourable John Partelow,
Provincial Secretary.

— No. 5. —

No. 5.
Lieut.-Gov. Head to the Duke of Newcastle.
2 July 1854.

(No. 32.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
2 July 1854.

My Lord Duke,

(Received 17 July 1854.)

1 July 1854. Abstract Returns.

I HAVE the honour to enclose the Quarterly Report of Mr. Perley, emigration agent at St. John, which has just been received by me.

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

Encl. in No. 6.

Enclosure 1, in No. 5.

Government Emigration Office, St. John,
1 July 1854.

Sir,

I HAVE the honour to enclose an abstract return of Immigration to New Brunswick for the quarter ended yesterday.

All the emigrants mentioned in this return landed at the port of St. John; the deaths amount to nearly two per cent. on the whole, owing to the deaths from cholera on board the "Blanche," of which I have already made a special report.

This vessel arrived unexpectedly, very early in the season, while I was absent at Halifax on business connected with the fishery negotiations. My assistant, McAirty, arrived from England the same day that the "Blanche" anchored at quarantine, and instantly did everything that was necessary. On my return, three days after, from Halifax I found that all had been done perfectly, and no new cases occurred after the vessel came to anchor.

I mention my absence on this occasion because it is the only instance in eleven years that I have held this office that I have been absent on an emergency.

A much larger proportion than usual of the emigrants this season were from England and Scotland, and nearly one-fourth were from Germany; not more than 10 per cent. of the whole have gone to the United States; the rest have found profitable employment in this province.

The demand for unskilled labour is very great, and wages are high; the persons most wanted at present are agricultural labourers and female servants.

I have already had occasion to mention the comfortable manner in which emigrants are brought to this port from Liverpool by the semi-monthly line of packets belonging to the Messrs. Reeds and Wrights. I now advert to it for the purpose of stating, that but for these excellent packet ships the emigration to New Brunswick would be small indeed, and far below the wants of the country; five-sixths of all the emigrants arrived have come by the Liverpool packets.

There

There is not a single emigrant now at the quarantine station at Partridge Island; the buildings there are in excellent order, and everything ready in case of need.

An account of the expenses incurred in forwarding to Montreal the shipwrecked passengers landed at Richibucto will be furnished hereafter.

I have, &c.

The Honourable J. R. Partelow,
Provincial Secretary.

(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

Enclosure 2, in No. 5.

Encl. 2, in No. 5.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick*, during the Quarter ended 30th June 1854.

Months Composing the Quarter.	Number of Vessels arrived.	Number of Deaths on the Voyage, or in Quarantine.	Number of Births on the Voyage, or in Quarantine.	Adults.		Children between 14 Years and 1 Year.		Children under 1 Year.		Totals.		Whole Number.
				M.	F.	M.	F.	M.	F.	M.	F.	
April - -	4	-	-	116	51	37	43	12	6	165	100	265
May - -	8	39	-	478	276	141	145	26	22	645	443	1,088
June - -	3	2	1	336	235	110	105	24	15	470	355	825
TOTALS	15	41	1	930	562	288	293	62	43	1,280	898	2,178

RECAPITULATION.

	M.	F.
Adults - -	930	562
Between 14 years and 1 year -	288	293
Under 1 year -	62	43
TOTALS - -	1,280	898

Two thousand one hundred and seventy-eight souls.

Government Emigration-office,
St. John, New Brunswick,
1 July 1854.

M. H. Perley,
Her Majesty's Emigration Officer.

— No. 6. —

(No. 2.)

No. 6.
Lieut.-Gov. Sir E. Head, Bart., to the Right Hon. Sir G. Grey, Bart.
8 July 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to the Right Honourable Sir *George Grey*, Bart.

Government House, Fredricton, N. B.
8 July 1854.
(Received, 1 August 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter addressed by Mr. Perley, the Emigration Officer at St. John, reporting the arrival of the "Jessie," with passengers.

5 July 1854.

The Ship Return is also enclosed in this despatch.

I am, &c.

(signed) *Edmund Head*.

Enclosure in No. 6.

Enclosure in No. 6.

Government Emigration Office,
St. John, 5 July 1854.

Sir,

I HAVE the honour to report the arrival of the ship "Jessie" from Youghal, with 78 passengers, all in good health.

The ship return is enclosed.

Among the passengers by this vessel are 11 boys and 10 girls from the Foundling Hospital in the city of Cork. All the girls are already engaged as servants, and I anticipate placing the boys with tradesmen as apprentices.

I am, &c.
(signed) *M. H. Perley.*
Her Majesty's Emigration Officer.

The Hon. J. R. Partelow,
Provincial Secretary, &c. &c.

— No. 7. —

(No. 7.)

No. 7.
Lieut.-Gov. Sir E. Head, Bart., to the Right Hon. Sir G. Grey, Bart.
12 August 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to the Right Honourable Sir *George Grey*, Bart.

Government House, Fredricton, N. B.
12 August 1854.
(Received, 28 August 1854.)

Sir,

I HAVE the honour to enclose the reports of the Emigrant Agent at St. John, and the ship returns relating to the following vessels: "Eudocia," "Middleton," and "Mimer."

4 August 1854.
7 August 1854.

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

Encl. 1, in No. 7.

Enclosure 1, in No. 7.

Government Emigration Office,
St. John, 4 August 1854.

Sir,

I HAVE to report the arrival of the packet ship "Eudocia" from Liverpool with 272 passengers, and the packet ship "Middleton," also from Liverpool with 78 passengers.

For these vessels ship returns are enclosed.

It is very gratifying at this time, when so great a panic exists with reference to cholera in this city, that passengers by these fine packet ships arrived in excellent health and without even a suspicion of sickness among them.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary, &c. &c. &c.

Encl. 2, in No. 7.

Enclosure 2, in No. 7.

Government Emigration Office, St. John,
7 August 1854.

Sir,

I HAVE to report the arrival of the Swedish brig "Mimer," from Londonderry, with 133 passengers, and enclose a ship return.

No. 10.

It is exceedingly fortunate that these passengers enjoyed good health during the voyage, and landed here in excellent condition.

The vessel was unusually clean on arrival.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary,
&c. &c. &c.

NEW BRUNSWICK.

— No. 8. —

(No. 9.)

No. 8.
Lieut.-Gov. Sir E. Head, Bart., to the Right Hon. Sir G. Grey, Bart.
12 August 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to the Right Honourable Sir *George Grey*, Bart.

Government House, Fredericton, N. B.,
22 August 1854.
(Received, 12 September 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter from the Emigrant Agent at St. John, with a ship return, reporting the arrival of the packet ship "David G. Fleming," with passengers.

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

Enclosure in No. 8.

Enclosure in No. 8.

Government Emigration Office, St. John,
17 August 1854.

Sir,

I HAVE to report the arrival of the packet ship "David G. Fleming," from Liverpool, with 125 passengers, and enclose a ship return.

These passengers landed to-day in excellent health and condition, after the usual inspection and purification at Partridge Island.

It is a matter of the most heartfelt gratification that passengers arrive this season in such excellent health, and entire freedom from sickness.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. J. R. Partelow,
Provincial Secretary.

— No. 9. —

(No. 18.)

No, 9.
Lieut.-Gov. the Hon. J. H. T. M. Sutton to the Right Hon. Sir G. Grey, Bart.
10 October 1854.

COPY of a DESPATCH from Lieutenant-Governor the Honourable *J. H. T. Manners Sutton* to the Right Honourable Sir *George Grey*, Bart.

Government House, Frederickton,
New Brunswick, 10 October 1854.
(Received, 6 November 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter from the Emigration Agent at St. John, with a ship return, reporting the arrival of the barque "Mary Ann," with passengers.

14 September.

I have, &c.
(signed) *J. Henry T. Manners Sutton.*

Enclosure in No. 9.

Enclosure in No. 9.

Government Emigration Office, St. John,
14 September 1854.

Sir,

I HAVE to report the arrival of the barque "Mary Ann," from Londonderry, with 104 passengers, all in good health, and enclose a ship return.

The packet ship "John Bannerman," of the Black Ball line, arrived yesterday from Liverpool, with 59 steerage and 10 cabin passengers, not sufficient to bring the vessel under the requirements of the Passengers' Act.

The passengers were in the best condition on arrival, having had good fare and ample accommodation.

The packets of the Black Ball line now decline bringing such number of passengers as will subject the vessels to the provisions of the Passengers' Act. The owners allege that the expensive requirements of that Act as now enforced in England, and the restrictions imposed by the Board of Health here, render the carriage of passengers unprofitable, unless a full complement can be secured.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary.

NEW BRUNSWICK.

— No. 10. —

No. 10.

ANNUAL REPORT OF THE EMIGRATION AGENT, NEW BRUNSWICK.

To His Excellency the Honourable *J. Henry T. Manners Sutton*, Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

May it please your Excellency,

HEREWITH I have the honour to submit the annual abstract of immigration to New Brunswick during the year 1854.

	Souls.
1853 - -	3,762
1854 - -	3,618
Decrease -	144

1. The whole number of immigrants during the year, was 3,618 souls, being a decrease in the year 1853, of 144 souls.

2. There were 41 deaths on the voyage and in quarantine during the season, being one and one-eighth per cent. on the numbers embarked; but the deaths were all confined to one vessel, the "Blanche" from Liverpool, on board which cholera broke out during the voyage. The particulars of this case have been already specially reported.

3. All the immigrants of 1854 were landed at the port of St. John, and nearly all from the admirable packet ships of the Liverpool line, arriving semi-monthly with much regularity. Not a single death or casualty occurred on board these ships, nor has it been necessary to place one of them in quarantine.

4. The emigration being almost confined to these Liverpool packets, well fitted, furnished and provided, and commanded by efficient masters of the better class, there has not been the slightest occasion for a prosecution under the Passengers' Act. The provisions of that Act are so well adapted to remedy and prevent the evils which formerly existed, that prosecutions must become rare, and only in very flagrant cases, not likely to occur often.

5. Not more than 10 per cent. of the immigrants of the past season have left the province. Those that departed, consisted chiefly of such persons as had friends in the United States or Canada, by whom their passage-money had been paid, and whom they came out expressly to join.

6. In the early part of the past year, the demand for labour was very great, and rates of wages extravagantly high. The depression in the prices of ships and timber, consequent upon the war in Europe, has abated the demand for labour, and reduced wages very considerably in the ship-yards, saw-mills, and timber ponds. In the country there has been a steady call for labour throughout the year, at fair rates of wages. Female servants and farm labourers are much wanted throughout the province, and large numbers of these are needed to meet the absolute requirements of the country. The demand in the rural districts for boys, from 12 to 18 years of age, continues unabated.

7. A "Hand-book of Information for Emigrants to New Brunswick," has been recently printed at my expense, copies of which are herewith submitted. I beg especially to refer to this Hand-book for the advantages which New Brunswick presents, either to the labouring classes, or to persons possessing means who wish to become settlers in this flourishing portion of British North America.

8. I cannot conclude this report without reiterating the complaint I have made annually for several years, against the difficulties and delays attending the acquisition of Crown land by intending settlers. I now earnestly entreat that some change may be made in a system which I have every reason to believe has deterred, and continues to deter, many persons of the most desirable class from purchasing, and becoming settlers in this province.

Respectfully submitted,
(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

Government Emigration Office,
St. John, New Brunswick,
2 January 1855.

Enclosure

Enclosure in No. 10.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick*, during the Year ending 31 December 1854.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board, or in Quarantine.	Number of Births on Board, or in Quarantine.	Adults.		Between 14 Years and 1 Year.		Under 1 Year.		Totals.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending 31 March	–	–	–	–	–	–	–	–	–	–	–	–
„ „ 30 June -	15	41	1	930	562	288	293	62	43	1,280	898	2,178
„ „ 30 Sept. -	11	–	–	400	305	114	96	13	14	527	415	942
„ „ 31 Dec. -	9	–	–	179	131	84	77	16	11	279	219	498
TOTALS - -	35	41	1	1,509	998	486	466	91	68	2,086	1,532	3,618

RECAPITULATION.

	M.	F.
Adults - - - -	1,509	998
Between 14 and 1 year -	486	466
Under 1 year - - -	91	68
TOTALS - - -	2,086	1,532

Whole number, Three thousand six hundred and eighteen souls.

Government Emigration Office,
St. John, New Brunswick,
1 January 1855.

(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Papers presented April 1854)."

(*Mr. John Ball.*)

Ordered, by The House of Commons, *to be Printed*,
7 *August* 1855.

464.

Under 8 *oz.*

CHURCH AFFAIRS (CANADA AND VICTORIA).

RETURN to an Address of the Honourable The House of Commons, dated 13 March 1856;—*for*,

"COPIES or EXTRACTS of Recent CORRESPONDENCE on COLONIAL CHURCH AFFAIRS, in the Dioceses of the Colonies of *Canada* and *Victoria*."

Colonial Office, Downing-street, 1 April 1856. JOHN BALL.

CANADA.

—No. 1.—

COPY of a LETTER from the Bishop of *Toronto* to the Right Honourable Sir *George Grey*, Bart.

No. 1.
Bishop of Toronto to Sir G. Grey, Bart.
20 January 1855.

Toronto, Canada, 20 January 1855.
(Received, 6 February 1855.)

Sir,

I HAVE the honour to submit for your Excellency's consideration, and Her Majesty's Government, a memorial addressed to me by the clergy and laity of the western section of this extensive diocese.

On the 5th of October 1850, I presented a memorial to the Most Reverend and Right Reverend the Archbishops and Bishops forming the Committee appointed to arrange measures in concert with Her Majesty's Government, for the erection and endowment of additional bishops in the colonies and dependencies of Great Britain, praying that the diocese of Toronto might be beneficially divided into three distinct sees, and ulitmately a fourth see, to superintend the Indian missions, and those of the white population on the banks of the great Canadian lakes.

No steps having been taken towards the accomplishment of the object prayed for, I renewed my application, with additional reasons, on the 5th of February 1853; and enclosed copies of the two memorials to his Grace the Duke of Newcastle, then Secretary for the Colonies.

His Grace was pleased to state in reply, "that Her Majesty's Government will be prepared to countenance whatever plan may be resolved on by the members of the Church of England in Canada itself, for the subdivision of the diocese of Toronto." Letter, dated 4 April 1853.

The Archbishop of Canterbury, with whom I have been also in communication on the subject, in a letter dated the 10th February 1854, says, "I can assure your Lordship that the measure of dividing your extensive diocese is seen here in the same light as by yourselves, and the only difficulty in the way, is the want of an adequate endowment for a second bishop."

Although this appears to be the sole obstacle to the subdivision of the diocese, I saw no chance of its being removed by any assistance from a distance; I therefore bethought myself of trying what might be done here. Accordingly on the 10th of January 1854, I addressed a pastoral letter to the clergy and laity of the diocese, recommending the creation of an Episcopal Endowment Fund, to provide for the support of the new bishops, on condition of being allowed to choose them from among our own clergy.

Encouraging progress has been made in the different sections of the diocese proposed as the new sees, and more especially in the western section, in which

CANADA.

the subscriptions already amount to nearly 10,000*l.*, and will soon reach the maximum 12,500*l.*, which is considered at present sufficient for the endowment of a bishopric, because at 6 per cent., our legal interest, it would yield 750*l.* per annum. Hence, should the privilege be granted by Her Majesty to the synod of each diocese to elect their own bishop, we may soon have one for the western district of this diocese, and the others will rapidly follow.

Nor will this boon seem unreasonable, when the present position of the Church in Canada is tenderly considered.

The Church has just been deprived of all her property by the Provincial Legislature, merely leaving to her clergy their stipends and allowances, during their natural lives and incumbencies, but without the slightest means at her disposal to extend her limits, or to fill up the vacancies which will be daily occurring; she therefore requires to be made as complete as possible within herself, in all her arrangements, even to preserve her existence, and this can only be effected by uniting her clergy and laity in synodical action. Seeing this state of things approaching, I have held two synods, the first in October 1853, and the second in October 1854. I have the honour to enclose a printed copy* of the proceedings of each, for your Excellency's information, and I am happy to state that they have met with the general and cordial approbation of our Church in all parts of the world.

The subdivision of the diocese was taken up on both occasions, and it was felt on all sides that it presented labour enough for three instead of one bishop, and is yearly becoming more and more beyond the strength of any individual.

From what the Duke of Newcastle says in his letter, as quoted above, we are encouraged to believe, that if the Church in Canada undertakes to support her own bishops, Her Majesty's Government would think it but reasonable to permit them to be chosen by her synods from among her own clergy; men who have served long in the colony, and are acquainted from experience with the hardships and difficulties of missionary life, as well as the more urgent wants of a colonial diocese. All appointments, with the exception of the Governor-general, are now made in the province, and we do not anticipate that the boon we pray for, which is so necessary to the extension and prosperity of the Church, will be any longer withheld.

I have &c.
(signed) *John Toronto.*

Enclosure in No. 1.

London, Canada West, 30 December 1854.

Encl. in No. 1.

At a meeting of the Committee of General Management for the Rural Deanery of London, convened for the purpose of ascertaining the amount of subscriptions obtained towards an Episcopal Fund for the Western Section of the Diocese of Toronto, the following Address to the Lord Bishop of Toronto, was adopted.

To the Honourable and Right Reverend the Lord Bishop of Toronto:

May it please your Lordship,—We, the Committee of General Management for the Rural Deanery of London, beg leave to report for your Lordship's information, that the subscription set on foot, in accordance with your Lordship's instructions, in order to provide a fund for the maintenance of a bishop in the western section of the diocese of Toronto, has met with a very encouraging measure of success in every place where an appeal has been made to the members of the Church.

That we rejoice in being able to state to your Lordship, that the sum now actually subscribed amounts to nearly 10,000*l.*; and we do not hesitate to state our conviction, that in a very short time a sum sufficient to produce 750*l.* per annum will be subscribed, as there are several important places within the limits of the proposed new diocese which have not yet been appealed to for this object.

In the meantime, it is respectfully submitted to your Lordship that by the terms of the subscription list, all subscriptions are to be paid or secured to the fund on the 1st day of January 1855. But the Committee will not be in a position to call upon the members of our Church to pay, or to secure the several amounts subscribed by them, until the condition suggested by your Lordship, and embodied in the heading of the subscription lists, namely, "That the clergy and lay delegates within the limits of the proposed new diocese shall be allowed to elect their own bishops," shall have been formally sanctioned by the authorities at home.

We,

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* Pamphlets, intitled, "Triennial Visitation of the Lord Bishop of Toronto, and Proceedings of the Church Synod of the Diocese of Toronto.—October 12th, 13th, 1853, and October 25th, 26th and 27th, 1854."—Published by Henry Rowsell, King-street, Toronto.

We, therefore, most respectfully pray your Lordship to take such steps as you may deem expedient, in order that the division of the diocese, so strongly recommended by your Lordship, may take place, and the sanction of Her Majesty the Queen, to the election of the bishop by the clergy and lay delegates within the limits of the proposed new diocese, may be obtained as soon as possible.

(signed) *Benjamin Cronyn*, M.A.
Rural Dean of London, Canada West, Chairman of the Committee of General Management.

— No. 2. —

(No. 26.)

No. 2.
Governor-Gen. Sir E. Head, Bart., to Lord J. Russell. 31 March 1855.

COPY of a DESPATCH from Governor-General Sir *Edmund Head*, Bart. to the Right Honourable Lord *John Russell*.

Government House, Quebec, 31 March 1855.

My Lord (Received, 23 April 1855.)

I HAVE the honour to enclose a humble Address to Her Most gracious Majesty, praying for the repeal of such English Statutes as impede the meeting of the clergy and laity of the Church of England in synod, for the purpose of framing rules and canons, and further praying that as the funds for the support of the colonial bishoprics will no longer be derived from England, the choice of the bishops may be left to the clergy and laity of each diocese.

This Address was adopted in the Legislative Council of Canada without a dissentient voice, and in the Legislative Assembly it was carried by a majority of seventy to thirty.

I would further direct your Lordship's attention to the two motions in amendment of the Address set forth in the votes.* The first of these was moved by Mr. William Lyon Mackenzie, and was negatived with a minority of three only in its favour.

The second, moved by Mr. Brown, was in like manner rejected by a large majority.

My own opinion in this matter of the free synodical action sought for on the part of the Church of England, is briefly this:

So long as any connexion, or supposed connexion, between Church and State could be assumed to exist in the colony, such action of the Church in synods or meetings, for the purpose of framing canons and ordinances, was likely to lead to constant misunderstanding with the colonial Legislature. It is unnecessary now to dwell on other difficulties which might have arisen, for the connexion between Church and State is expressly declared to be extinct in Canada, by the recital prefixed to the 3d clause of the "Clergy Reserves Act," assented to by my predecessor (a copy of which Act is enclosed for facility of reference). Under these circumstances, therefore, I do not see how restrictions on the Church of England which do not apply to other bodies, can be defended in argument.

On the subject of the appointment of bishops within the diocese or in the colony itself, I can hardly express any decided opinion. I think that it will not be easy to obtain from the people of the colony the contributions necessary to endow the new dioceses required, unless some such power of nomination be conceded by the Crown. The saving of the rights of the Colonial Legislature which terminates the Address, appears to me sufficient to obviate all fear of jealousy on the part of the temporal authorities; indeed the absence of such jealousy is sufficiently shown by the divisions already referred to as appearing in the votes.

I have, therefore, only to request that your Lordship will be pleased to lay this joint Address at the foot of the Throne, and

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

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* *See* House of Commons' Paper, No. 276—25th May 1855, "Legal Position of Bishops, Canada."

CANADA.

Enclosure in No. 2.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

Encl. in No. 2.

We, your Majesty's dutiful and loyal subjects, the Legislative Council and Commons of Canada, in Provincial Parliament assembled, humbly approach your Majesty, for the purpose of representing that the Legislature of this Province during the present session of the Provincial Parliament has passed an Act by which it is declared that there shall be an entire separation between Church and State in Canada, and that the Clergy Reserve funds and lands shall be appropriated to secular purposes, after providing for the salaries of existing incumbents.

That the members of the United Church of England and Ireland in this Province, are under disadvantages that are felt by no other denomination in the Province, inasmuch as they are unable to meet with their bishops and clergy in synod, in their several dioceses, to frame rules and canons for their own guidance and governance, as large numbers of them conscientiously believe that they are under restrictions from the existence of Imperial Statutes against the holding of such synods; and inasmuch as they are hereafter required to provide for the maintenance of the bishops of their Church, while they are not allowed to have any voice in their selection or appointment; and we, therefore, humbly pray that your Majesty will be graciously pleased to cause a measure to be introduced into the Imperial Parliament during its present session, to remove all obstructions that may exist or be supposed to exist, under any Statute now in force in Great Britain, to prevent the meeting of the bishops, clergy, and laity of the United Church of England and Ireland, in their several dioceses in this Province, in synod, to frame rules and canons for their own guidance and governance, and to enable them to proceed hereafter to the election of their own bishops: provided that such rules and canons are not repugnant to the laws of this Province, nor to any Act or Acts that the Legislature of Canada may hereafter pass in reference thereto.

Legislative Council Chambers,
Friday, 30 March 1855.

(signed) *John Ross,*
Speaker, Legislative Council.

Legislative Assembly Hall, Canada, Quebec,
Thursday, 29 March 1855.

(signed) *L. Y. Sicotte,*
Speaker, Legislative Assembly.

— No. 3. —

No. 3.
Lord J. Russell to Governor-Gen. Sir E. Head, Bart.
4 May 1855.

(No. 3.)

Copy of a DESPATCH from the Right Honourable Lord *John Russell* to Governor-General Sir *Edmund Head*, Bart.

Sir, Downing-street, 4 May 1855.

I have to acknowledge your despatch No. 26 of the 31st March last, enclosing an Address to Her Majesty from the Legislative Council and Commons of Canada in Parliament assembled, praying for the repeal of such English Statutes as impede the meeting of the clergy and laity of the Church of England in synod, and that the choice of the bishops may be left to the clergy and laity of each diocese.

The Address has been laid before Her Majesty, who was pleased to receive the same very graciously, and the subject will receive the earnest and attentive consideration of Her Majesty's Government.

I have, &c.
(signed) *J. Russell.*

CANADA.

—No. 4.—

(No. 37.)

COPY of a DESPATCH from Governor-General Sir *Edmund Head*, Bart., to the Right Honourable Lord *John Russell.*

No. 4.
Governor-Gen. Sir E. Head, Bart., to Lord J. Russell. 26 April 1855.

Government House, Quebec, 26 April 1855.

My Lord, (Received, 14 May 1855.)

I HAVE the honour to enclose a copy of a letter addressed to me by the three bishops of Quebec, Montreal, and Toronto, expressing their hope that I would recommend to the favourable consideration of Her Majesty's Government, the Resolutions already forwarded with my despatch of the 31st of March last, No. 26.

After what I have said in that despatch, it is unnecessary to add anything more.

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

Enclosure in No. 4.

May it please your Excellency, Province of Canada, April 1855.

WE the undersigned, being bishops of the United Church of England and Ireland in the Province of Canada, referring to the effect of the Act for the secularization of the Clergy Reserves, and other public measures, which place that Church in Canada under the necessity of looking to her people for the maintanance and perpetuation among them, of the faith received from their fathers, desire to approach your Excellency with the expression of our full confidence that you will be ready to afford us your assistance in whatever may, in the judgment of your Excellency, tend to facilitate the attainment of those all-important objects to which we have adverted. Encl. in No. 4.

We, therefore, earnestly hope that, since the successful working of our system is made dependent upon the local efforts of the Church and the active co-operation of the laity of her communion, your Excellency will be pleased to recommend to the favourable attention of Her Majesty's Government in England, the addresses from the two Houses, respectively, of the Provincial Parliament, based upon the resolution of the Houourable J. Hillyard Cameron, of which a copy is herewith enclosed, in so far as the said resolution relates to the removal of obstructions to the synodical action of the Church within the colony.

We have, &c.
(sgned) *G. J. Quebec.*
John Toronto.
F. Montreal.

RESOLUTION.

To be moved by Honourable Mr. *Cameron*, on Thursday, the 29th of March.

To resolve,—That an humble address be presented to Her Majesty, iuforming Her Majesty that the Legislature of this Province, during the present Session of the Provincial Parliament, has passed an Act by which it is declared that there shall be an entire separation between Church and State in Canada, and that the Clergy Reserve funds and lands shall be appropriated to secular purposes, after providing for the salaries of existing incumbents; that the members of the United Church of England and Ireland in this Province are under disadvantages that are felt by no other denomination in the Province, inasmuch as they are unable to meet with their bishops and clergy in synod in their several dioceses, to frame rules and canons for their own guidance and governance, as large numbers of them conscientiously believe that they are under restrictions from the existence of Imperial Statutes against the holding of such synods, and inasmuch as they are hereafter required to provide for the maintenance of the bishops of their Church, while they are not allowed to have any voice in their selection or appointment, and praying that Her Majesty will be graciously pleased to cause a measure to be introduced into the Imperial Parliament during its present Session, to remove all obstructions that may exist, or be supposed to exist, under any statute now in force in Great Britain, to prevent the meeting of the bishops, clergy and laity of the United Church of England and Ireland in their several dioceses in this Province, in synod, to frame rules and canons for their own guidance and governance, and to enable them to proceed hereafter to the election of their own bishops; provided that such rules and canons are not repugnant to the laws of this Province, nor to any Act or Acts that the Legislature of Canada may hereafter pass in reference thereto.

CANADA.

— No. 5. —

No. 5.
Lord J. Russell to Governor-Gen. Sir E. Head, Bart., 19 May 1855.

(No. 16.)

COPY of a DESPATCH from the Right Honourable Lord *John Russell* to Governor-General Sir *Edmund Head*, Bart.

Sir, Downing-street, 19 May 1855.

I HAVE to acknowledge the receipt of your despatch, No. 37, of the 26th of April last, and to state that the subject to which the joint letter of the Bishops of Quebec, Montreal, and Toronto refers, is now under consideration, and will not fail to engage the careful attention of Her Majesty's Government.

I have, &c.
(signed) *J. Russell.*

— No. 6. —

No. 6.
Right Hon. Sir W. Molesworth to Governor-Gen. Sir E. Head, Bart., 24 Sept. 1855.

(No. 36.)

COPY of a DESPATCH from the Right Honourable Sir *W. Molesworth* to Governor-General Sir *Edmund Head*, Bart.

Sir, Downing-street, 24 September 1855.

WITH reference to Lord J. Russell's despatch of the 4th May last, acknowledging an Address to Her Majesty from the Legislative Council and Commons of Canada in Parliament assembled, praying for the repeal of such English Statutes as impede the meeting of the clergy and laity of the Church of England in synod, and that the choice of the bishop may be left to the clergy and laity of each diocese; I now enclose for your information copy of a letter received from the law advisers of the Crown, to whom the subject of that Address had been referred by his Lordship.

21 August 1855. Law officers' opinion, not printed.

You will perceive from the terms of that letter the difficulties which must necessarily impede Her Majesty's Government in dealing with that subject, regarding as it does the rights and position of members of the Church of England, not in Canada only, but throughout the colonial possessions of the empire.

Her Majesty's Government will, however, not fail to take the whole question into their earnest consideration; and notwithstanding the legal, or rather constitutional, objections adverted to in the letter which I now transmit, I am myself strongly persuaded that the desire for freedom of action and self-government on behalf of the Church of England in Canada, is just and reasonable, for the reasons specified in the Address and in your despatch.

For the present, however, further delay is unavoidable; and as it appears to me that the division of the diocese of Torento is so much desired that it may be very inconvenient to postpone it until the general question is disposed of, I have to inform you that Her Majesty's Government are prepared to take the necessary steps for this purpose whenever required to do so, and that they will recommend to Her Majesty for appointment to the new bishopric such clergyman as you may yourself designate to them, after consulting the bishop and such authorities of the Church of England in the colony as you may think advisable; and taking such precautions as to the sufficiency of the means for endowing such a bishopric as you may judge necessary.

You will have the goodness to communicate a copy of this despatch forthwith on my part to the Bishop of Toronto.

I have, &c.
(signed) *W. Molesworth.*

CANADA.

No. 7.
Right Hon. H. Labouchere to Governor-Gen. Sir E. Head, Bart., 15 February 1856.

— No. 7. —

(No. 39.)

Copy of a DESPATCH from the Right Honourable *H. Labouchere* to Governor-General Sir *Edmund Head*, Bart.

Sir, Downing-street, 15 February 1856.

With reference to Sir William Molesworth's despatch of the 24th September last, transmitting to you copy of a letter from the law advisers of the Crown, explaining the obstacles which exist to compliance with the prayer of the Address of the Legislative Council and Assembly of Canada, that a measure may be introduced into the Imperial Parliament to remove all obstructions that may exist, or be supposed to exist, under any statute now in force in Great Britain to prevent the meeting of the bishops, clergy, and laity of the United Church of England and Ireland in Canada, in synod, for the purposes therein specified; I wish now to communicate to you the result of the further deliberations of Her Majesty's Government on this important and difficult subject.

2. It is undoubtedly plain, from the opinion already communicated to you, that it would be impossible to effect, in a literal manner, the whole of what is prayed for by the Address, without the assistance of Parliament. Nevertheless, Her Majesty's Government have a strong feeling that the difficulties raised by that opinion against adopting the entire recommendation of the Canadian Legislature ought not to be permitted to interfere with the meeting of the clergy and laity, by representative bodies, for the purpose of making rules for the management of church affairs, not having legal force or in the nature of canons, nor contravening any known law of the Church; but binding on those who make them, in the same manner as similar rules, generally speaking, in communities of Christians not established by law. And they are by no means satisfied that, for purposes so simple, any statutable aid is necessary.

3. But there are strong reasons for thinking that if Parliamentary legislation is not strictly necessary, it is highly inexpedient. On the one hand, all parties, as it appears, are anxious to preserve the unity of the Church of England. Even those who most desire the removal of the restrictions under which they conceive themselves to labour, seem to entertain no thought of separation as the final result: and yet it would not be easy to frame a measure, and perhaps still more difficult to obtain the assent of Parliament to such a measure unaltered, which should satisfy the wishes of the Canadian Legislature, and realize the objects contemplated by that body, without effecting at least a partial separation of the colonial and mother church, and encroaching on that supremacy of the Crown, which is at present the substantial bond of union. Unless I have altogether mistaken the spirit by which the members of the Anglican Church in Canada are animated, I greatly doubt whether they would not regret even the accomplishment of their own immediate wishes, if attended with such a permanent result.

4. On the other hand, it would be perhaps hardly less difficult to frame such a measure, even of the merest enabling character, without in some degree compromising the principle which regards legislation on the internal affairs of Canada as belonging to its own legislature, and not that of the empire at large. However guarded the expressions might be, there would be danger of constituting within the Province a kind of corporate body, independent in some respects of the Provincial Legislature itself.

5. Legislation by the Parliament of Canada would be open to neither of these objections. It could not impair the connexion between the Anglican Churches of the Province and the mother country, because any of its provisions, which might involve some seeming and accidental derogation from the supremacy of the Crown, could not be construed as legally operative against those principles of general law, binding throughout the British dominions, on which that supremacy is founded. On the other hand, the Canadian Legislature could, at its discretion, give legal effect to the ordinary proceedings of the proposed synods, so far as necessary; which it would be very difficult for Parliament to do, without infringing on the rights of that Legislature by dealing with a strictly local subject. This seems the more essential, inasmuch as, although the

CANADA.

Canadian Legislature has passed an Act declaring or rather reciting the separation of Church and State in the colony (as I am reminded by that Address); yet those former Canadian Acts, which make provision for the management of the Church's temporalities, are, I believe, still in force. With these the synods ought, no doubt, to be enabled to deal; they could not be so, except either by Parliamentary or Colonial Enactment; and the subject is one which clearly appertains to the latter.

6. It is therefore the wish of Her Majesty's Government that you should recommend the Canadian Legislature to enable the members of the Church of England in the Province to enjoy the freedom sought for, so far as the powers of the Legislature, according to the most reasonable supposition, extend; that is to say, by empowering them to meet in the manner specified in the Address, and to form representative bodies; and giving to the rules which may be framed by such bodies, for the control of Church temporalities, and for the enforcement of discipline, so much of legal force as may be absolutely requisite. I am aware of the advantages which might belong to a scheme under which the binding force of such regulations should be simply voluntary; but the existence of prior legislation on the subjects referred to seems to render this impossible.

7. If such an Act were passed in the Province, and either the operation of the Act itself, or the proceedings of the meetings constituted under it, met with any well-defined obstacles from existing Imperial law, then a difficulty would be clearly raised for removal by the interposition of Parliament here; which cannot be said to be the case so long as the supposed objections are not easy to be understood, much less removed, from their very general nature, founded as they are, only on vague opinion.

8. It would, however, be desirable, if the Act, when framed, was found to contain provisions appearing to you and your advisers to involve substantial difficulty, that you should reserve it for the assent of the Crown.

9. Her Majesty's Government have been the more induced to suggest this course by the fact, that in the colony of Victoria, where similar inconveniences are felt by the members of the Church of England, the Legislature of that province has come to their relief by passing a law of the very nature here indicated. It is intituled, "An Act to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland, in Victoria, to provide for the regulation of the affairs of the said Church;" which it does by empowering the Bishop to convene an assembly of the licensed clergy and laity, and making the acts of such assembly binding on members of the Church as regards their membership, and no farther. The assembly is further empowered to establish a commission for the trial of ecclesiastical offences, but not to impose any penalty except suspension or removal from a benefice, reserving existing rights of appeal to the ecclesiastical authorities at home. This Bill has received the sanction of Her Majesty's assent, after much deliberation, the necessity for which was incurred by the defective character of part of its provisions.

10. With regard to the question raised in the address of the election of bishops, the opinion of the law advisers, already referred to, states very distinctly the objections which exist to effecting this purpose by Parliamentary enactment. Her Majesty's advisers do not the less recognize in the case of a community like that of Canada, the propriety of consulting the wishes of members of the Church of England on this head; and they believe that the practical purpose which it is sought to attain may be secured without the obvious inconveniences attendant on direct legislation for it, if they adopt the course of recommending Her Majesty to be guided, as a general rule, in filling up any vacancy which may occur by such representation as she may receive from the clergy and laity of the diocese duly assembled. I cannot too distinctly disclaim on the part of Her Majesty's Government any intention or desire of placing the Church of England in a privileged or exclusive position in Canada. But they are most anxious to meet the wishes expressed by the provincial Legislature as well as by the Church of England, and to free its members from all unnecessary impediments to their own voluntary internal organization, and thus to put them on an equal footing with other denominations of Christians.

11. I am

CANADA.

11. I am aware thar an answer is still to be expected from you to that portion of Sir William Molesworth's despatch which relates to the division of the diocese of Toronto; but on the whole I have thought it advisable not to delay my present communication on that account.

12. You will make known the contents of this despatch to the several bishops of the United Church of England and Ireland in Canada.

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

VICTORIA.

VICTORIA.

—No. 1.—

(No. 8.)

No. 1.
Governor Sir C. Hotham to Sir G. Grey, Bart., 8 January 1855.

COPY of a DESPATCH from Governor Sir *Charles Hotham*, to the Right Honourable Sir *George Grey*, Bart.

Toorac, near Melbourne, 8 January 1855.

Sir, (Received 17 March 1855.)

I HAVE the honour to transmit a Bill which passed the Legislative Council of this Colony on the 29th November last, but which I have thought proper to reserve for the signification of Her Majesty's pleasure thereon.

This Bill was concerted before I assumed charge of this government, and I therefore forbear expressing any opinion thereon, but simply content myself with transmitting it for the serious and attentive consideration of Her Majesty's Government, and enclose an explanation of the proposed measure furnished by the law officers of the Crown.

I have, &c.
(signed) *Chas. Hotham.*

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

[Reserved for Her Majesty's Approval.]

VICTORIA.

ANNO DECIMO OCTAVO VICTORÆ REGINÆ.

AN ACT to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria to provide for the Regulation of the Affairs of the said Church. (30 November 1854.)

Preamble.

WHEREAS it is expedient to provide for the regulation and management of the affairs of the United Church of England and Ireland in Victoria: Be it therefore enacted, by his Excellency the Lieutenant-governor of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:—

Assembly may be convened.

1. It shall be lawful for any bishop of the United Church of England and Ireland in Victoria to convene an assembly of the licensed clergy and the laity of such Church in his diocese. And the bishop, or in his absence a commissary appointed in writing by him, shall preside in such assembly.

Regulations of Assembly binding on bishops, clergy, and members of Church.

2. Every regulation, act and resolution of such assembly made by the bishop, and the clergy and laity thereat, respecting the affairs of the said Church, including all advowson and right of patronage, shall be binding on every such bishop and his successors, and on the clergy and lay members of the said Church residing within the diocese for which such assembly shall have been convened, and on none other; and on them only so far as such regulation, act, or resolution may concern the position, rights, duties and liabilities of any minister or member of the said United Church, or any person in communion therewith,

in regard of his ministry, membership, or communion, or may concern the advowson or right of patronage in or management of the property of the said Church: Provided, that no such regulation, act, or resolution shall be valid, except it be made with the concurrence of a majority both of the clergy and of the laity, the votes of the clergy and those of the laity being separately taken, and except it receive the assent of the bishop.

Assembly may establish a Commission.

3. It shall be lawful for any such assembly, by any regulation, act or resolution as aforesaid, to establish a commission for the trial of all ecclesiastical offences, and also to frame rules for the conduct, management, and mode of proceeding in and under such commission, and all such rules from time to time to vary, alter and repeal. And such commission shall be so constituted as such assembly may deem expedient; provided that no such commission, nor any person acting thereunder, shall by virtue of this Act have or exercise any jurisdiction over persons who are not clergymen of the said United Church of England and Ireland: and provided also, that such commission, and the persons acting thereunder, shall report to the bishop within whose diocese any such offence shall occur, their opinion of the matters referred to them, and the penalty which they would recommend to be imposed, which penalty the bishop shall not have the power to exceed.

Powers of Assembly and Commission.

4. It shall not be lawful by any regulation, act, or resolution of any such assembly, nor by the sentence of any commission as aforesaid, or any person acting thereunder, to impose any penalty or disability other than such as may be consequent upon a sentence of suspension from or deprivation of an ecclesiastical office or benefice, or may affect such advowson, right of patronage or property as aforesaid.

Regulations of Assembly not to affect right of appeal, &c.

5. No regulation of any such assembly which shall affect any right of appeal to Her Majesty in Council, or to the Archbishop of Canterbury, or to the metropolitan of the province, or the subordination of the said bishops, clergy and laity to the metropolitan or to the said archbishop, shall be valid unless the consent of the said archbishop or of the said metropolitan thereto be previously or thereafter signified by him under his hand and seal, nor unless such regulation be confirmed by an order of the Archbishop of Canterbury; and no regulation, act or resolution made or passed at any assembly shall be valid, which shall alter or be at variance with the authorised standards of faith and doctrine of the United Church of England and Ireland. or shall alter the oaths, declarations and subscriptions now by law or canon required to be taken, made, and subscribed by persons to be consecrated, ordained, instituted, or licensed within the said Church.

Regulations of Assembly not to be contrary to Act of Council, &c.

6. No regulation, act, or resolution of any such assembly shall be contrary to the statute conferring a Constitution on Victoria, or to any Act of the Legislature of Victoria, or have legal force or validity as against any such Act.

Mode of summoning an Assembly.

7. Where any bishop of the said United Church in Victoria shall see fit to convene an assembly as aforesaid, such bishop shall at such time as to him may seem meet previous to the first assembly in his diocese, summon thereto the clergy, being incumbents, or licensed by the bishop within such diocese, and the lay representatives of the diocese, elected as hereinafter provided, and for electing such representatives, shall require each clergyman instituted or licensed to a separate cure of souls to summon a meeting of the laymen of the Church, of the age of 21 years and upwards, resident within his parish, at such time (within limits which may be prescribed by such bishop), and at such place within the parish or district, as to such clergymen may seem convenient, and every such lay member as aforesaid shall be entitled to vote at such election.

Chairman to be elected, &c.

8. The said meeting, so soon as five persons at the least are assembled, shall proceed to elect a chairman by a majority of those present, and the clergyman may be present and qualified to act as such chairman; and the chairman shall cause a list to be made of those who shall be present, and add thereto the names of any who shall subsequently attend before the proceedings are closed, and shall claim to vote thereat. And every such layman present shall, before taking part or voting at such meeting, sign the following declaration:

> "I, *A.B.*, whose name is hereto subscribed, do declare that I am a Member of the United Church of England and Ireland, and belong to no other religious denomination."

Provided that no person shall be entitled to vote at any such meeting who is known to have impugned the doctrines or discipline of the said Church.

Representatives to be elected.

9. Every such meeting shall choose as a representative one male person who shall have been a communicant of the said Church for at least the term of 12 months preceding the day of such meeting; and if more than 50 and less than 100 persons shall attend and vote, it shall be lawful for such meeting to elect one additional representative, and so for each additional 50 persons attending and voting as aforesaid: Provided that no parish or district shall return more than four such representatives.

Mode of election, &c.

10. In case at any such meeting the number of persons proposed for election exceed the number which the meeting is authorised to elect, the chairman shall take in writing the votes of the qualified persons present, and enumerated as aforesaid, and every such person may give one vote for each of such of the persons proposed, not exceeding the number which the meeting is authorised to elect, as he may think fit, and the chairman shall declare the number of the votes given for each of the persons proposed; and the chairman, if he be

not

not a clergyman, shall be entitled to vote at and may be elected by such meeting; and where the votes of two or more persons are equal, the chairman, if he be not a clergyman, may give a double vote, and if he be a clergyman, may give a casting vote for any such person.

Certificate to be given, &c.

11. The chairman shall cause to be delivered to each person elected a certificate of his election, and shall sign the minutes of the meeting in token of their correctness; and unless he be the clergyman of the parish or district, shall forward them to such clergyman, together with all certificates, subscriptions, and lists, which had been laid before the said meeting, and a certificate of the names, callings, and addresses of the persons chosen; and the clergyman shall forward the said documents to the bishop to be laid before the assembly at the meeting thereof.

Declaration to be made.

12. Each lay representative elected as aforesaid shall, before taking part or voting at such assembly, sign and deliver to the president thereof a declaration in the form following:

"I, *A. B.*, whose name is hereto subscribed, do declare that I am a communicant of the United Church of England and Ireland, and belong to no other religious denomination."

Assembly may make regulations, &c.

13. It shall be lawful for the first or any future assembly as aforesaid to make such regulations, acts, or resolutions as it may deem fit, for altering the constitution of such assembly with respect to the number, election, and qualification of the lay members thereof, the manner in which the votes of the clergy and laity may be taken, and the declarations to be signed by the electors or lay members as aforesaid (provided that every such lay member shall declare himself a communicant of such Church), and also for determining the mode in, and the conditions under which such advowson or right of patronage as aforesaid may be exercised, for the licensing of clergymen by the bishop, for the adjournment and prorogation of such assemblies, and the calling of future assemblies, and the mode of election of the lay members thereof, and every such assembly may repeal, alter, or vary such regulations, acts, or resolutions.

Provision for cases not provided for in regulations, &c.

14. The provisions of this Act in relation to the first convening and holding an assembly in a diocese, and the election of the lay members thereof, shall remain in force and be acted on until the first or any other assembly shall otherwise provide; and in any case not provided for by this Act, or by the regulations for the time being of any assembly, the bishop of the diocese may regulate the convening of any assembly in such diocese, and the form and manner of all proceedings preparatory thereto.

Copy of regulations be transmitted to Archbishop.

15. A copy of the regulations passed at the first assembly of any diocese to be called under this Act, and also of the rules framed for any such commission as aforesaid, and from time to time of any alterations of such regulations and rules, shall be sent by the bishop of such diocese, duly certified under his hand and seal, as testifying his assent thereto, to the Archbishop of Canterbury, and also to the metropolitan; and the said Archbishop may, within six months of his receipt thereof, submit the same, with such observations thereon as he may see fit to make, for the consideration of Her Majesty in Council; and Her Majesty by and with the advice of Her Privy Council, may allow or disallow the same, as to Her Majesty shall seem fit, and the regulations and rules so allowed, and a notification of such regulations and rules as may be disallowed, shall be forthwith transmitted by the Archbishop to the bishop transmitting the same, and shall by such bishop be published in his diocese.

Provisional Acts valid.

16. Any regulation or rule disallowed by Her Majesty as aforesaid, after the notification of the disallowance thereof shall have been received by the bishop, shall cease to be in force; but any act matter, or thing, done under or in accordance with such regulation or rule before such receipt of the notification of the disallowance thereof shall have the same validity and effect as if such regulation or rule had been allowed.

Provincial assemblies.

17. So soon as a province shall have been constituted in Victoria, it shall be lawful for the metropolitan thereof from time to time to convene the bishops thereof, and to require them to convene the members of the several diocesan assemblies, or such representatives of the same as shall hereafter by any such provincial assemblies be determined, at such time and place as he may deem fit, to consider of and determine upon all such matters and things as may concern the affairs of the said church in Victoria; and the said metropolitan shall be the president of every such provincial assembly, and shall always preside therein personally, or by such bishop or bishops of his province as he may appoint his commissary or commissaries, under his hand and seal for that purpose. And the metropolitan and bishops attending such assembly shall sit and vote as one house, and the clergy and lay members shall sit and vote as another house, and no act or resolution shall be valid to which both houses have not assented; and on every division of the house of clergy and lay members, nothing shall be held to be carried by a majority of such house, but that to which a majority both of the clergy and of the laity, voting by dioceses, shall have assented; the vote of the majority of the clergy present and representing each diocese, being taken as the vote of the clergy of such diocese, and the vote of the majority of the laymen present, and representing the laity of each diocese, being taken as the vote of the laity of such diocese; and such provincial assembly may pass rules and regulations for the uniform conduct of and mode of proceeding in all diocesan assemblies, and all rules and regulations so passed shall be valid, subject to such alteration, allowance or disallowance as has been hereinbefore provided with regard to the regulations of diocesan assemblies.

18. Nothing

Royal prerogative not interfered with.

18. Nothing herein contained shall effect the right to nominate or appoint any metropolitan or bishop of the said United Church in Victoria, or any other rights or prerogatives of Her Majesty, save so far as the advowson or right of patronage in Victoria (if any) now vested in Her Majesty may be hereby expresly impaired, diminished, or affected.

Interpretation.

19. In the construction and interpretation of the provisions of this Act the word "bishop" shall include the Metropolitan of the Province with reference to his metropolitan diocese.

Enclosure 2, in No. 1.

Opinion of Law Officers.

Encl. 2, in No. 1.

A Bill to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria, to provide for the regulation of the affairs of the said Church, has necessarily been reserved for the signification of Her Majesty's pleasure thereon.

The objects of this measure are, firstly, to relieve the clergy and laity resident in the colony from any disability as to their holding meetings; and, secondly, to confer on the assembly of bishops, clergy, and laity, according to a certain constitution, the power possessed by all other Christian denominations, of managing the affairs of their own Church.

An Act to regulate the affairs of that Church had been passed by the Legislature of New South Wales, and continued in force since its erection into a separate colony. Under the provisions of that enactment, clergymen were practically dependent upon the will of the bishop for their continuance in office--an arrangement obviously opposed to the discipline of the Church of England, and of a temporary and provisional character. The present measure, without taking away from the bishop the powers vested in him, gives to the Church herself the means of altering those powers, subject to Her Majesty's approval.

It is alleged, and justly, as it would seem, that the proposed law will merely place the Church in the same position as other communions unconnected with the State in Great Britain; the latter simply transplanting to the colonies a system of government already framed and adopted by them in their fatherland, and still appropriate to their unaltered position here.

But, in addition to being relieved from the disability alluded to, the Church of England in Victoria required some means of establishing courts similar to those provided for her government and discipline in Great Britain.

The present measure enables her so to do. It follows as closely as possible the Bill introduced by his Grace the Archbishop of Canterbury, and passed by the House of Lords. It has been submitted to, and received the approval of, the members of the Church in Victoria, and met with very slight opposition in the Legislative Council.

Any interference with questions of faith, or matters of doctrine, has been carefully guarded against; undiminished connection with the Church in Great Britain has been ensured; and the Supremacy and Royal Prerogative of Her Majesty, as well as the powers of the See of Canterbury, and of the Metropolitan, have been strictly protected.

The promoters of the measure propose to apply for a law to repeal so much of the local Act, previously referred to, as affects the government of the Church, so soon as the assent of Her Majesty to this Bill has been signified; and the remaining provisions of that and other laws relating to Ecclesiastical Courts, it is intended at the same time to consolidate.

—No. 2.—

No. 2.
Bishop of Melbourne to the Right Hon. H. Labouchere, 12 December 1855.

Copy of a LETTER from the Bishop of *Melbourne* to the Right Honourable *H. Labouchere.*

18, Chester-terrace, Regent's Park,
12 December 1855.

Sir,

In the accompanying Memorial I have stated the grounds upon which I regard the confirmation of the Act of the Victoria Legislature as of the greatest importance to the permanent welfare of the Church of England in that province; and upon which I would venture most earnestly to beg of Her Majesty's Government that they would advise, and take such steps as may be requisite for enabling Her Majesty to give her assent to the Act.

I am sure that you will give this Memorial your careful consideration, and I trust that its statements and reasoning will produce in your mind the conviction, which I myself so strongly feel, of the justice of our cause.

You will observe that the Act does not interfere with any prerogative which the Queen now exercises as Head of the Church in the province of Victoria; nor invests the proposed church assembly with any "legislative" powers which would

would at all affect the relation of the Church in Victoria to the Church in England; and I would take this opportunity of stating, that so far are the members of the Church in my diocese from desiring to become independent of the Church at home, that at the recent conference of 1854, as well as at that of 1851, the feeling both of the clergy and laity was most strongly expressed upon the importance of maintaining the union between them in the most perfect integrity. We should unanimously deprecate any measure which would make a clergyman in Victoria feel that he was not as fully a clergyman of the United Church of England and Ireland there, as he was before he left his native land. We most earnestly wish that Her Majesty may continue to retain her two great prerogatives as Head of the Church, viz.; the appointment of bishops, and the final adjudication upon appeal of all ecclesiastical causes. In these particulars there is not in Victoria, nor, I believe, in Australia, any sympathy with the sentiments expressed by the Legislature of Canada. I cannot but suspect that the feeling of the clergy and laity of the Church in Canada is to be attributed althogether to recent circumstances, and will prove transient only. Upon this, however, I have no business to express any opinion; of the feeling in Victoria I can speak with the most perfect confidence.

As I am shortly about to return to my diocese, you will greatly oblige me if you can inform me at an early period of the views of the Government.

I have, &c.
(signed) *C. Melbourne.*

Enclosure in No. 2.

Encl. in No. 2.

To the Right Honourable *Henry Labouchere*, Her Majesty's Principal Secretary of State for Colonial Affairs.

The Memorial of the Right Reverend Charles Lord Bishop of Melbourne.

Showeth,

That your memorialist desires to call the attention of Her Majesty's Government to the subject of a Bill passed in the year 1854 by the Legislative Council of the colony of Victoria, intituled, "An Act to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria to provide for the regulation of the affairs of the said Church," which Bill has been reserved by his Excellency the Lieutenant-governor, Sir Charles Hotham, for Her Majesty's approval, and is now under the consideration of Her Majesty's Government.

That the Bill was, in the month of May last, referred by the Government to the law officers of the Crown, who gave their opinion thereon on the 17th August following.

That it appears from such opinion, which was kindly communicated to your memorialist by the late Sir William Molesworth, then Her Majesty's Principal Secretary of State for Colonial Affairs, that the law officers considered that the Bill, in "proposing to constitute an elective general assembly of clerical and lay deputies or representatives invested with general authority over all the affairs of the church, which assembly was to provide for the calling of future assemblies, and to establish an Ecclesiastical Commission Court for the trial of ecclesiastical offences," materially interferes with the ecclesiastical supremacy of the Crown within the colony; but they leave it as "a question of policy for the consideration of Her Majesty's Government," to determine upon the propriety of the measure itself.

That the law officers further express their opinion, that, although, "as regards the meeting of the Legislative assembly of the clergy exclusively, such a meeting might be rendered legal by Royal license, the objections to empowering the laity to elect representatives to sit with the clergy, and to legislate with them upon the affairs of the church (although such objections are rather of a constitutional than of a strictly legal character), could not be removed by the Royal license, and would require legislative enactment on the part of the Imperial Parliament."

The question then is, whether the Government will advise Her Majesty to relinquish her prerogative in ecclesiastical affairs within the colony to the extent involved in her giving her assent to the present Bill, and whether, in the event of its being decided that such assent will not be effectual to the validity of the Bill without the concurrence of the Imperial Parliament, the Government will apply to such Parliament for that concurrence.

To ask Her Majesty's Government to take these steps may seem presumptuous; it is certainly not a thing to be lightly done; but, in case your memorialist should succeed in convincing the Government that the passing of the present Bill (or one to the like effect) is essential to the welfare of the church within the colony, and that the maintenance of the ecclesiastical prerogatives of the Crown, as defined by the law officers, in their complete integrity, will most materially cripple the efficiency, if it do not actually endanger the existence of that branch of the Church, your memorialist ventures to think that neither the Government will be unwilling to advise—nor Her Majesty to consent to—the relinquishment

of a power, which can no longer be retained without prejudice to the community which it was designed to protect and support.

Your memorialist therefore begs to observe,—

1st. That the existing constitution of the branch of the United Church of England and Ireland situate within the colony of Victoria, is extremely defective and objectionable.

2d. That such constitution cannot be placed on a sound basis except by such means as those provided by the present Bill.

3d. That the Bill does not in fact interfere with any right of the Crown which is in actual exercise, but only with a dormant prerogative, the maintenance of which, though it disable others from acting, does not place the Crown in a position to act itself.

On the first of these three points it is to be noticed, that by the existing local Act regulating the temporal affairs of the Church within the colony, all appointments of ministers therein are subject to the absolute approval and license of the bishop of the diocese, or archbishop of the province; and that the license of any clergyman may be withdrawn or revoked, and his house, glebe, and living taken from him, by such bishop at his pleasure, subject, indeed, to the condition that cause be shown, but without any regular (if any) means of testing its sufficiency or accuracy.

That the constitutional status and rights possessed by the inferior clergy, and by the laity in the mother country, have no existence in the colony, and that the sole, unaided, as well as unfettered, authority vested in the bishop is open to the opposite dangers of leading to oppression or anarchy, accordingly as it may be vested in the hands of an arbitrary, or of an indulgent or timid prelate.

That, to proceed to the second point, the Church of England having no legally recognised position within the colony, the system of ecclesiastical law existing in the mother country, and by which the mutual relations of the several orders of clergy and of the laity are regulated, does not admit of being applied to the members of the Church there.

That it is certain that neither the Imperial Legislature nor the Legislative Council of the colony will undertake to supply the members of the Church of England there with a code of regulations for the management of their affairs.

That consequently such regulations can only be framed by the members of the Church themselves.

That, nevertheless, to make them generally binding upon such members, or upon future bishops, the regulations must be drawn up under an authority given either by the local or the Imperial Legislature.

That, further, it is essential to the efficient accomplishment of the task, and to the general acceptability of the result, that the regulations be drawn up upon the joint deliberation and with the joint concurrence of the clergy and laity, the latter acting (as only they can) by representation, and that, for this purpose, some such elective assembly as that proposed by the Bill, must necessarily be established.

That it is also essential that there should be provisions for convoking, adjourning, and dissolving such assembly from time to time.

That (with regard to the third point), assuming the power of convoking, adjourning, and dissolving assemblies of this description in all parts of Her Majesty's dominions to be an inherent portion of the Royal Prerogative, it is clear that this power could not, in the case of so distant a colony, be exercised by Her Majesty personally, or by the Home Government on her behalf.

That your memorialist submits that it is also clear that the exercise of such prerogative could not, with propriety or safety, be permanently deputed to the Lieutenant-governor of the colony, or to any other local authority, there being no security, nor any reasonable ground to expect that such Governor or other authority will, in all cases, be a member of, or friendly to, the Church of England.

That, consequently, to insist upon the retention of such prerogative, would, in effect, be to prevent such assemblies from being held at all, and in that way to prevent any regulations being made for the better carrying on the affairs of the Church, and to keep the same permanently in its present imperfect and unsatisfactory condition.

Your memorialist would further remark, that, on the other hand, the Bill reserves to the Crown the right to nominate the bishop of the diocese; the only portion of the Royal prerogative, it may be observed, in actual exercise; that it withholds from the proposed assembly the power "to alter or do anything at variance with the authorised standards of faith and doctrine, or to alter the oaths, declarations, or subscriptions," (these including, it will be recollected, the recognition of the supremacy of the Crown, as well as the pledge of allegiance,) "now by law or canon required to be taken, made, or subscribed by persons to be consecrated, ordained, instituted, or licensed within the church;" that, as regards the proposed commission for the trial of ecclesiastical offences, such commission cannot be brought into operation until the rules for its conduct and management, and the mode of proceeding under the same, have been submitted to, and approved by Her Majesty in Council; that any alterations of such rules must, in like manner, have Her Majesty's sanction; that no right of appeal to Her Majesty in Council can be interfered with; and, lastly, that not only the rules for the proposed commission, but, generally, all the regulations which may be passed at the first assembly, and by which necessarily its ordinary course of procedure will be governed, are made to require, in order to their validity, Her Majesty's approbation.

In conclusion, your memorialist desires to observe, that the Bill does not, directly or indirectly, affect any member of any other religious body, and that it affects the members of the Church itself so far only as "concerns their position, rights, duties, and liabilities in regard of their ministry, membership, or communion, or the advowson or right of patronage, or management of the property of the Church," and imposes no penalty or disability other than a deprivation of such communion, patronage, or property. That the Bill does not confer upon the proposed assembly of the Church of England greater powers than those which are already, by the constitution of the Churches, and the local enactments recognising the same, enjoyed by the Synod of the Presbyterian Church, and by the Conference of the Wesleyan Methodists; or any powers which your memorialist, and the other members of the Church on behalf of which he pleads, would not gladly see granted to any other religious denomination. That the Bill is the result of a long and careful deliberation by the members of a conference of the clergy and laity of the Church of England in Victoria, convened by your memorialist for the express purpose, and that the provisions of such Bill have received the almost unanimous concurrence of the laity as well as of the clergy within the colony. That, consequently, the disallowance of such Bill, should it unhappily be disallowed (which your memorialist prays the Almighty it may not), in addition to the great inconvenience and prejudice necessarily consequent thereon, will very greatly discourage and depress the hearts of those Her Majesty's faithful subjects and fellow members of the Church of England within the colony, who would fain look up to Her Majesty as the great friend and nursing-mother, as well as the earthly head and governor of their common and most holy Church.

And your Memorialist, &c.

London, December 12, 1855. (signed) *C. Melbourne.*

— No. 3. —

(No. 14.)

No. 3.
The Right Hon. H. Labouchere to Governor Sir C. Hotham, 1 February 1856.

COPY of a DESPATCH from the Right Honourable *H. Labouchere* to Governor Sir *Charles Hotham.*

Sir, Downing-street, 1 February 1856.

HER Majesty's Government have had for some time under their consideration the Bill of the Legislature of Victoria, intituled, "An Act to enable the Bishops, Clergy, and Laity of the United Church of England and Ireland in Victoria to provide for the regulation of the affairs of the said Church," transmitted with your despatch of January 8th, 1855, and they have had the advantage of communicating on the subject of it with the Bishop of Melbourne, during his recent visit to this country.

Some objections, directed, however, rather to its policy than its legality, have been raised to certain portions of the measure. But though not insensible to the force of those objections, Her Majesty's Government have deemed it their duty not to interfere with the operation of a measure intended to serve a purpose of which the importance and the exigency appear to be so fully recognised. Her Majesty has, consequently, been advised to give her assent to the Bill; and the necessary Order in Council will accordingly be transmitted without delay.

I will not at present dwell on some minor difficulties which appear not unlikely to arise on the wording of certain provisions of the Bill, having no doubt that if real they will be soon detected, and that the Legislature will apply the remedy. There is, however, one point on which it may be thought that the Bill, by implication, if not in positive words, goes beyond the powers of the Legislature. It is taken for granted, and I have no doubt rightly, that a certain appeal exists in colonies against any wrongful decision of a Bishop. Now, by section 5 of the Bill it is provided, that no regulation of a church assembly which shall affect any right of appeal shall be valid, unless with the consent of the Archbishop ot Canterbury, and confirmed by his Grace's order. It may be argued that this, by implication, amounts to an enactment that, with such confirmation, a regulation taking away altogether the right of appeal shall be valid: an authority which I should greatly doubt its being within the power of the colonial Legislature to confer.

Still I do not think that a possible excess of jurisdiction on this or other points of an incidental character ought to prevent the Crown's assent from being given.

It is undoubtedly possible that in the operation of the Act, or in the proceedings of the synod under it, other and more serious difficulties may follow in

VICTORIA.

consequence of a real or supposed conflict with those Acts of Parliament and principles of English law which regulate the supremacy of the Crown and other fundamental portions of the constitution of the Church of England. When such difficulties shall occur, and shall be duly notified, it may be expedient that the aid of Parliament should be invoked for the removal of such difficulties. But Her Majesty's Government do not consider that it would be wise to move Parliament to act by anticipation in the matter, considering the danger on the one hand of impairing the connexion between the Church of England in the colony and in the mother country, and, on the other hand, of interfering unduly with the right of local legislation on a domestic subject.

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

CHURCH AFFAIRS (CANADA AND VICTORIA).

COPIES or EXTRACTS of Recent CORRESPONDENCE on COLONIAL CHURCH AFFAIRS, in the Dioceses of the Colonies of Canada and Victoria.

(Mr. Gladstone.)

Ordered, by The House of Commons, *to be Printed,*
2 *April* 1856.

131.

Under 3 *oz.*

INDIAN DEPARTMENT (CANADA).

RETURN to an Address of the Honourable The House of Commons, dated 28 April 1856;—*for*,

"COPIES or EXTRACTS of recent CORRESPONDENCE respecting Alterations in the Organization of the INDIAN DEPARTMENT in *Canada*."

Colonial Office,
30 May 1856.

H. LABOUCHERE.

(*Viscount Goderich.*)

Ordered, by The House of Commons, *to be Printed*,
2 *June* 1856.

SCHEDULE.

Despatches from the Governor-General of Canada.

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Despatches from the Secretary of State.

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COPIES or EXTRACTS of recent CORRESPONDENCE respecting Alterations in the Organization of the INDIAN DEPARTMENT in *Canada*.

Despatches from the Governor-General of Canada.

— No. 1. —

(No. 66.)

COPY of a DESPATCH from Governor-General the Earl of *Elgin* to the Right honourable Sir *G. Grey*, Bart., M. P.

No. 1.
Governor-General the Earl of Elgin to the Right Hon. Sir G. Grey, Bart., 18 December 1854.

Government House, Quebec, 18 December 1854.

(Received, 11 January 1855.)

(Answered, No. 11, 24 January 1855, page 39.)

Sir,

I HAVE the honour to enclose the copy of a report which has been addressed to me by Mr. Oliphant, Superintendent-General of Indian Affairs, detailing the proceedings adopted by him to obtain from certain Indian tribes the surrender to the Crown of a large tract of land held by them on the shore of Lake Huron. Mr. Oliphant takes occasion in this report to offer some general remarks on the condition and prospects of the Indians in Canada, which are entitled to consideration, and to which I have called Sir Edmund Head's attention.

3 November 1854.

I have, &c.
(signed) *Elgin & Kincardine.*

Enclosure in No. 1.

My Lord,

Indian Department, Quebec, 3 November 1854.

I HAVE the honour to report for the information of your Excellency, the proceedings which took place at a council convened by me, in obedience to your Lordship's instructions, at the Indian village of Saugeen, on the 13th of October last, for the purpose of obtaining, if possible, from the tribes resident at Saugeen, Owen's Sound, and Colpoy's Bay, a surrender to the Crown of the greater portion of that tract of land which has hitherto been reserved for their exclusive use and occupation.

Encl. in No. 1.

The peninsula of Saugeen, which forms this reserve, contains about 450,000 acres. At your Excellency's desire a council was held by Captain Anderson at Owen Sound in July last. I have the honour to annex that officer's report of his proceedings on that occasion, from which your Excellency will perceive, that, owing to the obstacles thrown in his way, both by whites and Indians, the surrender which he ultimately obtained, was of so partial a character, that the Government did not deem it wise to accept it.

16 August 1854, p. 11.

On my way to Saugeen, and in passing through the counties of Grey and Bruce, adjoining this reserve, I received numerous evidences testifying to the expediency of the mission upon which your Lordship had been pleased to send me, and leading me to the hope, that the most beneficial results might be anticipated to all classes of the community, by the successful issue of the undertaking. The tide of emigration which has, of late years been flowing into Canada, has driven before it a crowd of those more adventurous spirits, whose office it is to prepare the way for the industrious emigrant. These were the more eager in their search for wild lands, as the prospect of obtaining them became almost confined in this direction to the counties bordering on the Saugeen peninsula, then an Indian reserve, and which must now be the limit of their explorations. These men were to be seen collected at the door of every backwood tavern, or returning in gangs to the more populous parts of the country where they have no settled occupation, disappointed in their search for land, inveighing against the alleged dishonesty of Crown land agents, organising bands for the forcible ejection of more fortunate squatters, a proceeding which generally resulted in bloodshed; and (in one instance which came to my notice) in murder.

They threatened, in my presence, to settle upon the Indian reserve in defiance of the Government. The general principle that Indian concessions are beneficial alike to the Indian and the white, was here merged in a more important consideration. So keen was the struggle for land, that a surrender of the territory for the purpose of sale, appeared the only method by which the property of these tribes could be conserved to them. It therefore became an obligation upon the Indian Department to spare no pains in endeavouring to

wring

wring from those whom it protects, some assent, however reluctant, to the adoption of the only means by which this object could be achieved. That there should be some disinclination existing on the part of a partially civilized community to cede for ever those lands which formed the hunting-grounds of their forefathers, and which, although they are now utterly worthless in that capacity, still allow them the power of gratifying their wandering propensities, is only to be expected. This repugnance might easily be overcome in the minds of the better educated and more enlightened chiefs, were it not enhanced by a distrust and suspicion of every act of the Government, instilled into them by designing white men, whose superior intelligence enables them to exercise an influence all the more powerful and dangerous, because, in so remote a district it cannot be opposed. It is evident, that any measure on the part of the Government which tends to destroy the monopoly these men have hitherto enjoyed, of enriching themselves at the expense of the Indians, would meet with all the opposition which by insidious means they could bring to bear upon it. The Indians have always been too ready to listen to insinuations which coincided so exactly with their own inclinations.

In addition to the difficulties arising out of these combined adverse influences, there were others of a more complicated nature presented, by the conflicting interests of the white settlements at Saugeen and Owen's Sound. The advocates of these have lost no opportunity for some time past, of inflaming those feelings of jealousy which have long existed between the two bands, in order that in the event of any surrender to the Crown being under consideration, each interest might be represented in council by Indians, whose only desire was to oppose the wishes of their rivals. Under these circumstances, it appeared to me of the highest importance that no arrangement should be entered into, which should on the one hand seem to the Indians to imply a partiality to one or other of the respective bands, or on the other, lay the department open to the charge of having consulted the interests of one European community, at the expense of those of the other.

Immediately on my arrival at Saugeen, I despatched messengers for the chiefs of the Saugeen band, who were absent at their fishing grounds, as well as for those of the Owen Sound and Colpoy's Bay bands; and in the meantime I endeavoured to obtain as much information as possible upon the best means of securing the surrender, and the most satisfactory allotment of the lands. On the afternoon of the day following my arrival the chiefs of the Saugeen band arrived. As I looked for the strongest opposition from the head chief of this band, who entirely influences its opinion, I immediately sent for him privately, and, in a long interview, prepared him for the proposals I was about to make. He left me with strong expressions of dissent. Shortly after the chiefs of the other bands arrived, and, anxious not to allow them an opportunity of consulting either among themselves or with Europeans, I called a grand council at 7 P. M. in the church at the Indian village, which was attended by the chiefs of the different bands and warriors of the Saugeen band. The only Europeans present were Mr. James Ross, M. P. P., who had accompanied me from Toronto, and to whom I am much indebted for the assistance he was at all times ready to afford; Mr. M'Nabb, the Crown land agent, and Mr. Rankin, the land surveyor, and myself. Mr. Jacobs, Indian missionary, acted as interpreter.

I opened the proceedings by stating to them the reasons which had induced your Excellency to recommend the surrender of so large a portion of their territory. The evidence of their own senses was sufficient to bear me out in the truth of my assertions in reference to the avidity with which the neighbouring lands were taken up by whites. They were compelled to admit that squatters were, even then, locating themselves without permission either from themselves or the department upon the reserve. I represented the extreme difficulty, if not impossibility, of preventing such unauthorised intrusion. On the other hand, I explained the advantages which would accrue to them from so large an augmentation of funds as must result from the sale of their lands, by which they would be enabled to erect schools, extend their farms, and purchase many comforts of which they were now deprived. As a further inducement to accede to your Lordship's recommendation, and, also, because I considered, upon many grounds, that it would be a most desirable mode of sale, I promised that the lands, when surveyed, should be sold by auction; that arrangements should be made by which separate titles to farm lots could be granted by the department to the Indians within their own reserves, and having no reference to white men; that the annuities arising from the sale should be paid in money, and not in goods; I finally promised that those chiefs, who were prepared to meet the Government in this measure, so productive of benefit to their bands, should be rewarded by your Excellency with medals. I was met by most decided opposition on the part of Alexander Madwayosh, principal chief of the Saugeen band, whom I have before mentioned, and with whom I maintained an animated discussion, none of the other chiefs taking any part in the proceedings. It was clear, however, that public opinion, more especially with the chiefs of the Owen Sound band, was turning against him, and I therefore passed on to explain to them the limits of the reserves proposed by Government. As soon as the discussion was fairly diverted from the question of the propriety of the surrender to a consideration of the limits of the reserves, I retired for an hour, in order to allow time for a private debate.

It was evident, from what had already occurred, that the fact of this council having been held at Saugeen instead of at Owen Sound, as upon the former occasion, would exercise an important influence upon its proceedings. The Saugeen band maintain that they were first established in this part of the peninsula, and therefore consider that they occupy the most prominent position in the tribe, and are entitled to a larger share in its councils. Feelings of jealousy arising from this cause have invariably manifested themselves when called to a council at Owen Sound, and they consequently opposed a measure, at all times unpalatable,

when

when rendered doubly so by the manner in which it was submitted to them. An additional advantage was derived from the presence of many of the young men and warriors of the Saugeen band, who did not attend at Owen Sound, but whose opinions could now be easily ascertained and allowed to have their due effect.

Upon returning to council I found that the chief, Alexander Madwayosh, had been completely out-voted. Some of the other chiefs now came forward to stipulate for increased limits to their reserves and fresh privileges, in consideration of their readiness to adopt the views of Government. These were discussed *seriatim*; each party finding occasional concessions necessary, until we decided upon the terms of the surrender, as embodied in the document herewith annexed, which I drew out in the presence of the chiefs, and which was afterwards read and explained to them. By 1 o'clock A. M. the signing, sealing, and affixing of totems was concluded, and the council broke up.

13 Oct. 1854, p. 13.

I trust that your Lordship will be satisfied with the extent of the surrender thus obtained. I have appended a sketch map in which the limits have been defined as accurately as was possible without actual survey.

Inserted at p. 14.

The peninsula formed by the northern bank of the Saugeen River, and the shore of Lake Huron, has been ceded for the purpose of being laid out into town lots. The prosperity of this settlement was essentially involved in the extension of the town in this direction, and facilities are thus afforded of forming a harbour by improving the entrance to the river. A block of land at Owen Sound is also ceded for town lots. It is a continuation of the narrow slip surrendered in 1851, and contains far more eligible sites for houses than any which are to be found within the previous limits of the town of Sydenham. There can be little doubt that the immediate vicinity of these large towns to the Indian villages, will render a further surrender necessary, in which they must be included. Upon my suggesting the probability of such an occurrence, the chiefs of both villages expressed their readiness to make this surrender when it was required, and when they are themselves established in farm lots (to be granted in the way before alluded to) in more distant parts of their reserve. The idea, however, of deportation to one of the islands in Georgian Bay, notwithstanding the advantages which must ever result from the consequent concentration, they refused in any degree to entertain.

I may venture, however, here, to express my opinion, that the surrender as it at present stands, will be quite sufficient for some years to come to meet the wants of the European community, and to hope that neither the white man nor the Indian will find in it cause for dissatisfaction.

On the following day I proceeded to Owen Sound, the trail passing for the whole distance (20 miles), either through the reserves or the land recently surrendered. The intelligence that a large portion of the long-coveted Indian reserve was surrendered to the Crown for sale, created some sensation, and as difficulties were likely to arise from the anxiety of squatters to secure a claim, and their ignorance of the manner in which it was proposed that the land should be sold, I immediately issued a notice warning squatters from trespassing, and wrote to the sheriff requesting his assistance in this matter, copies whereof are appended. Believing that it was of the utmost importance that no time should be lost in bringing the most valuable portions of the land into market, I instructed Mr. Rankin to proceed to the survey of the town lots without delay, and also requested him to report upon the whole tract. He was of opinion, in which I fully concurred, that a road should be opened from Owen Sound to the bay of the Fishing Islands, where there is a favourable site for a town.

Mr. Oliphant to Mr. Rankin, 14 Oct. 1854, p. 14.

14 Oct. 1854, p. 15.

Having thus given a detailed account of the proceedings connected with the Indian surrender, I shall take the liberty of offering for your Excellency's consideration, some suggestions as to the conditions which should be attached to those sales, and also as to the mode in which the money arising out of them should be appropriated. So large an accession to its funds may afford an opportunity not to be neglected of effecting a radical change in the system hitherto adopted for the maintenance of the department, by which it may be rendered more independent of external aid than it has been. In order to ascertain the upset price at which the lots should be placed, inspectors should be appointed to appraise their valuation. The advantages of confining the sale to actual settlers were much pressed upon my consideration at Saugeen and Owen's Sound, a large proportion of the community of those settlements being composed of a class which is possessed of more enterprise and experience than capital. Regarding, however, the results which characterise the system now adopted by the Crown Land Department, and the great difficulty which must always attend the enforcement of conditions, compliance with which is supposed to imply actual settlement, it does not seem advisable that the same system should be pursued here. Where private interests are so largely involved, unless it be clearly demonstrable that a different system would be deeply injurious to the prosperity of the country, they have a higher claim upon the consideration of those to whose trust they are confided, than the convenience of a comparatively small portion of the community.

Under these circumstances, it would seem a wiser course that no conditions of actual settlement should be attached to the sale of these lands, but in order to allow persons of limited means to buy, that the purchase-money should be paid by five annual instalments upon the system now adopted in the Crown Land Department. In all cases one-third of the purchase-money to be paid at the time of sale; it being always distinctly understood that the same indulgence which is granted to settlers who hold under the Crown, cannot be accorded to those who are remiss in paying up their instalments to the Indians. It must ever be the duty of the department to enforce the most rigid compliance with stipulations attached to all transactions affecting the property of those whom it protects. As soon, however,

however, as these lands are ready to be brought into the market, an officer must be appointed to sell them, whose duty it will also be to enforce compliance with the conditions of sale. In order that no new charge should be made out of the Imperial grant, the salary of this officer might be paid by commission upon his sales.

It is impossible to estimate with any degree of certainty, the extent of the revenue which must accrue to the Indians who are concerned in this surrender; but the most moderate calculation will furnish so large an addition to the present funds of the department as to lead to the hope that the period may not be very remote, when the views of the Imperial Government with reference to the maintenance of the Indian Department, and which have of late been so much pressed upon the attention of your Excellency, may be carried into effect. I have therefore ventured to submit a general statement of the annual expenditure for the support of the department, as well as of the amount of revenue accruing to the Indians from various sources, with a view of showing the practicability of ultimately relieving the Imperial Government of the burden of contributing towards the superintendence or support of the Indian tribes of the province of Canada. The alterations which I venture to propose, should in no way affect the constitution of the department with respect to the appointment of its officers, or its position relatively to the Provincial Government. They have reference solely to the mode in which the funds under the control of the department should be applied. It is only in accordance with equity and common usage, that where an agency is employed for the management of large pecuniary interests, its officers should be paid out of the funds which they administer, while the fact that these tribes are still in a semi-barbarous condition, does not relieve them from what may be termed the natural obligation of bearing the pecuniary burdens incidental to the process of self-civilization. At the same time it is to be remarked that these changes, however desirable and reasonable they may appear, must necessarily be altogether prospective in their character.

I have roughly estimated the extent of funds which may be anticipated to arise out of the sale of the Saugeen surrender, but at least five years must elapse before the total sum can be placed to the credit of the Indians. It may extend over a longer period, and must, at all events, be subject to many changes before it can be considered available for the purpose to which I have designed it. The fact of this fund having rendered the proposed financial changes feasible, would necessarily imply the postponement of the alterations, until it had accrued in its entirety; but there are other grounds upon which the immediate adoption of any scheme with this object in view would be inexpedient.

The withdrawal of presents to the value of 10,000*l.* annually, although it is extended over a period of four years, is nevertheless so serious and unexpected a reduction of their yearly allowances as to render any imposition of fresh pecuniary burdens undesirable. It has always been the distinct impression of the Indians that their presents were guaranteed to them in perpetuity, and their feelings of disappointment upon this subject have frequently manifested themselves.

It is, moreover, worthy of observation, that the Indians upon whom the burden of maintaining the department would entirely fall, are those who have most suddenly been deprived of their presents. It is true that the extreme poverty of the Indians of Lower Canada, and those resident on the Manitoulin Island have procured for them this indulgence. Upon the same ground they now seem entitled to exemption from those liabilities which abundant means involve upon their more fortunate neighbours.

The Indians of Lower Canada are composed of the following tribes; viz.

The Hurons at La Jeune Lorette.
The Amalicites, Micmacs and Abenequais, at Isle Verte and posts on the St. Lawrence.
The Abenequois of Becaucour.
The Algenquins, near Three Rivers.
The Tête de Boule, at Wamantaslingue, River St. Maurice.
The Iroquois, at Caughnawaga.
The Iroquois, at St. Regis.
Algenquins of the River Desert in the Ottawa.
Abenequois of St. Francis.
Nipissings of Lake of Two Mountains.
Algenquins of Lake of Two Mountains.
Iroquois of Lake of Two Mountains.

On account of the almost utter destitution of some of these tribes, the whole race has been placed in some respects upon a different footing from the tribes of Upper Canada. The Provincial Parliament endows three schools at 50*l.* each, and makes them an annual grant of 1,000*l.* currency. A great portion of this sum is applied to relieving destitution; but about 1,500*l.* consisting of former balances is invested for the benefit of the Indians, and there is a balance of about 500*l.* on hand; 230,000 acres have been recently reserved to them for cultivation or future surrender; besides which the St. Regis Indians own about 17,000 acres of land.

The principal portion of the pecuniary charge which has heretofore fallen upon the Imperial Government, has been created by the costs of the presents which have been granted to the Indians throughout the entire province. These, however, will very shortly be discontinued, and do not therefore now fall to be considered.

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The following is a statement of the expenditure of the department for Lower Canada, upon other charges, for the year ending 31st March 1854.

	£.	s.	d.
Contingencies - - - - - - - - -	194	18	6
Salaries - - - - - - - - -	884	14	–
Pensions - - - - - - - - -	151	8	4
Pensions to Wounded Indians - - - - -	36	16	4
Sterling - - - £.	1,267	17	2
Currency - - - £.	1,543	–	4

I would suggest to your Lordship the following reductions of this amount. The salary of the local superintendent, now fixed at 350 *l.* a year, might suffer a decrease proportionate to the diminution of his labours. When the distribution of presents ceases, the duties of this functionary will be very light. There are no annuities to be paid, as in Upper Canada, entailing long and arduous journeys, the expenses of which are, in every case, borne by the superintendents. The land sales are not nearly so valuable or numerous as in the upper portion of the Province, while the greater portion of the tribes have no settled habitation, and never see the superintendent. A trifling correspondence would indeed be his only occupation. Considering, therefore, the diminished responsibility and labour resulting from these causes, it would seem that 200 *l.* a year would be an amply sufficient salary upon which to place the successor of the present incumbent.

The only other reduction which it humbly appears to me might advantageously be effected applies with equal force to the tribes of Upper as of Lower Canada. I will, therefore, take this opportunity of suggesting that the office of interpreter be altogether abolished. At present there is no interpreter to the Lower Canada Indians. The gentleman who recently officiated in that capacity, and who is since dead, could only speak the Iroquois language, which is not spoken by the majority of the tribes for whose benefit he is paid; nor would it be possible to find a person competent to converse in all the different dialects used by them. Each tribe, therefore, visiting the local superintendent is now obliged to bring their own interpreter. It is true that the Indians resident at the large Iroquois village of Caughnawaga demand a larger share of the superintendent's attention than any other band. For which reason, a principal qualification to be looked for in the selection of that officer, should be acquaintance with the Iroquois or French languages, this latter being familiar to the majority of the tribe. The duties of clerk have also been hitherto made to devolve upon the interpreter, but I do not think the correspondence of any local superintendent, certainly not of the gentleman in Lower Canada, sufficient to warrant his retention upon this ground.

In Upper Canada there are always a sufficiently large number of well-educated men in every band, qualified to act as interpreter, while, as the dialects do not differ here as in the Lower Province, the local superintendent should be sufficiently conversant with the language to be able to communicate directly with the tribes under his charge.

The present juncture is peculiarly favourable to the adoption of this measure, as two vacancies are now waiting to be filled up. In the case of the third superintendent, whose interpreter is an intelligent young Indian, I would suggest that he be allowed to retain his present appointment so long as his superior, Captain Anderson, who is a most excellent and zealous officer, continues to act, as the advancing years of this gentleman require assistance during the short period he may still remain in the department.

It will appear that when these reductions have been effected in Lower Canada, the annual expenditure on account of the tribes resident there, will amount to about 1,000 *l.* a year; to this is to be added a fluctuating sum to be appropriated to charitable purposes. If the amount at present granted with this object, annually, by the Provincial Government, were devoted instead to meeting the annual expenditure of the department for Lower Canada, it is apparent that it would exactly suffice for the purpose; and I, therefore, venture to express my opinion in the first instance, of the desirability of such a change; but the necessity of course arises of obtaining from some other source, a sum adequate to the relief of the wants of the poorer Indians. The balance of 2,000 *l.* already mentioned, is peculiarly fitted to meet this demand, since it is one for which it was originally intended. But as at the end of three, or at most four years, it would be exhausted, some means should, as speedily as possible, be adopted in anticipation of these changes, of creating a permanent fund, to be dedicated to the same object. Such a fund could most readily be supplied from the sale of some portion of the recently laid out Indian reserves of 230,000 acres. This, as it has been designed to enrich the tribes of Lower Canada generally, might very fairly be, to some extent, appropriated to meet the wants of the poorest bands; more particularly since the Indians of St. Regis, who even now pay their own agent, have lands of their own, together with considerable funds; while the Iroquois of Caughnawaga are engaged in various branches of trade and agriculture, and are quite independent in their circumstances.* By these means the Imperial Government would be relieved of all further charge on the score of the superintendence or support of the Indian tribes of Lower Canada.

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* The St. Regis Indians have 6,500 *l.* investments, yielding 390 *l.* annual interest, and the Iroquois of Caughnawaga have 260 *l.* investments, yielding 15 *l.* 12 *s.* annual interest. These tribes have no annuity.

The only other Indians in the province who, as I before mentioned, are unable from poverty to contribute towards their own support, are those now resident on the Manitoulin Islands. The Indian settlements on these islands having originally been established by Sir Francis B. Head as an experiment, must still continue a burden upon the Imperial Government. These islands, however, in a mercantile point of view, derive an increasing importance as being situated upon the great route along which the extensive traffic must pass, which is springing into rapid existence, as the mineral resources of Lake Superior become each year more developed. An opportunity will thus be afforded to the more enterprising of the inhabitants to augment their means, by putting into practice those habits of industry, which it has been the object of the institution to inculcate and promote.

The following is the present annual expenditure:

	Sterling.
Superintendent (250 *l.* currency)	£. 205 9 8
Clergymen	200 – –
Surgeon	150 – –
Schoolmaster at Manitowawny	75 – –
Schoolmaster at the Roman-catholic settlement	50 – –
Medicine and stationery	50 – –
Sterling	£. 730 9 8
Currency	£. 888 15 1

This expense, however, would be much diminished, if the New England Society could be induced to transfer their operations from the Six Nations, who, as will hereafter appear, are fully able to support their own schools, to Manitoulin.

Besides the Indians resident on the Manitoulin, the Ojibeways of Lakes Huron and Superior are also under the superintendence of the department. They receive at present 1,100 *l.* perpetual annuity from the Provincial Government, which is guaranteed to them without reduction. Their quota, however, to the general sustenance fund of the Upper Canada tribes would be so very small, that it would not be advisable to trench upon it. Some of their lands may turn out to be valuable from their mineral resources, and a percentage might be taken off them as they were sold. I have not, however, included these tribes among those whom I conceive liable to contribute towards the support of the department. I have the honour to append a Schedule, containing the names of these tribes, their population, annuities, commutation money, investments, annual interest, the amount at present expended by them, and the sums proportionably to be contributed by each tribe, should the proposed scheme come into operation.

(A.) p. 15.

In addition to the total amount of funded property which appears to the credit of these Indians, they have numerous, extensive, and valuable tracts of wild land still unsurrendered, of which it is difficult to obtain any definite estimate. Some of the tribes have also considerable amounts due upon instalments, which have not yet been paid up, for land; among these may be more particularly mentioned the Six Nation Indians and the Chippewas of St. Clair, who have to receive about 7,000 *l.* on this account.

Besides the funded and landed property thus appertaining to the particular tribes, there is another source of revenue, which, though not very large, is common to them all, and which may therefore, with the greatest propriety, be taken as the basis upon which to build the permanent establishment; it is called the "General Fund," and is composed of the following sums:

£. 6,700 – –	invested at 6 per cent.
700 – –	„ 5 per cent.
943 14 1	in hand.

The general fund arises out of the interest on the floating capital in the hands of the Receiver-general, uninvested, on account of land sold for the benefit of the sundry tribes of Upper Canada, not including Manitoulin. As long as the Indians of Upper Canada are possessed of lands, and continue to sell them, this sum must exist, and increase in proportion to the annual land sales. It has hitherto been applied in part payment of the salary of the accountant, and to contingencies affecting the department generally; and upon an increase being recently made to the salaries of the accountant, the chief clerk, and the accountant for Indian affairs in the Receiver-general's office, the necessary addition was drawn from this source. The fluctuating incomes of the various tribes surely render this fund most appropriate for the purpose to which I have designed it; since, while it is permanent in its character, it is the common property of all.

The following is a statement of the expenditure, not including the charge for presents on account of the Indian tribes of Upper Canada, for the year ending 31st March 1854.

	£.	s.	d.
Contingencies	347	4	9
Salaries	1,612	4	11
Pensions	138	1	–
Pensions to wounded Indians	15	3	4
Sterling	£. 2,112	14	–
Currency	£. 2,570	9	1

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By the annexed Schedule it appears that the total amount of annuities which these tribes receive is 6,654 *l.* 10 *s.*, and of annual interest 8,884 *l.* 1 *s.* 9 *d.*; making their entire annual income 15,538 *l.* 11 *s.* 9 *d.* From this is to be deducted the sum annually expended by them, for the support of missions, schools, salaries, &c.; viz. 3,744 *l.* 12 *s.*, leaving a net annual income of 11,793 *l.* 19 *s.* 9 *d.*, but to this again is to be added the sum which will accrue to the Saugeen and Owen Sound Indians, from the sale of the recently surrendered territory, which may be roughly estimated at 100,000 *l.* This is rating the land at a dollar an acre; there can be little doubt, however, that it will fetch considerably more than this; this will give an annual interest of 6,000 *l.* It is out of this large income, which may be stated in round numbers, and at the lowest estimate, to exceed 17,000 *l.*, that I respectfully submit that the tribes of Upper Canada should be called upon to defray, proportionably to their incomes, those expenses which are at present charged against the Imperial Government, and which are incidental to the support of the department that watches over their interests. To the expenditure on account of Upper Canada is, however, to be added the amount required for the support of the head quarters of the department, and which will consist of the following sums, if the contemplated increase of 25 per cent. upon the present salaries of Mr. Chesley and Mr. Turner be granted.

	£.	*s.*	*d.*
The accountant, Mr. Chesley	450	–	–
Chief clerk, Mr. Turner	250	–	–
Accountant of Indian Monies, Receiver-general's department, Mr. Anderson	50	–	–
Stationery	100	–	–
Printing and contingencies	50	–	–
Currency	£.900	–	–

The duties of Mr. Chesley are rather those of assistant to the Superintendent-general, and will be much increased by the recent land surrender. From the annexed Schedule, marked (A.), it will appear that the contributions necessary to meet these charges may, in round numbers, be divided into three equal shares, to be apportioned thus: (A.) p. 15.

	£.	*s.*	*d.*
Saugeen and Owen Sound	1,100	–	–
Six Nations	1,100	–	–
Nine remaining tribes	1,100	–	–

Before closing this report, I would take the liberty of bringing to the notice of your Excellency certain alterations, which, during the period of my tenure of office as Superintendent-general of Indian affairs, have been suggested to me as improvements upon some of the details of the system at present under operation in the department.

The large pecuniary losses to which the Indians have been subjected on account of the dishonest practices of some of the officers of the department, is mainly attributable to the system employed for the reception of money in land sales.

The course now adopted among the Six Nations, with reference to these sales, has been attended with the most beneficial results. All sums due to the Indian Department are paid by the purchaser into some chartered bank, to the credit of the Receiver-general for Indian account. Duplicate receipts are given by the bank, one of which the superintendent retains, and the other he sends to the Receiver-general, notifying in his monthly returns to the department each separate transaction. These last returns are compared by the accountant at head-quarters with the accounts of monies transmitted to the Receiver-general. By these means large sums would no longer be concentrated in the hands of local superintendents, who are thus exposed to more than ordinary temptation, because there is no adequate check furnished by which peculation can be discovered, until it has become so extensive as to involve losses of the most serious character.

With reference to other changes which seemed expedient, as they nearly affected the Indians themselves, I proposed certain written questions for the purpose of ascertaining their feelings with regard to them. From the tenor of these, I have been led to the conclusion that they concurred in most of the more important alterations I now venture to suggest. The payment of annuities or interest-money in goods, upon requisition, instead of by money, is almost universally unpopular. It has, in many instances, been discontinued, and there can be no good reason why it should not altogether cease. The increased civilization of the Indians and their constant intercourse with whites, have familiarized them with the use of money which they have many ways of obtaining. Could they, however, calculate upon fixed payments at stated periods, they would be enabled to purchase their own implements of husbandry, farm-stock, &c., instead of making those requisitions for them, which are at present a fruitful source of inconvenience and even of roguery. By means of these requisitions, dishonest chiefs are enabled to defraud the tribe to a very large extent; it being impossible to discover whether the articles required are really appropriated in the manner specified. The consequence is that complaints against their chiefs are constantly arising, and a feeling of distrust is thus engendered among the members of the tribe, as well of those who purchase, as of those who distribute the articles. Again, it often happens that the article purchased does not give satisfaction, or some delay arises which destroys its value. It has more than once been the case that seeds have been distributed too late in the year for sowing. Indeed, perhaps the most serious objection to these requi-

sitions is to be found in the injurious effects which in this and in other ways they exercise upon the industrious habits of a tribe. All the articles thus purchased are common property, and the use of them is only allowed to individuals for limited periods. Everybody is, therefore, utterly indifferent to their preservation, nor is it to be expected that persons will be willing to enter upon agricultural operations with the possibility of never having the use of the most necessary appliances at all, or at best only for a short period. When the tribe is large and poor, but very few can thus benefit, and a most injurious patronage is vested with the chiefs, who confine the distribution to their immediate favourites.

Instead, therefore, of paying the Indians at indefinite periods by requisition, I would suggest that half-yearly cash payments should be made to them. The first charge upon their annual supplies, however, should be the public expense of the community. These should be distributed under the control of the department, due importance being given to the recommendations of councils through the local superintendents. The remainder of the money should be apportioned equally among the heads of families in the tribe.

It would seem that the repeal of the law protecting Indians from liability to debt must follow inevitably upon the discontinuance of requisitions. Hitherto it has been urged in favour of this law, that it was necessary, in order to avoid the injustice that would be done to a whole tribe in cases where a creditor distrained upon some improvident member of it, for those articles of common property which were in his possession at the time of the execution. This would no longer be the case under the system of cash payments, but as it would be altogether out of the question that the department should then be accountable for the private debts of individuals, the law protecting them in such cases must be abolished.

The only objection that can be urged against such a mode of procedure, which is, that the apathetic and improvident habits of the Indians render the present system necessary for their protection, does not seem entitled to very much weight. It is no doubt true, that the anomalous footing upon which they have been placed with reference to the white community, had its origin in a laudable desire to protect them from the consequences of their national characteristic weaknesses, accompanied as they were by ignorance and barbarism. But the time seems to have arrived when the machinery, so elaborately devised with this object, may be modified in some of those details which are unpopular with the Indians, involve serious injustice to the whites, are a source of much inconvenience to the department, and very imperfectly answer the purpose for which they were designed.

If the civilising process to which the Indians have been subjected for so many years has been accompanied with success, they have surely by this time arrived at a sufficient enlightened condition to be emancipated from that state of pupilage in which they have been maintained: if, on the other hand, that process has been inadequate to achieve the desired end, it has been long enough in unsuccessful operation to warrant the adoption of some other method of procuring this result. The original intention never can have been to retain this people in a state of permanent minority, and always to regard them as unfit to assume those responsibilities which must, sooner or later, devolve upon every member of a civilised community.

The more intelligent and educated Indians, of which there are a great number, are extremely anxious that the experiment should now be tried of allowing them the control of their own private funds, and express themselves ready and willing to assume the consequent liabilities. This desire seems most natural, and I trust that if it be complied with in the manner proposed, individual enterprise and industry will be developed to an extent which will justify so important an alteration in the administration of Indian affairs.

In order, however, more thoroughly to develop the system by which such favourable results may be anticipated, it seems indispensable that the same privileges of responsible ownership which are granted with regard to moveables should also be extended to land, subject, however, to certain modifications. The liabilities which attach to the possession of landed property are so different in their character, so much more complicated and onerous than those which attach to moveables, that it by no means follows that a people which is sufficiently enlightened and civilized to assume the one is also in a condition to undertake the other. On the contrary, I do not think that the Indians are far enough advanced to become actual freeholders. Their own desire upon the subject, frequently expressed to me, has been that they should be allowed allotments of the reserve, to be settled upon themselves and their children, not by a deed in which the Crown should relinquish the fee, but that by an arrangement of the tribe they should be guaranteed from intrusion, and at the same time, prevented from alienating to other members, except at the recommendation of the local superintendent, where such a conveyance would be manifestly for the benefit of both parties. Any disputes or difficulties arising out of the ownership of their lots upon these terms, should be settled by the chiefs in council, who might at the same time be empowered to increase the size of the lots out of the common lands as an encouragement to those whose extended cultivation rendered such an addition necessary. Under no circumstances should any negociation be entered into with whites, and, indeed, under the proposed titles any transactions with them affecting land would be of no effect.

While thus endeavouring to establish an identity between each member of a tribe and a certain class of interests which are of his own creation, and which depend upon his individual efforts for their existence, it is not to be forgotten that these efforts can only be rendered really effective by a well defined system of education.

The two industrial schools which have been established by your Excellency have already been sufficiently long in operation to prove the success of the experiment, and to justify the outlay of a larger share of those funds which are in the hands of the department for educa-

cational

cational purposes. These schools are mainly supported by voluntary contributions from the tribes, each of which devote one-fourth of their annuity to this object, with the exception of the Mohawks of the Bay of Quinté, whose village schools are in a very flourishing condition; and the Wyandotts, who receive no annuity, and whose poverty deprives them of the privilege of participating in the benefit of the industrial school; and the Six Nations, who are now relieved from this charge by the exertion of the New England Society, who supply entirely their requirements in this respect. As, however, of all the Indian tribes in the province, the Six Nations are best able to support their own schools, and as their quota would be equal to the present contribution of all the remaining tribes, the project I have already mentioned of inducing the New England Society to remove to Manitoulin would, if carried out, be attended with the most beneficial results to all the tribes in Upper Canada, since it would have the effect of nearly doubling the industrial school fund. The distance at which some of the tribes are situated from these schools, and the expense consequent upon the journeys of the children to and from them, combined with the natural indolence of the Indian character, has the effect of excluding them altogether from the school. Even those in the immediate neighbourhood who may be supposed to appreciate the advantages of this system of education, since they are willing to contribute so largely to its support, have not energy to insist upon their children taking the benefit of it. It would, therefore, be highly desirable, if possible, that the department should exercise some authority in enforcing the attendance of children. In what manner and to what extent this authority could with propriety be exercised, must ever be a matter for your Excellency's discretion. There are many measures of undoubted benefit to the tribes to which they have such strong objections as to render any opposition to their wishes questionable; as, for instance, the concentration of all the tribes into two or three large communities, or the surrender to the Crown for sale of their reserves, although I think that circumstances might even here arise rendering an interposition of authority an imperative duty. The control which, in its capacity of guardian or protector, the department exercises over the affairs of the Indians, ought certainly to be proportionate to the amount of responsibility which devolves upon it, and surely this control could most legitimately be extended over those interests which affect their moral and intellectual culture.

It seems of the utmost importance, as conducive to the success of the industrial schools, that the children should be sent at a very early age, and kept at them for several years, in order by exciting their emulation, to rouse them from an apathy which seems almost constitutional, and by a salutary system of discipline, train them to steady habits of thought and action. The management of these schools is a matter of so much importance, and at the same time of so great difficulty, that I would venture to recommend that a competent person be sent to examine and report upon them, with a view of ascertaining any further alterations or improvements which the development of the experiments up to this period may have suggested. As the village schools also exercise an important influence upon the well-being of each tribe, it would be desirable that an investigation should at the same time be made into their present condition and requirements. By subjecting every youthful member of a tribe to an educational course, at one or other of these schools, the more intelligent and industrious will soon arrive at a sufficiently advanced state to warrant their emancipation from their present dependent condition. Many are desirous, even now, of sharing the privileges and responsibilities which would attend their incorporation with the great mass of the community, and were increased facilities afforded of raising themselves to the intellectual level of the whites by whom they are surrounded, there is every reason to believe that they would frequently take advantage of them. The prospect of one day sharing upon equal terms in those rights and liberties which the white community now enjoy, would operate as the highest stimulant to exertion which could be held out to young Indians. In order, however, to the acquisition of these privileges, the production of certain testimonials and a favourable report, either from the local superintendent or a person appointed for the purpose should be required, when the successful applicant would be entitled to a sum in commutation of his annuity, with which to commence his career as an independent member of society.

In conclusion, I venture to indulge the hope that the views imperfectly embodied in this report may meet with your Lordship's approbation, as tending in the first instance to relieve the Imperial Government of the burden of maintaining an expensive department for the administration of Indian affairs in this province, and by affording increased agencies for the civilization of the respective tribes, ultimately to procure its extinction.

I have, &c.
(signed) *L. Oliphant*,
Superintendent-General of Indian Affairs.

His Excellency
The Right Honourable the Earl of Elgin and Kincardine, K.T.,
Governor-General, &c. &c. &c.

Sub-enclosure 1, to Enclosure in No. 1.

Sir, Indian Office, Cobourg, 16 August 1854.

I HAVE the honour to report to you that before entering upon the subject of the Indians ceding the Saugeen Reserve to the Crown for sale for their benefit, I had prepared the

enclosed map, the more readily to explain to them the reserves which I thought it would be advisable for them to make (shaded in red and blue), the blue being for the manual labour school.

The Saugeen band having arrived, I opened the council, and brought the subject before them on the 1st instant.

They at first declared they would not sell an inch, but having pointed out to them the folly of their retaining so large a tract of land, from which they were deriving no advantage, the possibility of the whites taking possession of it, without their deriving half the profit they would from the Government, and in which arguments I was supported by the Rev. Mr. Cribs (a Congregational Minister from Colpoy's Bay) Mr. Surveyor Rankin, Chief Peter Jones, Regedonee and Mr. Charles Keeshick, and opposed by the chiefs and their band from Saugeen, and Chief John Thomas Wahbatick Nawash and their adherents at Owen Sound; at length, however, they began to waver, and requested leave to consult amongst themselves for an hour, and on their return to the council they agreed to cede all except those parts marked on the map in pencil "Limits proposed by the Indians." Having thus far succeeded, and knowing from what had already occurred at the council, that further argument would be of no avail, I told them that I did not believe their great father would permit them to make an arrangement of this kind, by which they would prevent the sale of the most valuable part of their reserve, at a time too when it would command a large price, and thus deprive themselves and their children of the benefit to be gained from it.

The reserves which I have proposed contain in the aggregate about 34,600 acres, which is more than they will cultivate for two or three lives, and in my opinion it would be quite opposed to their interest were the Government to accede to their unwise conclusion, for in two days council they did not advance one good argument why the reserve should not be sold beyond, "We dont want to sell our land," "We want to keep it for our children," "We expect Indians to come here to settle," &c., &c., acknowledging at the same time their inability to manage their concerns.

At Colpoy's Bay, where the proposed reserve contains 6,000 acres, the missionary assures me the whole band put together have not 30 acres under cultivation, and at Saugeen and Owen Sound where each reserve is intended to contain 12,000 acres, neither band have 50 acres under crop; under these circumstances, and acting for the good of the Indians, I would beg leave to suggest that the Government, as their guardian, assume the absolute control of their affairs, as parents over their children, and insist upon their doing that which may wisely be determined upon for their good.

Therefore, with reference to the Saugeen tract, as there is no doubt but what the reserves, marked on the map in red and blue, are amply sufficient for them, I do think that a surveyor should immediately be sent to lay out the remainder into farm and town lots, as may seem most advisable, so that the property be brought into market without delay, and the interest, or such portion of it as may be necessary, applied for their advancement in the arts of civilized life. This is also the view taken of their matters by all who really feel an interest in their well-being; but those traders and others immediately surrounding them, express a contrary opinion, because it is their interest to keep the natives in ignorance, in order the more easily to impose upon them, and enrich themselves.

With reference to the Government assuming a control over this reserve, it may be argued, that the Indians hold a deed or patent for this property, but even should such deed in any way be valid, the guardian surely has the same authority over it as over other matters in which their interest is so deeply involved. I, therefore, do hope that a surveyor may be immediately set to work to survey and ascertain the value, not only of the main land, but of the islands also, so far as they are included in that deed.

I have, &c.

(signed) *T. G. Anderson*, S. I. A.

L. Oliphant, Esq.,
Superintendent-general, Indian Affairs,
&c. &c. &c.

Sub-enclosure 2, to Enclosure in No. 1.

ADDRESS to the *Owen's Sound* and *Saugeen Indians* at the Close of a Council at *Owen Sound*, 2 August 1854.

My Friends,

AFTER talking all day yesterday and nearly all last night, on the subject of your reserve, you have concluded not to cede your land to the Government to be sold for your benefit. Now, if you did not understand the matter, or that you did not expect to derive a benefit from the proposal, your obstinacy would not be wondered at; but as the speeches, both from the whites and those Indians who are in favour of the project, have brought the matter so clearly to your comprehension, every one must believe that you are resolved to oppose the Government, even at a great sacrifice to yourselves and children, or that you are influenced by persons who pretend to be your friends, while, in fact, they seek your ruin.

You complain that the whites not only cut and take your timber from your lands, but that they are commencing to settle upon it, and you cannot prevent them, and I certainly do not think the Government will take the trouble to help you while you remain thus opposed to your own interest. The Government, as your guardian, have the power to act as it pleases with your reserve,

reserve, and I will recommend that the whole, excepting the parts marked on the map in red and blue, be surveyed and sold for the good of yourselves and children.

The money once secured in your Great Mother's strong box will be safe to you for future generations; whereas, if it is not sold, the trees and land will be taken from you by your white neighbours, and your children will be then left without resource.

(signed) *T. G. Anderson*, S. I. A.

Sub-enclosure 3, to Enclosure in No. 1.

Sir, 2 August 1854.

By a rough estimate there appears to be in the whole of the Indian tract to the north of Derby and Arran, about 450,000 acres.

Of this 450,000 acres, about 190,000 lies to the south of a line from the middle of the group of Fishing Islands to Colpoy's Bay, and about 260,000 to the north of that line, terminating at Cabot's Head and Cape Hind; this latter part probably contains but little that can be cultivated, being believed to be very rocky.

Of the 190,000 acres 130,000 is included within the two parcels desired to be retained by the Indians, including all the coast, both of Georgian Bay and Lake Huron, as far north as Colpoy's Bay and the Fishing Islands, leaving about 60,000 acres south of these two mentioned points, while they are willing to part with this 60,000 acres being included, and in a wedge-like shape.

Should they persist in objecting to sell any other portion of the 190,000 acres than this inland wedge-like piece, it is obvious that the principal advantage aimed at, both for themselves and the whites, will in a great measure fail, since the portions they thus propose to retain (although with no idea of using them), are the parts most desired by the whites for the formation of settlements, and for which, consequently, they would be most willing to pay large prices.

Such particularly are the parts including the mill site on the Au Sable River, the coast opposite the Fishing Islands, where a town may be laid out to advantage.

These are the parts which the sale of them being managed for the Indians as white men would manage them for himself, would produce them a very large sum and very speedily. The part they offer to surrender will neither sell so readily nor realize anything like as large a price; and in the mean time, as long as they retain the other more desirable parts, there is no doubt they will constantly be assailed as they have hitherto been by companies of speculators desirous of purchasing from them, &c., and to one or two of whom they have already shown a disposition to yield, although it is evident it would be greatly to their disadvantage to do so.

I hope, therefore both for the Indian's sake, and to allow the white settlements a chance to extend, you will recommend the more limited reservations.

I am, &c.

Captain Anderson, S.I.A. (signed) *C. Rankin.*

Sub-enclosure 4, to Enclosure, in No. 1.

Surrender of the *Saugeen* Peninsula.

We the chiefs, sachems and principal men of the Indian tribes, resident at Saugeen, Owen Sound, confiding in the wisdom and protecting care of our Great Mother across the big lake, and believing that our good father, his Excellency the Earl of Elgin and Kincardine, Governor-general of Canada is anxiously desirous to promote those interests which will most largely conduce to the welfare of his Red children, have now being in full council assembled in presence of the Superintendent-general of Indian affairs, and of the young men of both tribes, agreed that it will be highly desirable for us to make a full surrender unto the Crown of that peninsula known as the Saugeen and Owen Sound Indian Reserve, subject to certain restrictions and reservations to be hereinafter set forth. We have therefore set our marks to this document after having heard the same read to us, and do hereby surrender the whole of the above-named tract of country, bounded on the south by a straight line drawn from the Indian village of Saugeen to the Indian village of Nawash in continuation of the northern limit of the narrow strip recently surrendered by us to the Crown, and bounded on the north, east and west by Georgian Bay and Lake Huron, with the following reservations; to wit,

1st. For the benefit of the Saugeen Indians we reserve all that block of land bounded on the west by a straight line running due north from the River Saugeen at the spot where it is entered by a ravine immediately to the west of the village, and over which a bridge has recently been constructed to the shore of Lake Huron; on the south by the aforesaid northern limit of the lately surrendered strip; on the east by a line drawn from a spot upon the coast at a distance of about (9½) nine miles and a half from the western boundary

aforesaid and running parallel thereto, until it touches the afore-mentioned northern limit of the recently surrendered strip; and we wish it to be clearly understood that we wish the peninsula at the mouth of the Saugeen River to the west of the western boundary aforesaid to be laid out in town and park lots, and sold for our benefit without delay; and we also wish it to be understood that our surrender includes that parcel of land which is in continuation of the strip recently surrendered to the Saugeen River. We do also reserve to ourselves that tract of land called Chief's Point, bounded on the east by a line drawn from a spot half a mile up the Sable River, and continued in a northerly direction to the bay, and upon all other sides by the lake.

2d. We reserve for the benefit of the Owen Sound Indians all that tract bounded on the south by the northern limit of the continuation of the strip recently surrendered, on the north-west by a line drawn from the north-easterly angle of the aforesaid strip (as it was surrendered in 1851 in a north-easterly direction); on the south-east by the Sound extending to the southern limit of the Caughnawaga settlement, on the north by a line two miles in length, and forming the said southern limit; and we also reserve to ourselves all that tract of land called Cape Crocker, bounded on three sides by Georgian Bay, on the south-west side by a line drawn from the bottom of Nochemowenaing Bay to the mouth of Sucker River; and we include in the aforesaid surrender the parcel of land contained in the continuation to Owen's Sound, of the recently surrendered strip aforesaid.

3d. We do reserve for the benefit of the Colpoy's Bay Indians in the presence, and with the concurrence of John Beattie who represents the tribe at this council, a block of land containing 6,000 acres, and including their village, and bounded on the north by Colpoy's Bay.

All which reserves we hereby retain to ourselves and our children in perpetuity; and it is agreed that the interest of the principal sum arising out of the sale of our lands be regularly paid to them so long as there are Indians left to represent our tribe, without diminution, at half yearly periods.

And we hereby request the sanction of our great father, the Governor-General to this surrender which we consider highly conducive to our general interests.

Done in council at Saugeen this 13th day of October 1854.

It is understood that no islands are included in this surrender.

(signed and sealed)

John (symbol) *Kaduhgekwun*	(seal.)
Alexander (symbol) *Madwayosh*	„
John (symbol) *Manedrowab*	„
John Thomas (symbol) *Wahbudick*	„
Peter (symbol) *Jones.*	„
David Sawyer.	„
John H. Beaty.	„
Thomas (symbol) *Pabahmorh*	„
John (symbol) *Madwashermint*	„
John (symbol) *Johnston.*	„
John Aunjegahbowh	„
James Newash	„
Thomas (symbol) *Wahbuhdick*	„
Charles Keeshick	„

(signed) *L. Oliphant*, Superintendent-general, Indian Affairs.
Peter Jacobs, Missionary.

Witnesses.

(signed) *Jas. Ross*, M.P.P.
C. Rankin, P.L.S.
A. M'Nabb, Crown Land Agent.

Sub-enclosure 5, to Enclosure in No. 1.

Sir, Owen Sound, C. W., 14 October 1854.

I HAVE to inform you that the tract of land, known by the name of the Saugeen Peninsula, has been surrendered to the Crown by the Indians, with the exception of certain reserves, which I have to request that you will mark off on the ground according to the terms of the surrender, as explained by a sketch of the peninsula, which will be furnished to you. I have also to request that, after you have examined the whole tract, you will report to me your opinion of the best method of dividing it into lots, with a view to making it most largely productive to the Indians.

In conclusion, as there is a great probability of squatters trespassing upon the surrender before it is offered for sale, you are requested particularly to use every means in your power to prevent such intrusion, and in all cases, in which it shall come to your notice, to give information thereof to the sheriff, and call upon him summarily to eject all persons thus trespassing.

(Enclosed in Lord Elgin's Despatch, N° 66, 18th Decr 1854, to Secretary of State)

(To face page 14.)



J. Arrowsmith, Lithe

N° 247. Ordered, by the House of Commons, to be Printed, 2 June 1856.

Henry Hansard, Printer

NOTICE.

Surrender of the Indian Reserves on the Peninsula of *Saugeen*.

Notice is hereby given, that no squatters will be allowed upon the land recently surrendered to the Crown by the Indians. All persons found trespassing or cutting timber will be prosecuted and punished. The above-mentioned lands will be surveyed, divided into lots, and put up to public auction without delay; and any improvements made by squatters prior to that period will not be recognised by the department as affording any claim for compensation.

I have, &c.

C. Rankin, Esq. (signed) *L. Oliphant*, Superintendent-general.

Sub-enclosure 6, to Enclosure in No. 1.

Sir, 14 October 1854.

I HAVE to inform you that, with the exception of certain small reserves, the whole of the Saugeen and Owen Sound Peninsula has been surrendered to the Crown by the Indians. As these lands will be divided into lots and sold by public auction, and it is most desirable that no squatters be allowed to trespass upon them prior to the sale, as the department will not recognise any claim on account of improvements effected by them, I am, therefore, directed by his Excellency the Governor-General to request your assistance in summarily ejecting any persons who may, in defiance of the notices already issued, intrude upon the property of the Crown.

I have, &c.

Mr. Sheriff Schneider, County of Grey. (signed) *L. Oliphant*, Superintendent-general.

Sub-enclosure 7, to Enclosure in No. 1.

UPPER CANADA.

(A.)

TRIBE.	Population.	Annuity.	Commutation Money, 1854.	Investments.	Annual Interest.	Salaries and School Subscription.	Amount proposed to be Contributed by each Tribe.
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Six Nations	2,406	none	886 12 5	88,610 – –*	7,138 16 2	1,085 – –	1,150 9 –
Mississagas of Credit	202	522 10 –	102 9 11	5,850 – –	351 – –	230 12 6	140 13 –
Chippewas of St. Clair and Walpole Island.	1,291	1,100 – –	628 5 8	2,900 – –	174 – –	407 10 3	205 6 –
Chippewas of Thames	595	600 – –	299 10 9	2,700 – –	160 10 –	212 10 –	122 6 –
Moravians of the Thames	154	150 – –	77 10 7	none	none	75 – –	24 2 –
Wyandotts of Anderdon	126	none	65 13 –	3,223 6 8	192 16 –	50 – –	31 2 –
Mohawks Bay of Quinté	374	450 – –	178 4 10	7,973 6 8	456 9 7	129 12 –	146 – –
Saugeen and Owen's Sound	343	1,250 – –	170 13 9	500 – –	6,030 – –†	547 10 –	1,173 3 –
Chippewas Lakes Huron and Simcoe.	383	1,200 – –	186 1 2	2,850 – –	167 – –	532 5 –	220 5 –
Mississagas of Alnwick	142	642 – –	71 19 5	3,655 – –	213 10 –	227 2 6	137 18 –
Ditto, Rice and Mud Lakes.	210	740 – –	108 – 2	none	none	247 10 –	119 5 –
	6,226	6,654 10 –	2,775 1 8	118,261 13 4	14,884 11 9	3,744 12 –	3,470 9 –
These two Tribes are not included in the above Table:							
Lake Huron Indians		600 – –					
Lake Superior ditto		500 – –					

* Besides investments in England, mortgages, bank stock, interest on which is included in annual amount, 48,000 *l.* of Grand River Canal Stock, unproductive, is held by the Six Nations.

† £.6,000 of this income is predicated on the anticipated sales of the tract recently surrendered at Lake Huron.

— No. 2.—

No. 2.
Governor-General Sir E. Head, Bart., to the Right Hon. H. Labouchere. 15 Dec. 1855.

(No. 154.)

EXTRACT of a DESPATCH from Governor-General Sir *E. Head*, Bart., to the Right Honourable *H. Labouchere*, M. P., dated Government House, Toronto, 15 December 1855.

(Received, 1 January 1856.)

(Answered, No. 42, 21 February 1856, page 39.)

IN a despatch, dated 24th January 1855, No. 11,* Sir George Grey was pleased to observe, with reference to Indian matters, "But before adopting a conclusion on the practical questions which it (Mr. Oliphant's Report) suggests, I shall await the communication of the opinions which you may form, after you shall have had an opportunity of giving it your consideration."

*Vide p. 39.

I have, in consequence of what was there said, endeavoured to obtain the best possible information, and to consider the least objectionable means of gradually effacing from the Estimates of the Imperial Parliament all and any charges for the Indians of Canada. In doing this, I have given full weight to the propositions made by Mr. Oliphant, in his report to Lord Elgin; and I am prepared to say that I think the scheme set forth by Lord Bury, in the annexed report, would be more effectual in itself, and more satisfactory in every way, than the contingent expiration of the charge at the end of seven or eight years, as proposed by Mr. Oliphant. In the first place, in order to assume that the charge would so expire, we must suppose that all went perfectly smooth; that the Saugeen lands turned out as good and as valuable as it is hoped they will; and that the surveys, the sales, and the payments, all were made and effected at the precise moments anticipated. How little any such uninterrupted success is to be anticipated, we may judge by the attempt to commence the sales this autumn, which has failed, as I believe, by the neglect, if not the wilful misconduct of one of our surveyors. This delay alone will postpone the first receipts from this large tract for eight months or more.

There is no necessity for my explaining the details of Lord Bury's scheme, which he has set forth himself, and to which I earnestly solicit the attention of Her Majesty's advisers.

If this plan were adopted, a sum of 80,000 *l.*, representing the average payment for (say) seven years, would have to be voted by the Imperial Parliament, and invested in six per cent. Canadian Debentures, in the name of some official trustees in England, and the interest would be paid to the Indian Department here in perpetuity. The result of such an investment would be the immediate and entire disappearance of the charge from the Estimates of the House of Commons, not merely its expiration at the end of eight or ten years, as contingent on the success of certain sales and transfers of property in this country. Whether it is worth the while of Great Britain to purchase the redemption of the charge at such a price, it is for Her Majesty's Government to judge. I approach the whole subject with pain and misgiving, because I never feel quite confident of the possibility of reconciling the perfect good faith of England towards the Aborigines with the natural wish of the Queen's Government to effect the abolition of all charge on the Imperial revenue; a course which I know to be, in the abstract, right and desirable in every way. This misgiving in my own mind makes me perhaps catch at an expedient which neither a British Government nor a British House of Commons may deem admissible; but such as it is I submit it to your consideration, and I shall be ready to do my utmost to carry out that or any other course of policy which may appear best adapted for obtaining the same results.

Enclosure in No. 2.

Indian Department, Toronto, 5 December 1855.

To his Excellency Sir *Edmund W. Head*, Bart., Governor-General of British North America, &c. &c. &c.

May it please Your Excellency.

1. Before entering on the general affairs of the Indian Department, I beg leave humbly to lay before your Excellency a few observations.

Wishes of the Home Government to be relieved from the expenses of the Indian Department.

2. Your Excellency has been pleased to inform me that it is the wish of the Imperial Government that the Indian Department should cease to be an annual charge upon it, and further, to order me to consider the best means of enabling the Imperial Government to effect this change in a manner consonant at once with justice and economy.

Duke of Newcastle to General Rowan, 21 January 1854, Appendix, No. 1, p. 31.

The despatch which orders the reduction of the department says: "But it will be proper to turn attention to the gradual reduction of the Indian establishment itself, now that the object (the distribution of presents) for which it was organized, is in course of rapid extinction. I shall be glad to receive a report from you on this subject."

Lieut.-General Rowan to the Duke of Newcastle, 3 March 1854, Appendix, No. 2, p. 32.

The honourable Colonel Bruce then Superintendent-general, reported for the information of the officer administering the Government, upon the practicability of following these directions. His report will be found enclosed in a despatch from his Excellency Lieutenant-General Rowan to his Grace the Duke of Newcastle.

In it, Colonel Bruce speaks in strong terms of the inexpediency of decreasing the department any further. General Rowan in his despatch just referred to, says: "Colonel Bruce has entered so fully into the subject, that it might be sufficient for me to record my entire concurrence (for the reasons which he has assigned) in his opinion, that, in the actual condition of the Indians, a department specially devoted to their protection is indispensable, and that the existing establishment which was reduced to its present standard in the year 1845, is by no means excessive, although taking into account the increasing intelligence of the Indians, it may hereafter be found possible as vacancies occur, gradually to modify the present system with a view to increased economy, without impairing its efficiency."*

3 November 1854, Lord Elgin to Sir G. Grey, No. 66, 18 Dec. 1854, p. 3.

5. After this date the question appears to have dropped, till it was re-opened by Mr. Oliphant in his report to his Excellency the Earl of Elgin, enclosed by his Excellency in a despatch to Sir George Grey.

Mr. Oliphant, during his tenure of the office I now hold, received the commands of the Earl of Elgin to devise a scheme for relieving the Imperial Government of this annual burden. In obedience to his Excellency's command, he produced a report which recommends that the entire burden of supporting the department should be borne by the Indians themselves. The Earl of Elgin was then on the point of returning to England, and Mr. Oliphant's report was acknowledged by Sir George Grey, in a despatch to your Excellency dated 24th January 1855,† in which he says: —"Mr. Oliphant's report is a valuable one, and has not failed to attract my attention; but, before adopting a conclusion on the practical questions which it suggests, I shall await the communication of the opinions which you may form after you shall have had an opportunity of giving it your consideration."

† Page 39.

6. In accordance with the intimation conveyed in the latter part of this extract, your Excellency was pleased to send me to Upper Canada‡ in the early part of June last, in order to make a careful personal inspection of various tribes of Indians scattered over the Province. I had every facility afforded me from all persons concerned in the department.

7. I believe that Mr. Oliphant considered it to be his duty, not to discuss the justice of the case, but simply to state how far the Indian Department could be made self supporting, in case Imperial aid were withdrawn without equivalent compensation; and moreover, to propose a mode of proceeding, which should totally absolve the Imperial Government from any further expense in the case of the Indians of Canada. Though I am fully sensible of the value of the information contained in the report he in consequence produced, I cannot agree with the opinions he founds upon it.

What courses can be adopted to attain this object.

8. My duty appears to me to be keeping in view the wishes of the Imperial Government, to examine the various courses which it is competent for it to pursue. This involves two questions:—First, whether from pledges given to the Indians or from other causes, it may not be difficult for the British Government entirely to withdraw their assistance; Secondly, to inquire into the practicability of the scheme already before your Excellency, to examine how far, if adopted, it would in practice, attain the ends proposed, and, if necessary, to suggest a substitute for it.

9. I have omitted all details not absolutely necessary; for further information, I would refer your Excellency to the report of the Commissioners Rawson and others, to his Excellency

* I have quoted the entire despatch in the Appendix (No. 2), as I shall have occasion to draw your Excellency's attention to it again in another part of this Report.

‡ The seat of government was then in Quebec.

Excellency Sir Charles Bagot, on the reconstruction of the Indian Department, and to the report of Mr. Oliphant already mentioned.

How far the Imperial Government is pledged to continue its pecuniary support.

10. In order to ascertain whether pledges given to the Indians or other causes render it inexpedient for the Imperial Government to withdraw from them its pecuniary support, it will be necessary to examine the manner in which they have heretofore been dealt with.

Conduct pursued towards the Indians of America by the Spanish, United States and British Governments contrasted.

11. The system pursued towards the aborigines of America by Great Britain, has differed from that both of the Spanish Government in ancient times towards the savages of Central America, and that adopted in more recent days by the United States.

12. The former appearing to assume that the Pope had granted their land to the Spaniards, refused altogether to recognize any rights of the Indians; and took little further trouble about them, except to enslave them, or to defend themselves from constant and harassing attacks.

13. The United States authorities deport whole tribes to more distant hunting-grounds, by peaceable means if possible, but, if necessary, by force, as soon and as often as the increasing tide of white emigration appears to demand wider bounds.

14. The system of Great Britain differed from the other two, much in practice and still more in theory. She acknowledged a qualified right of property in the Red man by purchasing his land. She refrained from insisting on her rights as conqueror, and, in return for the territory he ceded, promised him protection. If at that time the policy which now appears to be implied, by withdrawing the Imperial aid, had obtained, the aborigines would have been left alone, to resist or succumb to the incursions of the whites, without Government interference; but a different course was adopted. The Indians were recognized as having a species of right to the land; a bargain was made; the Indians have kept their part of it, for we (that is the Crown or the colonial community) have their lands. To cease altogether from affording them pecuniary support would have in their eyes the appearance of a breach of faith, a withdrawal from the payment of a promised equivalent. If it be urged that the Indians are a part of the colonial body politic, and that interference or assistance has been gradually taken away from the other elements of the colony to which they belong, the answer is, they can scarcely be considered as such, whilst they neither possess the right of suffrage, nor incur liability to arrest for debt. With the white population, moreover, interference is neither needed nor would it be acceptable; but the Indian has not sufficiently profited by the lessons of the dominant race to acquire the degree of civilization necessary to protect his own interests. He is still treated as a ward or child. The necessity for protection is as strong now, perhaps stronger, than ever; and I venture to think that the Imperial Government, if their attention were properly directed to the inevitable consequences of the withdrawal of their assistance, would continue to extend to the Indians at least the same amount of protection as was vouchsafed by our ancestors.

Assistance and protection of Government still required by the Indians.

Three alternatives remain, if Imperial aid be withdrawn.

15. It would, I think, be hopeless to attempt suddenly to merge the Indians in the general mass of the population. If, therefore, Imperial aid be withdrawn, three alternatives would remain:

(A.) The Indian Department must be abolished;
(B.) Or it must be handed over to the Provincial Government;
(C.) Or be supported by Indian funds alone.

I beg to submit to your Excellency the arguments which naturally occur against either of these modes of proceeding.

Necessity of having a department for Indian affairs.

16. (A.) Strong reasons must naturally, of course, exist to induce the Imperial Government to depart from a system that has so long prevailed; and though no reasons are detailed in the Duke of Newcastle's despatch already quoted (Appendix 1.),* the impression on his Grace's mind would appear to have been that the distribution of presents having ceased, no further work remained to be done by the Indian Department.

* Page 31.

17. This distribution has, however, always been the smallest part of the duty of the department; indeed, the correspondence and general business of the office now greatly exceeds that of former years.

18. The land sales alone have become so large and important, that a department in some form is an absolute necessity. The purchase-money for Indian lands is paid by annual instalments, which bear interest; the books in this office are, therefore, unavoidably intricate and extensive; a glance at them would prove not only the necessity for the existence of a department, but would show how intimately interwoven with it are the affairs of that large portion of the white population who have purchased lands situated in the various Indian surrenders. All such accounts would, of course, be thrown into inextricable confusion by the dissolution of the department.

19. But the strongest argument against the abolition of the Indian Department is the total ruin in which it would involve the Red race. Left to their own resources the Indians would have no longer any defence against the whites, who forcibly squat upon their lands and plunder their timber. Even now the department, with the statute-book at its own back, can scarcely restrain these intruders from their work of spoliation. Half-civilization, such as they now possess, would lend the Indians nothing but its vices. They are helpless to resist aggression; the very care previously lavished upon them, which saved them the trouble of bestirring

bestirring themselves, and exempted them from the rights and duties connected with property, has incapacitated them for taking charge of their own affairs.

20. They have too much of the sullen pride of the savage, on the one hand, to endure life as helots, the only terms except beggary which would be open to them, and, on the other, are too much accustomed to the first lessons of civilization to relapse completely (even if they had not been deprived of their hunting-grounds) into their primitive barbarism. Want and disease would hasten for a few short years what I believe, notwithstanding all the care now bestowed, is fast coming to pass, the extermination of the Red man.

Control of the Indian Department should continue with the Imperial Government.

21. (B.) This might, it may be said, be obviated by throwing the management of Indian affairs into the hands of the Provincial Government, who really reap the benefit of the lands acquired in the name of the Crown. Such a mode of proceeding is, however, open to objections, which are strongly stated in the following extracts:

22. Extract from the Report of the Select Committee of the House of Commons on the Aborigines of the British Settlements: 26 June 1837.

"The protection of the aborigines should be considered as a duty peculiarly belonging and appropriate to the Executive Government, as administered either in this country or by the Governors of the respective colonies. This is not a trust which could conveniently be confided to the local legislatures. In proportion as these bodies are qualified for the right discharge of their proper functions, they will be unfit for the performance of this office. For a local legislature, if properly constituted, should partake largely of the interests, and represent the feelings of the settled opinions of the great mass of the people for whom they act. But the settlers in almost every colony, having either disputes to adjust with the native tribes, or claims to urge against them, the representative body is virtually a party, and therefore ought not to be the judge in such controversies.

* * * * * *

"Whatever may be the legislative system of any colony, we therefore advise that, as far as possible, the aborigines be withdrawn from its control."

23. Extract of a despatch from Lord Glenelg, which concludes with the following words:—

"It should be regarded as a fixed principle in any arrangements that may be made regarding the Indians, that their concerns must be continued under the exclusive care and superintendence of the Crown. My meaning cannot be better expressed than in the words of the committee: 'They think it right to observe, in general, that, in the recommendations which they have offered, they assume that the Indians must continue to be as they have hitherto been, under the peculiar care and management of the Crown, to which, whether under the French or English dominion, they have been taught exclusively to look for paternal protection, in compensation for the rights and independence which they have lost.'"

24. (C.) The third alternative, viz., throwing the support of the department entirely upon Indian funds, is the one adopted by Mr. Oliphant in his report. To examine that will, I conceive, be the fairest way to test the feasibility of the plan.*

Examination of Mr. Oliphant's scheme for rendering the Indian Department self-supporting.

25. It is to be remarked that, while enumerating minutely all the sources from which the Indians derive their incomes, he himself cautions the reader that a large part of the funds of which he treats exist only in anticipation, or are otherwise unavailable at present. He says,† "At the same time it is to be remarked, that these changes (which he had just detailed), however desirable and reasonable they may appear, must necessarily be altogether prospective in their character."

† Page 6.

"I have roughly estimated the extent of funds which may be anticipated to arise out of the sale of the Saugeen surrender, but at least five years must elapse before the total sum can be placed to the credit of the Indians.‡ It may extend over a longer period, and must, at all events, be subject to many changes before it can be considered available for the purpose to which I have designed it. The fact of this fund having rendered the proposed financial changes feasible, would necessarily imply the postponement of the alterations until it had accrued in its entirety; but there are other grounds upon which the immediate adoption of any scheme with this object in view would be inexpedient."

26. Of the whole sum, upwards of 4,700 *l.* which he proposes to raise from the Indians for the support of the department, more than 2,200 *l.* must be struck off as unavailable, for the following reasons; 1,100 *l.* is merely the estimated amount for which certain lands in Upper Canada, lately surrendered, will sell at a future time, say seven years hence.

27. £.1,150, which he also counts upon, is money annually voted by the provincial Parliament (1,000 *l.* for charitable purposes, and 150 *l.* for schools),§ which it is, of course out of the power of any one, except that body, to divert from the specific object for which it is voted. One large portion, therefore of the funds necessary for carrying out his scheme will

§ Page 7.

* For such part of it as relates to this subject, *see* Appendix, No. 5.

‡ By the terms of sale as they now stand, the whole sum cannot accrue under seven years; probably not so soon.

will not be available for several years, and another, under existing arrangements, not at all.

28. Counting, therefore, only the available money that could be applied to the support of the department, we find—in Lower Canada, nothing.*

† Page 7. (Mr. Oliphant proposes,† by diminishing certain salaries, to reduce the expenditure in Lower Canada from 1,267 *l.* 17 *s.* 2 *d.* to 1,000 *l.*, and to apply the annual provincial grant to meet it, devoting in its stead, to charitable purposes, balances of that grant unexpended in former years,‡ until such balances are exhausted, and then supplying their place by selling some land which has recently been granted to the Indians. This cannot be done. *See* page 7.)

The funds appropriated by Mr. Oliphant to the support of Lower Canada being, however, unavailable, there remains to be provided for that division of the province 1,267 *l.*

|| Page 8. 29. I quote from Mr. Oliphant's Report, the expenditure in Upper Canada.||

	Sterling.
¶ Page 8. Manitoulin Establishment - - - - - - -	£. 730 9 8
This he proposes to leave still on imperial funds;¶ I need not, therefore, further allude to it.	
Page 8. Sundry charges, not including presents - - - -	£. 2,570 9 1
Page 9. Head quarters - - - - - - - - - -	900 – –
	£. 3,470 9 1

	£.	s.	d.
To meet this, he appropriates the Indian general fund, which consists of balances of floating interest of Indian land sales in the Receiver-general's hands, yielding annually about -	437	–	–
This sum has usually been reserved to meet extraordinary expenses not chargeable to any particular tribe, gratuities or compensation for losses in special cases, &c. &c.			
A levy according to income on various tribes of Upper Canada :**			
** Page 9. Six Nations - - - - - - £. 1,100 – –			
Nine other tribes - - - - - - 1,100 – –			
Saugeen Indians - - - - - - 1,100 – –			
	3,300	–	–
TOTAL - - -	£. 3,737	–	–
The 1,100 *l.* to be contributed by the Saugeen Indians will not accrue for eight years. We must, therefore, deduct (for the present, at least) as unavailable - - - -	1,100	–	–
Leaving available only - - - - - - - -	£. 2,637	–	–
To meet, according to Mr. Oliphant's calculation, expenditure in Upper Canada - - - - - - -	3,470	9	1
†† Page 7. Lower Canada - - - - - - -	1,267	17	2††
	£. 4,738	6	3

30. (It must also be remarked, that this scheme provides only for what has been paid for out of Imperial funds; but from the Indian funds themselves a much larger sum has and must still continue to be paid, in addition to the charges thus for the first time imposed upon them.)

31. I must repeat, that Mr. Oliphant states the necessary expenditure at 4,738 *l.* 6 *s.* 3*d.* As I have endeavoured to show there is only 2,637 *l.* to meet this now (and even at the close of the Saugeen land sales, and under the most favourable circumstances, there will still be a deficiency of 1,000 *l.* per annum). If, however, 4,738 *l.* 6 *s.* 3 *d.* covered all necessary expenditure, this deficiency might easily be made up from Indian funds. But, in fact, these figures give an inaccurate or rather an incomplete idea of what is required. Mr. Oliphant's Report only treats of raising an annual sum to replace the Imperial grant, but besides the Imperial grant, about 4,777 *l.* of Indian funds are annually expended by the department.

This

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* The St. Regis Indians have interest from investments - - - £. 390 – –
Iroquois of Caughnawaga - - - - - - - - - 15 12 –
The remaining nine tribes scattered over the province - - - —
Out of this the Lower Canada Indians could spare nothing.

‡ These amount in the aggregate to about 2,000 *l.* currency.

This charge would have to be borne by the Indians, irrespective of the new charge of 4,738 *l.* 6 *s.* 3 *d.**

32. From the examination of Mr. Oliphant's scheme, we therefore deduce the following facts: a period of from six to eight years must elapse, if this report be adopted, before any change at all can be made. It is one entirely prospective in its character. Land recently surrendered to the Crown (known as the Saugeen Reserve) must be sold, and the accounts closed, before the sum on which Mr. Oliphant counts as the basis of his scheme† can be made available. Supposing the land all to be sold at once, of which there is no reasonable hope, the terms of sale (one-third of the purchase-money on each lot down, and the remainder in six annual instalments) would defer the collection of the whole into one sum for seven years, and experience of like sales has shown that this would be even further protracted. Even then, the Imperial funds would not be completely relieved; the Manitoulin Island establishment being left a burden on them. The object of entirely erasing the Indian Department from the Estimates would therefore not be attained.

This object unattainable.

Examination of Mr. Oliphant's Report summed up.

† Page 6.

33. To divert 1,000 *l.* currency now annually voted by the Provincial Parliament for the relief of certain destitute Indians, towards the general support of the department, would involve the intervention of the Canadian Legislature to sanction such proceeding, and, according to the principle laid down by the Committee of the House of Commons, on the Aborigines of British Settlements (section 22), and the Committee of the Legislative Council (section 23), such course would not be advisable, even were the Colonial Legislature disposed to agree to it.

34. It is further proposed that the sum required for the support of the department be made up from a variety of sources, such as retrenchments of salaries, by retaining per-centage on certain land sales, and by a levy, according to property, on all the tribes of Upper Canada. To apportion these exactly would involve an excessive amount of complication. The fault of the department even now is the unnecessary complication of its details. Were this not the case, I question the abstract justice of alienating these various funds.

35. The amount proposed to be raised is after all not adequate even to the present demands of the department. New ones, moreover, will soon arise, for which it makes no provision. The department has now been in existence in its present shape, viz. a civil department, under the control of the Governor-General since 1845; before that time it was military in its character, and the officers enjoyed military rank. Many of its present employés belonged to it before its reorganization; some of them have been in the service nearly half a century. The oldest of these must soon retire on pensions, or be continued to the detriment of the department: no provison is made for this.

36. It would swell the limits of this report to give an account of each source of revenue of the Upper Canada Indians, and the charges upon them, which are numerous, various, and fluctuating; but I beg humbly to express my opinion, that they are totally insufficient to bear the support of a department unless aided by Government in some form.

37. Such a burden would consume so large a proportion of the Indian funds, that the efforts now being made to raise them in the social scale would be completely paralyzed. So far as the improvement of the Indians is concerned, it would cause the labour of years to be thrown away, and would entirely undo whatever has been done among them in the way of civilization. A large proportion of them are now coming by slow degrees to appreciate education; the elder and even middle aged Indians are too apathetic and indolent to get over their hereditary, vagrant and careless habits. With them the lesson of civilization will never be more than half learned; with careful attention we may prevent them from lapsing completely into barbarism; we never can brighten them into intelligence. One change for the better is apparent; they appear to a certain degree to appreciate for their children those advantages of which they are too indolent to avail themselves. Whatever funds may accrue to the Indians by the sale of their lands will not be too large, nor will they be unworthily employed in redeeming them, as far as in us lies, from their hereditary curse. For the reasons above stated, I venture to express my opinion that either of the three alternatives mentioned in paragraph 15, present insuperable difficulties.

38. It now, therefore, remains for me to set before your Excellency as briefly and clearly as I can the course which I humbly venture to recommend. It is of course difficult to show why the support of the Indians should continue to devolve upon the Imperial Government, without knowing distinctly the reasons which have suggested to the latter the intention of withdrawing their assistance. The practice of our ancestors indicates the views then entertained on the subject, and is good evidence of their interpretation of the contract, or *quasi* contract they had made. Though that policy has not as yet been totally abandoned, it appears to be considered either that the Indians no longer need assistance, or that precedent, in this instance, forms no valid reasons for the continuance of the policy it sanctions; in

Course recommended.

* *Note.*—The Expenditure of the Department for 1855, was—

	£.	*s.*	*d.*
Imperial Grant (without presents)	3,470	9	1
Indian Funds	4,777	–	6
	£.8,247	9	7

in other words, that a burthen which weighs on the British people without affording adequate compensation, has been borne long enough.

39. If my former surmise be correct, I venture to believe that this report will show they are still in urgent need of protection and pecuniary aid. If the latter, I cannot of course presume to offer any observations. I may, however, venture to direct your Excellency's attention to the fact, that a new deprivation coming so closely on the cessation of the presents, would be a very considerable hardship to the Indians, while their uniform loyalty to Her Majesty's person, renders questionable the propriety of any step which might have the effect of alienating their affections. I have every reason to fear that such would be the effect of the withdrawal of Imperial aid, an act which, right or wrong, they would consider as a breach of faith.

40. The following table sufficiently proves the existence of their loyalty. Indeed, I have reason to know that some tribes put themselves to considerable inconvenience, in order to be able to send in these unsolicited contributions to the Patriotic Fund.

SCHEDULE of Subscriptions to the Patriotic Fund by the Indians.

	Currency.
Six Nations	£. 122 15 7
Lakes Huron and Simcoe (three bands)	16 1 8
Rice and Mud Lakes	12 10 –
Alnwick	25 – –
Port Credit Indians	25 – –
Saugeen and Owen Sound (two bands)	17 10 –
Mohawks, Bay of Quinté	10 – –
	£. 228 17 3

41. I venture to submit to your Excellency the following extract from the speech made by an old chief named Sawyer, in a general council of his tribe held at Port Credit; also one of chief Seneca Johnson at Onondago, when I was last in Upper Canada, as I believe it presents an accurate picture of the feelings with which the Indians regard the cessation of their presents. After referring loyally to Her Majesty, and pointing out some of the improvements made by this band, Chief Sawyer said :* "Since you ask me to express our wishes, I trust I will not be deemed unreasonable in expressing a hope that our great Mother the Queen may be pleased to reconsider the stoppage of our presents, which we always considered were promised to us and our posterity as long as a remnant of us remained; but perhaps we are wrong, and no such promise was made: our aged and more destitute people feel keenly the loss of their blanket. The young and hearty people may work and earn clothing, but the other classes that I have described cannot. We desire to convey to the ears of our Father at Quebec, through you, our heartfelt thanks for the interest he takes in our welfare, and to pray that he will use his influence to procure the continuance of our presents to our poor and aged people for a few years longer."

Chief Johnson said,† "You have invited us to lay before you, for the information of our great Father at Quebec, all our wants and wishes; we have no doubt you mean what you say, and we will therefore begin by asking for a general statement of our monied affairs, in order that we may be able to tell our young men how much funds we have, and how the interest has been applied, and that we may be put in possession of written proof that such sums are due to us. This request is made because our presents are about to be stopped (not having been promised, as is alleged, in writing) to be perpetuated as long as grass grows and water runs; such however was the promise."

At the same council they voted, without being solicited, 25 *l.* to the Patriotic Fund.

Proposal for commutation.

42. Though I have stated strongly my opinion that it is inexpedient to withdraw Imperial aid from the Indians without compensation, I would, however, have it distinctly understood, that I by no means stand forward as an apologist for the present system in all particulars. During the seven years that must elapse before Mr. Oliphant's scheme could in any case come into action, the department would have to be supported as now, by Imperial funds. I would humbly suggest to your Excellency the inquiry, whether the Imperial Parliament might not find it more advantageous to vote, once for all a sum, which invested in Canadian debentures at six per cent. would yield sufficient annual income to support such charges as ought in fairness to be borne by the Imperial Government, and so erase the Indian Department entirely and at once, from the Imperial Estimates. No scheme as yet before your Excellency fulfils either of these two conditions.

43. For that purpose, all that would be required is a sum equal to the amount of Imperial money expended by the department during the last seven years. I say Imperial money, because many charges have been and still ought to be borne by the funds of the Indians. The amount expended in those seven years has been, 77,431 *l.* 1 *s.* 5 *d.*; that actually voted by the Imperial Government, 90,185 *l.* The balance between the amount voted and the amount expended, reverted to the Crown. The annual expenditure during that

* For Proceedings of Council. *See* Appendix, No. 4, page 33.

† For Proceedings of Council. *See* Appendix, No. 3, page 32.

that time has averaged yearly, 11,061 *l.* 11 *s.* 6 *d.*, but the decrease of expenditure caused by the cessation of presents, would enable us to keep up the department for the sum I have named.

£. 77,431 (I speak in round numbers, but the exact amounts will be found in the accompanying tables)* would produce, invested in Canadian debentures guaranteed by the Provincial Government, about 4,645 *l.* a year. The expenditure of Imperial money, as I will endeavour to show, ought to be within that sum.

44. If, then, this could be obtained, the Indian Department, including Sir Francis Bond Head's experimental establishment at Manitoulin might for the future be erased from the Estimates. As this change would only alter the mode of supporting the Indians, and not change the character of the connexion between the department and the Imperial Government, which would have supplied the capital, it would be advisable to place the whole fund under the immediate control of the Governor-general, under the name of the Imperial Indian Fund; this would mark the Imperial character of the department, the importance of which, I think, cannot be too highly estimated. The principal should be invested through the Receiver-general of this Province, in provincial debentures which bear 6 per cent. interest; it should stand in the name of Her Majesty's Secretary of State for the Colonies, and the interest thereof be placed to the credit of the Governor-general, who, I suppose, would transmit to the home authorities an annual statement of the expenditure. The personal supervision of the Governor-general, and the rigid following up of a system of checks on money warrants, which has recently been adopted, would render the expenditure of the annual interest as secure as at present, and go far to obviate all unnecessary complication.

45. The expenditure, which is defrayed from Indian funds directly or indirectly, is already under the exclusive direction of the Governor-general. The annual 1,000 *l.* voted by the Provincial Parliament is, and of course must remain under the control of the Governor-general in Council, who authorizes payment from it on the recommendation of the Superintendent-general of Indian affairs.

46. The charges that would properly fall on the Imperial Indian Fund, are,—

Charges proposed to be borne on the "Imperial Indian Fund," to be created under the scheme for commutation.

	£.	s.	d.
The Manitoulin Establishment	730	9	8
Head Quarters of the Department; viz.:			
Salaries of Accountant	419	3	6
Chief Clerk	246	11	6
Accountant in the Receiver-general's Office	51	7	4
Five Visiting Superintendents	963	–	3
Contingencies:			
Pensions to old officers	600	–	–
Ditto wounded Indians	52	–	–
Ditto already on list	253	–	–
Provisions for destitute Indians	333	–	–
Gratuities in lieu of presents	300	–	–
Contingencies of Head Quarters	520	–	–
Clerk to one of the Visiting Superintendents	82	3	10
	£. 4,550	16	1

47. It would appear by this table, that a small balance would remain unemployed; practically, I am inclined to think this would not be the case, but it is difficult to do more than approximate to the amount required to meet some of the charges which from their nature vary from year to year; I have therefore placed all fluctuating charges under the head of contingencies. The exact amount they will require in any one year is not ascertainable.

48. If, however, any balance should remain, I humbly suggest to your Excellency that it might be employed in the first instance, say for one or two years, as a fund for the assistance of Indian education generally, either by increasing the efficiency of the present industrial school at Mount Elgin, and adding to it a manual labour school, or by assisting, at the discretion of the Governor-general, such schools, missions or other educational establishments as he might think proper. The 600 *l.* I have set down as provision for superannuated officers might ultimately be insufficient for its purpose, and the balance mentioned above, with interest (should any part of it, or of the contingent fund have been lying idle) might then be applied to increasing the superannuation fund.

49. There is one charge on the list which requires a few words of comment; viz., 300 *l.* for gratuities in lieu of presents. I was aware that it was your Excellency's opinion, that any arrangement by which the hardship mentioned by Chief Sawyer, whose speech I quoted above, could be mitigated, would be both just and expedient. The complaint is very general among the Indians, that the aged and infirm suffer severely from the loss of their presents. On the 13th of August last, I caused the following circular to be addressed to the visiting superintendents of the Indian Department, with a view of discovering if, by

Assistance to infirm Indians.

* Appendix, No. 7, page 34.

by some small gratuities, it was possible to mitigate the blow the old Indians have experienced.

(Copy.)

"Private and confidential.

"Dear Sir, "Indian Department, Quebec, 13 August 1855.

"The presents are about to cease, but the Superintendent-general would like to have a nominal return of a limited number of Indians under your superintendence whom, from age or other infirmity, and good character, you would wish to recommend as the recipient of a blanket annually, as a special mark of consideration.

"If such mark of favour could be obtained, it might be considered by the tribes as a compliment, and really be the means of mitigating a hardship to worn-out and deserving chiefs and warriors, and their wives.

"I should remind you that this communication is private, and not to be talked of to the Indians. No individual under the age of 60 should appear on your list, and the indulgence would even, if obtained, not be extended to any except those who may be now recommended.

"I have, &c.
(signed) "*S. T. Chesley.*"

Their answers have not yet been received, but in submitting this report to your Excellency, I appropriated the sum of 300 *l.* to the purpose. This at the ordinary price would produce 500 blankets. These blankets, if distributed judiciously, and accompanied by some remarks on the fact that it was a special favour from Her Majesty who had heard of the sufferings of the Indians, might produce an effect which would render the appropriation not only solidly useful, but highly politic.

50. I would suggest that from the lists sent in, the oldest and best conducted Indians should be selected as the recipients of this bounty, and that none should be hereafter added to it. By this means the whole sum would eventually revert to the department, and become otherwise available.

Pensions to old officers of the department.

* Page 32.

51. The charge of 600 *l.* for pensions to old officers requires some comment. I would here refer your Excellency to General Rowan's despatch (already quoted and inserted at full length, Appendix 2)* in which he says, speaking of the old officers. "Your Grace will perceive that these gentlemen have in most instances served for a very long period, indeed some of them, who entered the department towards the beginning of the present century, took part with the Indians in several hard-fought engagements during the American War of 1812–14. It has been the uniform practice in the department, which was always under the exclusive control of the Imperial authorities, to pension deserving officers of long standing on their retirement from active service, either in consequence of their age and infirmities, or of reductions in the establishment. Under these circumstances, as the discontinuance of the salaries allotted to missionaries and schoolmasters only takes effect after the death or removal of the present incumbents; and I cannot doubt that whatever course Her Majesty's Government may see fit to adopt with regard to the establishment itself, the officers who have so long and meritoriously discharged the duties devolving upon it, will be treated with the same just and liberal spirit." I have appended a list specifying the length of service of the oldest of the officers of the department, which will show the necessity of losing no time in attending to General Rowan's suggestion, (Appendix 6).† Though it is evident that such a sum as 600 *l.* would be quite inadequate to afford a retiring pension to each officer of the department according to his length of service, yet I think it would be equally unjust to those who have served long and well if no such provision were made, and to the other requirements of the department if a larger sum were set aside.

† Page 34.

52. I would suggest that it be given more in the form of a gratuity at the discretion of the Governor-general, who of course must be intimately acquainted with the merits of the various employées, than as a regular pension to which each might look forward with certainty at the close of a certain term of service. For this latter purpose 600 *l.* would be manifestly insufficient.

Some changes recommeded in the details of the department.

53. Should this report be approved, the period of its adoption would present a favourable opportunity for changing and simplyfying some of the details of the department.

54. When on the report of Mr. Rawson, it assumed its present shape in 1845, certain relics of its former military character were retained, which are both costly and inconvenient. Of this nature is its connexion with the Commissariat. The issue of all stores, and indeed every expense which is defrayed from Imperial funds, now passes through this branch of the public service. I will mention a few of the inconveniences which this division of labour entails.

55. Salaries of certain officers at head-quarters are paid by the Commissariat from the Parliamentary grant. Some are paid in a still more complicated form, their incomes being derived in unequal proportions from the Imperial Government, the Indian general fund, and from per-centages on land sales.

56. The Commissariat issues presents, and pays the carriage of our stores. Some of these are purchased in Canada, some in England, and some come through the Commissariat from the Ordnance department.

57. We

57. We have separate estimates for Canada West and Canada East; this as they are both paid from the military chest is a useless complication, and causes much unnecessary correspondence and delay.

58. The Commissariat business is, not all transacted in one place; requisitions from this department being not unfrequently transferred from one military station to another.

59. The result of this is that it frequently arises that a demand for a certain article which should be furnished by the Commissariat is followed by a lengthened correspondence before it can be discovered in what store it is to be found; and it not unfrequently happens that an article required at one extremity of the Province is in store at the other, and that the carriage consumes more than its value. The department alone knows when and where such articles would be required, and would take care to store them in an easily attainable position. Every consignment of Commissariat stores for issue to the Indians, is accompanied by a Commissariat officer; this is needless trouble and expense. The visiting superintendents of the Indian Department (who are under bonds to the Indian office) might be advantageously entrusted with the distribution of stores, to those Indians among whom they live, and discharge each in his own district, all the duties now performed by the Commissariat.

60. The Commissariat officer having charge of stores, is guided necessarily by the personal knowledge of the superintendent, for their correct distribution; it seems therefore unnecessary to send another officer when one as well or better qualified is on the spot. These remarks are not intended in any degree as a complaint of the Commissariat, but simply as showing the inconvenience of transacting the business of one department through another.

61. Before closing this Report, I venture to submit to your Excellency a few remarks on the prospects and present condition of the Indians.

Prospects and present condition of the Indians.

62. Old officers of the department, and persons who for a long series of years have been connected with them look with hopeful eyes on the efforts of the Indians to attain self-civilization. Persons who cannot from their own recollection compare the present with the former condition of the Indians, see more readily how much remains to be done, than the results of past labours among them. Mr. Chesley, an old and valuable officer of the department, whom I requested to favour me with his remarks on the subject which I am now about to discuss, writes as follows:—

Letter from Mr. Chesley.

"To a casual observer, the advance of civilization and in agriculture amongst the Indians in Canada would appear tardy, and some persons, without troubling themselves with much inquiry, are ready to assert that no progress has been made in either. But those who have taken an interest in the welfare of the small remnant of the once numerous races of Mohawks and Chippewas that are still stretched along the north shores of the St. Lawrence, and the vast lakes westward, especially the few officers of the department whose connexion with them looks back some 40 winters, can easily discern a large amount of improvement in the moral and social condition of all the settled tribes, who have been more immediately under the supervision of the Indian Department. The little improvement that had been achieved by the efforts of the various missionaries and officers of the department, was nearly lost during the war of 1812, 1813 and 1814, when all the tribes, with their wonted loyalty to the British Crown, flew with alacrity to its standard, and were therefore, during that war, estranged from their previously peaceful dwellings and rude plantations. The commencement of their change from semi-barbarism to civilization may be fairly put down to the year 1815. At that period, their knowledge in cultivating the ground was confined to the use of a rude grubbing hoe, with which they planted small patches of Indian corn, mixed sometimes with beans; and an axe, or tomahawk, which was chiefly used in pealing the bark from the trunks of the ash and elm trees, to construct their cabins. The Indian then laughed at the folly of the pale-faces in ploughing the ground to prepare it for receiving the seed; by this process, said they, the good soil is turned under, and the bad uppermost. They also ridiculed the use of harrows, and, above all, flouring-mills; the former, they said, did nothing but turn up the loose roots and stones, whilst the latter separated the grain and wasted the best part of it. These and other like prejudices, retarded, and, indeed, almost altogether prevented any visible improvement, until about the year 1818, when, by the immigration of white settlers from the mother country, the back woods were turned into cultivated farms, which had the double effect of driving away the wild game upon which the Indian depended for subsistence, and also of showing him a better and easier way to get a livelihood. By dint of perseverance and persuasion on the part of the missionaries and the local superintendents, under the directions of the department, the Indian prejudices have been in a great measure overcome. They devote nearly all their disposable funds for educational purposes, agricultural implements, building comfortable houses, and purchasing cattle and improved seed grain. In almost every tribe of the settled Indians in Upper Canada are to be found some whose farms compare not disparagingly with those of the adjoining whites. Amongst them may be named Peter Smith, one of the Six Nations, who had last summer 60 acres of wheat under crop; and John W. Hill, of the Bay of Quinté, had 45 acres."

63. The conclusion which has strongly suggested itself to my mind during my tour of inspection in Upper Canada is, that the only obstacle to intellectual equality between the White and Red races is to be found in the difference of language. Till the obliteration of the native tongue, or at least till every Indian speaks the language of the country he inhabits,

the Indian can, I think, never be merged on equal terms and with an equal chance of success in the mass of the Anglo-Saxon or French-Canadian population. If that could be effected, the rest would follow. There is no want of mental capacity in an Indian. In one, at least, of the schools which I have visited, the scholars are fully equal, if not superior, to the average pupils of the common schools of the whites.

64. It was a long and arduous work to bring the Indian to suffer any attempt at civilizing him. For years, too, the attention of the authorities was much more anxiously devoted to making him a faithful ally in war than to ameliorating his condition in peace. It may almost be said, that till 1845 the civilization of the Indians was never the object of a definite and well organized scheme.

Missions.

65. Though I would not willingly introduce anything into this report which might have the appearance of controversial discussion, it is evidently necessary, when speaking of the moral condition of the Indians, not to pass over in silence the degree of success attained by the different missions.

66. The form of teaching which experience would seem to point out as best suited to the mind of an Indian, is that adopted by the Methodists. Much of their success may, no doubt, be attributable to the class of men who officiate as the ministers of that sect.

67. I think it is observable, as a general rule, that the Methodists live more intimately among their converts, and appear better qualified than others to share without repining the rude life of the savage they teach. The ministers of other denominations do not shrink from the hardships inseparable from the back-woods' life; but I think few can enter so familiarly and intimately, I may almost say so instinctively, as the Methodists, into the wants and feelings of the Indians.

68. Their system of classes, also, appears better suited to satisfy the mental wants of the Indian than any other. By this system, the converts are divided into small bands, or classes, each under the direction of a class-leader, whose business it is to exercise constant supervision over those under his immediate care. I believe he is bound to see and converse with every member of his class at least once a week.

69. The missionary has thus the state of each individual brought clearly and constantly under his notice, and his own individual efforts are more likely to be well directed. Of the civilizing effect of their instruction, I can speak in the highest terms. Most of our schools are under Methodist supervision; those at least of Upper Canada.

70. The Lower Canadian Indians are mostly Roman-catholics, who have always been the first pioneers of Christianity. None labour more zealously, or with more self-denial, than their present successors. They christianize, but they can hardly be said to civilize in an equal degree. This may be owing, perhaps, to the mode of instruction, which fails in sufficiently inculcating self-reliance. The Roman-catholic Indians are taught to look so exclusively to the missionaries for guidance, that in their absence they are almost entirely helpless. It is almost useless, as far as civilization is concerned, to convert, unless, along with the still greater lessons of Christianity, that healthy spirit of self reliance be inculcated which constitutes the great distinguishing difference between the blind follower and the reasoning convert. Doubtless, in Lower Canada, there are difficulties to contend with that are not encountered in the Upper Province.

71. Except at St. Regis and Caughnawaga, few of the Lower Canada Indians have a settled home. A tract of land has been lately granted to them by the Provincial Parliament on the Lower St. Lawrence; but they have not enjoyed it for a sufficient time to allow of any conclusion as to its effect.

72. The Church of England are extremely successful where they have once established a foothold. On the Bay of Quinté, and among the Six Nations, their influence has been most beneficially exerted, as will be seen by reference to paragraph 95.

73. Their converts are, however, not nearly so numerous as the Methodist in Upper Canada. Their missionaries are, as far as I am acquainted with them, most exemplary men.

74. It is impossible that a missionary, living entirely among the Indians, should not acquire a very great degree of power among them in temporal matters. That this is not always judiciously exercised, is the fault of individuals, not of the system. The heads of the various missions are, however, always ready to interpose with authority, where the Indian Department can only do so indirectly.

75. The Indians of Upper Canada are for the most part Christians; those of Walpole Island, many of whom still remain heathens, are indeed the only exception. A Church of England missionary has resided among them, but as yet his efforts have not been crowned with great measure of success. I must, in justice to this gentlemen say, that from all I hear, no man could be more devoted to his work.

Schools.

76. I now turn to the subject of schools. In most of the reserves of Upper Canada, the Indians support schools somewhat resembling the common schools of the whites. These, however, from want of regular and efficient organization, are in such an unsatisfactory condition, as to be almost utterly useless. The small pittance which the Indians can afford

to

to give a school teacher, is insufficient to attract a well-qualified man. Besides this, it is idle to hope that Indian children, when at home, will attend with even tolerable regularity during the whole year. They almost invariably accompany their parents on their hunting and fishing excursions, as well as to the sugar bushes, at the season for making maple sugar.

77. Very careful supervision is requisite to effect any considerable improvement on the present plan. This we have no means of bestowing; but I think a better class of teachers might be obtained by shutting up the schools during these wandering seasons, and keeping them open only during half the year; giving, however, the same remuneration for the shorter period, as formerly for the whole year. It would be advantageous too, if some method were adopted of obtaining uniformity in the plan of instruction, instead of leaving it, as now, entirely at the mercy of the local schoolmasters. A return is made every three months, showing the branches of education taught, number of pupils, regularity of attendance, &c.; but such information is insufficient and meagre.

78. These common schools ought, if properly managed, to be preparatory to the two training establishments at Alnwick and Mount Elgin. I think attendance at one of the latter, after a certain time passed at the preparatory schools, ought to be made compulsory. The Indians, generally, would not dislike this. There are a sufficient number of tolerably well educated men among them to turn the public opinion of their brethren in favour of it, and they would be willing as well as able to do so.

79. I confess, however, that I entertain very slender hopes of seeing the common schools become really useful. The children must be absent from home, removed from the moral influence of that constitutional apathy which distinguishes their parents, and, if not checked, will descend on themselves, before they can be permanently benefited.

80. It seems absurd to suppose that a state of laziness and squalor, must necessarily be the lot of an Indian; but without constant supervision, such will assuredly be the case, and supervision is not possible except by centralization. This brings me to the principal matter I have to lay before your Excellency under the present head.

81. The two educational establishments instituted by Lord Elgin, are both situated in Upper Canada; one at Alnwick, near Cobourg, on Lake Ontario; the other called Mount Elgin, after its founder, at a beautiful spot on the bank of the Thames.

82. Of these, Mount Elgin, which is under the direction of the Rev. Mr. Rose, an influential member of the Methodist society, is infinitely the best conducted. The pupils are generally intelligent, clean and orderly; some young men who have completed their course of education there, are now perfectly ready and able to take their places as members of the general population, as soon as the money in commutation of their annuities is given them to make a start in life. This method was devised by Colonel Bruce, to give the pupils who have completed their course of instruction, a fair beginning. I conversed with these young men, and found them extremely intelligent, and in information quite equal to the average of the respectable class among whom they will henceforth live.

83. After what I had seen of other Indian schools, I was much struck with the improvement exhibited by all the pupils in this. With most of them, the shy unwillingness to answer when spoken to, which is generally very observable, was abandoned for a bearing remarkable for eagerness and quick apprehension. The elder pupils all spoke English; and I was particularly struck with the aptitude all seemed to evince at figures. The Indians generally have a remarkably quick appreciation of music, and learn readily to sing from notes. The whole of the pupils joined in this exercise, and sang in parts with considerable correctness. Of the farm (entirely cultivated by the boys) I can speak in the highest terms.

84. The Alnwick School, presided over by the Rev. Mr. Musgrove, also of the Methodist persuasion, was not satisfactory. The children were not nearly so clean, nor were their dormitories and other apartments kept well ventilated, or in good order, as at Mount Elgin.

85. I was too much pressed for time to hold an examination of the children, but they appeared decidedly less intelligent; and the itch, which was very prevalent, spoke little for the cleanly habits inculcated.

86. The boys had, however, done work about the house and grounds neatly and well, and some of the lads who have completed their course are a credit to it, and would be so to any similar establishment. I may add, that I purposely visited Alnwick without any warning. This was not the case at Mount Elgin. This circumstance could not, however, have caused the marked difference I saw.

87. Taking then into consideration the different degree of success which has attended the two establishments, I would submit to your Excellency whether it would not be advisable to close the Alnwick School, and remove it to Mount Elgin, or to some part of Upper Canada, near the Saugeen peninsula.

88. The former of the two schemes is the one to which I should myself incline, as I think the centralization of the two establishments at a spot so fitted for the purpose in every way, and the supervision of both by a single head, would greatly increase their efficiency, and render it easier to carry out any improvement which experience may from time to time suggest.

89. I have

89. I have ascertained that the Alnwick band of Indians would not object to surrender their reserve to the Crown, and migrate to Mount Elgin. The full value would most likely be obtained for the Alnwick school-house and improvements, and the proceeds might be applied to making the necessary arrangements at Mount Elgin.

90. It is fair to state that the objections to this plan are, principally, the perhaps natural unwillingness of the Saugeen Indians, who are large contributors to the school fund, and who will, when the projected sales are completed, subscribe still more largely, to send their children so far.

91. The long distance which separated them from Alnwick, was, perhaps, one of the principal causes of the want of success visible in that establishment. On the other hand, if the school be too near the habitation of the parents of the pupils, the difficulty of enforcing their constant attendance will be much increased.

92. It is not easy to decide whether the apparent injustice to the Indians, of not consulting their wishes as to the site for the school, or the danger of the failure of the establishment which might follow from yielding to them, ought to have most weight with the department in deciding this matter.

Comparative degree of improvement in the different bands of Indians of both sections of Canada.

93. With regard to the general condition of the Indians, I think the easiest way to present to your Excellency a definite view, will be to adopt an arbitrary number, as expressing the average standard of civilization among the general mass of the white population, and comparing the various tribes of Indians with it.

94. It is with much diffidence that I venture to submit this plan to your Excellency. It can never tell the whole truth, and even the scanty observation it gives must depend in some degree upon hearsay evidence, or necessarily imperfect observation; still, I think it may afford an indication of the state of the Indians throughout the province. I have adopted the number 15, as a convenient standard.

95. In Upper Canada, taking the standard as 15:—

The Chippewas of Sarnia (Methodist) will be to it as		8
	Walpole (Church of England)	1
	Thames (Methodists)	3
	Moravians (Moravians)	2
	Saugeen (Methodist and Presbyterian)	3
	Owen Sound (Methodist and Church of England)	3
	Colpoy's Bay (Methodist) — not personally known.	
	Beausoleil (Methodist) — ditto.	
	Snake Island (Methodist and Church of England)	2
	Rama (Methodist)	3
Missessagas	Rice Lake (Methodist)	6
	Mud Lake - ditto	6
	Skugog Lake, ditto	6
	Alnwick - ditto	6
	New Credit - ditto	7
Mohawks	Bay of Quinté (Church of England)	8
Ditto and others,	Six Nations (Church of England)	7
Wyandotts	Amherstburgh (Church of England and Methodists)	6

In Lower Canada:

Iroquois	St. Regis	7
	Caughnawaga	7
Iroquois, Nipissings, Algenquins	Two Mountains	7
Abenequois	St. Francis	6
	Becancour	5
Algenquins	Three Rivers	2
Hurons	La Jeune Lorette	10
Amalacites	Isle Verte	4
Micmacs	Restigouche	3
Tribes of the Upper and Lower Saguenay and the north shore of the St. Lawrence	Savages	0

Holding property in common.

* Page 10.

96. Mr. Oliphant in his report animadverts strongly on the system which now exists, under which the members of a tribe hold all property in common. He says,* "All the articles thus purchased (by requisition) are common property, and the use of them is only allowed to individuals for limited periods. Everybody is, therefore, utterly indifferent to their preservation; nor is it to be expected that persons will be willing to enter upon agricultural operations, with the possibility of never having the use of the most necessary appliances at all, or at least only for a short period. When the tribe is large and poor, but very few can thus benefit, and a most injurious patronage is vested with the chiefs, who confine the distribution to their immediate favourites."

Evil effects resulting from holding all property in common.

97. With these remarks I venture to express my entire concurrence; but it is difficult to devise any means by which the Indian shall be allowed to have a direct interest in property of his own, while his known improvident habits render it impossible that he would keep it for any considerable time.

98. The

98. The Indians, as a general rule, will sell anything for which a purchaser offers, often without minutely inquiring into their right to do so, and this through their ignorance or carelessness.

99. The system of holding in common does not tend to impress the value of property on their minds; the old adage, that what is everybody's business is done by no one, is unusually applicable in this case.

100. The plough is too often left to rot in the fields during the winter, and the seine on the river shore; and it has happened more than once that a yoke of oxen has been overworked while there was a demand for labour, and allowed to die of starvation afterwards, because it was no individual's stated business to feed them.

101. These careless habits are the moral effects of the system now in force; to eradicate these habits, and at the same time to modify the system which they in the first instance rendered necessary, requires great caution.

102. If it was attempted to teach the Indian to feel responsibility, by giving him the absolute control of property, he would instantly sell it, and become worse off than before. The present state of things, on the other hand, shows, and reason points out, that if he has no rights of property at all, he will never assume the responsibility they impose.

Scheme suggested by Sir Edmund Head.

103. With a view to ascertain the opinions of some gentlemen who, from near connexion and long intimacy with the Indians, would be likely to give sound advice, your Excellency directed me to write the letter which I here insert, placing the views which you had been led to entertain on the subject in the form of a series of questions.

104. Mr. Oliphant in his report had broached opinions very similar to those which your Excellency desired me to embody in the letter I allude to. He says,* "In order, however, more thoroughly to develope the system by which such results may be anticipated, it seems indispensable that the same privileges of responsible ownership which are granted with regard to moveables, should also be extended to land, subject however to certain modifications. The liabilities which attach to the possession of landed property are so different in their character, so much more complicated and onerous than those which attach to moveables, that it by no means follows that a people which is sufficiently enlightened and civilized to assume the one is also in a condition to undertake the other. On the contrary, I do not think that the Indians are far enough advanced to become actual freeholders. Their own desire upon the subject, frequently expressed to me, has been that they should be allowed allotments of the reserve to be settled upon themselves and their children, not by a deed in which the Crown should relinquish the fee, but that by an arrangement of the tribe they should be guaranteed from intrusion, and at the same time prevented from alienating to other members, except at the recommendation of the local superintendent, where such a conveyance would be manifestly for the benefit of both parties."

* Page 10.

Concurred in by the Rev. Dr. M'Murray.

105. The letter to Mr. M'Murray was as follows:

Reverend Sir, Indian Department, Quebec, 19 May 1855.

His Excellency the Governor-general has reflected with much interest on a conversation which he had with you when you were at Quebec, on the subject of gradually civilizing a portion of the Indians. His Excellency is most desirous of receiving from you and from others most conversant with this people, such hints as may be made the ground-work of future action in so important a matter. The outline of the plan which his Excellency had in view may be briefly stated as follows:

I. That each local superintendant should be called upon to report the names of those members of each settlement under his care, whose previous education and habits of industry make it likely that they might be fit and desirous of assuming a mode of life different from the majority of their race.

II. That if, on inquiry, such a desire was manifested by each or any of these individuals, such person should undergo a sort of examination or inquiry before two or three commissioners interested in the welfare of the Indians, and thoroughly conversant with their habits and wants.

III. That the following points should be inquired into by such commissioners:

1st. Whether the individual Indian had shown proof of steady industrious habits, so as to be fit to earn his own bread.

2d. Whether he was acquainted with any trade.

3d. Whether he could read and write, and was acquainted with the elements of religion.

4th. Whether he had any notion of the rights and duties conferred and imposed by civil society on its members.

IV. That on its appearing that the above questions could be answered satisfactorily, the Governor-general should have power to confer on such individual a portion of Indian land not exceeding acres, to be ultimately held in free and common soccage, and should advance for a year or two a certain small sum for the purchase of seed and agricultural implements from the Indian funds, but that such individual should cease to have any claim on the funds of the tribe in any other shape.

V. That for two years the individual in question should be on probation, and the patent for his land should not issue till the second year was ended, when he and his children after him should be deemed capable of exercising the rights and privileges, and to be liable to all the duties and all the charges incident to the rest of the Queen's subjects; all protection for debt contracted since his first entry on his land should cease.

I am quite conscious that the outline of the scheme above suggested is most imperfect, but his Excellency has directed me to state it even in this form, in the hope that it may lead to some information or suggestions being offered by yourself or other benevolent persons interested in the welfare and progress of the Indian race.

I have, &c.

Rev. W. M'Murray, D. D., &c. &c. &c.

(signed) *Bury*, Supt. General.

106. The Rev. gentleman, as will be seen by a reference to the Appendix, in which his answer is quoted at length,* highly approved of the plan here shadowed forth, proposing at the same time some slight modifications of its details.

107. The greater part of your Excellency's scheme as interpreted and commented on in Mr. M'Murray's letter, appears to me very practicable, and the department might immediately begin to carry it out with great advantage; but there are one or two points on which I venture to submit some observations.

Language.

108. This scheme, though comprehensive and embracing all that concerns the object of which it immediately treats, is not, I think, capable of being carried out without strong efforts being made in another and parallel direction.

109. I would reiterate that the most civilized Indians are those who speak the English or French languages. Indeed no degree of improvement ever takes place in an Indian's condition and mode of life till he learns the language by which he is surrounded. I venture humbly to suggest to your Excellency that in any modification of our present system, a knowledge of the English language should have a more prominent place than it has at present.

110. All other plans directed towards another class of wants, teaching the Indian the habit of taking care of his own concerns, and giving him, like the white man, an individual interest, may, I think, go on at the same time, theoretically, but will be found practically only to succeed this primary want. I mean to say, that till an Indian has learned English or French, and so placed himself on an equality with the population by whom he is surrounded, he will not, in most cases, take advantage of the other. An Indian, ignorant of these tongues, labours under insuperable difficulties.

111. As an instance of its good effects, I may mention the Hurons of La Jeune Lorette. Their proximity to Quebec has forced them to learn French, and indeed has obliterated the Indian language; they, in consequence, though not possessed of a foot of land, or enjoying a farthing of annuity, treat on equal terms with their white neighbours, and have lost almost entirely the distinguishing characteristics of Indians.

Indian Protection Act.

112. The next point to which I would humbly direct your Excellency's attention is Mr. M'Murray's answer to question V. It is there proposed, that "for two years the individuals in question should be on probation, and the patent for his lands should not issue till the second year was ended, when he and his children after him should be deemed capable of exercising the rights and privileges, and to be liable to all the charges incident to the rest of the Queen's subjects; all protection for debt contracted since his first entry on his land should cease."

113. Mr. M'Murray, in his answer says, that two years is too short a probation, and suggests four years probation. He then, passing to the consideration of the Indian after fulfilling his period of probation, proposes the abolition of the Indian Protection Act.

114. Two years certainly, as Mr. M'Murray says, appears to me too short a probation. But I do not think that even after the extended period he proposes, it would be well absolutely to put the fee of the land out of the hands of the Crown by an ordinary patent, at least for a few years, until it was proved by experience how the scheme is likely to work.

115. Perhaps the preferable plan would be to grant a license of occupation for 10 years, convertible into the grant of fee, either to the first occupant or his children, at the end of that period, provided the Crown were satisfied with his conduct during the interval.

116. Some such scheme as this appears to be in contemplation in the United States. I cut the following from the "Philadelphia North American" newspaper of August the 15th, as it appears to bear on the subject:

"But the latest development of our Indian relation is, perhaps, the most important as affecting the fate of their race. What we allude to may be inferred from the following facts; in the state of Michigan there are about 7,000 Indians, in various stages of civilization. With them the United States Government has lately made a treaty, which looks to their ultimately becoming citizens. This treaty provides, that each head of a family shall have a permanent

* Appendix, No. 8.

a permanent home or farm of 80 acres, each single adult 40 acres, and each family of orphan children 80 acres, to be selected by the individuals, within certain tracts; and for which they shall receive a certificate from the Government. After actual residence therein for 10 years, the patent of title is to be issued, and for five years subsequently, they are to have exclusive privileges of purchase of reserved lands adjoining. In addition to this, they are to receive, in the aggregate, $500,000 in money, with which they may make a fair beginning. At the end of five years, the tribal organization must cease. Here we have an indication of that policy which is to settle the future of the Indians. It is beyond the power of the general government to make them citizens of existing states, but the provisions of the treaty all look to such a result, and the State Government would probably make no difficulty in ceding to them the rights of citizenship."

117. "The system, as we now understand it is to extinguish the tribal organizations, and prepare for the final abolition of exclusive reservations, by giving each family a separate tract of land for residence. Of course, as a condition precedent to the success of such a scheme, it is requisite that the Indians should be civilized, and for that purpose reservations will still be necessary for the wild tribes. At the last Session of Congress, it was proposed to organize the country of the Cherokees, Creeks, Choctaws and Chickasaws into a territory or territories, to be represented at Washington like Kansas and Nebraska, and with the design of converting these Indians into citizens. A part of the project was the abolition of reservations and the requisitions of individual titles by the Indians. No doubt this will ultimately be done, but just at present the agitation on the subject of slavery interferes with it."

118. On the second of Mr. M'Murray's remarks on this subject, suggesting the repeal of the Indian Protection Act (which secures the Indian from liability to debt), I think that one of these questions depends on the other; the justice, I mean, of repealing the Protection Act, depends on the degree of success which attends the scheme of civilization. If an individual Indian obtains any sort of title to his land, the Protection Act should cease to defend that individual; but this indulgence will be extended to but few persons, and it would be hard to deprive a large majority who hold their lands in common, of protection, because a better educated minority can take care of themselves.

All which is respectfully submitted.

(signed) *Bury*,
Superintendent-general.

Sub-enclosures to Enclosure in No. 2.

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Appendix, No. 1.

(No. 71.) (COPY.)

Sir, Downing-street, 21 January 1854.

I HAVE received your despatch, No. 22, of the 27th December last, accompanied by an estimate of the probable expense of the Indian Department, for the year ending on the 31st of March 1855; I see no reason to object to this estimate, and it will be submitted to Parliament.

But it will be proper to turn attention to the gradual reduction of the Indian establishment itself, now that the object for which it was organized is in course of rapid extinction. I shall be glad to receive a report from you on this subject.

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

The Officer administering the Government of Canada.

Appendix, No. 2.

(No. 10.) (Copy.)

Government House, Quebec,
3 March 1844.

My Lord Duke,

With reference to your Grace's despatch, No. 71, of the 21st of January last, I have the honour to transmit, for your information, the accompanying Report, which has been drawn up by the Superintendent-general of Indian affairs, in respect to the practicability of effecting a reduction on the Indian establishment in this Province, now that the customary issues of presents to the Indians are in the course of rapid extinction. Colonel Bruce has entered so fully into the subject, that it might be sufficient for me to record my entire concurrence, for the reasons which he has assigned in his opinion, that in the actual condition of the Indians, a department specially devoted to their protection is indispensable, and that the existing establishment, which was reduced to its present standard in the year 1845, is by no means excessive, although, taking into account the increasing intelligence of the Indians, it may hereafter be found possible, as vacancies occur, gradually to modify the present system with a view to increased economy, without impairing its efficiency. But I cannot leave this subject without bringing under your favourable notice the strong claims of the officers of the department upon Her Majesty's Government. On this point I can speak with the greater confidence, having been formerly brought, for many years, into frequent and close official communication with them, and thus had ample opportunities of observing their zeal and efficiency. On reference to the list appended to the Superintendent-general's Report, your Grace will perceive that these gentlemen have, in most instances, served for a very long period; indeed, some of them who entered the department towards the beginning of the present century, took part with the Indians in several hard-fought engagements during the American War of 1812-14. It has been the uniform practice in the department, which was always under the exclusive control of the Imperial authorities, to pension deserving officers of long standing, on their retirement from active service, either in consequence of their age and infirmities, or of reductions in the establishment. Under these circumstances, as the discontinuance of the salaries allotted to missionaries and schoolmasters only takes effect after the death or removal of the present incumbents, and I cannot doubt that whatever course Her Majesty's Government may see fit to adopt, with regard to the establishment itself, the officers who have so long and meritoriously discharged the duties devolved upon it, will be treated in the same just and liberal spirit.

I have, &c.

His Grace the Duke of Newcastle,
&c. &c. &c.

(signed) *William Rowan.*

Appendix, No. 3.

Minutes of the Proceedings at Council, held in the Six Nations Indian Council House, in *Onondaga*, on Friday the 6th July 1855, pursuant to a Notice given by Mr. Superintendent *Thorburn*, by Directions of Lord *Bury*.

1. Present at the Council:—Mr. S. T. Chesley, on the part of the Indian Department; Mr. D. Thorburn, Local Superintendent; Peter Smith, Interpreter; 6 Chiefs of the Upper Mohawks, 4 Chiefs of the Lower Mohawks, 4 Chiefs of Oneidas, 8 Chiefs of Onondagas, 3 Chiefs of Senecas, 9 Chiefs of Cayugas, 3 Chiefs of Tuscaroras, 2 Chiefs of Nanticottis, Total, 39.

Extract from Proceedings.

2. After Mr. Thorburn had introduced Mr. Chesley to the Council, Chief Seneca Johnson being appointed to preside, Chief John Johnson of the Upper Mohawks, opened the proceedings by a speech.

3. Mr. Chesley having replied, and stating the objects for which their father the Governor-general had sent him to visit his Red children, Chief Seneca Johnson rose, and spoke as follows:

4. Father, as we are exhorted by your address just delivered to abandon our roving habits, and to become farmers, and as we cannot farm without land, we hope that our great Father will not ask us for any further surrenders of the small quantity that is left to us.

5. Father, you have invited us to lay before you, for the information of our great Father at Quebec, all our wants and wishes. We have no doubt you mean what you say, and we will therefore begin by asking for a general statement of our monied affairs, in order that we may be able to tell our young men how much funds we have, and how the interest has been applied, and that we may be put in possession of written proof that such sums are due us. This request is made because our presents are about to be stopped, not having been promised (as is alleged in writing) to be perpetuated as long as grass grows and water runs. Such however was the promise.

Appendix, No. 4.

MINUTES of PROCEEDINGS at a Council held at the *New Credit* Indian Settlement, in *Tuscarora*, on Saturday the 7th July 1855.

1. Present:—Mr. Chesley, on the part of the Department; Mr. D. Thorburn, Local Superintendent; Chief Peter Jones, Chief Sawyer.

(EXTRACT.)

The Council was opened by prayer and a hymn, after which Mr. Chesley, being introduced by Mr. Thorburn, addressed the Council in a speech.

2. Chief Sawyer replied at considerable length, concluding with the following words: "Since you ask us to state our wishes, I trust I will not be deemed unreasonable in expressing the hope that our great mother the Queen may be pleased to re-consider the stoppage of our presents, which we always considered were promised to us and our posterity as long as a remnant of us remained; but perhaps we are wrong, and that no such promise was made. Our aged and more destitute people feel keenly the loss of their blanket. The young and hearty may work for and earn clothing, but the other classes I have described cannot. We desire to convey to the ears of our kind Father at Quebec, through you, our heartfelt thanks for the interest he takes in our welfare, and to pray that he will use his influence to procure the continuance of the presents to our poor and aged people for a few years longer."

3. Chief Peter Jones, after consulting with his people a few minutes, during which all present raised their right hands in token of approval, stepped forward, and addressed Mr. Chesley and Mr. Thorburn as follows:

4. "We are informed that our mother the Queen, across the wide water, is engaged in a bloody war with a powerful adversary, and that already much blood has been shed, and many precious lives lost. We cannot raise the tomahawk in her assistance as we would do if the fight were on our borders. But we may be permitted to raise our hearts in fervent prayer to the great Spirit above, invoking his blessing on the head of our beloved Queen, and crowning her arms with success in the perilous conflict. We sympathize deeply with the bereaved widows and orphans of the brave men who have fallen by disease and by the sword in this fearful war; and in proof of the sincerity of our hearts, we desire that the sum of 25 *l.* may be taken from our annuity fund, and forwarded to the proper quarter, as our contribution towards the Patriotic Fund."

5. Mr. Chesley thanked them in the name of their father, the Governor-general, for their unanimous expression of loyal feelings, and their generous and liberal contribution towards the Patriotic Fund.

The Council was then closed.

Appendix, No. 5.

CONSISTS of an Extract from Mr. *Oliphant*'s Report, commencing at paragraph beginning "It is impossible," at page 6, and ending at the words, "nine remaining tribes, 1,100 *l.*," at page 9.

Appendix, No. 6.

NAMES of the OFFICERS and MISSIONARIES now on the Strength of the Indian Department who entered its Service previously to its Re-organization in 1845.

NAME.	Various Capacities of Service.	Present Office.	Date of First Appointment.	Whole Period of Service.	——
S. Y. Chesley	Interpreter, Lieutenant, Resident Superintendent of St. Regis, Land Agent and Accountant.	Accountant and Assistant to Superintendent-general.	Nov. 1813	42 years	Served through the whole American War, from the day of the Battle of Aylenfarm to 1 August 1815; was engaged at the taking Ogdensburgh, at Hoople's Creek; Expedition to Four Corners, at Chateauguay and Plattsburgh. Age 60 years; speaks the Mohawk language fluently. A most valuable officer.
Thomas G. Anderson	Interpreter and Visiting Superintendent.	Superintendent	1815	40 ,,	Did duty in a military capacity at Prairie du Chien and Macana, and as Superintendent at Coldwater, Manitoulin, Toronto and Coburg; 72 years of age; speaks Chippewa. Also a very valuable officer.
D. C. Napier	Secretary and Superintendent	Superintendent	1825	30 ,,	Has performed the functions of these offices at Montreal and Quebec. is 67 years old. Does not speak any Indian language.
George Ironside	Superintendent at Amherstburh and Manitoulin.	Superintendent at Manitoulin.	1826	29 ,,	Has been at Manitoulin Island since 1845. Is 48. Speaks Chippewa imperfectly.
Frs. Assickenack	Interpreter	Interpreter	1849	6 ,,	Is a full-blooded Indian, was educated at Toronto College.
D. Thorburn	Special Commissioner and Superintendent.	Special Commissioner and Superintendent.	1844	11 ,,	Acted in the previous capacity since 1844, and in both since January last. Is 65 years old.
	MISSIONARIES:				
Rev. Richard Flood	Missionary	Missionary	1834	21 ,,	Resides at Carradoc.
Rev. F. A. O'Meara	Ditto	Ditto	1841	14 ,,	Manitoulin.

Appendix, No. 7.

STATEMENT of the SUMS voted by the Imperial Parliament for defraying the Expense of the Indian Department in *Canada*, during each of the under-mentioned Seven Years.

	£.
Year ending 31st March 1849	14,308
,, 1850	14,102
,, 1851	14,102
,, 1852	13,660
,, 1853	12,424
,, 1854	12,151
,, 1855	9,438
Sterling	£. 90,185

YEARLY AVERAGE £. 12,883. 11. 5. sterling.

SUMS actually expended, as per Commissariat Accounts Current.

	£.	s.	d.
Year ending 31st March 1849	12,369	2	6
,, 1850	9,712	11	10
,, 1851	16,453	12	10
,, 1852	12,238	5	8
,, 1853	8,771	10	6
,, 1854	9,869	11	—
,, 1855	8,016	7	1
	£. 77,431	1	5

YEARLY AVERAGE £. 11,061 11 6 sterling.

CLASSIFICATION of the various Charges on the Parliamentary Grant during the foregoing Seven Years.

Year ending 31 March	PRESENTS.	SALARIES.	PENSIONS.	CONTINGENCIES.	Pensions to Wounded Indians.	PROVISIONS.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1849 -	7,351 11 6	2,568 15 9	517 - 7	1,492 5 8	59 11 8	379 17 4
1850 -	4,823 4 1	2,572 9 1	475 16 -	1,327 6 3	52 - -	461 16 5
1851 -	11,843 9 7	2,573 6 8	496 3 10	1,078 - 11	36 16 8	425 15 2
1852 -	7,944 8 2	2,391 14 4	417 1 -	1,031 1 1	63 7 6	390 13 7
1853 -	4,738 15 8	2,433 11 -	424 11 -	714 19 1	52 - -	407 13 9
1854 -	6,103 19 3	2,596 18 11	289 9 8	551 10 9	52 - -	275 12 5
1855 -	4,604 17 6	2,306 18 3	253 8 2	516 14 8	- - included with General Pensions -	333 8 6
£.	47,410 5 9	17,444 14 -	2,873 10 3	6,711 18 7	315 15 10	2,674 17 2

GRAND TOTAL - - - - - - £. 77,431. 1. 5.

Appendix, No. 8.

My Lord, Dundas, 22 August 1855.

YOUR letter of the 19th May last, has remained too long unanswered, and the period which I have permitted to elapse since its receipt may argue an indifference on my part to the subject of your Lordship's communication.

But such I assure you is not the case; after so long and protracted an absence at Quebec, from my parish, I found a great deal to attend to on my return, which occupied the whole of my time for many weeks.

Besides, I was very unwilling to reply to your Lordship's letter until I had submitted it to some of my brethren, who are now labouring amongst the Indians, whose opinions I was anxious to obtain before I ventured to express my own upon so important a subject. This necessarily involved a considerable portion of time, but if so, I thought it desirable to secure the counsel of those who were as deeply interested as myself in the welfare of the Indians of our country. I am happy to inform your Lordship that the outline of the plan which His Excellency the Governor-general had in view, and which he has done me the honour to submit to my consideration, has met with the unanimous approval of those gentlemen, whose views on the subject I solicited.

Indeed so admirably suited did we consider it, for the accomplishment of the object which his Excellency has in contemplation, that it is with a great deal of hesitancy I venture to offer any suggestions of my own.

There is very little doubt, my Lord, that the present condition of the Indians is, generally speaking, very deplorable, but at the same time one which may be greatly ameliorated; and I am of opinion that to accomplish any thing more than what has already been done will require the united action of the Government and those who have their spiritual welfare at heart. To the former belongs more particularly the management of their temporal matters, to the latter their spiritual concerns, and yet both must act in concert, for their civilization and conversion must go hand in hand.

The missionary who has been labouring amongst this interesting people can do little more than direct their minds to the consideration of the things of another world; this is particularly his province, for if he ventures to meddle with their temporal concerns he is sure to be censured, if not charged with having other objects in view than those which would evoke for their peace.

The missionary can lead the Indian to a certain point in civilization, but only to a certain point, when I think the action of the Government should be brought to his assistance, in some such manner as that proposed by his Excellency, viz. by making him in reality an owner of the soil; thus severing the leading-strings by which he has too long been held, and upon which he has too much relied, instead of upon his own exertions. The Indian, to be benefited, must be a party, and an interested party, in the great work of his civilization. But so long as he merely holds the land which he is called upon to improve and cultivate, simply as it were by sufferance, and to be deprived of it whenever a surrender may be required, over which he has little or no control, he cannot be expected to have the same interest in it as if it were absolutely his own, to be held by himself and his children in perpetuity, in the same manner and by the same tenure as the soil is held by his white neighbours around him.

By extending to him this privilege, he will at once become interested, which will be a very important step gained towards his civilization.

The missionary may succeed in arresting his thoughts, and turning them to the consideration of the welfare of his soul; and, in my opinion, it is then more immediately the part of the Government to render its assistance, and to direct his mind to the welfare of the body; and the first step, it occurs to me, towards accomplishing this, will be to give him an interest in his earthly possession, a title to his property, so that he may be assured that the labour he may bestow upon it may not be reaped by others, but by his own family after him, which has not always been guaranteed to him. There are instances of Indians having been removed from their settlements, when they had taken the first step towards civilization, namely, by clearing a portion of the forest, to a more remote part of the province, where they were expected to begin again to clear the land, with no better security than they had before; and have thus had the mortification to see the sweat of their brow enjoyed by the purchaser of their former possessions. Such a policy, my Lord, you will yourself see, is most unwise, and must have a most disheartening effect upon the Indian, who is not forward of himself to labour, and he will most certainly become less so if such a system should be continued.

But his Excellency's plan of giving the Indian, as soon as he is in a condition to hold it, his land in fee and common soccage, would effectually, if judiciously carried out, obviate for the future so ruinous a policy as that to which I have just alluded.

The Indian requires every inducement to wean him from his indolent and listless life; and when once his mind becomes engaged in, and turned to the pursuits of agriculture, even on ever so small a scale, a point has been gained, and no obstacle should be thrown in his way; on the contrary, every encouragement should be held out to him to secure his perseverance in well doing.

With these general remarks, I will now proceed to notice more particularly the several heads of your Lordship's communication.

I. Under this head, I would simply remark, that the local superintendent might be the channel of communication with the Government; but I apprehend he could scarcely be expected to have so intimate a knowledge of each individual case as those missionaries who might be labouring within the bounds of his superintendency.

Residing, as the missionaries do, with the Indians constantly, they would be most intimately acquainted with their several characters, and the best qualified to decide who were the farthest advanced, and the most prepared by their previous habits, to receive and make a good use of the boon which his Excellency wishes to extend towards them.

By application to them, I am sure they would be most happy to furnish the superintendent with the most accurate information he could require.

II. The duty prescribed under this head might safely be committed to the missionary; but to relieve him from the responsibility of the choice of candidates, and thus throw the onus upon him, as well as to keep down jealousies which would necessarily arise, it would be better to entrust it to the hands of some disinterested person or persons, who had the welfare of the Indians in view, and who would in reality attend to the duty, a most important one, in a conscientious and unbiassed manner.

It would even be more judicious to relieve the local superintendent also of this duty; for the charge of partiality would as likely be fastened upon him as upon the missionary, where the privilege could not at first be safely committed to all.

III. The queries under this division are so much to the point, and so fully meet the case, that I can suggest nothing, but dismiss it with this single remark, that many might be found, and certainly some who are quite capable of taking care of their property, who could not comply with all the requirements contained in the four queries. But doubtless exceptions would have to be made in this as in all other cases. The commissioners might have the authority given them to recommend those who could comply with the 1st and 2d, but not fully with the 3d and 4th.

IV. I am of opinion, that the object sought to be obtained under this head of his Excellency's plan, will require a good deal of judgment to carry it out beneficially.

In the first place, the greatest care possible will have to be taken in giving up the title of his land to the Indian at all, and therefore every safeguard should be thrown around him to prevent his disposing of it afterwards.

I know that many of the Indians desire it, and would not abuse the trust committed to them. But at the same time, I think as a first experiment, the privilege should be extended to but very few, to be selected from the most prosperous of the Indian missions or settlements. The number might readily be extended, if it was found to be beneficial, by the addition of a few every year. As to the quantity of land to be given to each individual, that will require a good deal of consideration. In the case of a single man, who should give up only his own individual interests, 100 acres might be as much as he could well manage. But in the case of a married man with a family, such an allowance would be altogether insufficient. This might be obviated by giving every male member of the family 100 acres, on attaining the age of 21 years, if he were otherwise qualified.

There would still be the interests of the female to be regarded, who is now entitled equally with the male to a participation in the funds of the tribe.

She might either receive an allowance of land, or her right might be commuted, by the payment

payment of an equivalent in money. Another difficulty would arise here. The Indian might contend that he would still be entitled to receive his portion of the funds of the tribe annually, realized from the sales of land made prior to his being placed in this new position. That the grant of 100 acres, or whatever quantity might be given to him absolutely, in no way affected his former rights; that the grant to him was only given from the lands still remaining in the possession of his tribe, in which he had an equal interest with the rest; in short, that it would only be confirming his title to a certain proportion of his own property.

If he ceased to participate in the funds of his tribe, simply because he had received a title to a portion of his own, and in addition received assistance for a year or two until he was established in his possession, I apprehend that he would soon discover that he would by so doing, be placed in a more unfavourable situation than those who had no such privilege extended to them. The share of the funds which he would relinquish in consequence of having received his deed, would go to swell the general amount of the funds to be divided amongst those who were not considered fit to assume this new position; and the larger the number who should thus surrender their share of the annuities, by accepting their title-deeds, the greater would be the sum to be divided amongst those who were ineligible.

There would naturally arise also, in the minds of the Indians, two very important questions. 1st. What would become of their funds, or their present capital, after all had received their deeds and the assistance proposed? And 2dly. What disposition would be made of their lands, should any remain, after all had the apportionment of 100 acres, or whatever quantity the Government might deem it proper to give them.

Until these questions were disposed of satisfactorily, I fear that few would be inclined to accept of the deeds for their respective shares. But before any deed was given to any Indian, I would suggest here, that the consent of the chief or chiefs of his tribe or nation, should first be procured.

The grant of a certain "sum of money for a year or two for the purchase of seed and farming implements," as proposed in his Excellency's plan, would have a most beneficial effect. But I would go a step further, and hold out premiums to encourage education, industry, frugality, cleanliness, &c., &c. amongst them. For instance, prizes might be awarded annually for the greatest number of acres of land cleared within the year; for the best cultivated farm; for the best stock of horses, horned cattle, sheep, pigs, &c.; for the best dwelling and farm-houses; for various articles, the produce of their farms, and amongst the children for the greatest improvement in their studies and regularity in their attendance at school. A premium might also be extended to the various handicrafts; and last, though not least, for the greatest cleanliness and neatness in their houses and families. This list I am aware might be greatly extended; in short, some such plan though on a smaller scale, as that which is now in use amongst the agricultural societies of the province, might be extended to the Indians, with very great profit and advantage.

V. I think the term named under this head, for the issuing of the patent, is quite too short. I would strongly recommend that no patent should issue for at least four years. Perhaps another year's probation might be added as a general rule, with greater safety. It would be far better for the Indian to submit to a long probation at first, than that he should by too hasty a movement be put into a situation to be robbed of his land, before he was capable of taking care of it, or fully appreciated the boon bestowed upon him. I repeat here, that in the first instances, too great care cannot be taken to secure the Indian against loss; at the same time a fair trial should be given him to test his capability of holding his property in his own name.

With regard to the protection of the Indians from the common process of law for debt, I cannot but think that it has led to very unhappy results, and has, I fear, induced dishonesty, if it has not in reality produced it.

The Indian, I am convinced in many instances, knowing that he could not be sued, has contracted debts which he never intended to pay, or which he felt he ought not to pay to their full extent. With the knowledge that his creditor, in consideration of the risk he would have to run (in fact, to trust entirely to the Indian himself), has added so much to the price of the articles sold, that if even one half should be realized, he would be secure; the Indian has too frequently been careless about meeting the demands of his rapacious creditors, and satisfied that he could not be proceeded against for his debt, he has repudiated it altogether, and more especially if it has been chiefly for liquor.

The tendency of all this has been most prejudicial to their temporal and spiritual interests; and it is a matter I humbly submit, worthy of the consideration of the Government, whether such a protection is judicious, and whether it should not be blotted from the statute book, and the Indian be placed henceforward, in this respect, on the same footing with the white man. Having thus secured, as we may presume to the Indian his land, the next step I think should be to extend to him all the privileges of a subject; by this I mean those rights which are common to all the subjects of Her Majesty: as for example, the elective franchise, a part in municipal institutions, the right of being selected as a juror, and of holding and conveying property when, and to whomsoever he pleased; in a word, to place him at once in the same position as any other subject of the Queen, amenable to the same laws, and entitled to the same privileges. For experience has, I think, abundantly shown, that the longer the Indian is kept in a comparatively helpless condition, and treated as a child, the less inclined he will be to assume the responsibility of providing for or taking care of himself.

But set him free as soon as he is prepared for the emancipation, and show him that he must rely entirely, like his white neighbour, on his own exertions; let him feel, in fact, that he is no longer a child, but raised to the dignity of a man, and I am convinced that an

important step will be gained towards his well-being, both here and hereafter. But all this forces on another consideration, viz., whether the Indian thus raised should not be permitted, like his fellow-subjects, the right to petition his Excellency in Council, through the chiefs of his nation or tribe, and also the Legislature, if necessary, instead of being compelled as is at present the case, to prefer his petition only through the medium of his own local superintendent. A subject of Her Majesty has the free and untrammelled right to petition, and so should the Indian when he is raised to his new position. The denial of this has, I am aware, given rise to numerous complaints and to more dissatisfaction than almost anything else. I am fully sensible of the objections to such liberty, that it might be attended, and doubtless would be accompanied with some inconvenience, and might induce them to refer every trivial matter to the Government, instead of submitting it in the first instance to their own superintendent, and thus render their applications frequent and troublesome, but not more so, I apprehend, than the constant applications of the whites. Some appeal from the decision of the local superintendent should undoubtedly be permitted; and, in certain cases, a direct application to the Governor in Council, irrespective of the superintendent, should be allowed, which, under proper restrictions, would be a powerful means of removing a great deal of jealousy and heart-burning, which its denial is almost sure to produce.

There is yet another matter connected with their own internal management which I think calls for some attention, and upon which I will offer a few remarks here: I allude to the appointment of their chiefs; this should be held, as it now is, in the hands of the Government; but I think the office might be invested with a little more authority than it possesses at present. To be more explicit: a chief, who had become christianized and civilized, might be appointed to the magistracy and to other offices, not only of trust but also of emolument, and especially the latter, should any such be found necessary amongst them.

But the qualifications for the office of a chief should be raised as the present occupants disappeared. The chief should be required to read and write the English language easily; his moral character should be unexceptionable, and he should be entirely free from that slavish vice, intemperance, which is rapidly obliterating the Indian name. If some such stringent departmental regulation could be framed and rigidly carried out as the following: that intemperance should invariably deprive a chief of his office, upon sufficient evidence being furnished of his guilt, and in fact, that the offence should be total disqualification for the chieftainship, I think it would be a wholesome restraint upon the individual himself, and have also an excellent effect upon the whole community. The nation or tribe would, at all events, have the benefit of a good example from their rulers, and a powerful stimulus would thus be given them to go and do likewise.

Upon the question of intemperance itself, as far as it affects the Indian, I need say nothing here, nor indeed offer any suggestions upon the subject. The whole question is now before the Legislature, and should any good result from its deliberations, the Indian will receive the same benefit as the white man; for the law, should one be carried, will equally affect both.

It is not without much diffidence, my Lord, that I ventured to offer the foregoing crude and imperfect suggestions; but if they can, in ever so small a degree, be made available to his Excellency the Governor-general in his noble efforts to elevate the present deplorable condition of these poor children of the forest, I should be abundantly rewarded, and feel that my time has not been lost, but devoted to the truest interests of this interesting, but too long neglected people.

To Viscount Bury,
Superintendent-general of Indian Affairs,
&c. &c. &c.

I have, &c.
(signed) *William M'Murray*, D. D.,
Rector of Ancaster and Dundas.

—No. 3.—

No. 3.
Governor-general Sir E. Head to Right hon. H. Labouchere, M. P.
15 March 1856.

(No. 51.)

COPY of a DESPATCH from Governor-General Sir *E. Head* to the Right Hon. *H. Labouchere*, M. P.

Government House, Toronto, 15 March 1856.
(Received 1 April 1856.)

Sir, (Answered 4 April 1856, No. 69, p. 42.)

I HAVE had the honour of receiving your despatch of February 21, No. 42, relative to the management of the Indian Department in this Province

As Her Majesty's Government have finally decided upon following the course set forth in that despatch, with a view of making the establishment entrusted with the care of Indian affairs self supporting, it only remains to adopt such measures as may seem best calculated speedily to ensure the object desired.

The returns of the number of persons recommended for the continuance of the yearly blanket, and an estimate of the cost, are in course of being made out, and will be forwarded immediately on their completion, as also lists of the Indians to whom pensions have been granted, with a statement of the respective sums allotted to them.

There

There are in the hands of the Commissariat Department in this Province a certain number of blankets, kettles and other articles, which were originally destined to be distributed among the Indians as presents.

A few rifles, with their appurtenances, which formed part of this stock, have been, at my request, put at the disposal of the Adjutant-general of Militia. The greater part of the other things are to be advertised for sale.

I would suggest, Sir, that the blankets and such other articles as may be considered useful should be reserved as applicable for the relief of the aged Indians above referred to. They would probably fetch merely nominal prices if sold by auction.

The few flags and medals also yet in store have been reserved, at my request, as not being worth selling, though useful as marks of honorary distinction.

I intend this despatch merely as one of an intermediate character.

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

Despatches from the Secretary of State.

— No. 1. —

No. 1.
Right hon. Sir G. Grey, Bart., M. P., to Governor-general Sir E. Head.
24 January 1855.

(No. 11.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., M. P., to Governor-General Sir *E. Head.*

Sir, Downing-street, 24 January 1855.

I HAVE received your predecessor's despatch,* No. 66, of the 18th of December last, accompanied by a report from Mr. Oliphant, Superintendent-general of Indian affairs, respecting the surrender of certain Indian lands on Lake Huron, and containing remarks and suggestions of much importance on the prospects of the Indians in Canada, and the future course to be adopted towards them.

* Page 3.

Mr. Oliphant's report is a valuable one, and has not failed to attract my attention; but before adopting a conclusion on the practical questions which it suggests, I shall await the communication of the opinions which you may form after you shall have had an opportunity of giving it your consideration.

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

— No. 2. —

No. 2.
Right hon. H. Labouchere, M. P., to Governor-general Sir E. Head.
21 February 1856.

(No. 42.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M. P. to Governor-General Sir *E. Head.*

Sir, Downing-street, 21 February 1856.

IN the concluding part of your despatch,† No. 154, of the 15th of December 1855, relative to the contents of the blue book for 1854, you transmit a Report from Viscount Bury as Superintendent-general of Indian affairs upon the state and prospects of the Indians, and upon the measures which are in progress for gradually withdrawing the aid hitherto granted to them by the British Parliament.

† Page 16.

I have carefully considered this Report, as well as that from Mr. Oliphant by which it was preceded, both of them able and comprehensive papers, and I have duly adverted to the remarks which you have made on the subject.

It has long been settled that the general presents to the Indian tribes, which are in progress of annual reduction, shall cease in 1858. Before this decision was adopted, the two questions whether the continuance of the presents was

required by good faith, and whether it conduced to the civilization and welfare of the Indians, were fully considered; and both were decided in the negative. This decision therefore will remain unaltered.

But it has been represented that there is a certain number of aged and destitute Indians who would feel severely the loss of their annual blanket. This point was urged with great propriety of sentiment and language by Chief Sawyer at a Council, of which an account is appended to Viscount Bury's Report. Lord Bury appears to have addressed a circular letter to the officers of the department, calling for a return of really deserving objects coming within the terms of the foregoing description. He proposes that only the oldest and best conducted Indians should be admitted to the boon, that none of them should be less than 60 years of age, and that no fresh names should be hereafter added to the list. Kept within these limits, and supposing that the total pecuniary cost should be as moderate as is expected by Lord Bury, I have little doubt that Parliament would be willing to continue the small grant requisite for this bounty, viewing it as a charity to the individuals, and a mark of consideration for the tribes to which they belong. I shall be glad to receive from you as soon as it can be made out, a complete return of the numbers of persons recommended for the continuance of the yearly blanket, and an estimate of the cost.

The need however of an Indian Department will not cease with the issue of presents. Viscount Bury points out that the distribution of these presents forms only a small part of the duties of that office, and that a much larger part consists in a general guardianship of the Indians, and management of their property. Undoubtedly an Indian Department should still be maintained, but the question is from what source the requisite expenditure should be defrayed. Mr. Oliphant thought that an endeavour should be made to pay for it out of Indian funds. Lord Bury on the other hand, submits that these funds are altogether inadequate to the purpose; that they are already drawn upon (to an extent which amounted in the year 1855 to 4,700 *l.*) for various public objects beyond those defrayed from the Parliamentary grant, and that a contribution from the latter source of about 4,500 *l.* will still be wanted. He remarks that the Imperial grants for the last seven years have amounted to 77,000 *l.* and he proposes that in order to put an end to the annual votes for this service, Parliament should be asked to grant, once for all, a like sum of 77,000 *l.*, which invested in Canadian debentures would yield the annual income which he believes to be necessary.

I regret that I cannot hold out to you any prospect that this proposal can be entertained. Parliament could not, with propriety, be applied to for such a grant on account of this expiring service. It evidently is no more than consonant with equity and common usage, as was most justly observed by Mr. Oliphant, in his report on this subject, that where an agency is employed for the management of large pecuniary interests, its officers should be paid out of the funds which they administer. I am aware that the property of the Indians has been somewhat neglected, and that it may not be immediately adequate to bear any large new demand upon it, but still it is of great extent, and certainly it is difficult to suppose that with due zeal and judgment on the part of the Indian Department, it might not be made to do much more than defray the expense of its management.

Some useful information on the extent of the Indian property is connected with Mr. Oliphant's Report.

In Lower Canada I observe that grants are made by the Provincial Parliament for Indian purposes, to the amount of 1,150 *l.* per annum; that 17,000 acres of land are owned by the Iroquois of St. Regis, who have also 6,500 *l.* in public funds, yielding 390 *l.* interest; that the Iroquois of Caughnawaga are engaged in various branches of trade and agriculture, and are quite independent in their circumstances, and that although other tribes are, no doubt, in a state of great poverty and helplessness, yet no less than 230,000 acres of land have recently been reserved to them for cultivation or for future surrender.

In Upper Canada there is an annual grant of 1,100 *l.* to assist the necessitous tribes of Ojibways on Lakes Huron and Superior. There are various investments in public funds belonging to other tribes, yielding so much as 8,800 *l.* per annum, exclusive of the large proceeds which are expected hereafter for the Saugeen Reserve on Lake Huron. There are large tracts of land, for some of which instalments to the amount of 7,000 *l.* were due at the date

of

of Mr. Oliphant's Report to two tribes alone, viz., the Six Nations and the Chippewas; and beyond all this there is a floating fund common to all the Indians, called the "General Fund," which was worth 8,300 *l.*, and produced about 500 *l.* per annum when Mr. Oliphant wrote.

I am aware that much of this property belongs to separate tribes, and could not, therefore, be rendered applicable, except rateably, to the maintenance of a general department. And further that, as has already been noticed in an earlier part of this despatch, some part of the funds is already properly devoted to schools and other laudable objects. But still I think that it is impossible to close the review which I have just made, without feeling convinced that if those entrusted with the care of the Indians were made sensible that their establishment must be self-supporting, they would not fail to find the requisite means of accomplishing the object.

On the other hand, after the very long period during which the guardianship of the Indians has been provided for by Imperial aid, I do not doubt that Parliament will be willing to grant a moderate time for maturing and bringing into action a better system. Exclusive of presents, I find that the demand upon Parliament, at the present moment, may in round numbers be classified as follows:

	£.
Salaries and contingent expenditure of department - -	3,000
Provisions and gunpowder for the use of Indians who live by the chase - - - - - - - - -	400
Pensions - - - - - - - - - -	230
	£. 3,630

The pensions will continue to be paid during the lives of the holders. You will have the goodness to cause me to be furnished with a return of their names, and of the amount of pension received by each.

The contingent expenditure of the department will, I hope, soon admit of some considerable reduction.

I perceive that the charge of the establishment at Manitoulin is treated in some of the reports as a matter more especially of Imperial concern, because it was an experiment instituted under the personal direction of a former Governor of Upper Canada, Sir Francis Head. I cannot at all admit, however, that this distinguishes it from any other branch of Indian management; and if you should think that the experiment has proved a failure, it will be for you to take any steps which circumstances will admit for remedying the evil, and placing the Indians concerned under more favourable conditions. The general tenor of the accounts from Canada appears to leave little doubt, that on the whole it is better for the Indians to be within reach of civilized communities, notwithstanding the risks and temptations to which they may be thus exposed, than by isolating them to keep them in a perpetual state of tutelage and helplessness. The statement that large bands of Indians in the more settled parts of the province are engaged in trade and agriculture, and are independent in their circumstances, and scarcely distinguishable from the neighbours by whom they are surrounded, appears conclusive on this point.

On the whole I think it probable that Parliament will not object to an application for a sum not exceeding 3,000 *l.* per annum in aid of the Indian Department, and for the purchase of the usual provisions, and gunpowder for the use of those tribes which live by the chase, during a period of two or three years subsequent to the cessation of the Indian presents. But after the time thus allowed for giving effect to new measures, I apprehend that the officers of the establishment must look to the provisions of the funds required for its support, by the more efficient and profitable management of the extensive property which is entrusted to their care; and I have no doubt that with the notice afforded in the present despatch, you will take the necessary steps for securing their early attention to the subject, and for obtaining from them, well-considered proposals for the future maintenance and administration of this department.

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

No. 3.
Right hon. H. Labouchere, M.P., to Governor-general Sir E. Head.
4 April 1856.

— No. 3. —

(No. 69).

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Governor-General Sir *E. Head.*

Sir, Downing-street, 4 April 1856.

* Page 38.

I HAVE received your despatch,* No. 51, of the 15th of March, suggesting the manner of disposing of some miscellaneous articles which are in the hands of the Commissariat Department, originally destined for distribution as Indian presents.

I quite approve of the course which you propose to adopt on this subject.

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

INDIAN DEPARTMENT (CANADA).

COPIES or EXTRACTS of recent CORRESPONDENCE respecting Alterations in the Organization of the INDIAN DEPARTMENT in *Canada.*

(*Viscount Goderich.*)

Ordered, by The House of Commons, *to be Printed,*
2 *June* 1856.

[*Price* 8*d.*]

247.

Under 8 *oz.*

UNIVERSITY OF QUEBEC.

RETURN to an Address of the Honourable The House of Commons, dated 12 March 1856;—*for*,

"COPY of the CHARTER granted for the purpose of Erecting the Seminary of *Quebec* into an University."

Colonial Office,
14th April 1856.

JOHN BALL.

(*Mr. Meagher.*)

Ordered, by The House of Commons, *to be Printed*,
15 *April* 1856.

EXTRACT from Thirteenth Part PATENT ROLL of the Sixteenth Year of the Reign of Queen *Victoria*.

LAVAL UNIVERSITY, QUEBEC, CHARTER.

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

To all to whom these Presents shall come, greeting:

WHEREAS it hath been represented unto Us, that there has existed during the last two hundred years, and does now exist in that part of Our Province of Canada called Lower Canada, a Seminary established for the education and instruction of youth, and known by and under the corporate style and title of "Le Seminaire de Quebec;" that the said Seminary comprises a school of divinity, and classes of instruction in science and literature, at present frequented by more than 400 pupils; that the said Corporation is amply endowed, being provided with abundant means for carrying out its objects without assistance from the Provincial Legislature; that it possesses extensive and valuable libraries, rich and costly collections of all kinds of philosophical and other apparatus requisite for assisting in imparting a knowledge of the sciences:

And whereas humble application hath been made unto Us by the very Reverend Louis Jacques Casault, Superior of the said Seminary, and the Reverend Antoine Parant, Joseph Aubry, John Holmes, Léon Guigras, Louis Guigras, Michel Forgues, Elzear Alexandre Taschereau and Edward John Horan, Directors of the said Seminary, that We would be pleased to grant Our Royal Charter for the purpose of authorising the said Corporation to confer Degrees, and granting unto the said Corporation all other the privileges usually granted to and enjoyed by Universities;

Now know ye, That having taken the premises into Our Royal consideration, and duly appreciating the great utility and importance of the enjoyment of these privileges by the said "Seminaire de Quebec," We, of Our especial grace, certain knowledge and mere motion, have ordained and granted, and by these presents do for Us, Our heirs and successors, ordain and grant, that the said Louis Jacques Casault, Antoine Parant, Joseph Aubry, John Holmes, Léon Guigras, Louis Guigras, Michel Forgues, Elzear Alexandre Taschereau and Edward John Horan, and their successors in their offices aforesaid, shall be and be called as heretofore one body corporate and politic, and shall, in addition to the powers and privileges by them hitherto possessed and enjoyed in their said corporate capacity, have, possess and enjoy the rights, powers and privileges of an University as hereinafter directed, for the education and instruction of youth and students in arts and faculties; and that in each and every act or deed done and performed under and in virtue of this Charter, the said "Seminaire de Quebec" shall be named, called and known as the "Université Laval" (Laval University).

And We do hereby, for Us, Our heirs and successors, declare, ordain and grant that our trusty and well-beloved the most Reverend Pierre Flavien Turgeon, Roman Catholic Archbishop of the Diocese of Quebec, or the Roman Catholic Archbishop for the time being of the said Diocese, or the person administering the said Diocese, shall by virtue of his office be Visitor of the said University.

And We do hereby, for Us, Our heirs and successors, declare, ordain and grant that there shall be at all times one Rector of the said University, and that the said office of Rec or shall be held by the Superior of the said Seminaire de Quebec for the time being.

And We do hereby, for Us, Our heirs and successors, declare, ordain and grant that there shall be such and so many Professors in the different Arts and

and Faculties in our said University as from time to time shall be deemed necessary or expedient, and as shall be regulated by the Visitor of Our said University, by and with the advice of the University Council hereinafter established.

And We do hereby, for Us, Our heirs and successors, declare, ordain and grant that the said Rector and the said Professors of Our said University, and all persons who shall be duly matriculated into and admitted as Members of Our said University, and their successors for ever, shall be one distinct and separate body politic in deed and in name, by the name and style of "The Rector and Members of Université Laval (Laval University) at Quebec, in the Province of Canada," and that by the same name they shall have perpetual succession and a common seal, and that they and their successors shall from time to time have full power to break, change, alter or renew such common seal at their will and pleasure, and as often as they shall judge expedient; and that by the same name they, the said Rector and Members of the said University, and their successors from time to time, and at all times hereafter, shall be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all or any Court or Courts of Record within Our United Kingdom of Great Britain and Ireland, and Our said Province of Canada, and other Our dominions, and in all singular actions, clauses, pleas, suits, matters and demands whatsoever, of what nature or kind soever, in as large, ample and beneficial a manner as any other body corporate and politic, or any other Our liege subjects, being persons able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered, in any manner whatsoever.

And We do hereby, for Us, Our heirs and successors, declare and ordain that there shall be within Our said University a Council, to be called and known by the name of the "Université Laval (Laval University) Council."

And We do, for Us, Our heirs and successors, will and ordain that the said Council shall consist and be composed of the Rector of the said University, of the Directors of the said Seminaire de Quebec, to wit, the Reverend Antoine Parant, Joseph Aubry, John Holmes, Léon Guigras, Louis Guigras, Michel Forgues, Elzear Alexandre Taschereau, and Edward John Horan, by virtue of their office as such Directors, and their successors, whether the said Directors be or be not Professors in the said University, and of the three Senior Professors of the several Faculties of Divinity, Law, Medicine and Arts in the said University.

And We do hereby, for Us, Our heirs and successors, further will and ordain that by the term "Director," shall be understood any and every person considered as such by the said Seminaire de Quebec.

And We do hereby, for Us, Our heirs and successors, further will and ordain, that all the powers and privileges granted by this Our Charter shall be vested in and exercised by the said Council.

And We do hereby, for Us, Our heirs and successors, will and ordain that the members of the said University Council shall hold their seats in the said Council so long only as they and each of them shall retain their respective offices as aforesaid, by and in virtue of which they become members thereof.

And We do hereby, for Us, Our heirs and successors, will and ordain that the Rector for the time being of the said University shall preside at all meetings of the said University Council at which he may be present; and that in his absence from any such meeting, it shall be presided over by such member thereof who may then be the first Assistant Superior of the said Seminaire de Quebec; or in the absence of this latter, by the second Assistant Superior thereof; and in the absence of all three of the above functionaries, by the member of the said Council who shall be the Senior Director of the said Seminaire then present.

And We do hereby, for Us, Our heirs and successors, declare and ordain that no meeting of the said Council shall be, or be held to be, a lawful meeting thereof, unless a majority of the members thereof be present during the whole of every such meeting; and that all questions and resolutions proposed for the

decision of the said University Council, shall be determined by the majority of the votes of the members of Council present, including the vote of the Rector, or other presiding member; and that in case of an equal division of such votes, the Rector or other member presiding at any such meeting shall give an additional or casting vote.

And We do by these presents, for Us, Our heirs and successors, will, ordain and grant that the said Council of Our said University shall have full power and authority to frame and make statutes, rules and ordinances touching and concerning the good government of the said University, the studies, lectures, exercises, degrees in Arts and Faculties, and all matters regarding the same; and also touching and concerning any other matter or thing which to them shall seem good, fit and useful for the well-being and advancement of Our said University, and agreeable to this Our Royal Charter; and also from time to time, by any new statutes, rules or ordinances, to revoke, renew, augment or alter, all, every or any of the said statutes, rules and ordinances, as to them shall seem fit and expedient: Provided always, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of Our said Province of Canada, nor repugnant to, or inconsistent with, this Our Charter, or any of the provisions thereof: Provided also, that a copy of all statutes, rules and ordinances so to be made as aforesaid, under and in virtue of this Our Charter, shall be furnished with all convenient speed after the making thereof to the Visitor of Our said University for the time being, who shall have authority within two years from the day of the receipt of such copy, to disallow any such statute, rule or ordinance, or any part thereof; and such disallowance shall, without delay, be signified in writing, under the hand of Our said Visitor, to the Rector of Our said University, and thenceforward such statute, rule or ordinance, or any part thereof so disallowed, shall be void and of none effect, but otherwise shall be and remain in full force and virtue: Provided, also, that all statutes, rules or ordinances repugnant to law as aforesaid, or to this Our Charter, or inconsistent therewith, shall be, *ipso facto*, null and void.

And we do hereby, for Us, Our heirs and successors, will, ordain and declare that the said University Council shall have full power and authority to nominate and appoint the various Professors for the several Faculties of Law, Medicine and Arts, and of revoking and cancelling all such nominations and appointments whenever they shall find just and sufficient cause; and the said Council shall also have and possess the right and privilege of presenting and submitting the names of candidates for the Professorships of Divinity to the Visitor of the said University, by whom alone the appointment of the Professors of Divinity shall be made and confirmed; but the said Council shall have no power or authority to revoke or annul the nomination or appointment of the said Professors of Divinity without the previous consent of the said Visitor.

And whereas it is necessary to make provision for the completion and fitting up of the said Council at the first institution of our said University, and previously to the appointment of any Professors; Now We do for Us, Our heirs and successors, further ordain and declare that until such Professors be named, the Rector and Directors of the said Seminaire shall be deemed to constitute the said Council, and shall be to all intents and purposes capable of performing and exercising all and every the duties, powers, authority and privileges hereby granted to and vested in the said Council.

And We do hereby, for Us, Our heirs and successors, charge and command that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time under the penalties to be thereby or therein imposed or contained.

And We do, for Us, Our heirs and successors, further will, ordain and grant that the said Université Laval (Laval University) shall, as such University hereby constituted, have, possess and enjoy all such and the like privileges as are now enjoyed by Our Universities of Our United Kingdom of Great Britain and Ireland, so far as the same are capable of being had, possessed or enjoyed, under and by virtue of this Our Royal Charter, and that the said University Council shall have power and liberty to grant and confer on all students, whether

whether they be or be not students in the said Seminary or University, or in any other College or Seminary within our said Province, which shall be affiliated to and connected with the said University as hereinafter provided, who shall be found duly qualified according to the statutes, rules and ordinances aforesaid, to receive the same, the degrees of Bachelor, Master and Doctor in the several Arts and Faculties ; and the said University Council shall have power and liberty within itself of causing to be performed all scholastic duties for the conferring of such degrees, in such manner as shall be directed by the statutes, rules and ordinances aforesaid.

And We do further, for Us, Our heirs and successors, will, ordain and grant, that the said University Council shall, for the purposes of this Our Royal Charter, have, possess and enjoy the right and power to affiliate to and connect with the said University, any one or more College or Colleges, Seminary or Seminaries, public institution or institutions of education within Our said Province, as to the said Council may seem fit ; subject, nevertheless, to the statutes, rules and ordinances aforesaid.

And We, for Us, Our heirs and successors, do further will and ordain, that no religious test or qualification shall be required of or appointed for any person to be admitted or matriculated as students within Our said University ; provided, nevertheless, that all persons admitted to any Degree in any Art or Faculty therein, shall make such declarations and subscriptions as by the statutes, rules and ordinances aforesaid, shall be fixed and appointed.

Provided always, and this Our Royal Charter is granted upon the express terms and conditions that the powers, authorities, privileges and rights hereby granted shall not, in the exercise of them by the said University Council, in any manner or way interfere with, diminish or otherwise affect the powers, rights and privileges of the said Seminaire de Quebec, as now enjoyed and exercised by the Superior and Directors of the said Seminaire ; but that all and every the said rights, powers, authorities and privileges of the said Corporation of " Le Seminaire de Quebec " shall, in the administration of the affairs of the said " Seminaire de Quebec," remain the same as heretofore.

And We will, and by these presents, for Us, Our heirs and successors, do ordain and declare, that these our Letters Patent, or an exemplification thereof, shall and may be good, firm, valid, sufficient and effectual in law, according to the true intent and meaning of the same : and shall be taken, construed and adjudged in the most favourable and beneficial sense, and to the best advantage of the said " Rector and Members of Our said University," as well in all Our Courts of Record as elsewhere, and by all and singular Judges, Justices, officers and other subjects whatsoever of Us, Our heirs and successors ; any mis-recital, non-recital, omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof in anywise notwithstanding.

In Witness, &c., Witness, &c., the Eight day of December.

By Her Majesty's Command.

This is a Copy of the Record.

(signed) *Edward Young,*
Clerk of Enrolments in Chancery.
10 April 1856.

UNIVERSITY OF QUEBEC.

COPY of the CHARTER granted for the purpose of Erecting the Seminary of *Quebec* into an University.

(*Mr. Meagher.*)

Ordered, by The House of Commons, *to be Printed,*
15 *April* 1856.

158.

Under 1 oz.

278

HUDSON'S BAY COMPANY.

RETURN to an Address of the Honourable The House of Commons, dated 19 February 1857;—*for*,

"COPY of a DESPATCH from HER MAJESTY'S SECRETARY of STATE for the COLONIES to the GOVERNOR-GENERAL of *Canada*, dated the 4th day of December 1856, together with a Copy of the REPLY from the GOVERNOR-GENERAL, dated the 17th day of January 1857, inclosing a MINUTE of the COUNCIL on the Subject of the HUDSON'S BAY COMPANY'S TERRITORIES."

Colonial Office, 12 March 1857.

H. LABOUCHERE.

SCHEDULE.

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
		1856:		
1	The Right Hon. H. Labouchere to Governor Sir E. Head.	4 Dec. - No. 179	Stating that it is the intention of Her Majesty's Government to bring the whole subject of the affairs of the Hudson's Bay Company under the investigation of a Committee of the House of Commons, and desiring him to consider what steps it may be necessary to take in order that the views of the Provincial Government may be represented before the Committee - - -	1
		1857:		
2	Governor Sir E. Head to the Right Hon. H. Labouchere.	17 Jan. - No. 9	In reply to preceding Despatch, and enclosing a Minute of the Council on the subject - - - -	2

— No. 1.—

(No. 179.)

COPY of DESPATCH from the Right Honourable *H. Labouchere* to Governor-General Sir *E. Head.*

Sir, Downing-street, 4 December 1856.

I AM desirous of informing you, at the earliest period, of certain important questions which have recently been raised respecting the affairs of the Hudson's Bay Company in British North America, and of the steps which Her Majesty's Government have in contemplation regarding them.

You are aware that the Hudson's Bay Company claim, under their charter of 1670, and the various Acts of Parliament which they consider to have subsequently recognised it, rights of proprietorship, exclusive trade, taxation, and government, over all the regions under British dominion watered by streams flowing into Hudson's Bay. The extent and ground of this claim are defined in the "Statement of Rights," printed in the annexed Parliamentary Paper, and in the accompanying Map.

Parliamentary Paper, No. 542, of 1850.

 The

The Hudson's Bay Company also claim, and actually exercise rights of exclusive trade, although not the ownership of the soil, over all the territory comprised in a certain license to trade, granted in the year 1838 by the Crown, under the provisions of the Act "for regulating the Fur Trade," 1 & 2 Geo. 4, c. 66, of which license copy is also annexed to this despatch.

Parliamentary Paper, No. 547, of 1842, page 9.

It has been intimated to me, on the part of the Hudson's Bay Company, that as their license expires in 1859, and as a very long period is required before any important change of arrangements can be notified and acted on throughout the vast and distant regions affected by it, it will be very desirable that the views of Her Majesty's Government and of Parliament as to the renewal of the license should be ascertained as early as possible.

Her Majesty's Government have therefore determined on bringing the whole subject under the investigation of a Committee of the House of Commons at the earliest convenient time. The inquiry will mainly be directed to the question of the renewal of the license; but it must incidentally embrace the general position and prospects of the Hudson's Bay Company.

As many points may arise in the course of this inquiry which may affect the interests of Canada, I have to instruct you to consider, with the advice of your Council, the question whether it may be desirable to send witnesses to appear before the Committee, or in any other manner to cause the views of the provincial government and the interests of the Canadian community to be represented before this Committee.

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

— No. 2. —

(No. 9.)

COPY of DESPATCH from Governor-General Sir *E. Head* to the Right Honourable *H Labouchere.*

Government House, Toronto, C. W.,
17 January 1857.

Sir,

I HAVE the honour to acknowledge your despatch of 4th December last, No. 179, relating to the Hudson's Bay Company.

I now enclose a copy of a Minute of Council which I have approved this day. At the same time I desire to observe that I express no opinion of my own as to the fact that the western boundary of Canada extends to the Pacific Ocean.

January 17, 1857.

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

COPY of a REPORT of a COMMITTEE of the Honourable the EXECUTIVE COUNCIL, dated 17th January 1857, approved by His Excellency the Governor-General.

THE Committee of Council have read with great satisfaction the despatch of the Secretary of State for the Colonies, of the 4th of December last, on the subject of the Hudson's Bay Company's occupation of the great North-west territory of America.

They rejoice that the important position and advantages of that great portion of the continent have received such prominent attention from the Imperial Government, and are to undergo the examination and consideration of a Committee of the House of Commons in England.

The Committee desire to urge the importance of ascertaining the limits of Canada, in the direction of the territory over which the Hudson's Bay Company claim jurisdiction. The general feeling here is strongly that the western boundary of Canada extends to the Pacific Ocean.

In

In this, or in any view, the tracing and fixing on the ground, the line of separation between the United States and these territories of the North-west is of great importance. The rapid settlement of Minnesota, shortly to be admitted a state of the American Union, renders this the more necessary, for as civilisation approaches the boundary, so will be increased the difficulty of maintaining the distinction between the rights of the two nations on the frontier. Already, the Committee have reason to believe that difficulties in this respect have occurred, or at least have been threatened, and the importance cannot be underrated of early guarding against any such.

The Committee are most anxious that Canadian interests should be properly represented before the proposed Committee of the House, and that opportunity should be afforded for carefully and closely watching any evidence that may be adduced before that body, and they will take the earliest occasion of suggesting to your Excellency the manner in which they conceive this can be best accomplished. Situated as Canada is, she necessarily has an immediate interest in every portion of British North America, and the question of the jurisdiction and title claimed by the Hudson's Bay Company is to her of paramount importance.

(Certified.)

(signed) *Wm. H. Lee,* C. E. C.

HUDSON'S BAY COMPANY.

COPY of a DESPATCH from the SECRETARY of STATE for the COLONIES to the GOVERNOR-GENERAL of *Canada*, together with the REPLY of the GOVERNOR-GENERAL.

(Mr. Labouchere.)

Ordered, by The House of Commons, *to be Printed,*
13 *March* 1857.

113.

Under 1 *oz.*

EMIGRATION (NORTH AMERICAN COLONIES).

RETURN to an Address of the Honourable The House of Commons, dated 25 July 1856;—*for*,

"COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 464, of Session 1855)."

Colonial Office,
5 February 1857.

JOHN BALL.

(*Mr. John Ball.*)

Ordered, by The House of Commons, *to be Printed,*
6 *February* 1857.

SCHEDULE.

CANADA.

DESPATCH FROM GOVERNOR-GENERAL SIR E. HEAD, BART.

Number in Series.	Date and Number.	SUBJECT.	Page.
	1856:		
1	11 February (No. 29) -	Annual Report of the Chief Agent for Immigration, 1855 - - -	3
		Number of Emigrants landed; decrease as compared with 1854; Emigration from the Continent of Europe, &c. - - - - -	4
		Number of Vessels coming under the operation of the Passengers Act -	5
		Shipwrecks of the "Johns" and "Lochmaben Castle" - - -	6
		Emigration from Poor Law Unions and the London Ragged School -	7
		Prosecutions under the Passengers Act - - - - - - -	8
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NEW BRUNSWICK.

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Despatch from Governor-General Sir E. Head, Bart.

— No. 1. —

(No. 29.)

CANADA.

Governor-General Sir E. Head, Bart., to the Right Hon. H. Labouchere. 11 Feb. 1856.

COPY of a DESPATCH from Governor-General Sir *E. Head*, Bart., to the Right Honourable *H. Labouchere*.

Government House, Toronto, 11 February 1856.

Sir, (Received, 3 March 1856.)

I HAVE the honour to forward the Report of Mr. Buchanan, Emigration Agent at Quebec, enclosing Reports from the other agents, and accompanied by very interesting tables of statistical details.

The report is able and important.

I have called the attention of my Council to the various parts requiring immediate action in the colony.

The number of persons said to have passed over from the United States into Canada, is remarkable.

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

Enclosure in No. 1.

REPORT ON EMIGRATION, 1855. Encl. in No. 1.

To His Excellency Sir *Edmund Head*, Bart., Governor-General, &c. &c. &c.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to Canada,
Quebec, 31 December 1855.

May it please your Excellency,

I HAVE the honour to submit to your Excellency, for the information of Her Majesty's Government, my annual report of the emigration to this province, during the season of 1855. The usual statistical tables, containing the fullest information, under distinct heads, will be found in the Appendix.

Table No. 1, presents a review of the season's emigration, showing the arrivals by sea from each country, the number embarked, the births and deaths on the passage and in quarantine, distinguishing males and females, adults and children. From this table it will appear that the total number of souls embarked as steerage passengers was 20,207; the births on the passage were 36, giving a total of 20,243; the deaths on the passage were 97, and in quarantine, 36; total mortality, 133; leaving the number of emigrants from the United Kingdom and continent of Europe, landed at this port, 20,110. Table, No. 1.

In addition to this number, there were 686 persons arrived from New Brunswick, Nova Scotia, Newfoundland, Cape Breton, &c., to which is further to be added 478 persons, who were classed as cabin passengers, giving as the total

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number of persons landed in the colony, 21,274 souls. This number, when compared with the emigration of 1854, shows the large decrease of 31,909 souls.

The following is a comparative statement of the emigration of the past two years from each country, with the decrease during the season of 1855 :—

Country.	1854.	1855.	Decrease in 1855.
England - - - - - - - -	18,175	6,754	11,421
Ireland - - - - - - - -	16,168	4,106	12,062
Scotland - - - - - - - -	6,446	4,859	1,587
Germany - - - - - - - -	5,688	3,597	2,091
Norway - - - - - - - -	5,849	1,267	4,582
New Brunswick, Cape Breton, &c. - -	857	691	166
	53,183	21,274	31,909

A singular feature in this return, as will be seen, is, that the emigration from Scotland direct exceeds, to a small extent, that from Ireland; and on reference to the emigration to this port from the year 1840, I find the annual average arrivals from Ireland was 18,513, while from Scotland it was but 4,064 persons; and while the decrease of the Irish emigration during the past season shows a falling off of near 300 per cent. that from Scotland is somewhat less than 25 per cent.

Of the emigration under the head of England, 3,854, or upwards of one-half, sailed from the port of Liverpool, a considerable portion of whom were Irish and Germans. On an examination of the lists of the several passenger ships from that port it will appear that the number embarked were, natives of

England - - - - - -	1,422
Ireland - - - - - - -	1,459
Scotland - - - - - - -	512
Foreign - - - - - - -	461
	3,854

I also find that 51 Irish, 31 Scotch, and 2 Germans arrived here by vessels from other English ports; and that 65 Irish and 5 English came from the port of Glasgow.

The emigration from Europe during the past season may, therefore, be classed as follows :—Natives of

England - - -	4,310	Switzerland - -	99
Ireland - - -	5,691	Italy - - -	10
Scotland - - -	5,348	Denmark - - -	8
Germany - - -	3,815	France - - -	4
Norway - - -	1,288		
Belgium - - -	143	Total	20,716

From this statement it will appear that the foreign emigrants during the past season by this route number 5,367, against 18,018 in 1854.

The causes of this great diminution in our emigration may, in a great measure, be traced to those circumstances which were assumed by me in my last annual report to your Excellency; and on reference to the observations which I therein made, in at least as far as regards the paucity of emigration from Ireland

land (the majority having generally originated from that country) during the last season, I may here reiterate my apprehensions that the same causes will operate on those, however strongly disposed to emigrate, in 1856. CANADA.

With regard to our foreign emigration, it may be remarked that the numbers have also greatly diminished when compared with the years 1853–54. This, in my opinion, may be attributed to the existence of war, and in some measure to the shortness of time which has elapsed since the settlement of the emigrants of these years, and the prospective advantage which might, after a longer settlement, be held out to the great body of foreigners disposed to emigrate, and to accomplish which are now only waiting for information. I cannot, however, but entertain strong hopes that the termination of the war will be followed by a very considerable flow of emigration from Europe to this province.

On a further reference to this return, it will appear that the number of vessels engaged in the passenger trade from Europe was 188, measuring 101,673 tons, and navigated by 3,550 seamen; of this number, 99 vessels came under the regulation of the Passenger Act, and 89 vessels were exempt. The number from each country was as follows :—

Country.	Vessels under the Act.			Vessels not under the Act.		
	No.	Tonnage.	Passengers.	No.	Tonnage.	Passengers.
England - - -	23	15,644	5,960	53	32,958	850
Ireland - - -	24	11,904	3,854	16	6,399	256
Scotland - - -	26	13,616	4,527	20	10,525	342
Foreign Ports - -	26	10,627	4,891	—	—	—
	99	51,791	19,232	89	49,882	1,448

Of the whole number of ships, 11 brought exclusively cabin passengers; 37 had less than 100 adult passengers; 30 less than 200; 22 under 300; 7 under 400; 2 under 500; and but one vessel, the "James Nesmith," from Liverpool, brought equal to 500 adults; 626 souls.

28 of these vessels made two voyages during the season; viz., 10 from England, 8 from Ireland, and 10 from Scotland.

The whole number of adults which these vessels could have legally carried was 47,286, exclusive of their crews, and the number of adults actually brought out was but 16,761, being but little over one-third of their legal capacity.

The average length of the passage from the United Kingdom was 44 days, and from continental ports 47 days, which presents a more favourable view than that of last year, the average of which was 47, and 58 days.

Table No. 2, presents a return of the ships and passengers arrived from each port and country, with the deaths on the passage, and in quarantine. Tab

The deaths during the passage were 97, equal to 0·45 per cent., and in quarantine 36, equal to 0·17 per cent.

The whole number of deaths among 6,821 persons from England, was 67, equal to 0·98 per cent.; 50 of which occurred among the emigration from the port of Liverpool, being equal to 1·29 per cent. on the number from that port; the deaths from all the other English ports were 17, or equal to 0·57 per cent. From Ireland the deaths were but 8, 4 adults, and 4 children, 3 of whom were infants. From Scotland the deaths were 19, equal to 0·38 per cent., 15 of whom died at sea, and 4 in quarantine. And among 3,627 from Germany, 30 deaths occurred, equal to 0·83 per cent.; from Norway among 1,276, 9, equal to 0·70 per cent. Of the 691 emigrants from the lower provinces, 417 came from Cape Breton; they were Scotch, or the descendants of Scotch emigrants, who had been many years settled in that province; and having sold their farms, have emigrated with the intention of settling in Western Canada. They have chiefly proceeded to the settlements on the borders of Lake Huron,

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where they may combine their former occupation of fishing with agriculture. Of the remainder, 101 were from Nova Scotia; 95 from New Brunswick; and 78 from Newfoundland. They have emigrated with the same view, and have proceeded generally to Western Canada, and a few to the United States.

Table, No. 3.

Table No. 3, presents a general hospital return; and shows the number of emigrant patients admitted for medical relief, with the results at the Quarantine establishment, up to its close on the 31st October; at the Marine and Emigrant Hospital in this city, and the General Hospital in Montreal from the 10th May to this date, from which it will appear that the total number of cases treated at these several institutions, was 686, and the deaths 40; 36 of whom occurred as before stated at Grosse Isle; 3 in this city, and but 1 at Montreal.

This return, when compared with that of 1854, will show a decrease of 961 on the admissions, and 184 on the number of deaths. The emigration on the whole may be considered as healthy, but few or any disease of a contagious

Ship Fever.

nature having appeared, with the exception of ship fever among the passengers per the "St. Lawrence," from Aberdeen. This vessel reached Grosse Isle on the 2d October, and although with but a limited number of passengers, 68 steerage and 12 cabin, three deaths had occurred, and 16 cases were sent to hospital on her arrival at that station, the remainder of her passengers were detained at the healthy division, and 23 more having shortly after evidenced symptoms of the type of this contagious disease, were sent to hospital, all of whom, however, subsequently recovered.

Table, No. 4.

Table No. 4, contains the return of the adult male emigration, distinguishing trades, &c. as specified on the passage list. The total number of males embarked was 7,309, of these there appear to have been 1,465 artisans; farmers and farm servants, 2,007; clerks, 89; servants, 26; and unskilled labourers, 3,722.

Table, No. 5.

Table No. 5 shows a comparative statement of the number of emigrants landed at Quebec since the year 1829 inclusive, amounting in the aggregate to 846,469 souls, affording an average of 31,351 per annum.

Shipwrecks.

I have again to record the loss of two emigrant ships bound to this port, one of which, the "Johns," of Plymouth, lost within 24 hours of her sailing, was attended with a melancholy loss of life; but 95 out of 287 persons were saved. The other, the "Lochmaben Castle," from Liverpool, with 557 passengers, was wrecked on the Bird Island rocks on the 4th June, but happily unattended with any loss of life. The women and children, numbering to 203 souls, were taken from the wreck by Captain Greenhorn, of the ship "Sophia M'Kenzie," and the next day Captain Todd, of the "California," received on board 98 more of the passengers, all of whom were safely landed at Grosse Isle on the 11th of June, where their immediate wants were not only most readily supplied, but every regard evinced to alleviate their painful and distressed situation. As soon as information of her loss reached this port your Excellency was pleased to sanction my despatching a vessel with a supply of provisions to the wreck, in charge of Mr. Symes, with instructions to endeavour to save as much of the property of the passengers as possible, and bring it, as well as the passengers, to this port. On reaching the scene of disaster it was found that the remainder of the passengers had been conveyed to Pictou, and that they were detained there, waiting a conveyance to this port. Mr. Symes immediately chartered a second vessel, the one he had not being sufficient to accommodate them all, and brought them to this port in safety on the 20th July.

These poor people, I regret to observe, unfortunately lost all their luggage, among which there were, I am informed, many valuable articles. Through, however, the instrumentality of Mr. Fox, collector of customs at the Magdalen Islands, and Captain Fortin, of the Government schooner "Canadien," a few boxes were recovered from the crews of fishing craft and others (who had pillaged the wreck) and brought to this port; but some difficulty arose with regard to the identity of these boxes, as, with the exception of two or three, they had been opened, and their contents, to a great extent, mixed up. Such as could be identified were forwarded to the owners, and all the loose articles were sent to the chief emigrant agent at Toronto, in order that they might be claimed by the passengers, the chief part of whom had already proceeded to settle in that section of the province.

I observe

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I observe, from a report of the inquiry ordered by the Board of Trade touching the loss of this vessel, that Captain Turner has not altogether been exonerated from censure; and from the reports of the passengers, and other sources, it would appear that Captain Turner left his ship in charge of his chief mate to seek assistance, and during the period of his absence the crew, who appear to have been a lawless set, broke open the boxes and trunks, and pillaged the property of the passengers. Had Captain Turner remained by his ship, as it was his imperative duty, considering the important responsibilities then devolving upon him, much of this lawless conduct would doubtless have been prevented; and, as there was no immediate danger of the vessel breaking up, the greater part of the passengers' property might have been saved. Mr. Fox reports that "the vessel was plundered of much of her materiel and stores, the passengers' trunks and baggage broken open and destroyed by a portion of the crew, with others belonging to strange vessels in the vicinity."

The painful circumstances attached to the loss of this vessel, as well as those under which its numerous passengers have thereby been placed, would render it highly desirable that the collectors of customs generally should be instructed, in the event of any disaster of a similar character occurring within their jurisdiction, to proceed at once to the wreck, and afford the protection vested in them (and provided for by the Passengers Act), for the preservation of the life and property of the passengers.

It is desirable that the Government schooner, "Canadien," should, in future, be despatched to the gulf as early in the season as practicable, as there is no question, but had Captain Fortin been in the vicinity where this vessel was lost, much, if not the whole, of these unfortunate peoples' luggage could have been saved. It might also be thought worthy of consideration, that the attention of emigrants should be called to the importance of insuring their property, which, from the facility afforded, can now be effected for a trifling sum, and the policy might be deposited with the Government emigration officer at the port of departure, to recover the amount in the event of shipwreck.

The expense incurred by this department for the relief and assistance of the passengers by this vessel, amounting to 842 *l.* 0 *s.* 5 *d.*, has been transmitted, through your Excellency, to Her Majesty's Colonial Secretary, to be recovered from the owner in the manner provided for by the Passenger Act.

Table, No. 6. Paupers.

Table No. 6, furnishes a return of the number of persons sent out by the Poor Law Unions, or through the assistance of the parochial authorities, or by their landlords.

From this return it will appear that 311 persons received landing-money on arriving here, to the amount of 139 *l.* 7 *s.* 6 *d.* sterling, and paid under the superintendence of this department.

From England.

The number from England was 108; among them were 15 boys, sent out by the London Ragged School. They were well supplied with clothes, and received a sum sufficient to convey them to their destination on landing here. They appear industrious well-conducted lads; and 21, chiefly females from the Chatham Union; they received 1 *l.* sterling each adult; 72 from Plymouth and Hull, appear to have received a free passage only.

From Ireland.

The number aided in their emigration from Ireland was 268; 192 (viz., 144 females, and 48 children), were from the Poor Law Unions, and received landing-money amounting to 136 *l.* 17 *s.* 6 *d.* sterling; 76 appear to have received a free passage only. They arrived in good health, and the greater portion of them had relations either in the Upper Province or in the United States, to whom they at once proceeded; such as had no particular destination were forwarded to the rural districts in Western Canada, where they all immediately found employment.

From Scotland.

From Scotland, 395 persons appear to have been assisted to emigrate; 9 families, 65 persons from the Island of Canna, Argyleshire, were provided with a free pasage to this port; and 330 by the "Melissa," from Stornaway, were sent out by Sir James Matheson. These people, with Sir James's usual liberality, were amply provided for during the passage, and on arriving here were served with rations for 10 days, and forwarded free to their destination; 74 to

Goderich, 44 to Kincardine, 199 to Limerick, in the Eastern Townships, and 13 to other sections of the province, at an outlay of nearly 400 *l.* currency.

Foreign.

The emigrants who were sent out by foreign governments number 408 souls; chiefly from Wirtemburg, from the parishes of Biberach, Marbach, and Pleidelsheim. From the information I have been enabled to collect, they appear to have held small portions of land, which, on giving up to the parish, they were provided with a free passage to this port, and received from 10 *s.* to 1 *l.* each on landing here; they proceeded to Western Canada, chiefly to Hamilton and vicinity, where they all readily found employment amongst the farmers, and from information which I recently received from that section, they appear to be doing well, and giving satisfaction to their employers. These parties arrived generally in good season, and in appearance present a marked improvement to the same class of persons sent out in 1854.

Prosecutions under the Passengers Act.

It was found necessary to institute legal proceedings in one case only, during the past season, under the Passenger Act, against the master of the ship "Crown," from Liverpool, particulars of which are stated in Report, No. 12, page 27 of the Appendix. The proceedings taken in this case for the recovery of the property stolen by the crew, are still pending. The action under the Passenger Act for non-fulfilment of contract by the master to forward a portion of his passengers to Montreal, as required by their contract ticket, has in consequence of the absence of the complainants been deferred. They were allowed to proceed on their journey under the impression that the production of their contract tickets would be received as *primâ facie* evidence of the contract. One of the magistrates having decided that it was necessary to prove the signature to the contract ticket, the parties will therefore have to appear in court in person, but as it was impossible to procure their appearance here before the close of the navigation, the case has been transferred over to the month of June.

A charge was also preferred against Captain Izatt, for ill-treating one of his passengers, and thereby causing his death. This man having been landed in a dying state, coupled with statements by the passengers imputing to the captain the cause of his death, it was deemed advisable to refer the case to a judicial inquest, for which purpose the coroner of the district proceeded to Grosse Isle and empanneled a jury, which, after an examination of witnesses and a *post mortem* examination, returned a verdict "that death was caused by abscesses in the lungs" (*vomica*).

This appears to have been Captain Izatt's first voyage as master of an emigrant ship; and from the numerous complaints of the passengers as to his rough and overbearing conduct, I consider that he is not a fit person to be placed in so responsible a situation. The charges generally being of a personal character, and the parties complaining declining to incur the delay and expense of a prosecution, no further steps were taken than those before-mentioned.

Expenditure.

The expenditure of the emigration department, including the quarantine establishment and the charges connected with the care of the sick, &c., amounts to 10,154 *l.* 3 *s.* currency.

Of this sum there was disbursed, under the direct superintendence of this office, 7,835 *l.* 16 *s.* 5 *d.*, constituted as follows:—

	£.	s.	d.	£.	s.	d.
For the quarantine establishment - - - -	2,527	7	10			
For the emigration department - - - - -	5,308	8	7			
				7,835	16	5
Cost of steam-boat service for the quarantine station during the season, disbursed by the Board of Works	1,500	–	–			
Six months' salary of inspecting physician for the port of Quebec during the season of navigation - -	318	6	7			
Amount of expenditure incurred for the medical treatment of emigrants admitted to the Marine and Emigrant Hospital, during the year ending 31 December	500	–	–			
				2,318	6	7
			£.	10,154	3	–

The

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Quarantine.

The several heads of expenditure on account of the quarantine establishment, during the season of 1855, above referred to, are as follows :—

	£.	s.	d.
Pay of officers, staff, &c.	1,925	13	3
Supplies to hospital	295	3	10
Washing	41	17	4
Cartage	63	17	6
Drugs	31	8	7
Coffins, boards, &c.	17	12	–
Stationery, printing, advertising, &c.	48	16	4
Supplies for use of station, &c.	102	19	–
£.	2,527	7	10

Emigration.

The expenditure of the emigration department to 31st December 1855, has been as follows :

	£.	s.	d.	£.	s.	d.	
Quebec Agency :							
For Transport	1,697	5	6				
„ Provisions	60	16	9				
„ Agency charges	90	18	7				
„ Salaries	394	9	–				
				2,243	9	10	Quebec.
Montreal Agency :							
For Transport	1,103	2	6				
„ Provisions	48	3	2				
„ Agency charges	42	9	10				
„ Salaries	233	6	8				
				1,427	2	2	Montreal.
Toronto Agency :							
For Transport	237	16	10				
„ Provisions	85	4	–				
„ Agency charges	171	17	11				
„ Salaries	668	–	–				
				1,162	18	9	Toronto.
Hamilton Agency :							
For Transport	114	–	–				
„ Provisions	42	19	–				
„ Agency charges	47	8	3				
„ Salaries	270	10	7				
				474	17	10	Hamilton.
			£.	5,308	8	7	

From this statement, it will appear that the total direct relief extended to destitute emigrants at the several agencies throughout the province, was 3,389 *l.* 7 *s.* 9 *d.*; viz., for transport 3,152 *l.* 4 *s.* 10 *d.*, provisions 237 *l.* 2 *s.* 11 *d.*, and for agency expenses 1,919 *l.* 0 *s.* 10 *d.*; viz., salaries 1,516 *l.* 6 *s.* 3 *d.*, agency charges, including rent of emigrant sheds, travelling expenses, &c. &c. 352 *l.* 14 *s.* 7 *d.*

Number assisted at Quebec.

The number of persons assisted at the Quebec agency, was 5,078 souls, equal to 3,851 ½ adults, at an average cost of 8 *s.* 10 ¼ *d.* each ; of this number there were,

Adult Males	1,228
„ Females	1,782
Children	1,683
Ditto under three years	385

There were forwarded to Montreal	2,222	at 2 *s.*	11 ¾ *d.*	average cost.
Western Canada	1,371	at 18 *s.*	7 ¼ *d.*	„
Ottawa District	44	at 8 *s.*	7 ¼ *d.*	„
Eastern Townships and United States	212 ½	at 7 *s.*	5 ¼ *d.*	„
New Brunswick	2	at 20 *s.*		„

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Montreal.

At Montreal, the number assisted were 2,423 souls, equal to 1,688 adults, at an average cost of 12 *s.* 11 *d.* each; viz.

Adult Males - - - - - -	336
„ Females - - - - - -	847
Children - - - - - -	1,010
Ditto under three years - - - -	230

Of this number, there were forwarded to Western Canada, 1,519, at 13 *s.* 1 *d.* average cost.

Ottawa District, 82, at 5 *s.* average cost.

United States, 87 ½, at 17 *s.* 3 *d.* average cost.

Foreigners assisted.

Of the above, I find that fully 25 per cent. of the expenditure for transport, has been incurred on account of the foreign emigrants landed at this port. On reference to the account of this and the Montreal agency, it appears that 1,058 Germans, equal to 774 ½ adults, have been forwarded free, chiefly to Western Canada, at an average cost of 15 *s.* 6 *d.* each, and that 258 Norwegians, 173 ½ adults, were forwarded to the Western States, at an average cost of 21 *s.* 9 *d.*

Of the number arrived at this port, it will appear that fully 25 per cent. of the German emigrants have been assisted, and of the Norwegians nearly 20 per cent.

Relief to Shipwrecked Passengers.

The expenditure has been further increased in consequence of the necessity of extending relief to the shipwrecked passengers from the "Lochmaben Castle," after their arrival at this port, to enable them to reach their several destinations, chiefly to Western Canada, involving an outlay of over 200*l.*

Western Canada.

The number of persons assisted at the agencies in Western Canada have not reached me, but the amount of relief afforded has not been very great, amounting altogether to 479*l.* 9*s.* 10*d.*, 351*l.* 16*s.* 10*d.* of which was expended for transport, and 128*l.* 3*s.* for provisions. The charge for agencies during the past year shows an increase of 443*l.* 2*s.* 3*d.* Your Excellency was pleased to sanction the proposal submitted, to place several of the agents and officers of this department, who were paid by the day during the period employed, on a regular salary, so that their entire time should be devoted to the duties of the office; and also to allow a small increase to the salaries of the officers of this department generally.

A change was also made in the Hamilton agency, by placing it on a permanent footing, and more commensurate to its increasing duties and responsibility. This has permitted the services of the agent at Berlin to be dispensed with; these ameliorations will, I feel assured, tend to the advantage of the department generally, and I would also add, that the small addition granted to the pay of the officers has been fully appreciated by them.

The amount of remittances sent by relatives to meet their friends on landing here, to the care of this department during the past season, was 476*l.* 4*s.* 3*d.*, contained in 202 letters; 113, containing 257*l.* 1*s.* 9*d.*, was received at this agency, and 89, 219*l.* 2*s.* 6*d.*, at Montreal; in addition to which, 152 letters of advice and directions were received and delivered during the season.

Report of Mr. Hawke.

At page 15 I beg to submit a copy of the report received from Mr. Hawke, the chief agent for Western Canada, as to the results of the past seasons' emigration to that section of the province; also, at page 14 the report of the sub-agent at Montreal, containing the transactions of the agency under his charge.

To these reports, but more particularly that of Mr. Hawke, I would respectfully refer your Excellency.

Temporary shelter at Toronto and Hamilton required.

The suggestions contained in the extract from the report of the agent at Hamilton, referred to by Mr. Hawke, as to the necessity of providing a place for the temporary shelter of emigrants, both at Hamilton and Toronto, I would respectfully beg to press upon the favourable consideration of your Excellency, and that the necessary authority may be granted to carry Mr. Hawke's recommendation into effect, with the propriety and necessity of which I fully concur, the more particularly as it involves the comfort and health of the emigrant.

Distribution.

The following is submitted as an approximate view of the distribution of the emigrants of the past season. Independent of the emigration which arrives by the

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the St. Lawrence, Western Canada receives annually a very considerable accession to her population by the route of the United States, and more recently by the direct emigration of parties who have resided in that country for some years.

Emigration *viâ* United States.

This latter description of emigrants it would appear from Mr. Hawke's report, is annually on the increase, and he estimates the number during the past season at fully 10,000 souls.

The following I would therefore consider as the probable accession to our population from emigration during the past year:

Total emigrants landed at Quebec - - - - -		21,274
Arrived in Canada, *viâ* the United States - - - -		10,000
		31,274
Foreign emigrants who proceeded direct to the United States - - - - - - - - -	3,500	
British emigrants who proceeded direct to the United States - - - - - - - - -	2,000	
		5,500
Remaining in Canada - - - - - - - -		25,774

Of this number not more than one-tenth have remained in Eastern Canada, so that the actual accession to the population of Western Canada from emigration during the past season, may be stated at 23,000 souls.

Emigrant Tax.

The amount of Emigrant tax realised in course of the past season was as follows:

	£.	s.	d.	£.	s.	d.
At Quebec:						
12,862 adults - - 5 *s.* - - -	3,215	10	–			
5,755 children - - 3 *s.* 9 *d.* - - -	1,078	13	9			
21 uncertified - 47 *s.* 6 *d.* - - -	49	17	6			
Penalty under Imperial Act - - - -	9	14	8			
				4,353	15	11
At Montreal:						
464 adults - - 5 *s.* - - -	116	–	–			
219 children - - 3 *s.* 9 *d.* - - -	41	1	3			
				157	1	3
Total amount of tax received - - -	-	-	-	4,510	17	2
Add appropriation of Provincial Legislature -	-	-	-	1,500	–	–
			£.	6,010	17	2

The shipwrecked passengers per "Lochmaben Castle" were exempted from the payment of tax, which otherwise would have realised, in addition to the above, the sum of 123 *l.* 7 *s.* 6 *d.* The emigrant fund has yielded, as above stated, with the addition of 1,500 *l.* voted last session to make good the Imperial appropriation heretofore granted to meet the expense of agencies in the province, but now discontinued, the sum of 6,010 *l.* 17 *s.* 6 *d.* currency.

Receipts and Expenditure.

The expenditure, as before stated, may be set down at 10,154 *l.* 3 *s.*; viz.

	£.	s.	d.
Emigration Department - - - - -	5,308	8	7
Quarantine - - - - - - - -	4,027	7	10
Marine and Emigrant Hospital - - - -	500	–	–
Salary, Inspecting Physician - - - -	318	6	7

Deficiency.

And as the expenditure incurred during the season of 1854 fully absorbed the surplus remaining to the credit of the Emigrant Fund, the deficiency, now amounting to the sum of 4,243 *l.* 6 *s.* 10 *d.*, will require to be provided from other sources.

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The emigrant tax, even with the limited emigration of the last season, would have been found sufficient to meet all the demands of this department and to provide for the care of the sick after arrival, had it been relieved from the charge for quarantine expenses, as it was previous to the year 1847, when the expenses of this latter establishment were defrayed out of the consolidated revenue of the province; and I avail myself of this opportunity, under the conviction of its importance, respectfully to remark to your Excellency, that no charge, originating in the security and protection of the province from the introduction of malignant and infectious diseases, ought with greater propriety to be borne on its general resources. It is a charge in the benefits of which the whole population feel deeply interested, and in which it also equally participates. By thus placing the quarantine establishment on the civil list, it would relieve this department from a heavy charge, and restore the appropriation of its resources to the more immediate benefit and advantage of the emigrants.

Quarantine to be chargeable on Civil List.

This recommendation, I would respectfully observe to your Excellency, will either have to be adopted, or the system of affording relief by this department to the poorer classes of emigrants, to enable them to reach their friends or to be forwarded where suitable employment may be found, will have to be discontinued, to the great disadvantage of the emigrant, and to the great drawback and serious inconvenience of the inhabitants of our cities and towns along the line of our leading route to the west.

The present system has been in operation since the year 1840, and, in my opinion, it has been found advantageous to the emigrant and to the public generally; and without entering into a more extended sense of the advantages of the system, it does not appear that the proceeds of the emigrant tax could be applied in a more beneficial or legitimate manner.

Owing to the existence of regular lines of vessels, sailing at stated periods between the chief Atlantic cities and Europe, emigrants, during the latter part of the season of 1855, have been enabled to secure a passage from Liverpool to New York and Boston, at considerably lower rates than those charged by vessels to this port. This is attributed to the numerous regular vessels found in the trade, and all interested in the obtainment of a few passengers, and it is worthy of remark, that although the enactments of the amended Passenger Law, in force since last October, increase the expense of provisions and limit space, the present rate of passage to New York does not exceed 3*l.* 10*s.* sterling, and I may add, there is every reason to believe that this low rate will be maintained during the summer of 1856. From information which has recently reached me, it is estimated that, under the present law, the rates of passage to Quebec will not be less than from four guineas to 4*l.* 10*s.* sterling, which I need scarcely observe cannot fail of operating in favour of the American vessels; under these circumstances it would appear inexpedient to have recourse to an increased rate of taxation for the purpose of creating a revenue sufficient to meet all the charges attending our annual emigration.

Cost of Passage to American Ports.

Cost of Passage to Quebec.

Inexpediency of increase in present rate of Tax.

It may therefore appear necessary, that your Excellency would be pleased to recommend that a sum not exceeding 4,500 *l.* should be placed on the Estimates to meet the expense of the quarantine establishment. This sum, with 1,500*l.* granted last Session to meet the expense of agencies, owing to the discontinuance of the Imperial appropriation for that purpose, will, with amount of tax now collected, be found fully sufficient to meet all demands consequent on emigration.

Amount required to meet deficiency.

This sum may be considered as the maximum, and is based upon the limited emigration of the past season; as with an increased emigration, we may reasonably expect that the present established duty will permit a considerable reduction to be made in this amount.

Should, however, the result prove otherwise than herein confidently anticipated, it cannot but be fully borne in mind that the many direct benefits and advantages which the country derives from the annual introduction of a vigorous and healthful emigration, comprising not only wealth, intelligence, and labour, but adding value to our forests and cultivated lands, as well as indirectly contributing to the increase of the revenue, will, when these important interests are considered, more than compensate the country, should even the entire charges of emigration be provided from the general resources.

The

CANADA.

Emigration to New York.

The returns of the Emigration to the ports of New York and Boston have not yet reached me, but from statements which have appeared in the public papers, the arrivals at New York are estimated at only 134,987 against 319,223 in 1854; thus, giving a decrease of 174,236 on the year, or equal to 130 per cent.; the diminution to Canada by the St. Lawrence during the same period, may be stated at near 150 per cent.; and I apprehend that the emigration of 1856 to this country from the United Kingdom, will not equal that of last year.

Causes of decrease in Emigration.

There are many causes existing to check it, and, among the most prominent of these causes, none, I would assume, will more effectually tend to affect the emigration movement than the increased prosperity of the agricultural interests in all parts of the United Kingdom, added to a corresponding improvement in the state and condition of the labouring classes. So far as Ireland is concerned, from which country the largest number have heretofore emigrated, the diminution in their numbers during the past season, both to the United States as well as to this province, is strongly marked, and would seem to originate from some more immediate and powerful influences, both social and moral, than to those which I have already submitted. We cannot, however, overlook the direct and prejudicial influences which the return of a great number from the United States must exercise on the minds of those disposed to emigrate from Ireland, whether caused by the diminution of employment, or from the introduction of religious elements into American politics, attendant as these opposing circumstances now are, by a hostile feeling towards foreigners generally. These feelings, so much to be deplored, have in a great measure been fostered and extensively promulgated by parties more immediately interested in retaining the people at home, whose imperfect knowledge of our geographical position fails to enable them to distinguish between this country and the United States. These and other causes, I may be permitted to repeat, cannot but be expected to exercise an important influence upon the emigration of 1856.

In relation to the number of foreigners that may be looked for, I have no reliable data upon which I could be enabled to found a correct estimate; and although the disposition among the population of Germany to emigrate is decidedly on the increase, yet, so long as the present unsettled state of Europe continues, I do not think we can look for such an increase from that quarter as would in any degree compensate for the great diminution in number from the mother country.

Prospects for 1856.

With reference to the prospects of 1856, I regret to say that many of the causes to which I had occasion to allude in my report to your Excellency last year, continue to exist, more particularly in this section of the province, where the labour market has been not only extremely depressed, but the emigrants had great difficulty throughout the summer in procuring suitable employment. In the western section of the province, and to which nine-tenths of our emigration proceed, prospects and appearances are, on the whole, much more favourable; in confirmation of which I beg to annex the following report, recently received from Mr. Hawke, on this subject:

Employment in Western Canada.

"With reference to the prospects of employment for unskilled labourers during the ensuing year, I would beg to observe that they are not so promising as I could desire; many of our railroads are nearly completed, and the labourers that have been employed in their construction will have to seek for employment elsewhere. For a short time this will cause a reduction of wages; but as soon as the surplus labourers scatter themselves throughout our wide-spread and prosperous districts in the interior, they will assume their former state. As I do not anticipate any considerable addition to this class from emigration, I do not apprehend any difficulty in disposing of all emigrants in search of work, who may come to this section of Canada.

"As to skilled labourers, in which class I include good farm servants, male and female, there is every prospect of their finding employment at good wages.

"Houses are being erected in almost every town, city, and village in Upper Canada, and as the farmers have enjoyed a very unusual degree of prosperity for several years past, farm improvements, and extended as well as superior cultivation have become almost universal; I am, therefore, of the opinion that all mechanics, such as blacksmiths, wheelwrights, tailors, carpenters, masons, bricklayers, shoemakers, &c., as well as agricultural servants who are likely to

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seek employment in Upper Canada in 1856, will be able to obtain it, and that farmers who know how to cultivate their own land will find farms suitable to their means, and, if prudent and industrious, will be sure to succeed."

Emigration, 1855.

The emigration of the past season has, on the whole, been favourable. The most remarkable feature has been the very large proportion who have come out to their relations or friends, and which I estimate at fully three-fourths of the whole emigration. The proportion of sexes and the great decrease in the number of single able-bodied men, when compared with former years, is worthy of remark; while the emigration of 1854 showed an excess of male adults over females of 2,704, during the year 1855 the excess was but 823. In the year 1854, 2,700 single females from the Irish Poor Law Unions were sent out; while during the past season the number of the same class were but 319; thereby giving an excess of males over females in 1854 of 5,404, against 1,142 in 1855.

This numerical difference further tends to confirm the statement which I have already made as to the improved local condition of the labouring classes in the mother country. The demands of the war have no doubt absorbed a good many of this class, who under other circumstances might have contributed to augment the ranks of emigration.

Appendix, No. 7.

At Paper, No. 7, page 22, of the Appendix, will be seen a tariff of passage, distances, and best routes to the chief points in Canada and the Western States, which is distributed gratuitously among all emigrants on arrival at this port.

Some very important changes in the general interests of the emigrants arriving by the route of the St. Lawrence have been effected during the past season. The opening last spring of the Ontario and Simcoe Railroad, from Toronto to Collingwood, connecting at that point with a line of steamers direct to Green Bay and Milwaukie in the State of Wisconsin, and Chicago in Illinois, has proved of material advantage to a large portion of our foreign emigrants.

The Norwegians all proceed to the State of Wisconsin, and the facilities and advantages of this route to parties proceeding to any of the northern ports on Lake Michigan, have been most apparent, and renders it the best route to that quarter. The second, and more important is, the opening of the Grand Trunk Railway from Montreal to Brockville, 126 miles, effecting as it does a most important saving in time to all emigrants proceeding west. Emigrants and all travellers will be enabled, during the ensuing season, to reach Toronto or Hamilton in from 36 to 40 hours, which formerly required from three to four days.

Steamers to England.

These increased facilities in connection with the important arrangement which your Excellency has completed for the establishment of an efficient line of steamers between Liverpool and this port, cannot fail to add materially to the prosperity of the province, and to increase the emigration by this route.

In my report to your Excellency of 1854, I had the honour of submitting some suggestions for the amelioration of the quarantine establishment, and pointing out, what I conceived, would be the advantages attending its removal to a more convenient locality; I would only respectfully add, that the opinions and views then expressed, I have seen no reason to change, on the contrary, I am more fully confirmed in the necessity of carrying them into effect, the result from which would not only be found beneficial to the trade, but to the cause of emigration.

Passenger Act, 1855.

The amended Imperial Passenger Act of 1855, which came into operation on the 1st of October last, but at too late a period to affect any of the ships to this port during the past season, contains some important and beneficial additions, which cannot fail to add materially to the comfort and health of the passengers.

The principal alterations are reducing the number of passengers which ships can carry, as compared with the old law, increasing the amount of nutriment in the dietary scale, and providing for a supply of medical comforts. These ameliorations will tend most materially to remove many of the sources of complaint which heretofore existed.

The instructions transmitted to your Excellency, defining the mode of procedure to be observed in the case of shipwrecked passengers, will also prove of great service.

In concluding this Report, in which I have endeavoured to bring under review the leading points of interest connected with the department entrusted

to

to my superintendence, all of which is respectfully submitted to your Excellency's favourable consideration. CANADA.

I have, &c.
(signed) *A. C. Buchanan*,
Chief Agent.

Emigrant Office, Toronto,
My dear Sir, 26 December 1855.

I BEG to submit the following observations on the emigration to this section of the province, in order that you may embody them in your yearly report.

The number of emigrants landed at Quebec, during the year 1854, was 53,184 ; during the season of 1855, it amounted to only 21,274. This diminution is not, however, peculiar to Quebec, as the returns from New York and Boston show a corresponding reduction. I have, on more than one occasion, called your attention to the fact, that the number of settlers from the United States to Canada has been steadily increasing. This increase is, no doubt, partly owing to the large number of labourers required for the construction of our public works, but it is chiefly to be attributed to the discontent occasioned by the political movements in that country, which clearly show that all persons of foreign birth who settle there must expect to occupy an inferior position to the native Americans, and to be looked upon with suspicion and distrust, and this more especially if they happen to be Roman-catholics. There has also been an increase in the number of emigrants who sailed from the United Kingdom for the American Atlantic ports, with the intention of settling in this province. These combined causes have, during the current year, brought a considerable addition to the population of this section of Canada, and, as far as I can judge, the number is likely to increase. There have been no less than nine such this morning, and seven yesterday ; indeed, scarcely a day passes but we have applications for assistance from persons of this description. I have no means of ascertaining the amount thus added to our population, as they enter the province at so many points, extending from Cornwall to Windsor ; a very large proportion, however, come by the Rochester route, and settle principally in the counties of Durham, Ontario, York, and Peel. In estimating the number by this route during 1855, at 4,000, I feel that I am rather under than over stating the amount, and at least an equal number may be added for those who enter Canada *viâ* Queenston, the suspension bridge, and Chippawa. As to the number from the ports further west, or from Oswego, Cape Vincent, and Ogdensburg, I have no data upon which it is safe to hazard an opinion, although I am fully convinced that the addition to our population, from all the sources enumerated, exceeds 10,000, which added to the number landed at Quebec (21,274), would make a total of 31,274.

In order to show the probable addition by emigration to our population during 1855, we must deduct the number of emigrants, more than three-fourths of whom are Germans, who proceeded to the Western States. From what I can learn from Mr. Shartruppe, the German railroad agent at Toronto, and the German emigrant agent under Mr. Dixon, at Hamilton, it did not exceed 3,500, which would leave 27,774 as the addition to the population of Canada.

According to Mr. Dixon's report, who you are aware was not appointed as emigrant agent at Hamilton until late in June last, as well as from other information, it appears that upwards of 10,000 emigrants landed at Hamilton, who have either found employment or settled west of that port, and that the remainder have been similarly disposed of, in the counties of York, Peel, Simcoe, and the eastern counties of Upper Canada.

The emigrants by the St. Lawrence, were with few exceptions able-bodied, but poor people, who required assistance in food and free passages, as well as information, to enable them to reach their places of destination.

The total expenditure, as you will perceive from the returns made from this office, on account of emigration in Upper Canada, for the year 1855, amounts to 1,637 *l.* 16 *s.* 6 *d.*

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The increase in the agency expenses, is attributable to the establishment of an additional agency at Hamilton.

In a letter dated the 12th instant, which I received from Mr. Dixon, he says, "There is one subject which I wish to submit to the consideration of the Government, and which appears to me essential to the systematic working of the department in Hamilton, viz., the procuring of proper emigrant sheds. As the head of navigation, it is subject sometimes, at an unseasonable hour, to the debarkation of a number of poor and helpless emigrants, without means of procuring any place, however miserable, to shield themselves from the midnight cold and rain. If such accommodation be really necessary, during a season of almost unexampled health, together with a sparse emigration, it will be much more necessary in an unhealthy season thronged with emigrants. I therefore beg to submit these remarks for consideration at the close of the season, so that if it is deemed advisable, proper steps may be taken during the winter for securing such necessary accommodation. as will obtain an efficient administration of the department during the next season."

In all that Mr. Dixon says I fully concur, and it is quite as applicable to Toronto as Hamilton. The population of this city has increased so rapily that those who have means often find it difficult to obtain lodgings, and the poor emigrant can, therefore, often obtain no better shelter during his temporary sojourn than an open shed. I have not pressed the matter upon the consideration of the Government at an earlier date, because it has, up to a late period, been doubtful as to where the railroad stations would be permanently established. The spots being now decided upon, I would beg to recommend that I may be authorized to lease a convenient ground plot, either from the railroad authorities or private individuals, and to erect suitable emigrant sheds thereon, at Toronto and Hamilton.

I am, &c.
(signed) *A. B. Hawke,*
Chief Emigrant Agent for Upper Canada.

A. C. Buchanan, Esq.,
Chief Emigrant Agent, Quebec.

Emigration Office, Montreal,
13 December 1855.

Sir,

ENCLOSED, I beg leave to send you,

1. The statement showing the total number of indigent emigrants assisted from each ship during the season of 1855.

2. Ditto, showing the number of indigent emigrants from the continent of Europe assisted ditto.

3. Ditto, showing the number forwarded to sundry parts of the province ditto. Upon which I beg to make the following remarks:—

From the return of the Montreal General Hospital, which was sent to you with my letter of the 10th instant, you will please see that the number of sick emigrants admitted at my request was only 13, out of which one died, and the remainder were discharged.

The Return, No. 1, shows that at this office there were assisted 2,423 persons, equal to 1,688 adults, at an average cost of 12*s.* 11*d.*, against 11*s.* 5½*d.* in 1854. Of this number there were:

Male adults - - - - - -	336
Female adults - - - - -	847
Children - - - - - -	1,010
Ditto under three years - - - -	230

Out

Out of the foreign emigration, chiefly consisting of Germans, as Return, No. 2, will show, there were 391 persons assisted, equal to 283½ adults, at an average cost of 15*s.*

These consisted of,

Male adults - - - - - -	104
Female adults - - - - - -	121
Children - - - - - - -	117
Ditto under three years - - - -	49

The Return, No. 3, gives the number of emigrants as sent to or towards their different destinations, out of which it will be seen that only very few have been sent to the United States, while by far the greatest number was forwarded to Toronto and Hamilton.

The amount of remittances received for emigrants, in answer to applications transmitted from this office, was 219*l.* 2*s.* 6*d.* in 89 letters; they were all delivered, and the amount paid over to the parties who it was sent for.

The necessity of assisting all the shipwrecked emigrants of the unfortunate vessel the "Lochmaben Castle," has greatly added to the expenses at this office, as from this vessel alone 284 persons, equal to 223 adults, have been forwarded at an expense of over 100*l.* At different periods there have been applications made to this office, chiefly by Germans of the State of Pensylvania, for information with regard to the price of land, the rates of wages, the climate, &c., which have been answered to by Mr. Schmidt, who still corresponds at present with some parties possessing considerable means, who have come to the conclusion to settle in Canada. They have also been referred to Mr. Hawke in Toronto, for more minute information.

The emigration of the past season, has, on the whole, although very small compared with that of last year, in my humble opinion, proved to be very satisfactory, inasmuch as it was not accompanied by sickness of any consequence, and as it has brought a great number of emigrants with means to our shores, who came with the intention to remain in Canada, and have actually done so.

In conclusion, I beg to express my hopes that the emigration of 1856 may prove still more prosperous and satisfactory.

I remain, &c.
(signed) *A. Conlan,*
Sub-Agent.

A. C. Buchanan, Esq.,
Chief Emigrant Agent, Quebec.

APPENDIX to Report on Emigration, 1855.

No. 1.

RETURN of the Number of Emigrants Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number landed at *Quebec*, distinguishing Males from Females and Adults from Children, with the Number of Souls from each Country; also the Number of Vessels, Tonnage, and Seamen Employed, and the Average Length of Passage, during the Season of 1855.

WHENCE.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	NUMBER EMBARKED.							BIRTHS.		Total Souls on Board.	DEATHS ON THE PASSAGE.					
					Cabin Passengers.	Adults.		Children, 1 to 14 Years.		Infants.	Total Steerage.				Adults.		Children, 1 to 14 Years.		Infants.	TOTAL.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England	76	45	48,602	1,613	181	2,361	1,876	1,081	988	323	6,629	5	6	6,821	2	4	17	9	10	42
Ireland	40	44	18,303	649	52	1,289	1,528	582	546	113	4,058	4	–	4,114	1	2	–	–	3	6
Scotland	46	43	24,141	896	217	1,637	1,403	709	667	236	4,652	4	5	4,878	2	5	2	4	2	15
Germany	18	48	7,473	270	23	1,310	1,032	556	515	180	3,593	6	5	3,627	4	2	4	6	10	26
Norway	8	45	3,154	122	-	461	396	172	189	57	1,275	–	1	1,276	1	–	2	4	1	8
New Brunswick, Nova Scotia, &c.	42	-	6,599	310	5	251	200	112	101	22	686	–	–	691	–	–	–	–	–	–
TOTAL	230	44 ½	108,272	3,860	478	7,309	6,435	3,212	3,006	931	20,893	19	17	21,407	10	13	25	23	26	97

WHENCE.	DEATHS IN QUARANTINE.						TOTAL DEATHS.	TOTAL LANDED IN THE COLONY.								GRAND TOTAL Landed in the Colony.
	Adults.		Children, 1 to 14 Years.		Infants.	Total.		Adults.		Children, 1 to 14 Years.		Total.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England	8	-	7	6	4	25	67	2,351	1,872	1,057	973	3,408	2,845	320	6,573	181	6,754
Ireland	1	-	-	1	-	2	8	1,287	1,526	582	545	1,869	2,071	114	4,054	52	4,106
Scotland	-	-	3	-	1	4	19	1,635	1,398	704	663	2,339	2,061	242	4,642	217	4,859
Germany	3	-	-	1	-	4	30	1,303	1,030	552	508	1,855	1,538	181	3,574	23	3,597
Norway	1	-	-	-	-	1	9	459	396	170	185	629	581	57	1,267	-	1,267
New Brunswick, Nova Scotia, &c.	-	-	-	-	-	-	-	251	200	112	101	363	301	22	686	5	691
TOTAL	13	-	10	8	5	36	133	7,286	6,422	3,177	2,975	10,463	9,397	936	20,796	478	21,274

Deaths on Passage, 0·45 per cent. Deaths in Quarantine, 0·17 per cent. Total Deaths on the number Embarked, 0·62 per cent.

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Number of Emigrants Embarked, Births on the Passage, with the Number died at Sea and in Quarantine, and Total Landed in the Colony; distinguishing the Countries, and Ports whence they Sailed, during the Season of 1855.

ENGLAND AND WALES.

PORTS WHENCE SAILED.	No. of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.	
		Steerage.	Cabin.			At Sea.	Quarantine.	1855.	1854.
Aberystwith	1	4	- -	-	4	-	-	4	—
Bideford	2	34	- -	-	34	1	-	33	—
Bristol	4	33	3	-	36	-	-	36	85
Cardiff	-	- -	- -	-	- -	-	-	- -	50
Carlisle	1	49	- -	-	49	-	-	49	146
Falmouth	-	- -	- -	-	- -	-	-	- -	58
Fowey	3	132	- -	-	132	1	-	131	391
Grangemouth	-	- -	- -	-	- -	-	-	- -	6
Hull	6	532	28	1	561	2	2	557	1,060
Ipswich	-	- -	- -	-	- -	-	-	- -	6
Liverpool	35	3,802	52	8	3,862	32	18	3,812	13,225
London	9	204	63	1	268	-	1	267	313
Maryport	-	- -	- -	-	- -	-	-	- -	17
Milford	1	6	- -	-	6	-	-	6	—
Newcastle	-	- -	- -	-	- -	-	-	- -	16
Newport	-	- -	- -	-	- -	-	-	- -	14
Poole	1	19	- -	-	19	-	-	19	22
Plymouth	7	1,734	25	1	1,760	6	4	1,750	2,683
Portsmouth	2	5	8	-	13	-	-	13	—
Shields	1	17	- -	-	17	-	-	17	13
Sunderland	-	- -	- -	-	- -	-	-	- -	5
St. Ives	-	- -	- -	-	- -	-	-	- -	3
Swansea	-	- -	- -	-	- -	-	-	- -	1
Teignmouth	-	- -	- -	-	- -	-	-	- -	10
Torquay	-	- -	- -	-	- -	-	-	- -	14
Truro	2	48	2	-	50	-	-	50	—
Whitehaven	-	- -	- -	-	- -	-	-	- -	19
Workington	1	10	- -	-	10	-	-	10	18
	76	6,629	181	11	6,821	42	25	6,754	18,175

IRELAND.

Belfast	1	130	- -	-	130	-	-	130	935
Cork	3	183	6	-	189	-	-	189	2,558
Donegal	1	4	- -	-	4	-	-	4	—
Dublin	-	- -	- -	-	- -	-	-	- -	1,528
Galway	-	- -	- -	-	- -	-	-	- -	263
Limerick	9	1,047	6	-	1,053	3	-	1,050	4,934
Londonderry	2	277	9	-	286	1	-	285	265
New Ross	7	1,146	10	2	1,158	1	1	1,156	2,492
Newry	1	27	2	-	29	-	-	29	24
Skibbereen	1	10	- -	-	10	-	-	10	—
Sligo	4	195	3	-	198	-	-	198	396
Tralee	2	711	13	2	726	1	1	724	1,417
Waterford	7	203	3	-	206	-	-	206	1,056
Westport	2	125	- -	-	125	-	-	125	—
Wexford	-	- -	- -	-	- -	-	-	- -	147
Youghal	-	- -	- -	-	- -	-	-	- -	153
	40	4,058	52	4	4,114	6	2	4,106	16,168

SCOTLAND.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.	
		Steerage.	Cabin.			At Sea.	Quarantine.	1855.	1854.
Aberdeen	12	1,347	75	3	1,425	10	1	1,414	1,606
Alloa	—	- -	—	—	- -	—	—	- -	2
Annan	1	8	—	—	8	—	—	8	—
Arbroath	—	- -	—	—	- -	—	—	- -	46
Ardrossan	—	- -	—	—	- -	—	—	- -	93
Banff	—	- -	—	—	- -	—	—	- -	152
Dumfries	1	13	—	—	13	—	—	13	56
Dundee	1	19	—	—	19	—	—	19	28
Fraserburg	—	- -	—	—	- -	—	—	- -	113
Glasgow	25	2,387	116	3	2,506	5	2	2,499	2,114
Greenock	1	267	—	1	268	—	—	268	1,786
Leith	1	- -	10	—	10	—	—	10	48
Lewis (Isle)	1	330	—	1	331	—	—	331	—
Montrose	2	281	—	1	282	—	1	281	358
Stromness	1	- -	16	—	16	—	—	16	—
Troon	—	- -	—	—	- -	—	—	- -	44
	46	4,652	217	9	4,878	15	4	4,859	6,446

GERMANY.

Antwerp	2	447	-	3	450	11	1	438	388
Bremen	7	1,561	23	5	1,589	5	—	1,584	776
Hamburg	9	1,585	—	3	1,588	10	3	1,575	4,524
	18	3,593	23	11	3,627	26	4	3,597	5,688

NORWAY AND SWEDEN.

Arendal	—	- -	—	—	- -	—	—	- -	188
Bergen	1	229	—	—	229	—	—	229	1,452
Christiana	2	386	—	1	387	7	—	380	1,741
Drammen	1	214	—	—	214	—	—	214	319
Gothenburg	—	- -	—	—	- -	—	—	- -	263
Krageroe	1	17	—	—	17	—	—	17	523
Lurwig	—	- -	—	—	- -	—	—	- -	7
Osterrisor	—	- -	—	—	- -	—	—	- -	60
Porsgrund	2	239	—	—	239	—	—	239	500
Stuvanger	1	190	—	—	190	1	1	188	620
Walo Sulvark	—	- -	—	—	- -	—	—	- -	176
	8	1,275	—	1	1,276	8	1	1,267	5,849

LOWER PORTS.

New Brunswick	7	95	—	—	95	—	—	95	—
Nova Scotia	16	96	5	—	101	—	—	101	—
Cape Breton	7	417	—	—	417	—	—	417	—
Newfoundland	12	78	—	—	78	—	—	78	—
	42	686	5	—	691	—	—	691	857

RECAPITULATION.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.	
		Steerage.	Cabin.			At Sea.	Quarantine.	1855.	1854.
England - - - -	76	6,629	181	11	6,821	42	25	6,754	18,175
Ireland - - - -	40	4,058	52	4	4,114	6	2	4,106	16,168
Scotland - - - -	46	4,652	217	9	4,878	15	4	4,859	6,446
Germany - - - -	18	3,593	23	11	3,627	26	4	3,597	5,688
Norway and Sweden -	8	1,275	–	1	1,276	8	1	1,267	5,849
Lower Ports - - -	42	686	5	–	691	–	–	691	857
	230	20,893	478	36	21,407	97	36	21,274	53,183

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 3.

RETURN of the Number of Admissions into Hospital, Discharges, and Deaths of Emigrants arrived during the Season of 1855.

	Admitted.	Discharged.	Died.	Remain.
Grosse Isle Hospital - - - - -	432	396	36	—
Marine and Emigrant Hospital, Quebec - -	240	212	3	17
General Hospital, Montreal - - - -	14	13	1	—
	686	621	40	17

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 4.

RETURN of Trades and Callings of the Emigrants who arrived at the Ports of *Quebec* and *Montreal*, during the Year 1855.

Bakers	36	Saddlers	11
Butchers	18	Sailmakers	4
Braziers, Plumbers, and Tinsmiths	9	Sawyers	6
Bookbinders and Printers	13	Shipbuilders	2
Bricklayers and Stone masons	118	Shoemakers	167
Cabinet-makers and Turners	9	Smiths	127
Carpenters and Joiners	239	Stone-cutters	13
Cart and Wheelwrights	36	Tailors	153
Coachmakers	2	Watch and Clock-makers	21
Coopers	27	Wool and Flax-dressers	9
Curriers	4	Weavers	64
Dyers	4	Servants	26
Engineers	21	Unenumerated Callings	159
Gardeners	24	Farm Labourers	2,007
Hatters	1	Common ditto	3,722
Millers and Millwrights	88		7,309
Miners	35		
Merchants and Clerks	89	Deaths of Male Adults at Sea	97
Moulders and Foundrymen	13	Quarantine	36
Painters and Glaziers	19		133
Paper-makers	3		
Plasterers	9		
Ropemakers	1	TOTAL	7,176

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 5.

COMPARATIVE STATEMENT of the Number of Emigrants arrived at the Port of *Quebec* since the Year 1829 inclusive.

COUNTRY.	5 years, from 1829 to 1833.	5 years, from 1834 to 1838.	5 years, from 1839 to 1843.	5 years, from 1844 to 1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	TOTAL.
England	43,386	28,561	30,791	60,453	8,980	9,887	9,677	9,276	9,585	18,175	6,754	235,525
Ireland	102,266	54,904	74,981	112,192	23,126	17,976	22,381	15,983	14,417	16,168	4,106	458,500
Scotland	20,143	11,061	16,311	12,767	4,984	2,879	7,042	5,477	4,745	6,446	4,859	96,714
Continent of Europe	15	485	- -	9,728	436	849	870	7,256	7,456	11,537	4,864	43,496
Lower Ports	1,889	1,346	1,777	1,219	968	701	1,106	1,184	496	857	691	12,234
	167,699	96,357	123,860	196,359	38,494	32,292	41,076	39,176	36,699	53,183	21,274	846,469

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 6.

RETURN of the Number of Persons who received Assistance to Emigrate from the United Kingdom and the Continent, with Amount paid them on Landing, during the Season of 1855.

DATE.	SHIP.	Whence.	Number of Souls.	Class. M.	Class. F.	Class. C.	By whom Sent out.	Amount Paid by Emigration Department.	Amount Paid by Different Agents.	REMARKS.
								£. s. d.	£. s. d.	
17 May -	Siam - - -	Plymouth -	25	7	11	7	Parish of Petersport, Guernsey.	- -	- -	Free passage only to Quebec.
18 „ -	Fergus - - -	Hull - -	37	5	6	26	Several parishes - -	- -	- -	
19 „ -	Rose - - -	Plymouth -	10	1	1	8	Parish of Morvenston -	- -	- -	
15 June -	Lochmaben Castle -	Liverpool - -	6	–	6	–	Sir F. Foster - - -	4 10 –	—	
16 „ -	Russia - - -	Sligo - -	16	–	11	5	Sligo Union - - -	14 7 6	—	
27 „ -	Erin - - -	New Ross -	7	1	2	4	New Ross Union - -	- -	- -	Free passage only to Quebec.
12 July -	Ann Thompson -	London - -	10	1	2	7	Parish - - - - -	- -	6 10 –	
12 „ -	Favorite - - -	New Ross -	23	9	11	3	Earl Fitzwilliam - -	- -	- -	Free passage only to Quebec.
26 „ -	James Nesmith -	Liverpool - -	30	–	16	14	Castlecomer Union -	23 – –	—	
26 „ -	Ditto - - -	- ditto - -	11	11	–	–	London Ragged School -	12 – –	—	
7 August	Charlotte Harrison -	Greenock -	65	24	26	15	Lord O'Neil - - -	- -	- -	Free passage only to Quebec.
21 „ -	Melissa - - -	Isle of Lewis -	330	101	74	155	Sir Jas. Matheson - -	- -	328 – –	Paid inland transport from Quebec.
27 „ -	Dunbrody - -	New Ross -	52	–	43	9	Gorey Union - - -	52 – –	—	
1 Sept. -	Crown - - -	Liverpool - -	22	4	4	14	Naas Union - - -	—	—	
1 „ -	Ditto - - -	- ditto - -	8	1	6	1	Chatham Union - -	7 16 –	—	
19 „ -	St. Patrick - -	- ditto - -	24	–	24	–	Drogheda Union - -	—	—	
19 „ -	Ditto - - -	- ditto - -	13	2	2	9	Chatham Union - -	8 10 –	—	
19 „ -	Ditto - - -	- ditto - -	4	4	–	–	London Ragged School -	4 17 4	—	
19 „ -	Ditto - - -	- ditto - -	1	–	1	–	Londonderry Union -	1 – –	—	
30 „ -	Boreas - - -	New Ross -	93	–	73	20	New Ross Union - -	46 10 –	—	
			787	171	319	297	£.	174 4 10	334 10 –	

CONTINENTAL.

3 June -	Charles Challoner -	Liverpool - -	10	1	2	7	Government of Baden -	- -	8 – –	
4 July -	Diana - - -	Bremen - -	35	7	12	16	Government of Saxe and Wirtemburg.	- -	19 – –	
8 „ -	John Howell - -	Liverpool - -	85	27	23	35	Government of Wirtemburg.	- -	81 – –	
18 „ -	Johannes - -	Hamburg - -	8	2	3	3	Government of Saxe Meiningen.	- -	8 – –	
18 „ -	Richard Alsop -	Antwerp - -	140	47	36	57	Government of Prussia and Wirtemburg.	- -	92 – –	
19 Sept. -	St. Patrick - -	Liverpool - -	130	37	34	59	- - ditto - ditto -	- -	84 – –	
			408	121	110	177	£.	- -	292 – –	

RECAPITULATION.

From	ENGLAND. Number.	ENGLAND. Amount.	IRELAND. Number.	IRELAND. Amount.	SCOTLAND. Number.	SCOTLAND. Amount.	CONTINENT. Number.	CONTINENT. Amount.
		£. s. d.		£. s. d.		£. s. d.		£. s. d.
Parish Funds - - -	36	32 17 4	198	141 7 6	–	- - -	408	292 – –
Private Funds - - -	10	6 10 –	–	- - -	330	328 – –	–	—
Free Passage only - -	72	- - -	76	- - -	65	—	–	—
	118	39 7 4	274	141 7 6	395	328 – –	408	292 – –

Emigration Department, Quebec, December 1855.

A. C. Buchanan, Chief Agent.

No. 7.

INFORMATION for Emigrants to *Canada* and the Northern and Western States of of *America*; showing the Routes, Distances, and Rates of Passage from *Quebec* to the principal Points.

ROUTES.

ROUTE No. 1.—From Quebec through Canada to Windsor (on the Detroit River, the most westerly point of Upper Canada,) and to the Western States: Michigan, Indiana, Illinois, Wisconsin, and Iowa; proceeding by Grand Trunk Railway or steamer from Quebec *viâ* Montreal, Kingston, and Toronto to Hamilton, thence by the line of the Great Western Railway from Hamilton to Detroit, thence to Chicago by Michigan Central Railroad, from Chicago by steamer up Lake Michigan to Milwaukie, or by railroad to Galena on the Mississippi, or to St. Louis in the State of Missouri, or by the Ontario, Simcoe, and Huron Railway from Toronto to Collingwood, 93 miles—whence steamers leave for Green Bay to Manitouac, Sheboygan, Milwaukie, and Chicago.

The Grand Trunk Railway of Canada being now open to Brockville, 293 miles west of Quebec, passengers for any point on this route, and Route No. 2, are enabled to avoid the detention consequent upon the navigation of the St. Lawrence canals, and thereby save in time about 24 hours, thus effecting an important economy.

The route *viâ* Quebec to either of the above districts is superior to that from any other port in America.

Route No. 2.—From Quebec to places on the American side of the St. Lawrence, and Lakes Ontario and Erie, and to the Northern and Western States.

Passengers for this route proceed by steamer or Grand Trunk Railway from Quebec to Montreal; thence to Ogdensburgh; at Ogdensburgh they are transhipped into a lake steamer for Niagara or Lewiston, and intermediate ports. From Lewiston they are carried by railway to Buffalo; from Buffalo steamers convey them up Lake Erie to Detroit and intermediate ports. Along this route passengers are carried to parts of Western New York and Pennsylvania, to the States of Ohio and Michigan, and from various points along the line, communications by railway and canal to Cincinnatti in Ohio, Pittsburgh in Pennsylvania, Louisville in Kentucky.

Route No. 3.—From Quebec to the Eastern Townships of Lower Canada, to the New England States of America, and to New Brunswick.

Passengers proceed from Quebec by the Grand Trunk Railway passing through Richmond and Sherbrooke in the Eastern Townships, and thence through the State of Vermont, Massachusetts, and Maine, to Portland. From Portland trains and steamers connect daily with Boston, and to all places in the States of Connecticut and New Hampshire.

Also, from Portland steamers leave twice a week for St. Andrew's, and St. John, New Brunswick.

Route No. 4.—From Quebec to the Ottawa District and places on the Rideau Canal.

Passengers proceed by steamer or Grand Trunk Railway to Montreal, and from Montreal to Ottawa City (late Bytown) and places on the Rideau Canal by steamer every evening, or continue by the Grand Trunk Railway, which connects at Prescott with the Ottawa and Prescott Railway. Those proceeding to Perth, Lanark, or any of the adjoining settlements, should land at Oliver's Ferry on the Rideau Canal, seven miles from Perth. This is the best route to the settlements in the Bathurst district.

Route No. 5.—From Quebec to Troy, Albany, New York, Philadelphia.

Passengers proceed by steamer or Grand Trunk Railway to Montreal, and from Montreal by railroad to Rouse's Point, on Lake Champlain; thence by steamer to Burlington and Whitehall: by rail to Troy or Albany; and by steamer or railway down the Hudson River to New York City.

DISTANCES AND FARES FROM QUEBEC.

See the explanation of Route.	PLACES.	Miles distant from Quebec.	STEERAGE FARE. £. s. d. Sterling.	STEERAGE FARE. $ cts.	CABIN FARE. £. s. d. Sterling.	CABIN FARE. $ cts.	REMARKS.
	CANADA:						
1	Barrie	599	1 3 1	5 75	2 16 –	14 –	Railway from Toronto, 60 miles.
1	Belleville, Bay Quinte	419	– 15 –	3 75	2 – –	10 –	Steamer from Kingston.
1	Bondhead	493	– 17 –	4 25	2 8 –	12 –	Steamer from Montreal.
1	Brockville	319	– 9 –	2 25	1 8 –	7 –	Steamer, G. T. Rail. from Montreal.
1	Chatham	730	1 9 –	7 25	3 6 –	16 50	Railway from Hamilton.
1	Cobourg	472	– 15 –	3 75	2 2 –	10 50	Steamer from Montreal.
1	Collingwood	630	1 6 –	6 50	3 – –	15 –	Railway from Toronto.
1	Darlington	497	– 17 –	4 25	2 8 –	12 –	Steamer from Montreal.
1	Eckford	686	1 8 –	7 –	3 4 –	16 –	Railway from Hamilton.
1	Hamilton	590	– 19 –	4 75	2 10 –	12 50	Steamer from Montreal.
1	Holland Landing	583	1 1 6	5 37 ½	2 13 6	13 37 ½	Railway from Toronto.
1	Ingersoll	637	1 5 –	6 25	2 17 –	14 25	Railway from Hamilton.
1	Kingston	369	– 11 –	2 75	1 15 –	8 75	Steamer from Montreal.
1	King	569	1 – 6	5 12 ½	2 12 –	13 –	Railway from Toronto.
1	London	666	1 6 –	6 50	3 – –	11 –	Railway from Hamilton.
1	Lefroy	598	1 2 6	5 62 ½	2 15 –	13 75	Railway from Toronto.
1	Montreal	180	– 3 –	– 75	– 14 –	3 50	Steamer or G. T. Railway.
2	Niagara	587	– 19 –	4 75	2 11 –	12 75	Ditto, from Montreal.
1	Nottawasago	621	1 5 –	6 25	2 19 –	14 75	Railway from Toronto.
1	Newmarket	589	1 1 –	5 25	2 13 –	13 25	Railway from Toronto, 30 miles.
4	Ottawa City (late Bytown)	309	– 7 –	1 75	1 18 –	9 50	Steamer or Rail from Montreal.
4	Oliver's Ferry, Rideau Canal	379	– 11 –	2 75	2 1 –	10 25	Steamer or Rail from Montreal.
1	Paris	610	1 2 –	5 50	2 15 –	13 75	Railway from Hamilton.
4	Perth (Bathurst district)	386	– 11 –	2 75	2 1 –	10 25	From Oliver's Ferry, seven miles.
1	Port Hope	478	– 15 –	3 75	2 2 –	10 50	Steamer from Montreal.
1	Prescott	307	– 9 –	2 25	1 8 –	7 –	Steamer from Montreal.
1	Richmond-hill	564	1 – –	5 –	2 11 6	12 87 ½	Railway from Toronto.
3	Sherbrooke	124	– 10 –	2 50	– 16 –	4 –	Grand Trunk Railway.
1	St. Catharine's	623	1 3 –	5 75	2 16 –	14 –	Steamer from Toronto.
1	Sunnidale	615	1 4 6	6 12 ½	2 18 –	14 50	Railway from Toronto.
1	Toronto	547	– 19 –	4 75	2 10 –	12 50	Steamer from Montreal.
1	Thornhill	561	1 – –	5 –	2 11 –	12 75	Railway from Toronto.
1	Whitby	517	– 19 –	4 75	2 10 –	12 50	Steamer from Montreal.
1	Woodstock	638	1 5 –	6 25	2 15 –	13 75	Railway from Hamilton.
3	St. Andrew's, New Brunswick	629	2 – –	8 50	2 12 –	13 –	G. T. R. to Portland, and thence by steamer.
3	St. John – – ditto	679	2 – –	9 –	2 14 –	13 50	
	UNITED STATES:						
5	Albany (New York)	436	1 – –	5 –	2 1 –	10 25	Railway from Montreal.
2	Buffalo ditto	647	1 3 –	5 75	2 12 –	13 –	Steamer from Montreal.
3	Boston (City)	419	1 4 –	6 –	2 6 –	11 50	Grand Trunk Railway.
5	Burlington	270	– 11 –	2 75	1 6 –	6 50	Railway from Montreal.
2	Cape Vincent	370	– 11 –	2 75	1 14 –	8 50	Steamer from Montreal.
1	Chicago, Illinois	1,054	1 19 –	9 75	4 15 –	23 75	Per G. W. R. from Hamilton.
2	Cleveland, Ohio	841	1 9 –	7 25	3 5 –	16 25	Steamer from Buffalo.
2	Cincinnati, Ohio	1,120	2 3 –	10 75	4 10 –	22 50	*Viâ* Buffalo and Sandusky.
2	Columbus, Ohio	976	1 18 –	9 50	4 – –	20 –	*Viâ* Buffalo and Sandusky.
1	Detroit, Michigan	776	1 9 –	7 25	3 10 –	17 50	Per G. W. R. from Hamilton.
1	Galena, Illinois	1,224	2 15 –	13 75	6 – –	30 –	*Viâ* Hamilton and Chicago.
2	Lewiston (New York)	616	– 19 –	4 75	2 8 –	12 –	Steamer from Montreal.
2	Louisville, Kentucky	1,200	2 – –	10 –	5 5 –	26 25	*Viâ* Buffalo and Sandusky.
3	Lawrence, Massachusetts	380	1 5 –	6 25	2 8 –	12 –	Grand Trunk Railway.
1	Monroe, Michigan	955	1 11 –	7 75	3 10 –	17 50	Steamer from Buffalo.
1	Milwaukie, Wisconsin	1,144	2 1 –	10 25	5 – –	25 –	G. W. Railway from Hamilton.
5	New York (City)	576	1 – –	5 –	2 6 –	11 50	S. and R. from Montreal.

(*continued*)

See the explanation of Route.	PLACES.	Miles distant from Quebec.	STEERAGE FARE. £. s. d. Sterling.	STEERAGE FARE. $ cts.	CABIN FARE. £. s. d. Sterling.	CABIN FARE. $ cts.	REMARKS.
	UNITED STATES—*continued.*						
2	Ogdensburgh	318	– 9 –	2 25	1 8 –	7 –	Steamer from Montreal.
2	Oswego	466	– 17 –	4 25	2 – –	10 –	Steamer from Montreal.
3	Portland, Maine	316	1 – –	5 –	1 14 –	8 50	Grand Trunk Railway.
2	Pittsburgh, Penn.	981	1 18 –	9 50	4 – –	20 –	*Viâ* Buffalo and Cleveland.
2	Rochester	529	– 19 –	4 75	2 4 –	11 –	Steamer from Montreal.
2	Sackett's Harbour	422	– 15 –	3 75	1 18 –	9 50	Steamer from Montreal.
2	Sandusky, Ohio	901	1 11 –	7 75	3 10 –	17 50	By steamer from Buffalo.
1	St. Louis, Missouri	1,239	3 – –	15 –	6 – –	30 –	*Viâ* Hamilton and Chicago.
2	Toledo, Ohio	947	1 11 –	7 75	3 9 –	17 25	*Viâ* steamer from Buffalo.
5	Troy (New York)	430	1 – –	5 –	2 1 –	10 25	Railway from Montreal.
	New Northern Route:						
1	Green Bay (Wisconsin)	1,091	1 15 –	8 75	4 13 –	23 25	By the Ontario, Simcoe, and Huron Railway from Toronto to Collingwood, 94 miles; thence by first-class steamers.
1	Manitouwoc ditto	1,087	1 14 –	8 50	4 – –	20 –	
1	Scheboygan ditto	1,113	1 14 –	8 50	4 4 –	21 –	
1	Milwaukie ditto	1,163	1 14 –	8 50	4 8 –	22 –	
1	Chicago (Illinois)	1,247	1 14 –	8 50	4 12 –	23 –	

Note.—The Railways are necessarily somewhat more expensive than the water conveyance—the difference being a little more than a dollar between Quebec and Brockville—but they afford great advantages in the saving of time.

Passengers paying Cabin fare are found in Provisions on board the Steamers, and forwarded by the Mail Steamers, and if by Railway, in first-class carriages. By the Railroads 100 lbs. of luggage is allowed to each passenger, all over that quantity will be charged extra.

Throughout these passages, Children under 12 years of age are charged half price, and those under three years are free.

The Gold Sovereign is at present worth 24 *s.* 4 *d.*; the English Shilling, 1 *s.* 3 *d.*; and the English Crown piece, 6 *s.* 1 *d.* currency. A Dollar is 4 *s.* sterling.

Through Tickets can be obtained on application at this Office.

A. C. Buchanan,
H. M. Chief Emigration Officer for Canada,
Office, Napoleon Wharf.

Government Emigration Office, Quebec,
January 1856.

No. 8.

CANADA.

EXTRACTS from the Notes appended to the Periodical Reports of Arrivals of Passenger Ships at the Ports of *Quebec* and *Montreal,* in the Season of 1855.

RETURN No. 1.—From the 6th to the 19th of May.

NINETEEN hundred and twenty-two emigrants have landed this season, up to the 19th instant, against 38 to the corresponding date in 1854.

This is owing altogether to the favourable passages the vessels have made, the average being 37 days.

They have all landed in good health, and report favourably of the treatment they received on the passage. The majority are farmers and agricultural labourers, chiefly emigrating to join friends, a few have proceeded to the Western States, and a number of the Irish to New York, but the destination of fully four-fifths is Western Canada.

There is at this date but little demand for labour in this section of the province, presenting a remarkable contrast with that of 1854; and in the face of a restricted labour market, added to the high price of all the necessaries of life, it is not to be regretted that there is every appearance of a limited emigration during the present season.

No. 2.—From the 20th to the 26th May.

THE emigrants arrived during the week consists of farmers and labourers, nearly all coming out to join friends. Those on board the "India," from New Ross, and "Royal Adelaide," from Fowey, had a few cases of small-pox, and from the passengers now landed and

and detained a few days in quarantine, all the healthy emigrants have since been discharged, and proceeded to their several destinations. A number of poor families, chiefly females and children, have been assisted to enable them to proceed.

Employment in this neighbourhood and about Montreal is very slack at present, and with but little prospect of improvement. The contractor of the Chats canal, on the Ottawa River has forwarded application for a few hundred men at wages, one dollar per day. A printed notice to this effect has been issued from this office, and distributed among the emigrants.

No. 3.—From the 27th of May to the 9th of June.

THE emigrants arrived during the week ending this day have all landed in good health; the great majority have proceeded direct to Western Canada, chiefly to join friends.

The Scotch emigrants from Aberdeen were all respectable agricultural labourers, and a few mechanics, and generally in good circumstances; they all proceeded to Toronto and Hamilton.

Of the Germans, between 60 and 70 emigrated to join their friends in the neighbourhood of Hamilton. 150 proceeded direct to Milwaukie by the new route from Toronto to Collingwood, by the Ontario, Simcoe, and Huron Railway, thence by steam direct. This route promises to be the favourite of emigrants by the St. Lawrence to the far West; and if properly conducted, presents many advantages over the Great Western Road, and is moreover, considerably cheaper.

A copy of the general notice issued by this department for the information of emigrants, with inland routes and rates of passage, is annexed.

No. 5.—From the 16th to the 23d of June.

TWO thousand five hundred emigrants arrived at this port during the week ending this date; all landed in good health; the deaths on the passage were only six.

Sixteen females per "Russia," from Sligo, were sent out by the Sligo Union; each adult received 20*s.* sterling on landing here; the greater part proceeded to the United States to their friends.

The Scotch and English emigrants are chiefly agriculturists and mechanics, and with the exception of a few, who were proceeding to join their friends in the United States, will settle in Western Canada. Many of the farmers appeared in comfortable circumstances, and intend to enter at once upon the occupation of land.

The Norwegian emigrants have all proceeded direct to Green Bay and Milwaukie, in Wisconsin.

The Germans, about 60 in number, proceeded to Upper Canada (Waterloo district), the remainder to the United States. These, as well as the Norwegian emigrants, brought a very considerable amount of money with them.

Employment continues very scarce in this section of the province, and emigrants seeking employment find difficulty in obtaining it.

This Return shows a large decrease, 15,277, on our number compared with last season.

No. 6.—From the 24th to 30th of June.

THE emigrants arrived during the past week (1,215), have landed in good health. Those by the "George Rogers" from Glasgow, and "Prince Regent" from Hull, were highly-respectable farmers and mechanics; they appear in comfortable circumstances, and all intend settling in Western Canada. They all speak highly of the kindness and attention received during the passage.

The emigrants from Ireland are generally poor, and they all have emigrated to join friends. About one-half proceed to the United States—Massachusetts, Vermont, and New York.

Two widows, one with three children, and the other with two, were proceeding to relations in St. Louis, Missouri, and Richmond, Virginia; they stated that their passage was paid by the Union, but landing here totally destitute, they have been forwarded through the province by this office.

The foreign emigrants are all Germans; a few have proceeded to the German settlements in Western Canada, the remainder to the Western States.

The reports from Western Canada received this week are more favourable; work being abundant, at good wages, and labourers scarce.

No. 7.—From the 1st to the 7th of July.

BUT 736 emigrants have landed here during the past week, all in good health; 273 Norwegians and 343 Germans. They have nearly all proceeded to the Western States.

On board the "Diana," from Bremen, there were a few families sent out by their parish. They received a small sum of money on landing here (10 guilders each), to enable them to proceed up the country. They have proceeded to Hamilton, and, as labourers are required in that quarter, will be likely to do very well.

The old settlers from Sydney, C. B., are all Scotch, who have been settled in that province for a number of years; they have sold their farms, and have proceeded to Toronto and Hamilton, with the intention of settling.

This return shows a large falling off in the emigration of this season, compared with that of 1854, amounting to 18,957 souls.

No. 8.—From the 8th to the 14th of July.

SEVENTEEN hundred and forty-two emigrants landed at this port during the week ending this date, all in good health, notwithstanding their long passage, which averaged 51 days.

The Irish emigrants by the "Devon" from Tralee, "Primrose" from Limerick, and "Favourite" from New Ross, have nearly all come out to join friends or relations, chiefly in Western Canada and the United States. Seven families assisted to emigrate by the "Earl Fitzwilliam" landed here, destitute of means. They were proceeding to friends in Western Canada, where there is no doubt they will eventually do well. The master of the "Devon" was fined for having four passengers over his legal complement. They were entered on his list as cabin passengers, and cleared as such; but on inquiry it was found that they had not occupied the cabin. The ship having, however, been cleared with them as cabin passengers, and the master having agreed to pay the penalty of 2*l.* 10*s.* sterling for each, under the 12th clause of the Passenger Act, I abstained from taking any legal proceedings.

Two hundred and nineteen emigrants have arrived this week from Sydney, C. B; they are chiefly Scotch, who have been settled in that province for these last 20 years, and are now emigrating principally to the Huron tract, attracted by the more genial clime and fertile soil of the west. The foreign emigrants are generally in good circumstances, and have chiefly proceeded to the United States.

The approach of harvest, which promises to be very abundant, has caused considerable increase in the demand for labour in Western Canada, and all who proceed to that quarter can readily obtain employment, with fair wages.

No. 9.—From the 15th to the 21st of July.

THE emigrants arrived during the past week, have all landed in good health; they are chiefly foreigners, the greater part of whom proceeded direct to the Western States.

By the "Richard Alsop," from Antwerp, there were 140 persons sent out by the Government of Wirtemburg; they received, in addition to a free passage, four dollars each on landing here. They were principally agricultural labourers, and having no particular destination in view, were forwarded to Hamilton, with recommendations to some of their influential countrymen in the Waterloo district, where they will be certain of meeting with profitable employment during the present approaching harvest.

The English emigrants per "Chance," from Hull, and the Scotch per "Chieftain," from Glasgow, are a fine healthy body of settlers, all agricultural labourers and farmers; their destination was chiefly to the Newcastle, Gore, and London districts, the majority of them appeared to be furnished with funds.

The Irish emigrants per "Hope," from Cork, are all poor, and consist of families coming out to join friends; about one-half went to the United States, the remainder to different sections of the province; 88 persons, equal to 71 adults, had to be assisted, to enable them to proceed from this forward.

The passengers from the wreck of the "Lochmaben Castle," from Liverpool, and lost on the Bird Island on the 4th June, are all included in this return; the last party, 226 in number, having arrived from Pictou by a schooner on the 21st instant.

Those received by the "Sophia M'Kenzie" and "California," reached Grosse Isle on the 12th and 14th of June. They were chiefly women and children, and were detained there and supplied with rations, until the arrival of the rest of their families. These poor people have, I regret to say, lost all their luggage, and which from the information received might nearly all have been saved, if ordinary exertion had been made by the master. The vessel is reported to be still in the position she was when driven on the rocks; and the property and cargo have been pillaged and carried off by the fishing vessels and others. A full report of the evidence collected, and proceedings adopted for the relief of the passengers, will be forwarded in a few days.

No. 11.—From the 1st to the 25th August.

Only 1,386 emigrants have arrived at this port, since the first instant, 1,039 Scotch and 300 Germans.

Three hundred and thirty Scotch by the "Melissa," have been sent out by Sir James Mathewson from his estates in Lewis, they were provided with a free passage to this port, and on landing were served with a week's rations, and all forwarded to their respective destination at Sir James's expense; they speak in the highest and most grateful terms of the liberal and kind treatment they have received.

The Scotch emigrants from Glasgow, are respectable farmers and mechanics, and chiefly emigrating to join their friends and relations. They all proceeded by their vessels direct to Montreal, destination Western Canada. On board the "Charlotte Harrison," there were nine families, 65 persons, who were sent out by Mr. O'Neil, from the island of Canna, they received a free passage to this port; and on landing here, being without means, they were forwarded at the expense of this department to Hamilton for employment. The Germans went principally to the Western States, about 80 or 90 intended remaining in Western Canada.

No. 12.—From 26th of August to the 19th of September

The emigrants arrived during the period embraced in this Return have landed in good health, with the exception of those by the ship "Crown," from Liverpool; 10 deaths occurred on the passage, and 18 sick were sent to hospital at Grosse Isle.

This vessel arrived in a very uncleanly and filthy state, and there appears to have been neither order nor regulation observed during the passage. Captain Izatts and his mate were evidently wholly ignorant of the passenger trade, and from their rough and overbearing conduct, created much ill-will and disagreement among the passengers; numerous complaints were made on their arrival here, touching the ill-treatment they received from the crew; but I regret in a sense of justice that the complainants would not remain a sufficient time in the port to enable me to prosecute. During the period that the passengers were on shore at Grosse Isle, several of their boxes were broken open by some of the crew; I have received depositions from four parties, stating their loss at 19*l.* sterling, and proceedings are now being taken against the master for the recovery of this sum, as also under the Passenger Act for non-fulfilment of contract in refusing to forward a number of his passengers to Montreal as specified by their contract tickets, as well as for an assault on an officer of this department, sent on board to inquire into their complaints. On the decision of the magistrates being given, a special report will be forwarded.

Six women, 1 man, and a child were sent out by the Chatham Union, they received 20*s.* sterling on landing here, which sum had been remitted to this department for their use.

On board the "Dunbrody" from New Ross, there were 53 females from the Gorey Union, each adult received 20*s.* sterling on landing here; a few of them proceeded to relations in Boston and New York, and the remainder were directed to proceed to Upper Canada, where they were certain of meeting with permanent employment.

The emigrants per "Helen," from Montrose, "Albion" and "California," from Glasgow, are all respectable agriculturists and mechanics, generally speaking in comfortable circumstances, and are proceeding to join friends in Western Canada. On board the "St. Patrick," from Liverpool, there were a considerable number of Germans, 130 of whom appear to have been sent out from Mucbach in Wirtemburg; they received 10 guilders each on landing here, to enable them to proceed up to Hamilton.

Among the foreign emigrants who came direct from Hamburg, there were a party of 100 Bohemians, a number of whom have proceeded to settle in Western Canada; the remainder went to the Western States.

Twenty-four females by the "St. Patrick" were sent out from the Drogheda Union, they were forwarded by the ship as far as Montreal. One family, 6 persons from the Chatham Union, and 1 female from the Londonderry Union, and 4 lads from the London Ragged School received 20*s.* sterling on landing, through this office.

The remainder of the emigrants by this and the other vessels are chiefly Irish, mostly poor females coming out to join friends; the greater part of whom have proceeded to Western Canada, and a few to the Eastern Townships.

The demand for labourers or mechanics in Eastern Canada continues to be very limited, and but few or any of the emigrants remain here; whereas throughout Western Canada the demand continues steady, and all those desirous of employment, can procure it without difficulty.

The number of persons who have received pecuniary assistance from this department from the several vessels in this Return, to enable them to join their friends and relations, is equal to 400 adults, principally females and children.

No. 13.—From 20th of September to the 31st of October.

Two thousand five hundred and fifty-three emigrants have arrived at this port during the period embraced in this Return, which may be considered as the close of the emigration by the St. Lawrence route for this season, and shows the large decrease of 31,817 when compared with that of 1854.

The emigrants by these vessels have landed in good health with the exception of those by the " St. Lawrence " from Aberdeen, and the " Pemberton " from Tralee. In the former vessel, 3 deaths (one a cabin passenger, the Rev. Mr. Ogilvie) occurred on the passage; and 39 cases of ship-fever were subsequently admitted into the quarantine hospital, and the master and four seamen are at present under treatment for the same disease in the marine hospital.

By the " Pemberton," although no deaths have occurred during the passage, 23 of the passengers and four seamen were admitted into hospital at Grosse Isle labouring under fever, two of whom have since died.

This vessel, I consider, was unseaworthy, and, therefore, not fit to carry passengers, being leaky in her topsides and decks, so that the passengers were constantly wet, which has been the main cause of the sickness.

In the case of the " St. Lawrence," the disease appeared in a family a few days after sailing, and from the part of the 'tween decks where the family lay, it extended throughout the hold and to the cabin. The captain and passengers appear to be under the impression that the medical officer, whose duty it was to make inspection of the passengers of these vessels before sailing had not been sufficiently strict.

The fever thus introduced has extended through the quarantine hospital, and has been felt most severely by the attendants, two of whom have had very serious attacks, and a young man, a clerk to the suttler at the healthy division, has died of the disease.

The emigrants are chiefly agricultural, and nine-tenths of them have emigrated to join friends. The Scotch and English are generally respectable mechanics and farmers, and some of whom have brought a good deal of capital. The Irish are generally very poor; a large portion of them consist of women and children, emigrating to join their friends in different parts of this province and the United States, these friends having sent assistance to enable them to do so. The passengers per " Pemberton " are nearly wholly of this class; the greater part of whom were nearly penniless on landing here. I found it necessary to grant assistance to 48 males, 96 females, and 131 children, to enable them to leave this port. Nearly the whole went to Western Canada to friends.

On board the "Boreas," there were 93 paupers from the New Ross Union (78 females and 15 children), they received 10 *s.* sterling each, on landing here. It is greatly to be regretted that the guardians of the unions, will persist in continuing to send out their poor at so late a period in the year, and particularly with so small an allowance as 10 *s.*, which considering the actual high prices for all the indispensable requirements of life, is barely sufficient to provide provisions for their journey up the country, and where they would meet with immediate employment, thereby throwing the entire expense of their inland transport on this department, as owing to the late period in the season of their arrival, and the impossibility of procuring suitable employment for them in this section, if allowed to remain, they would most likely become chargeable on the public for support during the winter.

The total number of persons assisted with passages from the several vessels, included in this return, was 711, viz., 402 adults and 309 children, and of whom were 98 English, 58 Scotch, and 555 Irish.

The quarantine closes this day, and the remaining sick, numbering four persons, have been transferred to the marine and emigrant hospital in this city.

NEW BRUNSWICK.

Despatches from Lieutenant-Governor the Hon. J. H. T. Manners Sutton.

NEW BRUNSWICK.

No. 2.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. Lord John Russell.
19 May 1855.

— No. 2. —

(No. 45.)

COPY of a DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Honourable Lord *John Russell*, M.P.

Government House, Fredericton, New Brunswick,
19 May 1855.

My Lord, (Received 4 June 1855.)

I HAVE the honour to forward to your Lordship a copy of a letter, addressed to the provincial secretary, from Her Majesty's emigration officer at St. John, with a ship return, reporting the arrival of the ship "Middleton" with passengers.

15 May 1855.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Enclosure in No. 2.

Encl. in No. 2.

Government Emigration Office,
St. John, 15 May 1855.

Sir,

I HAVE to report the arrival here of the packet ship "Middleton" with passengers, from Liverpool, and enclose a ship return.

When the "Middleton" arrived on the 21st April, 11 of the passengers and one seaman were ill with typhus fever. In consequence, all the passengers were landed at Partridge Island, whence they have come to the city from time to time, clean and healthy.

I am happy to state, that under the good management of Dr. Harding all the sick have become convalescent, and only a few now remain at the island, who will be ready to leave in a few days.

One man named Michael Dawson, aged 28 years, in a state of delirium caused by the fever, jumped over board on the voyage and was drowned. No other death has occurred, either on the voyage or since the vessel arrived.

The passengers by this vessel were nearly all Irish, whose passage money has been paid by friends resident here.

I have, &c.

The Honourable the Provincial Secretary. (signed) *M. H. Perley.*

— No. 3. —

(No. 47.)

No. 3.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. Lord John Russell.
29 May 1855.

COPY of a DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Honourable Lord *John Russell*, M.P.

Government House, Fredericton, New Brunswick,
29 May 1855.

My Lord, (Received 18 June 1855.)

I HAVE the honour to forward your Lordship a copy of a letter, addressed to the provincial secretary, from Her Majesty's emigration officer at St. John, together with a ship return, reporting the arrival of the ship "Eudocia" with passengers.

17 May 1855.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Enclosure in No. 3.

Encl. in No. 3.

Government Emigration Office,
St. John, 17 May 1855.

Sir,

I HAVE to report the arrival yesterday of the packet ship "Eudocia" with passengers, from Liverpool, and enclose a ship return.

These passengers being clean and healthy, there was no detention at the island. On inspection I found them thus classed:—English, 42; Scotch, 7; Irish, 122; Foreigners, 13: total, 184 souls.

The British subjects appeared to be all of the labouring class. The foreigners are Germans, from Wurtemburg, and consist of seven young unmarried women with their six children. I have reason to believe that they were sent to this country at the public expense. They must go to the almshouse in the first instance, until persons can be found to take them and their children.

At this moment I am not aware of any vessel being on the voyage to this port with passengers. There is reason to believe that the immigration of the season will be small, and the supply of domestic and agricultural labour greatly below the demand.

I have, &c.

The Hon. S. L. Tilley, &c. &c. &c.

(signed) *M. H. Perley.*

— No. 4. —

(No. 54.)

No. 4.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. Lord John Russell. 25 June 1855.

COPY of a DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Hon. Lord *John Russell*, M. P.

Government House, Fredericton, New Brunswick,
25 June 1855.

My Lord,

(Received 16 July 1856.)

20 June 1855.

I HAVE the honour to forward to your Lordship a copy of a letter, addressed to the provincial secretary, from Her Majesty's emigration officer at St. John, together with a ship return, reporting the arrival of the ship "Liberia" with emigrants.

I have, &c.

(signed) *J. H. T. Manners Sutton.*

Enclosure in No. 4.

Encl. in No. 4.

Government Emigration Office, St. John,
20 June 1855.

Sir,

I HAVE to report the arrival of the packet ship "Liberia," with 207 steerage and seven cabin passengers, and enclose a ship return.

The passengers were in excellent health on arrival, and have since been distributed among friends who expected them. They were thus classed:—English, 111; Scotch, 2; Irish, 94: total, 207.

I have reason to believe that the immigration of this season will be unusually small.

I have, &c.

The Hon. S. L. Tilley,
Provincial Secretary.

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

— No. 5. —

(No. 10.)

No. 5.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. Lord John Russell, 11 August 1855.

COPY of a DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Hon. Lord *John Russell*, M. P.

Government House, Fredericton, New Brunswick,
11 August 1855.

My Lord,

(Received 27 August 1855.)

24 July 1855.

I HAVE the honour to forward to your Lordship a copy of a letter, addressed to the provincial secretary, from Her Majesty's emigration officer at St. John, together with two ship returns, reporting the arrival of the barque "Mary Ann" and of the brig "Garland," with emigrants.

I have, &c.

(signed) *J. H. T. Manners Sutton.*

NEW BRUNSWICK.

Enclosure in No. 5.

Government Emigration Office, St. John,
24 July 1855.

Encl. in No 5.

Sir,

I HAVE the honour to report the arrival of the barque "Mary Ann," from Londonderry, with 116 passengers, and brig "Garland," from Cork, with 46 passengers, for both which vessels ship returns are enclosed.

Nos. 4 and 5.

The passengers by both these vessels arrived in excellent health, and very cleanly condition.

I am not aware of any other vessel on the voyage for this port with passengers. A few may be expected during the rest of the season in the Black Ball Line of Liverpool packets, but not in sufficient numbers to bring these vessels under the provisions of the Passengers Act.

The regular immigration of the season is therefore at an end, and has been very much smaller than usual.

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

The Hon. S. L. Tilley,
Provincial Secretary.

— No. 6. —

(No. 21.)

No. 6.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. Sir W. Molesworth, Bart.
16 October 1855.

COPY of a DESPATCH from Lieutenant Governor the Hon. *J. H. T. Manners Sutton* to the Right Hon. Sir *William Molesworth*, Bart. M. P.

Government House, Fredericton, New Brunswick,
16 October 1855.
(Received 5 November 1855.)

Sir,

I HAVE the honour to forward to you the enclosed copy of a letter, addressed to the provincial secretary, from Her Majesty's emigration officer at St. John, together with four ship returns, No. 6, No. 7, No. 8, and No. 9, reporting the arrival of the ships "Imperial," "Middleton," and "Joseph Tarratt," from Liverpool, and also of the barque "Clarence," from Galway, with emigrants.

5 October 1855.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Enclosure in No. 6.

Government Emigration Office,
St. John, 5 October 1855.

Encl. in No. 6.

Sir,

I HAVE the honour to report the arrival at this port of the packet ships "Imperial," "Middleton," and "Joseph Tarratt," from Liverpool, with passengers, and enclose the usual returns.

The character of these packets is so well established that I need only say the passengers were comfortably accommodated and provided, and arrived in excellent health.

The emigrants by the "Imperial" were classed as follows:—English, 39; Scotch, 2; Irish, 5; foreign, 36: total, 82. In the "Middleton" they were thus classed:—English, 16; Scotch, 97; Irish, 35: total, 148. Those by the "Joseph Tarratt" were classed as follows:—English, 32; Irish, 35; Scotch, 1; foreign, 90: total, 158.

The 90 foreign emigrants were paupers from Wurtemburg, sent out to this province at the public expense, through Rotterdam and Liverpool. Of their number, no less than 87 have been sent to the almshouse, where they must be supported at the public expense until employment can be procured for them. They are in large families, and do not speak a word of English. A notice has been given in the public papers that applications will be received from persons in the country who wish to engage these families.

I have also to report the arrival of the barque "Clarence," from Galway, with 70 passengers, and enclose a ship return. Of these emigrants, 21 have been forwarded to Boston, and 25 to New York, to which places their passage had been paid by the friends that sent for them.

No. 9.

I have further to report the arrival of the ship "Lampedo," from Liverpool, with 38 passengers, and ship "John Barbour," also from Liverpool, with 44 passengers, all in good health; but as these vessels did not come under the provisions of the "Passengers Act," no ship returns are sent.

It is exceedingly gratifying to report the healthy condition of the immigrants that have

NEW BRUNSWICK.

arrived this season; but some measure must be adopted at the next Session of the Legislature to prevent too great an influx of the German paupers, who may otherwise become a heavy burthen upon the province.

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

The Honourable the Provincial Secretary,
&c. &c. &c., Fredericton.

(*Note.*—This has been communicated to the several Governments in Germany, with a view to preventing similar occurrences hereafter.)

— No. 7. —

(No. 22.)

No. 7.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. H. Labouchere.
27 May 1856.

COPY of a DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Hon. *H. Labouchere*, M. P.

Government House, Fredericton, New Brunswick,
27 May 1856.

Sir,

(Received 24 June 1856.)

19 May 1856.

I HAVE the honour to forward for your information a copy of a letter from Her Majesty's emigration officer at St. John, in which is enclosed a ship return, reporting the arrival of the barque "Clarence" at St. John, from Galway, with emigrants.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Enclosure in No. 7.

Encl. in No. 7.

Government Emigration Office, St. John,
19 May 1856.

Sir,

I HAVE to report the arrival of the barque "Clarence," from Galway, with 100 passengers, and enclose the usual ship return.

It will be observed that a very large proportion of these passengers proceeded at once to the United States, having taken through tickets before leaving Ireland. The remainder also intend going to the United States, and only wait for their friends to send funds.

The packet ship "John Barbour," from Liverpool, brought 34 passengers, and the packetship "John Duncan" (arrived to-day) brought 25 passengers. Neither of these vessels come under the Passengers Act.

At present I have no passenger lists, and am induced to believe that the immigration of the present season will be unusually small.

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

The Hon. S. L. Tilley, Provincial Secretary.

— No. 8. —

No. 8.
Annual Report of the Emigration Agent, New Brunswick.

ANNUAL REPORT of the Emigrant Agent, *New Brunswick*.

To His Excellency the Honourable *J. H. T. Manners Sutton*, Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick:

May it please your Excellency:

I HAVE the honour to submit herewith the Annual Abstract of Immigration to New Brunswick during the year 1855.

	Souls.
In 1854	3,618
1855	1,405
Decrease	2,213

1. The whole number of immigrants landed during the year was 1,405 only, being a decrease on the year 1854 of 2,213 souls.

2. There were only three deaths on the voyage and in quarantine during the season, being a little more than one-seventh of one per cent. on the numbers embarked. One of the deaths occurred by drowning; one was that of a child with measles; and the third, that of an aged and infirm person. All the immigrants landed at the port of St. John, chiefly from the excellent packet ships of the

the Liverpool line, on board which passengers are treated with great care and kindness.

3. Fully one-half the immigrants of the season left the province soon after their arrival. Of those that remained, one portion joined friends and relatives who had sent for them; and another portion, chiefly German paupers from Wurtemburg, went at once into the almshouse, where most of them still remain.

4. The depression in the prices of ships and timber still prevails, owing to the continuance of the war, and consequently there is but a limited demand for labour in the ship-yards and saw-mills of the province.

5. During the whole of the past year operations have been suspended on the railways which were previously in course of construction, and hundreds of railway labourers have left the country, as well as many of its inhabitants.

6. In 1847 I had the honour of pointing out to a Committee of the House of Lords various defects in the management of the Crown lands of New Brunswick as regarded settlers. Since that time, I have continually urged upon the Government of this province the necessity of amending the Crown land system. In my last annual report, I brought the subject under the notice of your Excellency, and entreated that some change might be made in a system which I had every reason to believe had deterred, and continued to deter, many persons of the most desirable class from purchasing land and becoming settlers. In January last I brought the subject specially under the notice of the Government, by a letter to the provincial secretary, an extract from which is appended, and to which I beg most respectfully to refer. As the same system still continues in full force, I beg again to reiterate my objections to it, and to express my belief that it is the worst Crown land system in these North American provinces.

7. During the past year, I have had the opportunity of visiting the neighbouring provinces of Canada, Nova Scotia, and Prince Edward Island, each of which is making greater progress than New Brunswick. As compared with Canada, this province appears to be not merely standing still, but absolutely retrograding.

8. The area of New Brunswick is estimated at 17,677,360 acres, of which, as appears by the census of 1851, only 643,954 acres have been cleared for cultivation, being less than four per cent. of the whole quantity.

The population, now amounting to 200,000 souls or less, is scattered along the watercourses of the country, or along the margin of the sea. The whole interior, and the great bulk of the country, yet remains covered with a dense forest and in a state of primeval wilderness. The communications are kept up by means of the rivers and streams, by roads not of a durable character, by bridges of perishable materials, and by the sea.

9. It is understood the railways proposed to be constructed will follow the existing lines of settlement, and leave the interior of the province in a great measure still untouched. It would seem necessary therefore, in order to sustain the proposed railways, and open up the country, that a great arterial system of roads should be devised, which would render the best land and the varied resources of the province readily accessible. A comprehensive system of great roads, constructed with reference to their permanency, with bridges of a durable nature, and with townships laid out along such roads in proper form, under a judicious system of sale and settlement, would soon render the country attractive, and hold out inducements to emigrants and settlers which are now wanting.

10. I feel satisfied, as well from information which has reached me, as from my own observation, that there has been a considerable stream of emigration from this province during the past year, and I believe, that unless active and vigorous measures are adopted to check it during the coming season, especially by a change in the mode of managing the Crown lands, and by an extensive system of public improvements of various kinds, the stream will continue to flow more largely, and the population of the country will begin to diminish sensibly.

11. Under

NEW BRUNSWICK.

11. Under present circumstances, it appears to me that the existing population is sufficient for the amount of labour to be performed; and until material changes take place in the business and affairs of the province, I can hold out little or no encouragement to emigrants of the labouring class.

All of which is respectfully submitted by your Excellency's

Very obedient servant,
(signed) *M. H. Perley*,
H. M. Emigration Officer for
New Brunswick.

Government Emigration Office,
St. John, N. B., 8 January 1856.

EXTRACT from Letter to the Hon. the Provincial Secretary, dated Government Emigration Office, 22 January 1855.

CROWN LANDS.

11. THE mode of disposing of Crown lands is such as at present to offer serious obstacles to those who desire to purchase for immediate settlement.

12. The practice heretofore permitted of allowing persons to obtain orders of survey, and under those to select the finest and choicest tracts on the banks of rivers, or in other favourable situations, is exceedingly injurious and greatly to be deprecated.

13. I suggest that lands should be surveyed in townships, or districts, and none sold for settlement save in the surveyed portions. In Canada, the lands in certain surveyed townships only are offered for sale, and no sales are permitted in other townships until a certain proportion of those first offered have been sold. By this arrangement, settlements are formed and extended effectively, roads are well made and kept up, and the evils attendant on small and widely-scattered settlements, without places of worship or schools, and costing large sums of money for bye-roads, are altogether avoided.

14. When Lord Stanley was Colonial Minister he recommended the Legislature of Newfoundland to insert a clause in their Land Bill, declaring that if lands should be once, or oftener than once, exposed to auction and not sold, the Lieutenant-Governor might be afterwards at liberty to dispose of them without competition, at the last upset price at which they had been offered. This plan has been adopted in Canada, and is believed to have worked very advantageously.

15. If a diagram of one or more settlements had been lodged at this office at any time during the last three years, with authority to sell vacant lots previously offered at auction and not sold, I feel assured that much land would have been disposed of to actual settlers, and the settlement of the country greatly promoted.

16. Should this plan be adopted, I suggest that the purchaser should in all cases deposit the purchase-money in a bank, or branch bank, or with the deputy treasurer of the district, to the credit of the receiver-general; the deposit receipt to be handed to the local agent, who shall thereupon grant a location ticket, and forward the receipt to the Crown Land Department, whereupon the grant should issue. This mode would greatly simplify the accounts, and obviate the necessity of taking security from the agents employed. Their commission could be settled at the end of each quarter or yearly.

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

Enclosure in No. 8.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick* during the Year ending 31 December 1855.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Adults.		Between 14 Years and 1 Year.		Under 1 Year.		TOTALS.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending—												
31 March - - -	Nil.	—	—	—	—	—	—	—	—	—	—	—
30 June - - -	6	2	1	235	174	94	79	12	16	341	269	610
30 September - -	8	1	–	236	254	115	107	9	10	360	371	731
31 December - -	3	–	–	25	21	10	7	1	–	36	28	64
TOTALS - - -	17	3	1	496	449	219	193	22	26	737	668	1,405

RECAPITULATION.

	M.	F.
Adults - - - - -	496	449
Between 14 and 1 Year -	219	193
Under 1 Year - - -	22	26
TOTALS - - -	737	668

Whole Number,
One thousand four hundred and five souls.

Government Emigration Office,
St. John, New Brunswick,
8 January 1856.

M. H. Perley,
H. M. Emigration Officer for New Brunswick.

Appendix.

Appendix.

PRINCE EDWARD ISLAND.

18 Vict. c. 15. An Act to continue and amend the Act relating to Emigrants.
(Passed 17 April 1855.)

Preamble.

WHEREAS the Act of the 14 Vict. c. 11, intituled, "An Act relating to Emigrants," will shortly expire, and it is desirable to continue and amend the same:—

Repeals so much of 1st sect. of 14 Vict. c. 11, as defines the amount of head duty, &c. on emigrants, and in lieu thereof imposes a head duty of 12*s.* 6*d.* at all seasons of the year.

1. Be it therefore enacted, by the Lieutenant-governor, Council, and Assembly, as follows: That from and after the passing of this Act, so much of the first section of the hereinbefore recited Act as defines the amount of rate or head duty on emigrants or passengers arriving in this island, be, and the same is hereby repealed; and instead of the several sums thereby imposed as a rate or head duty on emigrants, the sum of 12*s.* 6*d.*, and no more, save and except as the same is directed by the said section of the said Act to be increased in the event of any vessel being kept in quarantine, shall be collected, levied, and paid in this island, at any time after the passing of this Act.

Same liable to be increased in certain cases.

Emigrants between 18 months and 12 years of age only liable to half duty.

2. That all emigrants and passengers, between the ages of 18 months and 12 years, shall be subject only to the payment of the rate or head duty of 6*s.* 3*d.* currency.

Continues 14 Vict. c. 11, with certain exceptions, for 10 years.

3. The said hereinbefore recited Act, and every clause, matter, and thing therein contained, save and except in so far as the same is hereby repealed and amended, shall be and the same is hereby continued for the space of 10 years from the passing hereof, and from thence to the end of the then next Session of the General Assembly, and no longer.

EMIGRATION (NORTH AMERICAN COLONIES).

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 464, of Session 1855).

(Mr. John Ball.)

Ordered by The House of Commons, *to be Printed,*
6 *February* 1857.

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CONVENTION

BETWEEN

HER MAJESTY

AND THE

EMPEROR OF THE FRENCH,

RELATIVE TO THE

RIGHTS OF FISHERY

ON THE

COAST OF NEWFOUNDLAND

AND THE NEIGHBOURING COASTS.

Signed at London, January 14, 1857.

Presented to both Houses of Parliament by Command of Her Majesty.
1857.

LONDON:
PRINTED BY HARRISON AND SONS.

CONVENTION between Her Majesty and the Emperor of the French, relative to the Rights of Fishery on the Coast of Newfoundland and the neighbouring Coasts.

Signed at London, January 14, 1857.

[*Ratifications exchanged at London, January* 16, 1857.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, being desirous to remove for the future all cause of misunderstanding between their respective subjects relative to the fisheries on the coast of the Island of Newfoundland and the neighbouring coasts, by regulating with exactness the rights and privileges of their said subjects, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Her Britannic Majesty's Principal Secretary of State for the Colonies;

And His Majesty the Emperor of the French, the Sieur John Gilbert Victor Fialin, Count of Persigny, a Senator, Grand Cross of the Imperial Order of

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté l'Empereur des Français, désirant écarter dans l'avenir toute cause de contestation entre leurs sujets respectifs dans l'exercice de la pêche sur les côtes de l'Ile de Terre-Neuve et sur les côtes avoisinantes, en réglant d'une manière précise les droits et privilèges des dits sujets, ont résolu de conclure une Convention à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable George Guillaume Frédéric, Comte de Clarendon, Baron Hyde de Hindon, Pair du Royaume Uni, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Chevalier du Très Noble Ordre de la Jarretière, Chevalier Grand-Croix du Très Honorable Ordre du Bain, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères; et le Très Honorable Henri Labouchere, Conseiller de Sa Majesté Britannique en Son Conseil Privé, Membre du Parlement, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Colonies;

Et Sa Majesté l'Empereur des Français, le Sieur Jean Gilbert Victor Fialin, Comte de Persigny, Sénateur, Grand-Croix de l'Ordre Impérial de la Légion

the Legion of Honour, Grand Cordon of the Imperial Order of the Medjidie of Turkey, Grand Cross of the Order of St. Maurice and St. Lazarus of Sardinia, Grand Cross of the Order of Danebrog of Denmark, His Ambassador to Her Britannic Majesty ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

d'Honneur, Grand Cordon de l'Ordre Impérial du Medjidié de Turquie, Grand-Croix de l'Ordre des Saints Maurice et Lazare de Sardaigne, Grand-Croix de l'Ordre du Danebrog de Danemark, Son Ambassadeur près Sa Majesté Britannique ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivants :—

ARTICLE I.

French subjects shall have the exclusive right to fish, and to use the strand for fishery purposes, during the season elsewhere specified (Article VIII), on the east coast of Newfoundland, from Cape St. John to the Quirpon Islands. They shall also have the right to fish, and to use the strand for fishery purposes, during the said season, to the exclusion of British subjects, on the north coast of Newfoundland, from the Quirpon Islands to Cape Norman ; and on the west coast, in and upon the five fishing-harbours of Port-au-Choix, Small Harbour (or Petit Port), Port au Port, Red Island, and Cod Roy Island. Such exclusive fishing, from the Quirpon Islands to Cape Norman, shall extend to a distance of three marine miles due north from a straight line joining Cape Norman and Cape Bauld, and as regards the five harbours, shall extend to within a radius of three marine miles in all directions from the centre of each such harbour, but with power to the Commissioners or Umpire elsewhere provided for in this Convention to alter such limits for each harbour in accordance with the existing practice.

ARTICLE I.

Les sujets Français auront le droit exclusif de pêcher, et de se servir du rivage pour les besoins de leur pêche, pendant la saison spécifiée ailleurs (Article VIII), sur la côte orientale de Terre-Neuve, depuis le Cap St. Jean jusqu'aux Iles Quirpon. Ils auront aussi le droit de pêcher et de se servir du rivage pour les besoins de leur pêche pendant la dite saison, à l'exclusion des sujets Anglais, sur la côte septentrionale de Terre-Neuve, depuis les Iles Quirpon jusqu'au Cap Normand ; et sur la côte occidentale, dans et sur les cinq hâvres de pêche de Port-au-Choix, Petit Hâvre ou Petit Port, Port à Port, l'Ile Rouge, et l'Ile Cod Roy. Ces droits de pêche exclusive s'étendront, entre les Iles Quirpon et le Cap Normand, jusqu'à une distance de trois milles marins dans le nord vrai de la ligne droite qui joint le Cap Normand au Cap Bauld, et pour les cinq hâvres, jusqu'à trois milles marins dans toutes les directions à partir du centre de chacun d'eux ; toutefois, les Commissaires ou Arbitre désignés dans une autre partie de cette Convention pourront pour chaque hâvre modifier les dites limites selon la pratique existante.

ARTICLE II.

British subjects shall have the right, concurrently with French subjects, to fish on the west coast of Newfoundland, from Cape Norman to Cape Ray, except at the five above-mentioned points ; but French subjects shall have the exclusive use of the strand for fishery purposes during the said season, from Cape Norman to Rock Point, in the Bay of Islands north of the River Humber, in latitude 49° 5′ (about), in addition to the strand of the reserved harbours.

ARTICLE II.

Les sujets Anglais auront le droit, concurremment avec les sujets Français, de pêcher sur la côte occidentale de Terre-Neuve, depuis le Cap Normand jusqu'au Cap Raye, excepté sur les cinq points ci-dessus mentionnés ; mais les sujets Français auront l'usage exclusif du rivage pour les besoins de leur pêche pendant la dite saison, depuis le Cap Normand jusqu'à la Pointe Rock dans la Baie des Iles (au nord de la Rivière Humber), par 49° 5′ de latitude environ, en outre du rivage des hâvres réservés.

ARTICLE III.

French subjects shall have the right, concurrently with British subjects, to fish on the coasts of Labrador from Blanc Sablon to Cape Charles, and of North Belleisle, together with liberty to dry and cure fish on any of the portions of the coast of North Belleisle aforesaid, which shall not be settled when this Convention shall come into operation. The British Government, however, retains the right to erect thereon buildings for military or public purposes; and if any settlement for permanent habitation shall be thereafter established on any portion of the coast of the said island, the right of French subjects to dry and cure fish on such portion of the coast shall cease, one season's notice of such settlement having been given beforehand to the French Commander on the station.

The said French concurrent right of fishing shall terminate at the embouchures or outlets of rivers and creeks: the place of each embouchure or outlet shall be determined, in the manner elsewhere specified in this Convention, by the Commissioners or Umpire.

ARTICLE III.

Les sujets Français auront le droit, concurremment avec les sujets Anglais, de pêcher sur les côtes du Labrador depuis Blanc Sablon jusqu'au Cap Charles, et sur celles de Belle-île du Nord. Ils auront la faculté de sêcher ou préparer le poisson sur toute partie des côtes de Belle-île non occupée au moment où cette Convention deviendra effective. Toutefois, le Gouvernement Britannique garde le droit d'élever sur ces points des constructions militaires ou publiques; et, si quelqu'établissement, ayant pour objet une habitation permanente, vient à être fondé ultérieurement sur une partie quelconque des côtes de l'île, le droit des sujets Français à sêcher et préparer le poisson à cet endroit cessera, moyennant que le Commandant de la station Française ait été prévenu une saison d'avance de cet établissement.

Le dit droit de pêche en concurrence des sujets Français s'arrêtera aux embouchures ou issues des rivières et criques: la position de chaque embouchure ou issue sera déterminée, comme il est spécifié dans une autre partie de cette Convention, par les Commissaires ou Arbitre.

ARTICLE IV.

From Rock Point in the Bay of Islands to Cape Ray, Great Britain shall have the unrestricted and exclusive use of the shore, except at the points above named in Article I, and within the land limits assigned for those points (Article X).

ARTICLE IV.

Depuis la Pointe Rock dans la Baie des Iles, jusqu'au Cap Raye, la Grande Bretagne aura exclusivement et sans restriction l'usage du rivage, excepté sur les points mentionnés en l'Article I, et dans les limites de terre assignées à ces points (Article X).

ARTICLE V.

French subjects shall have the right of purchasing bait, both herring and caplin, throughout the south coast of Newfoundland, including for this purpose the French Islands of St. Pierre and Miquelon, at sea or on shore, on equal terms with British subjects, without any restriction on the practice of such fishery by British subjects, and without any duty or restriction being imposed either on British or French subjects in respect of such traffic, or upon the export of such bait, on the part of Great Britain or of the Colony.

Should any circumstances whatever

ARTICLE V.

Les sujets Français auront le droit d'acheter l'appât, hareng et capelan, sur toute la côte sud de Terre-Neuve, en y comprenant à cet effet les Iles Françaises de St. Pierre et Miquelon, en mer ou à terre, sur le même pied que les sujets Anglais, sans que la Grande Bretagne ou la Colonie puisse imposer aux sujets Anglais aucune restriction dans la pratique de cette pêche; non plus qu'imposer aux sujets Anglais ou Français aucun droit ou restriction à l'occasion de cette transaction, ou sur l'exportation du dit appât.

Si des circonstances quelconques

restrict, in a notorious manner previously established to the satisfaction of both the British and French naval Commanders on the station, during two seasons, consecutive or not, the said supply by purchase, French subjects shall have the right to fish for bait on the portion of the south coast of Newfoundland comprised between Cape St. Mary and Cape La Hune, during the French fishery seasons; French fishermen not being allowed to use any other nets than those employed for this kind of fishery: but this right shall cease as soon as the causes of the deficient supply shall have disappeared.

ARTICLE VI.

The lateral boundaries of the French rights of fishing toward the sea shall be as follows:—

At Cape Ray, a straight line drawn thence due west-south-west;

At Cape Norman, a straight line thence due north;

At Cape St. John's, as may be defined by the Commissioners or Umpire on the basis of existing agreements and practice;

At Cape Charles, a straight line thence due east;

At Blanc Sablon, a line as nearly perpendicular to the general direction of the coast as may be, the precise line to be determined by the Commissioners or Umpire.

ARTICLE VII.

From Cape St. John to Rock Point in the Bay of Islands, the French right of fishing shall extend up all rivers or creeks as high as the salt water. From Rock Point to Cape Ray the right shall be limited to half a marine mile above the embouchure or outlet of each river or creek.

The point hereby limited for each river or creek from Cape St. John to Rock Point, and from Rock Point to Cape Ray, shall be settled in the manner elsewhere provided for by the Commissioners or Umpire.

ARTICLE VIII.

The French season of fishery on the coast of Newfoundland, Labrador, and

venaient à restreindre d'une manière notoire, et préalablement constatée à la satisfaction des Commandants des stations Anglaise et Française, pendant deux saisons, consécutives ou non, le dit approvisionnement par voie d'achat, les sujets Français auraient le droit de pêcher l'appât sur la partie de la côte sud de Terre-Neuve comprise entre le Cap St. Mary et le Cap La Hune, durant les saisons de pêche Française; ils ne pourraient dans ce cas faire usage d'aucun autre filet que ceux employés pour ce genre de pêche, et leur droit cesserait aussitôt que les causes de déficit dans l'approvisionnement par achat auraient disparu.

ARTICLE VI.

Les limites latérales de mer des droits de pêche Français, seront les suivantes:—

Au Cap Raye, une ligne droite menée dans l'ouest-sud-ouest vrai;

Au Cap Normand, une ligne droite menée dans le nord vrai;

Au Cap St. Jean, selon qu'il en sera décidé par les Commissaires ou Arbitre, sur la base de l'accord et de la pratique actuels;

Au Cap Charles, une ligne droite menée dans l'est vrai;

Au Blanc Sablon, une ligne aussi perpendiculaire à la direction générale de la côte que pourront la déterminer les Commissaires ou Arbitre.

ARTICLE VII.

Depuis le Cap St. Jean jusqu'à la Pointe Rock dans la Baie des Iles, le droit de pêche des Français s'étendra dans l'intérieur de toutes les rivières et criques, aussi loin que la salure des eaux. Depuis la Pointe Rock jusqu'au Cap Raye, ce droit sera limité à un demi-mille marin au-dessus de l'embouchure ou issue de chaque rivière ou crique.

Le point-limite pour chaque rivière ou crique depuis le Cap St. Jean jusqu'à la Pointe Rock, et depuis la Pointe Rock jusqu'au Cap Raye, sera déterminé, comme il est spécifié ailleurs, par les Commissaires ou Arbitre.

ARTICLE VIII.

La saison de pêche Française sur les côtes de Terre-Neuve, du Labrador,

North Belleisle, shall extend from the fifth of April to the fifth of October.

et de Belle-île du Nord, s'étendra du cinq Avril au cinq Octobre.

ARTICLE IX.

The naval officers of the French Government shall be entitled to enforce the said French exclusive rights of fishing, as defined in Article I, by expulsion of vessels or boats attempting concurrent fishing, in the case of there being no British cruizing-vessel in sight, or made known to be present, within a distance of five marine miles.

ARTICLE IX.

Les officiers de marine du Gouvernement Français seront fondés à mettre en vigueur les droits exclusifs de pêche des sujets Français, tels qu'ils sont définis par l'Article I, en expulsant les navires ou bateaux qui tenteraient de pêcher en concurrence, toutes les fois qu'il n'y aura pas, dans un rayon de cinq milles marins, de croiseur Anglais en vue, ou dont la présence ait été notifiée.

ARTICLE X.

The strand reserved for French exclusive use for fishery purposes shall extend to one-third of an English mile inland from high-water mark, from Rock Point to Bonne Bay, inclusive, and at the four reserved harbours south of Bonne Bay; and from Bonne Bay to Cape St. John, to half an English mile inland from high-water mark.

The land lateral boundaries of the reserved harbours shall be settled by the Commissioners or Umpire, in accordance with the existing practice.

The strand shall be laterally bounded, where it reaches the banks of rivers and creeks, by straight lines drawn perpendicularly to the direction of the said rivers and creeks at the place where the French right of fishing ceases, to be determined as to each river or creek, in the manner elsewhere specified, by the Commissioners or Umpire.

ARTICLE X.

Le rivage réservé à l'usage exclusif des Français pour les besoins de leur pêche s'étendra jusqu'à un tiers de mille Anglais dans l'intérieur à partir de la marque de haute mer, entre la Pointe Rock et Bonne Baie inclusivement, ainsi que sur les quatre hâvres réservés situés au sud de Bonne Baie; entre Bonne Baie et le Cap St. Jean, il s'étendra jusqu'à un demi-mille Anglais à partir de la marque de haute mer.

Les limites latérales de terre des hâvres réservés seront déterminées par les Commissaires ou Arbitre, conformément aux usages de la pratique existante.

A la rencontre des bords des rivières et criques, le rivage sera limité latéralement par les lignes droites menées perpendiculairement à la direction des dites rivières ou criques, dans l'endroit où cesse le droit de pêche des Français; cette limite sera déterminée pour chaque rivière ou crique, comme il est spécifié ailleurs, par les Commissaires ou Arbitre.

ARTICLE XI.

No British buildings or enclosures shall be erected, or maintained, on the strand reserved for French exclusive use, except for the purposes of military defence or of the public administration (in which case due notice of the intended erection thereof shall be first given to the French Government); but such existing buildings or enclosures as have stood and been in occupation upon this strand, without objection on the part of the French Government, for a period of five seasons preceding the

ARTICLE XI.

Aucun enclos ou construction Anglais ne pourra être fait, ni maintenu, sur le rivage réservé exclusivement aux Français, si ce n'est pour besoins de défense militaire ou d'administration publique, auquel cas un avis en due forme de l'intention d'élever ces ouvrages sera préalablement donné au Gouvernement Français. Si cependant, à la date de la présente Convention, il existait sur le dit rivage des constructions ou enclos occupés depuis cinq saisons, sans objection de la part

date of this present Convention, shall not be liable to be removed without equitable compensation to the owners from the French Government, to be agreed on between the Naval Commanders of Great Britain and France on the station, or their respective delegates.

The French Naval Officers or other delegates duly nominated for this purpose by the French officer commanding-in-chief on the station, shall be entitled to take such measures as occasion may require, to put the French fishermen in possession of any portion of the strand, of which their exclusive use for fishery purposes is recognised by this present Convention, in case of there being no British police establishment, cruizing-vessel, or other recognized authority within a distance of five English miles.

Such measures may include the removal of buildings or enclosures, in conformity with the above stipulations, fifteen days' notice of any such intended removal having been given to any such British authority as aforesaid, if known to be within twenty English miles. Should there be no such authority within that distance, then the French officer commanding-in-chief shall, on the earliest opportunity after any such removal shall have taken place, report the same to the English officer commanding-in-chief.

du Gouvernement Français, ils ne pourraient être déplacés sans qu'une indemnité équitable, concertée entre les Commandants-en-chef des stations Anglaise et Française, ou leurs délégués respectifs, fût accordée aux propriétaires par le Gouvernement Français.

Les officiers de la Marine Française ou autres délégués dûment nommés à cet effet par le Commandant-en-chef de la station Française, seront fondés à prendre telles mesures que les circonstances exigeront pour mettre les pêcheurs Français en possession de toute partie du rivage, dont l'usage leur est exclusivement reconnu par cette Convention pour les besoins de la pêche, toutes les fois qu'il n'y aura pas d'établissement de police Anglais, de croiseur, ou d'autre autorité reconnue dans un rayon de cinq milles Anglais.

Ces mesures comprennent le droit de déplacer les constructions ou enclos, conformément aux stipulations qui précèdent, pourvu qu'un avis de l'intention d'effectuer ces déplacements ait été donné quinze jours d'avance à toute autorité Anglaise désignée ci-dessus, s'il en est connu d'établie dans un rayon de vingt milles Anglais. S'il n'existe pas d'autorité Anglaise dans ces limites, le Commandant-en-chef de la station Française informera par la plus prochaine occasion le Commandant-en-chef de la station Anglaise des déplacements qui auront pu être opérés.

ARTICLE XII.

No French buildings or inclosures shall be erected, or maintained, for fishery or other purposes, between Cape St. John and Rock Point beyond the limits hereby recognised as those of the French right to the use of the strand. And it shall be lawful for the British or Colonial Government to remove buildings and erections made beyond the said limits by French subjects, fifteen days' notice of any such intended removal having been given to the officer of any French cruising vessel, or other authority appointed for this purpose by the French officer commanding-in-chief, if known to be within twenty English miles. Should there be no such authority known to be within that distance, then the Government (British or Colonial) so removing shall, on the earliest opportunity after such removal shall have taken place, report

ARTICLE XII.

Aucun enclos ou construction Français ne pourra être fait, ni maintenu, pour besoins de pêche ou autres, entre le Cap St. Jean et la Pointe Rock, en dehors des limites reconnues par cette Convention comme celles du droit des Français sur le rivage. Il sera légal de la part du Gouvernement Britannique ou Colonial de déplacer tout ouvrage ou construction élevé en dehors des dites limites par les sujets Français, pourvu qu'un avis de l'intention d'effectuer ces déplacements ait été donné quinze jours d'avance aux croiseurs Français, ou à toute autre autorité préposée à cet effet par le Commandant-en-chef de la station Française, s'il en est connu d'existante dans un rayon de vingt milles Anglais. S'il n'y a pas d'autorité Française dans ces limites, celui des deux Gouvernements (Britannique ou Colonial) qui

the same to the French officer commanding-in-chief.

But such buildings or inclosures as have stood and been in occupation beyond the said limits, without objection on the part of the British Government, for a period of five seasons preceding the date of this present Convention, shall not be liable to be removed without equitable compensation to the owners from the British Government, to be agreed on between the Naval Commanders of Great Britain and France on the station, or their respective delegates.

aura opéré ces déplacements, en informera par la plus prochaine occasion le Commandant-en-chef de la station Française.

Si cependant, à la date de la présente Convention, il existait en dehors du rivage des constructions ou enclos occupés depuis cinq saisons, sans objection de la part du Gouvernement Britannique, ils ne pourraient être déplacés sans qu'une indemnité équitable, concertée entre les Commandants des stations Anglaise et Française, ou leurs délégués respectifs, fut accordée aux propriétaires par le Gouvernement Britannique.

ARTICLE XIII.

If any building or erection, British or French, not in conformity with the stipulations of this present Convention, shall at any time have stood and been in occupation undisturbed by the French or British Governments respectively for five seasons, it shall not be removed without six months' notice to the occupier.

ARTICLE XIII.

Si une construction ou un ouvrage quelconque, Anglais ou Français, élevé en opposition avec les stipulations de la présente Convention, est, à quelqu'époque que ce soit, resté occupé sans objection de la part du Gouvernement Français ou Anglais respectivement, pendant une période de cinq saisons, le dit ouvrage ou construction ne pourra être déplacé avant un terme de six mois après notification à l'occupant.

ARTICLE XIV.

The British Government shall give the most positive orders to prevent injury to the French boats and fishery works during the winter; and in order to facilitate the apprehension of offenders in this respect, the French Government shall be allowed to employ British or French subjects for the custody of such boats and works, whether in the summer or winter, not to exceed in number three persons within any mile of coast. Such persons shall be subject in all respects to the local law of Newfoundland.

ARTICLE XIV.

Le Gouvernement Britannique donnera les ordres les plus positifs pour empêcher qu'il ne soit fait aucun dommage aux bâteaux et établissements de pêche Français pendant l'hiver; et afin de rendre plus facile l'appréhension des délinquants, le Gouvernement Français pourra employer à la garde des dits bâteaux et établissements, en été ou en hiver, des sujets Anglais ou Français, à raison de trois au plus par mille de côte. Ces gardiens seront à tous égards soumis à la loi locale de Terre-Neuve.

ARTICLE XV.

French subjects shall be at liberty to use on the strand reserved as aforesaid to their exclusive use for fishery purposes, any material and instruments they may think proper for their fishery erections; such erections and instruments being made and adapted for the drying and curing, or other preparation of fish, and for those purposes only.

ARTICLE XV.

Les sujets Français auront la faculté de se servir de tels matériaux et instruments qu'ils jugeront convenables pour leurs établissements de pêche sur le rivage réservé dans ce but, comme il a été dit, à leur usage exclusif. Ces établissements et instruments devront être construits et employés uniquement pour sêcher, préparer, ou manipuler le poisson d'une façon quelconque.

ARTICLE XVI.

The privilege of French subjects to cut wood for the repair of their fishery erections and fishing vessels, from Cape St. John to Rock Point, may be exercised as far as required for the purpose, but not on private land without the consent of the occupier.

With respect to the four reserved harbours between Rock Point and Cape Ray, the same privilege shall be exercised on the mainland or elsewhere, within a radius of three marine miles from the centre of each harbour, such centre to be determined by the Commissioners or Umpire, as elsewhere specified.

ARTICLE XVII.

The provisions of the present Convention shall apply to the islands adjacent to the coasts mentioned, as well as to the coasts themselves, except where otherwise specified. The Islands of Groais and South Belleisle shall be regarded as adjacent to the nearest coast.

ARTICLE XVIII.

In order to settle the various points left by this Convention to be decided by Commissioners or an Umpire, each of the two Governments shall, on the application of the other, at any time after the passing by the Imperial Parliament of Great Britain, and by the Provincial Legislature of Newfoundland, of the laws required to carry this Convention into operation, appoint a Commissioner, to enter immediately on his functions.

Whenever a case shall occur in which the said Commissioners may differ in opinion, they shall name some third person to act as an Arbitrator or Umpire therein. If they should not be able to agree in the choice of such a third person, they shall each name a person, and it shall be determined by lot which of the two persons so named shall be the Arbitrator or Umpire. In the event of the death, absence, or incapacity of either of the Commissioners, or of the Arbitrator or Umpire, or of their or his omitting, declining, or ceasing to act as such Commissioner, Arbitrator, or Umpire, another and different person shall be appointed or

ARTICLE XVI.

Le privilège des sujets Français de couper des bois pour la réparation de leurs établissements de pêche et navires pêcheurs pourra s'exercer, entre le Cap St. Jean et la Pointe Rock, aussi loin qu'il sera jugé nécessaire, mais pas sur les terrains particuliers sans le consentement de l'occupant.

En ce qui regarde les quatre hâvres réservés compris entre la Pointe Rock et le Cap Raye, le même privilège s'exercera sur la grande terre ou ailleurs, dans un rayon de trois milles marins autour du centre de chaque hâvre : ce centre sera déterminé par les Commissaires ou Arbitre, comme il est ailleurs spécifié.

ARTICLE XVII.

Les stipulations de la présente Convention s'appliqueront aux îles adjacentes aux côtes mentionnées, aussi bien qu'aux côtes elles-mêmes, excepté sur les points où il en est disposé autrement. Les Iles de Groais et de Belle-île du Sud seront considérées comme adjacentes à la côte la plus voisine.

ARTICLE XVIII.

Afin de régler les divers points laissés par cette Convention à la décision de Commissaires ou Arbitre, et lorsque les lois nécessaires pour rendre la Convention effective auront été votées par le Parlement Impérial de la Grande Bretagne et par la Législature Provinciale de Terre-Neuve, chacun des Gouvernements devra, sur la demande de l'autre, désigner un Commissaire, pour entrer immédiatement en fonctions.

Dans tous les cas où une divergence d'opinion pourra se produire entre les Commissaires, ils désigneront une personne tierce pour prononcer à titre d'Arbitre. S'ils ne tombent pas d'accord sur le choix de cette personne, chacun des Commissaires en nommera une, et celle des deux que le sort désignera sera l'Arbitre. En cas de mort, d'absence, ou d'incapacité de l'un des Commissaires ou de l'Arbitre, ou si l'un d'eux omet, refuse, ou cesse d'agir en sa qualité de Commissaire ou d'Arbitre, une autre personne sera nommée selon la forme indiquée ci-dessus pour agir en cette qualité, à la place de celui désigné antérieurement.

named in the manner hereinbefore specified to act as such Commissioner, Arbitrator, or Umpire in the place and stead of the person so originally appointed or named as aforesaid.

The said Commissioners or Umpire shall frame regulations for the exercise of concurrent rights by the parties to this Convention, with a view to prevent collisions; such regulations to be approved by the respective Governments, and until so approved to be in force provisionally; but such regulations shall be subject to revision, with the consent of both Governments.

Dans le but de prévenir des collisions, les dits Commissaires ou Arbitre dresseront des réglements pour l'exercice des droits de pêche en concurrence attribués aux parties de cette Convention. Ces réglements devront être approuvés par les Gouvernements respectifs, et mis en vigueur provisoirement en attendant cette approbation; mais ils pourront être révisés avec le consentement des deux Gouvernements.

ARTICLE XIX.

All stipulations of former Treaties shall remain in force so far as they are not superseded or modified by this present Convention.

ARTICLE XIX.

Toutes les stipulations des Traités antérieurs restent en vigueur en ce qui n'est pas annulé ou modifié par la présente Convention.

ARTICLE XX.

The present Convention shall come into operation as soon as the laws required to carry it into effect shall have been passed by the Imperial Parliament of Great Britain, and by the Provincial Legislature of Newfoundland: Her Britannic Majesty hereby engaging to use her best endeavours to procure the passing of such laws in sufficient time to enable Her to bring the Convention into operation on or before the 1st of January, 1858.

ARTICLE XX.

La présente Convention sera mise en pratique aussitôt que les lois nécessaires pour la rendre effective auront été votées par le Parlement Impérial de la Grande Bretagne, et par la Législature Provinciale de Terre-Neuve; et Sa Majesté Britannique s'engage par la présente Convention à user de tous ses efforts afin de procurer le vote des dites lois en temps convenable pour mettre la dite Convention en pratique le 1er Janvier, 1858, ou auparavant.

ARTICLE XXI.

The present Convention shall be ratified, and the ratifications shall be exchanged at London in fifteen days, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the fourteenth day of January, in the year of our Lord one thousand eight hundred and fifty-seven.

(L.S.) CLARENDON.
(L.S.) HENRY LABOUCHERE.
(L.S.) F. DE PERSIGNY.

ARTICLE XXI.

La présente Convention sera ratifiée, et les ratifications en seront échangées à Londres dans le délai de quinze jours, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signée, et y ont apposé le cachet de leurs armes.

Fait à Londres, le quatorze Janvier, l'an de grace mil huit cent cinquante-sept.

(L.S.) CLARENDON.
(L.S.) HENRY LABOUCHERE.
(L.S.) F. DE PERSIGNY.

NEWFOUNDL[illegible]D FISHERIES.

CONVENTION between Her Majesty and the Emperor of the French, relative to the Rights of Fishery on the Coast of Newfoundland and the neighbouring Coasts.

Signed at London, January 14, 1857.

Presented to both Houses of Parliament by Command of Her Majesty. 1857.

LONDON:
PRINTED BY HARRISON AND SONS.

CORRESPONDENCE

ON THE SUBJECT OF

COLONIAL CHURCH AFFAIRS

IN THE DIOCESES OF THE

COLONIES OF CANADA AND VICTORIA.

(*In continuation of House of Commons Paper, No.* 131, *Session* 1856.)

Presented to both Houses of Parliament by Command of Her Majesty,
July 1857.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1857.

SCHEDULE.

CANADA.

No. in Series.	Name, Date, and Official Number.	SUBJECT.	Page.
1	Governor Sir Edmund Head to Right Honourable H. Labouchere, June 20, 1856. (91.)	Enclosing a Bill passed by both Houses of the Canadian Legislature, "to enable the Members of the United "Church of England and Ireland in Canada to meet in "Synod" - - - - - - - -	3
2	J. H. Cameron, Esq., to Right Honourable H. Labouchere, July 9, 1856.	Communicating certain information in regard to the above Bill - - - - - - - - -	4
3	Right Honourable H. Labouchere to Governor Sir Edmund Head, Sept. 16, 1856. (146.)	Acknowledging Despatch of June 20 (No. 1 of series). Stating that Her Majesty's Government would have had no doubt that it was their duty to advise Her Majesty to assent to the Bill, but that doubts have been expressed as to whether it would not be unlawful for Her Majesty to do so without the assistance of the Imperial Parliament. The course to be adopted will be maturely considered - - - - - - - -	5
4	Right Honourable H. Labouchere to the Lord President of the Council, Dec. 5, 1856.	Enclosing the Bill, and suggesting that it be referred to the Judicial Committee of the Privy Council for opinion whether Her Majesty may lawfully assent thereto -	5
5	H. Reeve, Esq., to H. Merivale, Esq., March 25, 1857.	Stating that the Lords of the Judicial Committee of the Privy Council have agreed to report their opinion that Her Majesty may lawfully assent to the Bill - -	6
6	H. Reeve, Esq., to H. Merivale, Esq., April 3, 1857.	Enclosing an Order in Council approving the Report of the Judicial Committee of the Privy Council on the Bill -	6
7	The Right Honourable H. Labouchere to Governor Sir Edmund Head, April 3, 1857. (40.)	Informing him of the Report of the Lords of the Judicial Committee of the Privy Council, and stating that the necessary Order in Council will be passed as soon as practicable - - - - - - -	7
8	Do. Do. May 8, 1857. (65.)	Enclosing an Order in Council, dated 6th May, 1857, specially confirming the Bill - - - - - -	7

VICTORIA.

1	The Bishop of Melbourne to Right Honourable H. Labouchere, Dec. 29, 1856.	Enclosing an address to the Queen from the clergy and laity of the United Church of England and Ireland sitting in Assembly in Melbourne, expressing their loyalty and affection, and their gratitude for Her Majesty's approval of the Act under which they had met -	8
2	Right Honourable H. Labouchere to Governor Sir H. Barkly, May 1, 1857. (31.)	Stating that the address has been laid before the Queen, and instructing him to convey to the Bishop Her Majesty's sense of the feelings of attachment and loyalty which it evinces - - - - - - - - -	8

CORRESPONDENCE, &c.

CANADA.

No. 1.

COPY of a DESPATCH from Governor Sir EDMUND HEAD to the Right Hon. H. LABOUCHERE.

Government House, Toronto, Canada West,
(No. 91.) June 20, 1856.
(Received July 7, 1856.)

SIR, (Answered, No. 146, Sept. 16, 1856, page 5.)

I HAVE the honour to enclose a certified copy of an Act passed, I believe, without a division by both Houses of the Canadian Legislature, in pursuance of the views expressed in your Despatch of February 15th, No. 39,* relating to the Church of England in this colony.

You will see, Sir, that the Bill consists of only two clauses. Indeed its brevity is such as may hereafter lead to doubts on its proper construction.

It is for Her Majesty's advisers in England to say whether a short Imperial Act is necessary to give full effect to its provisions, especially if it carries with it, or is supposed to confer on the Synods, the nomination of the bishops—a point not altogether clear.

Looking to the nature of the Act, and the manner in which it indirectly touches the rights of the Crown, I have thought it my duty to reserve it for the Queen's assent.

On the whole, however, as it has been introduced by the persons understood to be the friends of the Church of England, and has been adopted by the Legislative Council and Assembly, I recommend that it should receive the allowance of Her most Gracious Majesty.

I have, &c.
(Signed) EDMUND HEAD

The Right Hon. H. Labouchere,
&c. &c. &c.

Enclosure in No. 1.

AN ACT to enable the Members of the United Church of England and Ireland in Canada to meet in Synod.

WHEREAS doubts exist whether the members of the United Church of England and Ireland in this Province have the power of regulating the affairs of their Church in matters relating to discipline, and necessary to order and good government, and it is just that such doubts should be removed, in order that they may be permitted to exercise the same rights of self-government that are enjoyed by other religious communities: therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The bishops, clergy, and laity, members of the United Church of England and Ireland in this province, may meet in their several dioceses, which are now or may be hereafter constituted in this province, and in such manner and by such proceedings as they shall adopt frame constitutions and make regulations for enforcing discipline in the Church, for the appointment, deposition, deprivation, or removal of any person bearing office therein, of whatever order or degree, any rights of the Crown to the contrary notwithstanding, and for the convenient and orderly management of the property, affairs, and interests of the Church in matters relating to and affecting only the said Church, and the officers and members thereof, and not in any manner interfering with the rights, privileges, or interests of other religious communities, or of any person or persons not being a member or members of the said United Church of England and Ireland: Provided always, that such constitutions and regulations shall apply only to the diocese or dioceses adopting the same.

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* Parliamentary Paper, House of Commons, No. 131 of 1856, page 7.

CANADA.

II. The bishops, clergy, and laity, members of the United Church of England and Ireland in this province, may meet in General Assembly within this province, by such representatives as shall be determined and declared by them in their several dioceses; and in such General Assembly frame a constitution and regulations for the general management and good government of the said Church in this province: Provided always, that nothing in this Act contained shall authorize the imposition of any rate or tax upon any person or persons whomsoever, whether belonging to the said Church or not, or the infliction of any punishment, fine, or penalty upon any person, other than his suspension or removal from an office in the said Church, or exclusion from the meetings or proceedings of the Diocesan or General Synods: And provided also, nothing in the said constitutions or regulations, or any of them, shall be contrary to any law or statute now or hereafter in force in this Province.

I hereby certify the above to be a true copy of the Bill passed by the Legislative Council and Legislative Assembly of Canada in the second session of the fifth Provincial Parliament, and reserved for the signification of Her Majesty's pleasure thereon by his Excellency the Governor General, on Thursday the 19th day of June 1856.

J. F. Taylor, Clerk, Legislative Council.

No. 2.

No. 2.

Copy of a LETTER from J. H. Cameron, Esq., to the Right Hon. H. Labouchere.

Sir, 10, Charles Street, St. James's, July 9, 1856.

The Canadian Church Bill having been reserved for Her Majesty's assent, after having passed both Houses of the Provincial Legislature by an unanimous vote, at the request of the Bishop of Toronto, and on behalf of the church people of the Province, I beg leave respectfully but earnestly to call your attention thereto.

You are aware that, by the Bill which converted the clergy reserve lands in Canada to secular purposes, the Legislature of the province declared their desire that there should be an entire separation between Church and State in the colony, and that soon afterwards the churchmen of the province obtained from both Houses, from the Upper House unanimously, and from the Lower by a majority of two to one, an address to Her Majesty, praying for the passage of an Act by the Imperial Parliament, to enable the members of the Church to meet in Synod, and to elect their future bishops, as vacancies might occur. To that address you sent an answer during the spring of this year, and soon after your Despatch was received the Bill was brought into the Assembly, which the Governor General has reserved for the signification of Her Majesty's pleasure.

That Bill is concurred in by all the Canadian bishops, and has received the unanimous approval of the Diocesan Assembly of Toronto, composed of nearly all the clergy, and of representatives from every church in the diocese, except three, and its passage through the Legislature was so favoured that it passed through its second and third readings in the Assembly in the same day.

The churchmen of the diocese of Toronto have been long expecting the division of that diocese into three, and the necessary endowments for the new sees are so nearly provided, that it is hoped they may be erected this summer under this Bill, and, therefore, it is the earnest desire of the people of the Church that Her Majesty's assent may be given to the measure at an early day.

I have given you this short statement of the facts connected with the Bill, as I thought you might desire to have them before you, and I can state them with authority, as I brought the subject, in the address to Her Majesty, before the Canadian Legislature last session, submitted and carried the draft of the Bill unanimously through the Diocesan Assembly, and introduced it into the Lower House.

The churchmen of Canada have no desire to separate from the Church of England, no wish to erect an independent church, but they require some better system for the management of their temporalities, and the regulation of the preferment and discipline of the Church than they now have; they have demanded no power over matters of doctrine nor forms of prayer; they ask simply that as in all questions of political rights the wishes of the Canadian people, as expressed through their representatives, are allowed to prevail, so in

matters of religion they shall be allowed that freedom of action which they believe to be essential to the vitality and well-being of their Church, and which they believe Her Majesty's Government will not refuse to them, now that their colonial endowments have been withdrawn, and the character of the Church is purely voluntary. CANADA.

I have, &c.

(Signed) J. HILLYARD CAMERON.

The Right Hon. H. Labouchere,
&c. &c. &c.

No. 3. No. 3.

Copy of a DESPATCH from the Right Hon. H. Labouchere to Governor Sir Edmund Head.

(No. 146.)

Sir, Downing Street, September 16, 1856.

I have to acknowledge your Despatch, No. 91,* of the 20th June, transmitting a Bill which had passed the Council and Assembly, "to enable "the Members of the United Church of England and Ireland in Canada to "meet in Synod," and which you rightly reserved for the signification of Her Majesty's pleasure thereon. * Page 3.

Her Majesty's Government have not failed to give to this enactment the consideration which its importance demanded. It appears that it passed unanimously through both branches of the Canadian Legislature, and I have every reason to believe that it met with the very general concurrence of the bishops, clergy, and laity of the Church of England in Canada.

Under these circumstances Her Majesty's Government would have had no doubt that it was their duty to advise Her Majesty to give her assent to this Bill. It would be altogether contrary to the principles on which the Government of Canada has been for some time conducted if they were to interpose any obstacle to that course which the Legislature and people of the province deem to be expedient with regard to the regulation of ecclesiastical affairs.

But upon reference to the law officers of the Crown, serious doubts have been expressed whether this Act does not go so far beyond the provisions of the Act passed by the Legislature of the Colony of Victoria, to which I referred in my former Despatch*, as to render it unlawful for Her Majesty to give her assent to it without the assistance of the Imperial Parliament. Under these circumstances I can only at present say, that the whole subject shall be maturely considered with the object of adopting such a course upon it as I trust will be satisfactory to the Legislature and people of Canada and beneficial to the members of the Church of England within the province.

I have, &c.

Governor Sir E. Head, (Signed) H. LABOUCHERE.
&c. &c. &c.

No. 4. No. 4.

Copy of a LETTER from the Right Hon. H. Labouchere to the Lord President of the Council.

My Lord, Downing Street, December 5, 1856.

I have the honour to transmit to your Lordship herewith a Bill passed by the Legislative Council and Assembly of Canada in the month of June 1856, entitled "An Act to enable the Members of the United Church of "England and Ireland in Canada to meet in Synod," and reserved for the signification of Her Majesty's pleasure thereon. P age 3.

I have to suggest to your Lordship the expediency of advising Her Majesty to cause this Bill to be referred to the Judicial Committee of the Privy Council, in order to obtain the opinion of the Lords of the Committee upon the questions whether Her Majesty may lawfully assent thereto.

I have, &c.

The Lord President of the Council, (Signed) H. LABOUCHERE.
&c. &c. &c.

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* No. 39, 15th Feb. 1856. Vide House of Commons Paper, No. 131 of 1856, page 7.

CANADA.

No. 5.

No. 5.

COPY of a LETTER from H. REEVE, Esq., to H. MERIVALE, Esq.

Council Office, Whitehall,
March 25, 1857.

SIR,

I AM directed by the Lord President of the Council to acquaint you, for the information of Mr. Secretary Labouchere, that in compliance with his letter of the 5th December last, and in obedience to Her Majesty's Order in Council of the 29th December last, the Lords of the Judicial Committee of the Privy Council have taken into consideration a Bill passed by the Legislative Council and Assembly of Canada in the month of June 1856, entitled "An Act to enable the Members of the United Church of England and "Ireland in Canada to meet in Synod," reserved for the signification of Her Majesty's pleasure thereon; and that their Lordships, having heard counsel on the matter, have agreed humbly to report to the Queen as their opinion that Her Majesty may lawfully assent to this Bill, which report will be submitted to Her Majesty for approval at the next Council.

I have, &c.
(Signed) H. REEVE,
Regr. P. C.

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

No. 6.

No. 6.

COPY of a LETTER from H. REEVE, Esq. to H. MERIVALE, Esq.

CANADA CHURCH SYNOD BILL.

Council Office, Whitehall,
3d April, 1857.

(Referred to the Judicial Committee of the Privy Council, 29th December 1856).

SIR,

I HAVE the honour herewith to transmit to you Her Majesty's Order in Council approving the Report of the Judicial Committee of the Privy Council on the above Bill.

I have, &c.
(Signed) H. REEVE,
Regr. P. C.

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

Encl. in No. 6.

Enclosure in No. 6.

At the Court at Buckingham Palace the 2nd day of April 1857.

PRESENT:

The Queen's most Excellent Majesty.
His Royal Highness Prince Albert.

Lord Chancellor.	Lord Panmure.
Lord President.	Lord Stanley of Alderley.
Lord Chamberlain.	Mr. Labouchere.
Marquis of Lansdowne.	Sir George Grey, Bart.
Marquis of Abercorn.	Mr. Vernon Smith.
Lord Steward.	Sir Charles Wood, Bart.
Viscount Palmerston.	Mr. Baines.

Whereas there was this day read at the Board a Report from the Judicial Committee of the Privy Council, dated the 23rd of March last past, in the words following, viz.:—

"Your Majesty having been pleased, by your Order in Council of the 29th December "last past, to refer unto this Committee a Bill passed by the Legislative Council and "Assembly of Canada in the month of June 1856, entitled 'An Act to enable the "'Members of the United Church of England and Ireland in Canada to meet in Synod,' "and to direct this Committee to report to Your Majesty their opinion upon the question "whether Your Majesty may lawfully assent thereto, the Lords of the Committee in "obedience to Your Majesty's Order of Reference, have taken the said Bill into considera-"tion, and having deliberated thereon and heard counsel on the matter, their Lordships do "this day agree humbly to report to Your Majesty as their opinion that Your Majesty "may lawfully give your Royal Assent to the said Bill."

Her Majesty having taken the said Report into consideration was pleased, by and with the advice of Her Privy Council, to approve thereof.

C. GREVILLE.

CANADA.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. H. LABOUCHERE to Governor Sir EDMUND HEAD.

(No. 40.)

SIR, Downing Street, April 3, 1857.

I HAVE to inform you, that Her Majesty has been advised by the Lords of the Judicial Committee of the Privy Council, to whom she had caused the question to be referred, that Her Majesty may lawfully assent to the Bill of the Legislature of Canada, entitled "An Act to enable the Members of the United Church of England and Ireland in Canada to meet in Synod."

The necessary Order in Council conveying Her Majesty's assent will be passed as soon as practicable.

I have, &c.

Governor Sir E. Head, &c. &c. &c. (Signed) H. LABOUCHERE.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. H. LABOUCHERE to Governor Sir EDMUND HEAD.

(No. 65.)

SIR, Downing Street, May 8, 1857.

I HAVE received and have had under my consideration the Bill passed by the Legislature of Canada in the month of June last, and transmitted to me in your Despatch noted in the margin.

No. 91. June 20, 1856.

I have reported to Her Majesty in Council my opinion that the said Bill should be specially confirmed; and I have the honour to transmit to you herewith an Order of Her Majesty in Council, dated the 6th May, approving that Report.

I have, &c.

Governor Sir E. Head, &c. &c. &c. (Signed) H. LABOUCHERE.

Enclosure in No. 8.

Enclosure in No. 8.

At the Court at Buckingham Palace, the 6th day of May 1857.

PRESENT:

The Queen's most Excellent Majesty in Council.

WHEREAS the Legislative Council and Assembly of Her Majesty's Province of Canada did, in the month of June 1856, pass a Bill, which has been reserved by the Governor General of the said Province for the signification of Her Majesty's pleasure, and has been transmitted, entitled as follows, viz.:—

"No. 1,618: An Act to enable the Members of the United Churches of England and Ireland in Canada to meet in Synod."

And whereas the said Bill has been laid before Her Majesty in Council, together with a Letter from the Right Hon. Henry Labouchere, one of Her Majesty's Principal Secretaries of State, to the Lord President of the Council, recommending that the said Act should receive Her Majesty's special confirmation. Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to declare Her special confirmation of the said Act, and the same is hereby specially confirmed, ratified, and finally enacted accordingly. Whereof the Governor, Lieutenant Governor, or Commander-in-Chief for the time being of Her Majesty's Province of Canada, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed) WM. L. BATHURST.

VICTORIA.

VICTORIA.

No. 1.

No. 1.

Copy of a LETTER from the Bishop of Melbourne to the Right Hon. H. Labouchere, M.P.

Sir, Bishop's Court, December 29, 1856.

I have the honour to transmit to you the accompanying address from the clergy and laity of the United Church of England and Ireland, sitting in Assembly in Melbourne, in the colony of Victoria, under the authority of the Act of Council, 18 Victoria, No. 45, which address was unanimously agreed to by the members of such Assembly at its first session; and to request that you will have the goodness on my behalf and that of the Church in the Diocese of Melbourne, to present it to Her Majesty.

Her Majesty will I am sure be glad to learn that the Assembly constituted by the Act to which She was graciously pleased to give Her Royal Assent has exhibited throughout its first meeting such a patient attention to the subjects brought before it, and such moderation and calmness in their discussion, as fully to confirm the confidence which I previously felt in the beneficial result of their deliberation.

That Her Majesty may long continue to reign over us, and may always retain Her present place in the hearts of Her subjects in every part of Her widely extended empire, is the prayer of Her faithful servant.

I have, &c.
(Signed) C. MELBOURNE.

Right Hon. H. Labouchere, M.P.
&c. &c. &c.

Encl. in No. 1.

Enclosure in No. 1.

To Her most Gracious Majesty Queen Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

May it please your Majesty,

We, Your Majesty's loyal and dutiful subjects, the clergy and laity of the United Church of England and Ireland in Victoria, in constituted Assembly, desire to express to Your Majesty our affection and loyalty, and to offer our humble and heartfelt thanks for Your Majesty's gracious permission under which we have met to take counsel for the good of the church in this colony.

We beg to assure Your Majesty that our attachment to the time-honoured institutions of that great country from which most of us have emigrated is in no manner weakened by distance, and that we feel that in such instances as the one in which Your Majesty has graciously exercised the Royal prerogative, by enabling us to build up in this land a branch of the church of our forefathers, the ties which bind us to the whole empire are strengthened and rendered, as we trust, indissoluble.

We pray that, under the Divine blessing, Your Majesty may long be spared to receive the grateful tribute of your subjects' affections, and that the use which we may make of the privileges conferred upon us may give Your Majesty cause for permanent congratulation, and tend to the advancement of our holy religion in this land.

C. Melbourne, President.

No. 2.

No. 2.

Copy of a DESPATCH from the Right Hon. H. Labouchere to Governor Sir H. Barkly.

(No. 31.)

Sir, Downing Street, May 1, 1857.

I have received from the Bishop of Melbourne a letter, dated Bishop's Court, the 29th of December 1856, enclosing an address to the Queen, signed by himself on behalf of the clergy and laity of the United Church of England and Ireland sitting in Assembly at Melbourne, under the authority of the Local

Act, 18 Vict. No. 45, expressing the affection and loyalty which they entertain towards Her Majesty's person and Government, and their gratitude for Her Majesty's approval of the Act under which they had met.

I request that you will inform his Lordship that I have laid this address before the Queen, who was pleased to receive it very graciously; and I am further to instruct you to convey to the Bishop Her Majesty's sense of the feelings of attachment and loyalty which that address evinces.

I am, &c.

(Signed) H. LABOUCHERE.

Governor Sir H. Barkly,
&c. &c. &c.

LONDON :
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationary Office.

EMIGRATION (NORTH AMERICAN COLONIES).

RETURN to an Address of the Honourable The House of Commons, dated 4 June 1857;—*for*,

"COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 14, of Session 1, of 1857)."

Colonial Office,
22 June 1857.

C. FORTESCUE.

(*Mr. Chichester Fortescue.*)

Ordered, by The House of Commons, *to be Printed*,
23 *June* 1857.

125—Sess. 2.

SCHEDULE.

CANADA.

DESPATCH FROM GOVERNOR-GENERAL SIR E. HEAD, BART.

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CANADA.

Despatch from Governor-General Sir E. Head, Bart.

— No. 1. —

CANADA.

No. 1.
Governor-General Sir E. Head, Bart., to the Right Hon. H. Labouchere, M. P.
31 January 1857.
31 December 1856.

(No. 13.)

COPY of DESPATCH from Governor-General Sir *E. Head*, Bart., to the Right Honourable *H. Labouchere*, M. P.

Government House, Toronto, 31 January 1857.

Sir, (Received, 16 February 1857.)

I HAVE the honour to transmit herewith the Annual Report and Appendix of the Chief Emigration Agent at Quebec, for the year 1856.

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

Enclosure in No. 1.

EMIGRATION REPORT, 1856.

Encl. in No. 1.

To His Excellency Sir *Edmund Head*, Bart., Governor-General, &c. &c. &c.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to Canada,
Quebec, 31 December 1856.

May it please your Excellency,

AT the close of another year, I have again the honour to submit to your Excellency, for the information of Her Majesty's Government, my annual report of the emigration to this province, during the season of 1856.

The whole number of emigrants landed at this port was 22,439, against 21,274 in 1855: increase, 1,165, or equal to 5·47 per cent. The following is a comparative statement of the emigration of the last two years from each country:—

COUNTRY.	1856.	1855.
England	10,353	6,754
Ireland	1,688	4,106
Scotland	2,794	4,859
Germany	4,537	3,597
Norway	2,806	1,267
New Brunswick, Nova Scotia, &c.	261	691
	22,439	21,274

Of

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Of the emigration from England, 7,262 sailed from the port of Liverpool, 1,052 cabin and 6,210 steerage, being over one-half of the whole emigration from that country, and equal to one-third of the whole emigration of the season. They are classed in the ships' lists as follows :—

English - - - - - - -	3,022
Irish - - - - - - - -	2,702
Scotch - - - - - - - -	1,195
Foreigners - - - - - - -	343
	7,262

From Europe.

The emigration from Europe during the past season may, therefore, be classed as follows :—Natives of

England - - -	5,555	Switzerland - -	260
Ireland - - -	4,357	Hanover - - -	9
Scotland - - -	3,872	Italy - - -	91
Norway - - -	2,806	France - - -	20
Prussia - - -	3,136		
Germany - - -	1,249		22,178
Belgium - - -	823		

From this statement, it will appear that the foreign emigration, when compared with that of 1855, shows an increase of 3,047 souls, while the numbers from the United Kingdom show a falling off of 1,452 persons.

Table, No. 1, page 14.

At Paper No. 1 of the Appendix will be found the usual statistical table, which presents a review of the season's emigration, showing the arrivals from each country, the number embarked, births and deaths on the passage and in quarantine, distinguishing the males and females, adults and children. From this table it will be seen that the number of vessels engaged in the conveyance of emigrants from Europe was 201, with a tonnage capacity equal to 121,715 tons, and navigated by 4,754 seamen, with an average passage of 41 ½ days.

Of this number, 103 vessels came under the regulations of the Passenger Act, and 98 were exempt.

The numbers from each country were as follows :—

Whence.	No.	Tonnage.	Seamen.	Cabin.	Steerage.
Vessels under the Act, 1856:					
England - Steamers -	14	15,871	1,015	1,033	1,669
England - Sailing Vessels -	26	20,290	685	55	7,193
Ireland - - - - - - -	10	5,093	189	2	1,563
Scotland - - - - - - -	17	9,861	384	34	2,616
Germany - - - - - - -	22	9,433	337	22	4,578
Norway - - - - - - -	14	5,103	196	2	2,823
	103	65,651	2,806	1,148	20,442
Vessels not under the Act:					
England - - - - - - -	59	36,049	1,221	62	366
Ireland - - - - - - -	16	7,317	285	8	120
Scotland - - - - - - -	20	11,623	401	45	103
Germany - - - - - - -	3	1,075	41	- -	3
Norway - - - - - - -	—	—	—	—	—
	98	56,064	1,948	115	592

From

CANADA.

From this statement it will be seen that the vessels which came under the regulations of the Passenger Act could, under their tonnage check, have carried fully one-third more passengers than they had on board.

The total number of souls embarked on board these vessels, including 38 berths on the passage, was 22,297: viz., 21,034 steerage and 1,263 cabin. The deaths during the passage were 98, equal to 0·43 per cent.; and in quarantine, 21, or equal to 0·09 per cent.; giving a total mortality of 119, or equal to 0·52 per cent. on the number embarked; leaving the number of emigrants landed, from the United Kingdom, 13,596 steerage and 1,239 cabin passengers; from the continent of Europe, 7,319 steerage and 24 cabin; and from New Brunswick, Nova Scotia, Cape Breton, and Newfoundland, 261 steerage and 9 cabin; giving the total number of persons landed in the colony, 22,439 souls.

Sailing Vessels.

Of the passenger ships from the United Kingdom, 162 in number, 148 were performed by sailing vessels and 14 by steamers; 32 of the ships made two passages during the season, and of the steamers two made four passages each, and two three passages.

Steamers.

The successful and satisfactory manner in which the Montreal Ocean Steamship Company have carried out their contract with the Provincial Government has called forth a spontaneous feeling of approbation from one end of the Province to the other.

These vessels have proved themselves admirably adapted for this trade, combining together not only safety and comfort, but securing a more rapid diffusion of the benefits of commerce; and, I am happy to observe, that these are greatly enhanced by the high testimonials which the passengers have at all times borne, with regard to the kindness and attention of the officers, excellence of the accommodations, as well as the treatment and fare they received while on board.

The successful establishment of this line cannot fail of exercising an important and beneficial influence on the Province generally by attracting a larger number of the better and more wealthy class of emigrants by this route, who in the absence of such facilities have heretofore been obliged to take that by Boston or New York.

These ships made 14 voyages between April and November, bringing out 1,033 cabin and 1,669 steerage passengers, and performing the passage out in an average of 12 days. On their return passages they carried 824 cabin and 900 steerage passengers.

Table, No. 2, page 15.

Table No. 2, at page 15 of the Appendix, presents a return of the ships and passengers arrived from each port and country during the years 1854, 1855, and 1856, with the number of deaths during the latter season, on the passage and in quarantine, from each port respectively. The whole number of deaths among 10,378 persons from England was but 25, equal to 0·24 per cent.; 19 of which occurred among the emigrants from the port of Liverpool, being equal to 0·26 per cent. The deaths from all the other English ports were but six souls.

From Ireland the deaths among 1,693 persons were but five, one adult and four children.

From Scotland the deaths among 2,798 persons were but four.

The greatest mortality, 66, occurred among the German emigrants, out of an emigration of 4,603, being equal to 1·43 per cent.; and from Norway, 19 on an emigration of 2,825 souls, equal to 0·67 per cent.

The 261 persons who arrived here from the Lower Provinces consisted of traders, fishermen, and a few old settlers, who sold their farms, and were emigrating to Western Canada and the United States.

The numbers were, from Nova Scotia, 35; New Brunswick, 120; Prince Edward Island, 42; Cape Breton, 30; Newfoundland, 23; United States and West Indies, 11.

Table, No. 3, page 17.

Table No. 3 presents the usual general hospital return, and shows the number of patients admitted for medical relief, with the results, at the Quarantine Establishment, up to its close on the 31st October; at the Marine and Emigrant Hospital in this city, and at the General Hospital in Montreal, from the 1st May to this date; from which it appears that the total number of cases treated at these several institutions was 362, and the deaths 25; 21 of which occurred, as before stated, at Grosse Isle, three in this city, and one in Montreal.

This return, when compared with that of 1855, shows a decrease of 598 on

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the admissions, and 37 in the number of deaths, which evidences fully to the remarkable healthy condition of the season's emigration.

Table, No. 4, page 18.

Table No. 4, furnishes a return of the adult male emigration, distinguishing trades, &c. as specified on the passenger lists. The total number of males embarked was 8,781 : of these there appears to have been 1,065 artisans; farmers and farm servants, 2,342; clerks, 104; servants, 32; and labourers, 4,338.

Table, No. 5, page 18.

Table No. 5 shows a comparative statement of the number of emigrants landed at Quebec since the year 1829 to the present time, a period of 28 years, amounting in the aggregate to 868,908 souls, affording an average of 31,036 per annum.

Shipwreck.

I have also to record, with regret, the loss of an emigrant ship bound to this port, which has been attended with a melancholy destruction of life. The bark "Pallas," from Cork, with 136 passengers, was wrecked on the island of St. Paul's, on the night of the 10th May, when 79 of her passengers, with three of her crew, were unfortunately drowned; the survivors reached this port on the 16th of June, where they received every assistance from this department, and were forwarded to their friends.

While on this subject, I would respectfully beg leave to draw your Excellency's attention to a letter which I lately received from Mr. Fox, Her Majesty's Collector of Customs at the Magdalen Islands, as to the necessity of providing some place of shelter and protection to shipwrecked emigrants, a copy of which will be found at page 20 of the Appendix. Mr. Fox, who has resided on these islands since 1846, bears testimony to the great sufferings which have been experienced by the unfortunate emigrants wrecked on those and the adjacent islands, and suggests the appointment of a person to act as emigrant agent, and that a suitable building should be erected for the accommodation of shipwrecked persons. These suggestions appear to me as deserving of particular notice, and I therefore respectfully submit them for your Excellency's consideration.

I have written to Mr. Fox, and requested him to submit an estimate of the probable expense which would attend the erection of the building and fittings he proposes.

In my report to your Excellency of last season, I had the honour to suggest that the Collectors of Customs should be empowered to act, in virtue of their office, for the protection of all emigrants and their property which may by shipwreck or otherwise be brought within their jurisdiction.

The result of the past few years would appear to necessitate such an appointment, as by having such an officer to enforce the law, and to see that masters carried out the obligations under the Imperial Passenger Act, much suffering would doubtless have been prevented and valuable property saved.

Table, No. 6, page 19.

Table No. 6 furnishes a return of the number of persons sent out by the Poor Law Unions, or through the assistance of parochial authorities, or by their landlords. From this return it will appear that 183 persons received assistance in money, in addition to a free passage to this port. The number from England was 38, among whom there were 21 boys from the London Reformatory Schools; they appeared to be quiet and well-conducted lads; 12 proceeded to Toronto, and nine to Ottawa City, where they all found immediate employment. Of the remaining persons, 13 were from the Chatham Union, and four from other parishes; these parties all received equal to 20*s.* sterling each adult on landing here.

From Ireland.

The number aided in their emigration from Ireland was 139; 96 females from the Mullingar and Enniscorthy Unions received their money on landing here; 62 sent out by the Wexford Union were paid it previous to embarkation.

Scotland.

Eight persons from Scotland were sent out by their landlord, Mr. M'Neill, who appears to have provided them with a free passage only.

Foreigners.

The foreigners were 102 : 52 Germans, and 50 Norwegians, by the ship "Orion" from Stavanger; the former received four dollars each on arrival here, but the Norwegians appear to have been provided with a free passage only; they proceeded to the Western States with the rest of the passengers by the same vessel. The Germans went to Western Canada, where they all readily obtained employment.

The

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Passenger Act.

The Imperial Passenger Act of 1855 came into operation this season. This Act is more stringent in its provisions than the Act of 1852.

The principal alterations are, firstly, to bring more ships within the operation of the law; second, reducing the number of passengers which a ship can carry; and third, to increase the amount of nutriment in the dietary scale to be used on the voyage. All these changes have tended materially to add to the comfort, and promote the health of the emigrant, during the past season, and but one complaint was brought under my notice, that of the passengers of the ship "Chieftain," Scott, master, from Glasgow, a report of which will be found at page 24 of the Appendix. In this case the master, who was in bad health, and fearing a long passage, placed his passengers on a reduced allowance of provisions; he having died, the charge of the ship devolved on the mate, who at once ordered the full rations to be issued. On arrival here, the passengers made up their claim for the value of the provisions short issued, which was estimated at 8 *s.* 9 *d.* sterling each; which demand having at once been acceded to and paid, I did not consider myself authorised to interfere further in the matter.

I find that the 36th clause, which enacts that the provisions requiring cooking should be issued in a cooked state, has not generally been carried out in this particular; and it may be necessary to remark, that in every instance which has come under my notice, the deviation from the law has originated in the request or with the approval and sanction of the passengers themselves, preferring to draw their rations in an uncooked state, and prepare them according to their own taste or pleasure; and although this deviation would appear as a violation of the clause above referred to, yet, as the passengers would not prefer a complaint, I did not take any steps to enforce the law; the more particularly, as my legal adviser entertained the opinion that, in the absence of any complaint on the part of the passengers, a conviction could not be obtained.

The result of the working of this Act, so far, has on the whole been satisfactory, and would appear to have fulfilled the object of its framers; but it is also evident that it has operated unfavourably on the emigration to this province, and especially from the Irish ports, by enhancing the price of passage, which formerly ranged from 3 *l.* 10 *s.* to 4 *l.*, to 5 *l.*; and I ought not omit to observe that the masters of several vessels, who have always heretofore brought out a full complement of passengers, have informed me, that their owners preferred to send them out in ballast, rather than subject them to the increased liability imposed by the Act.

The effect of this may be seen by a reference to Table No. 5 in the Appendix, where it will appear that the emigration from Ireland, which during the past 26 years afforded an average of 17,473, was reduced in 1855 to 4,105 persons, and during the season of 1856 to 1,688 souls.

This decrease, doubtless, may be attributed, in a great measure, to the improved condition of the labouring classes in that country, but other causes must also have operated to produce so great a change, as the same decrease does not appear to have affected the Irish emigration to the United States, which, in 1855, numbered 43,043, and has, during the past year, shown a small increase, the numbers being returned at 44,276, or equal to an advance of three per cent., while the direct emigration from Ireland to this port has fallen off nearly 59 per cent.

Provincial Act.

The Provincial Act would appear to require some amendment, in order to afford protection to the emigrants arriving here from foreign ports, and who have not the benefit of that protection which has been secured to emigrants from the United Kingdom, under the Imperial Passenger Act. In fact, it may be remarked, that the laws regulating emigration from foreign ports, which annually arrive by this route, are not cognisable by the judicial tribunals of this country, the absence of which cannot fail of proving prejudicial to the interests of foreign emigration. It would therefore be desirable that such provisions should be enacted, as would protect the foreign emigrant on his reaching our shores, and thereby place him on an equal legislative position with the British emigrant.

It is true, that our courts of law are always open to the foreigner, as to every one of Her Majesty's subjects; but owing to delays, and the impossibility of

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this class of persons remaining to prosecute, the application of any other than summary jurisdiction must prove unavailable.

I would beg to submit, that the provincial law should be so amended as to afford emigrants arriving in this country from foreign ports, the same protection as to emigrants from the United Kingdom: this might be effected by giving power to the magistrates here to inquire into all infringements of the emigrant laws of the country from which the complainant may have sailed, and to exercise summary jurisdiction therein. It would also be desirable that the production of the parties' contract tickets should be admitted as *primâ facie* evidence of the contract by the Court, and that the computation of children and adults should be made the same in the Provincial as in the Imperial Act. The 12th clause, which requires the ship to give bonds in certain cases, would also appear to require modification, as the provision therein made has, in some instances, from the legal construction given, operated in a manner extremely onerous to masters of passenger vessels; this more especially in cases when the emigrant, after passing medical inspection at the port of embarkation, has taken passage in perfect health, but during the voyage may have contracted disease or infirmity from accident or otherwise, as to render him incapable of obtaining a livelihood after landing on our shores; in this case, the master has been obliged to give a bond for 75 *l.*, thus making him liable for the occurrence of disease or infirmity over which he had no control. In view of these circumstances, I would respectfully suggest, that the Act be so amended as to relieve the ship from the obligation of giving bonds in cases, when it could be satisfactorily proved that the emigrant was healthy and free from any mental or physical disease on embarkation, but had become infirm from disease or accident while on the passage, in which case power might be granted to this department to send back the party to the port from whence they sailed.

Expenditure.

The expenditure of the emigration department, including the quarantine establishment and the charges connected with the care of the sick, amounts to 8,815 *l.* 16 *s.* 10 *d.*

Of this sum there was disbursed, under the direct superintendence of this office, 7,222 *l.* 4 *s.* 4 *d.*, constituted as follows:—

	£.	*s.*	*d.*
For quarantine establishment	2,415	2	6
For emigration department	4,807	1	10
	7,222	4	4
Cost of steam-boat service for the quarantine station during the season, disbursed by the Board of Works	1,350	–	–
Amount of expenses incurred for the medical treatment of emigrants admitted into the Marine and Emigrant Hospital, during the year ending 31 December	243	12	6
£.	8,815	16	10

The several heads of expenditure on account of the quarantine establishment, during the season of 1856, above referred to, were as follows:—

	£.	*s.*	*d.*
Pay of officers, staff, &c.	1,962	14	9
Hospital supplies	107	9	–
Washing	14	7	11
Cartage	57	–	–
Drugs	37	12	11
Coffin boards, &c.	16	–	6
Printing, advertising, and stationery	42	7	–
Sundry supplies for the use of the station	102	10	5
Advance to wintering party	75	–	–
£.	2,415	2	6

There

There has been a small decrease in the expenditure of this establishment when compared with that of 1855, viz., in the hospital supplies, &c., 224*l.* 6*s.* 10*d.*; on contract for steamboat service, 150*l.* But this has been counterbalanced in some measure by the increase of pay to the staff of 112*l.* 5*s.* 4*d.*, leaving the net amount saved equal to 262*l.* 1*s.* 6*d.*

The expenditure of the emigration department to the 31st December has been as follows :—

	£.	s.	d.	£.	s.	d.
Quebec Agency:						
Transport	1,432	18	9			
Provisions	15	9	8			
Agency expenses	101	13	4			
Salaries	394	9	–			
				1,944	10	9
Montreal Agency:						
Transport	547	14	2			
Provisions	26	1	8			
Agency charges	53	6	9			
Salaries	350	–	–			
				977	2	7
Kingston Agency:						
Transport	3	7	1			
Salaries	75	–	–			
				78	7	1
Toronto Agency:						
Transport	245	3	1			
Provisions	26	8	4			
Agency charges	110	18	11			
Salaries	668	–	–			
				1,050	10	4
Hamilton Agency:						
Transport	252	2	5			
Provisions	17	14	4			
Agency charges	86	14	4			
Salaries	400	–	–			
				756	11	1
			£.	4,807	1	10

From this statement, it will be seen that the total direct relief extended to destitute emigrants at the several agencies throughout the province, was for,

	£.	s.	d.
Transport	2,481	5	6
Provisions	85	14	–
Agency charges	352	13	4
Salaries	1,887	9	–
£.	4,807	1	10

Under the head of Agency Charges is included rents of offices, emigrant sheds, posting, stationery, fuel, &c. &c. This expenditure, when compared with that of 1855, shows a decrease of 501*l.* 6*s.* 9*d.* currency, constituted as follows : on transport, there has been a decrease equal to 670*l.* 19*s.* 2*d.*; on provisions, 151*l.* 10*s.* 4*d.*; but there has been an increase under the charge of salaries of 321*l.* 2*s.* 9*d.* in consequence of the re-opening the Kingston Agency and the addition of a quarter's salary to the agent at Hamilton and Montreal which did not appear in the account of 1855.

The number of persons assisted at the Quebec agency was 3,560 souls, equal to 2,700 adult persons, at an average cost of 10*s.* 7*d.* each ; of this number there were,

Adult Males, over 12 years	841
,, Females ,,	1,294
Children, from 3 to 12 years	1,130
Ditto under three years	265

There

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There were forwarded to Montreal - -	1,342	at 2 *s.* 7 *d.*	average cost.
Western Canada - - - - -	1,115	at 16 *s.* 9 *d.*	„
Ottawa District - - - - -	23	at 9 *s.* 8 *d.*	„
Eastern States - - - - -	88	at 22 *s.* 11 *d.*	„
Western States - - - - -	132	at 31 *s.* 7 *d.*	„

At Montreal, the number assisted were 1,240 souls, equal to 808 adults, at an average cost of 13 *s.* 6 ½ *d.* each; viz.

Adult Males, over 12 years - - -	125
„ Females „ - - -	410
Children, from 3 to 12 years - - -	549
Ditto under three years - - - -	156

There were forwarded to Western Canada,	564	at 13 *s.* 6 *d.*	average cost.
Ottawa District - - - - -	52	at 6 *s.* – *d.*	„
United States - - - - -	102	at 17 *s.* 3 ½ *d.*	„

The number of persons assisted at the agencies in Western Canada, are not stated in the returns which have reached me; but the amount of relief afforded has not been very great, amounting, altogether, to 541 *l.* 8 *s.* 2 *d.*, viz., 497 *l.* 5 *s.* 6 *d.* for transport, and 44 *l.* 2 *s.* 8 *d.* for provisions.

On reference to the returns of this and the Montreal agency, I find the number of our foreign emigration who received assistance during the season appears to have been 914 persons, equal to 682 adults; they were forwarded to different parts of the province for employment, and a few large families were assisted to reach their friends in the Western States; their number, when compared with those assisted during the season of 1855, show a decrease of 28 per cent. on an increased emigration equal to 57 per cent.

Mr. Hawke's Report, page 13.

At page 13, I beg to submit copy of the report received from Mr. Hawke, as to the results of the past season's emigration to Western Canada, and to which I would respectfully refer your Excellency; from this report it will appear that that section of the province continues to receive annually a large number of emigrants by the route of the United States, and which, during the past season, Mr. Hawke estimates at 10,729; this number, in addition to those received by this route (22,439), will give a total of 33,168 persons who have entered Canada during the season of 1856. It may be assumed that the whole of those who have reached the province by the route of the United States have remained as permanent settlers; of those received by this route a considerable number merely pass through the country in their route to the Western States.

I estimate that the whole of our Norwegian emigration, one half the Germans and Irish, and about one-sixth of those from England and Scotland, have proceeded to the United States; this would make the number at 9,352, or equal to 41½ per cent., leaving the number of actual settlers remaining in the province at 24,816 souls.

Emigrant Tax.

The amount of Emigrant tax realised in course of the past season was as follows:

		£. *s.* *d.*	£. *s.* *d.*
At Quebec:			
15,071 adults - - at 5 *s.* - - -		3,767 15 –	
5,353 „ - - „ 3 *s.* 9 *d.* - - -		1,003 13 9	
34 „ - - „ 47 *s.* 6 *d.* - - -		80 15 –	
			4,852 3 9
At Montreal:			
74 adults - - at 5 *s.* - - -		18 10 –	
19 „ - - „ 3 *s.* 9 *d.* - - -		3 11 3	
			22 1 3
	£.		4,874 5 –

The shipwrecked emigrants by the ship "Pallas," 56 in number, and the disbanded soldiers of the British Foreign Legion, numbering 693 persons, were exempted from the payment of duty, which would have realised, in addition to the above, the sum of 186 *l.* 1 *s.* 3 *d.* currency.

From

CANADA.

From the return of the arrival of foreign emigrants at the port of New York, I find that they show an increase of 6,109 over that of 1855. The total number being 142,342, against 136,233 in 1855. Of this number, 74,162 came from the United Kingdom, viz., England, 25,163 ; Ireland, 44,276 ; Scotland, 4,723 ; giving an increase of 2,823 over that of 1855.

Arrivals at New York.

On a review of the emigration of the past season, it will, on the whole, be considered very satisfactory. The emigrants were uniformly healthy, and landed free from complaint. A large proportion of the English and Scotch were farmers and mechanics ; the former were generally in comfortable circumstances. The amount of capital brought into the country has been large ; but there exists no means of ascertaining the exact amount. I am however aware, that considerable sums have been paid to different individuals, who brought out drafts ; but this would only represent a small portion, as the greater number usually prefer to bring it out in gold. The amount paid the Norwegian emigrants in this city, from actual returns received, was upwards of 75,000 dollars. A large number of the Germans were in the possession of a very considerable amount of money, and from the various sources from which I have been able to obtain information, it is estimated at not less than 250,000 dollars.

Review of season.

Capital brought out.

The disbanded soldiers of the British Foreign Legion received from the Commissariat, on landing here, their arrears of pay and gratuity, amounting to upwards of 12,000 *l.*, and to this must be added the amount brought by the emigrants from the United Kingdom, which may be estimated at 50,000 *l.*; consequently the capital brought into the country by the emigration of the past season may be fairly estimated at not less than 140,000 *l.* The amount paid for their inland transit, to our steamboat proprietors and railway companies, has not been less than 20,000 *l.*, and if the cost of provisions and other necessaries on the route be stated at the low estimate of 5 *s.* each, it will bring their entire expenditure, before reaching their respective destinations, to 26,000 *l.* It would however appear that but few of the emigrants of the past season have emigrated without having in view a fixed destination, and I have never known in any previous season so small a number of emigrants in search of employment, thus presenting a marked contrast to the emigration of former years. They all appeared to have emigrated on the recommendation of, and in many cases through the pecuniary assistance which they received from their friends in this country.

The demand and inquiry for labour in Western Canada, throughout the season, has been considerably in advance of the supply, and continued applications were received from almost every section of the province, complaining of the scarcity of labour, and the difficulty, as well as impossibility of procuring domestic servants, and requesting that emigrants might be directed to them. This it was found impossible to accomplish, for the reasons previously stated, viz., that all those suitable for such purposes had already their destination fixed ; and if they delayed it arose solely from want of means to carry them forward, in which case they would merely accept employment until they had acquired a sufficient sum to enable them to carry their original intention into effect.

Demand for labour.

This state of things is very gratifying, and it is moreover satisfactory to know, that from accounts recently received from the several agencies, no cases of distress or destitution have been reported among the emigration of the past season.

The number of letters for emigrants addressed to this agency during the season was 213, 99 of which contained remittances amounting to 268 *l.* 0 *s.* 4 *d*, all of which were delivered and the amount paid over to the parties.

Emigrant letters; money.

With reference to the prospects of the year 1857, I am happy to observe, that the reports from all quarters, would indicate a general growing prosperity, and active business employment, both as regards commerce and agriculture. An interest is now being felt throughout the United Kingdom with respect to this country, from which the most beneficial results may be confidently anticipated. The excellent and judicious system now introduced by your Excellency's Government for opening and settling the wild lands of the Crown, by means of free grants to actual settlers, has already attracted very general public attention, not only in the mother country, but on the continent of Europe. A large portion

Prospects of 1857.

CANADA.

of these lands are represented to be of good quality, and some tracts even equal to those which, in other parts of the province, have so richly rewarded the toil and industry of the husbandman.

It may also be worthy of remark, that the efficient and speedy direct communication now so successfully established by steam, bringing the chief points of Western Canada within 15 days of England;—the completion of the Grand Trunk Railway from Quebec to Stratford, forming an extension of 600 miles, and offering an easy and rapid access through some of the wealthiest and most fertile portions of the province, thereby permitting a wider and more general developement of its resources;—these advantages, combined with a salubrious climate, productive soil, land cheap, and so easily attainable, that every industrious person may become a freeholder; unsurpassed means of internal communication, through its rivers, lakes, and railways; ample security for life and property; and, happily within the reach of all, the means of obtaining a cheap, sound, moral, and religious education for the rising generation, cannot assuredly fail of exercising a most important influence upon our future emigration; and I am of opinion that, during the ensuing season, we shall receive a large accession to our population, and with it a share of the wealth, intelligence, and industry of the mother country.

St. Lawrence route.

The increased advantages, as well as the superiority of the route by the St. Lawrence to emigrants, whose destination may be either to Western Canada, or the more westerly States of the American Union, cannot, I may be permitted to observe, be too prominently brought before the notice of intending emigrants from the United Kingdom or continent of Europe. These facilities and advantages are now so great, that during the ensuing season the journey from Quebec to Chicago, the great emporium of the West, may be performed over the Grand Trunk Railway, in connexion with the Great Western and Michigan Central Railway, in 40 hours, and to Toronto or Hamilton in about 16 hours running time. The usual speed of the emigrant train will be somewhat slower than this, but they can always be sure of being carried through, either by steamboats or by railway, as they may desire, within a reasonable time, and at a moderate charge. The rates of 1856 do not vary from those of 1855, and may be stated as follows: from Quebec to Montreal 3 *s.*, or 75 cents; Kingston 11 *s.*, or 2 dollars 75 cents; Toronto or Hamilton 19 *s.*, or 4 dollars 75 cents; Chicago, *viâ* Great Western Railway, 38 *s.*, or 9 dollars 50 cents; if by the Collingwood route 32 *s.*, or 8 dollars.

Fares.

These rates include the free carriage of all luggage. The rates for 1857 will most likely undergo some slight modification, on such parts of the route as the steamboats are brought into competition with the railways, but the saving of time effected by the rail should always command the preference with the better class of emigrants, and more than compensate for the small increased rate of fare.

The Collingwood route will be found the best and most direct for emigrants proceeding to the great mineral districts on Lake Superior, or to any of the northern ports of Lake Michigan.

These circumstances duly appreciated, with the absence of imposition, which even the more experienced are subject to by the route of the Atlantic cities, points out the St. Lawrence as the best and most economical route to the great west. I would only further desire to impress upon the emigrants the importance and advantage of arriving in this country early in the spring, and they should, if possible, make such arrangements as not to retard it beyond the month of June.

Paper, No. 7, page 20.

At Paper No. 7 of the Appendix, I submit copy of the notes appended to the periodical reports made to your Excellency during the past season, in which I have had occasion to notice the condition and more immediate prospects of the emigrants as they arrived in the country, and to which I respectfully refer.

Conclusion.

In conclusion, I may be permitted to remark that the prospects of employment for the working classes, or those who may be likely to arrive during the ensuing season, are, on the whole, favourable, more particularly in Western Canada; and I do not anticipate any difficulty in providing employment for all the

the industriously disposed emigrant labourers who may seek a home in this highly favoured portion of the British empire. CANADA.

Submitting this Report to your Excellency's favourable consideration,

I have, &c.
(signed) *A. C. Buchanan,*
Chief Agent.

Emigrant Office, Toronto,
29 December 1856.

Sir,

In consequence of the multiplied routes and modes of conveyance by which emigrants find their way into Upper Canada, it is an extremely difficult matter to obtain reliable data on which to found a report, I shall therefore endeavour to come as near the truth as possible.

It appears from your return that 22,178 emigrants landed at Quebec during the year 1856. To this number must be added those who landed at New York and other ports in the United States, and who came to this section of the Province. Mr. Dixon states that 4,229 of this class came to Hamilton by the Suspension Bridge; and, as nearly as I can ascertain, about 6,500 entered by way of Rochester, Oswego, and other ports; making a total of 32,907. From this must be deducted the number who proceeded to the Western States, chiefly by the Great Western and Northern Railways, which, according to Mr. Dixon's report, and my own observation, may be fairly stated at one-fourth of the whole, viz., 8,227, leaving the number of actual settlers 24,680. At least three-fourths of these were British subjects. The remaining fourth consisted of Germans, French, Belgians, and Norwegians.

Mr. Dixon, the agent at Hamilton, in remarking upon the emigrants who proceeded through Canada to the Western States, says, " It would appear that the number of emigrants who were induced to take the United States route, is nearly equal to those who have left Canada for the Western States. We may therefore infer, that the final determination of settling in the Western States has been principally secured by the information they have received, and the influence produced in Great Britain: the prejudice of these preconceived opinions is the more apparent, from the fact that, in England, where intercourse with the United States is more extensive than in any other European nation." *

Mr. Dixon is of opinion that the employment of an agent at Liverpool, under the supervision of the Government, is very desirable; but I do not consider such an appointment advisable at the present time. A great change has recently taken place in our transport facilities. The establishment of the line of steamers between Quebec, Montreal, and Liverpool, in summer, and Portland in winter, has been eminently successful, and will no doubt be followed by other steamers.

The Grand Trunk is also now open from Portland to Montreal and Quebec, connecting with other lines of railroad to the extremities of the settled parts of Upper Canada; and I understand that it is intended to establish a system of through tickets, so that emigrants from the chief ports in the United Kingdom and Germany, can be conveyed from the port of debarkation to the railroad stations nearest their places of destination: such a system properly carried out by the shipper and railroad agents will, in my opinion, be far more effective than any other that c n be adopted.

The season has been healthy, and employment, at good wages, abundant; and there is every prospect that the inducement to settlers will not be less in 1857 than during the past year.

I am, &c.
(signed) *A. B. Hawke,*
Chief Emigrant Agent for Upper Canada.

A. C. Buchanan, Esq.,
Chief Emigrant Agent, Quebec.

* *Note.* — There is some omission apparently in this paragraph.

APPENDIX to EMIGRATION REPORT, 1856.

CANADA.

No. 1.

RETURN of the Number of Emigrants Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number landed at *Quebec*, distinguishing Males from Females and Adults from Children, with the Number of Souls from each Country; also the Number of Vessels, Tonnage, and Seamen Employed, and the Average Length of Passage, during the Season of 1856.

WHENCE.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	NUMBER EMBARKED.							BIRTHS.		Total Souls on Board.	DEATHS ON THE PASSAGE.					
					Cabin Passengers.	Adults.		Children, 1 to 14 Years.		Infants.	Total Steerage.				Adults.		Children, 1 to 14 Years.		Infants.	TOTAL.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England {Steam-ships, 14 / Sailing-ships, 85}	99	12½ / 44	72,210	2,921	1,150	4,230	2,517	1,155	966	371	9,219	5	4	10,378	3	–	3	4	10	20
Ireland	26	41	12,410	474	10	629	648	183	180	42	1,682	–	1	1,693	1	–	2	–	2	5
Scotland	37	40½	21,484	785	79	1,086	885	326	300	118	2,715	2	2	2,798	1	–	–	1	–	2
Germany, &c.	25	52	10,508	378	22	1,654	1,336	691	611	269	4,561	9	11	4,603	5	2	12	12	27	58
Norway	14	54	5,103	196	2	1,054	830	447	352	136	2,819	–	4	2,825	1	1	2	2	7	13
New Brunswick, Nova Scotia, &c.	34	- -	6,467	308	9	128	60	29	31	4	252	–	–	261	–	–	–	–	–	–
TOTAL	235	41 ½	128,182	5,062	1,272	8,781	6,276	2,811	2,410	940	21,248	16	22	22,558	11	3	19	19	46	98

WHENCE.	DEATHS IN QUARANTINE.						TOTAL DEATHS.	TOTAL LANDED IN THE COLONY.								GRAND TOTAL Landed in the Colony.
	Adults.		Children, 1 to 14 Years.		Infants.	Total.		Adults.		Children, 1 to 14 Years.		Total.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England	- -	1	3	- -	1	5	25	4,227	2,516	1,129	962	5,356	3,478	369	9,203	1,150	10,353
Ireland	- -	- -	- -	- -	- -	- -	5	628	648	181	180	809	828	41	1,678	10	1,688
Scotland	- -	1	- -	1	- -	2	4	1,085	884	326	298	1,411	1,182	122	2,715	79	2,794
Germany	1	- -	2	3	2	8	66	1,648	1,334	677	596	2,325	1,930	260	4,515	22	4,537
Norway	- -	- -	3	3	- -	6	19	1,053	829	442	347	1,495	1,176	133	2,804	2	2,806
New Brunswick, Nova Scotia, &c.	- -	- -	- -	- -	- -	- -	- -	128	60	29	31	157	91	4	252	9	261
TOTAL	1	2	8	7	3	21	119	8,769	6,271	2,784	2,414	11,553	8,685	929	21,167	1,272	22,439

Deaths on Passage, 0·43 per cent. Deaths in Quarantine, 0·9 per cent. Total Deaths on the number Embarked, 0·52 per cent.

Emigration Department, Quebec,
December 1856.

A. C. Buchanan,
Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Number of Emigrants Embarked, Births on the Passage, with the Number died at Sea and in Quarantine, and Total Landed in the Colony; distinguishing the Countries, and Ports whence they Sailed, during the Season of 1856.

ENGLAND AND WALES.

PORTS WHENCE SAILED.	No. of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.
Aberystwith	—	—	—	—	—	—	—	—	4	—
Bideford	—	—	—	—	—	—	—	—	33	—
Bristol	5	39	2	—	41	—	—	41	36	85
Cardiff	3	13	—	—	13	—	—	13	—	50
Carlisle	—	—	—	—	—	—	—	—	49	146
Falmouth	2	25	7	—	32	—	—	32	—	58
Fowey	—	—	—	—	—	—	—	—	131	391
Grangemouth	1	4	—	—	4	—	—	4	—	6
Hull	4	336	10	—	346	2	—	344	557	1,060
Harrington	1	3	—	—	3	—	—	3	—	—
Ipswich	—	—	—	—	—	—	—	—	—	6
Liverpool	45	6,224	1,052	5	7,281	15	4	7,262	3,812	13,225
London	14	386	9	—	395	—	—	395	267	313
Maryport	2	12	—	—	12	—	—	12	—	17
Milford	1	6	—	—	6	—	—	6	6	—
Newcastle	1	1	—	—	1	—	—	1	—	16
Newport	—	—	—	—	—	—	—	—	—	14
Plymouth	12	1,625	47	4	1,676	3	—	1,673	1,750	2,683
Poole	2	5	19	—	24	—	—	24	19	22
Portsmouth	1	371	—	—	371	—	—	371	13	—
Shields	—	—	—	—	—	—	—	—	17	13
Sunderland	—	—	—	—	—	—	—	—	—	5
St. Ives	—	—	—	—	—	—	—	—	—	3
Swansea	—	—	—	—	—	—	—	—	—	1
Teignmouth	—	—	—	—	—	—	—	—	—	10
Torquay	—	—	—	—	—	—	—	—	—	14
Truro	3	156	4	—	160	—	1	159	50	—
Padstow	2	13	—	—	13	—	—	13	—	—
Whitehaven	—	—	—	—	—	—	—	—	—	19
Workington	—	—	—	—	—	—	—	—	10	18
	99	9,219	1,150	9	10,378	20	5	10,353	6,754	18,176

IRELAND.

Belfast	—	—	—	—	—	—	—	—	130	935
Cork	4	60	4	—	64	—	—	64	189	2,558
Donegal	2	6	—	—	6	—	—	6	4	—
Dublin	1	9	2	—	11	—	—	11	—	1,528
Galway	1	15	—	—	15	—	—	15	—	263
Limerick	8	107	2	—	109	—	—	109	1,050	4,934
Londonderry	1	186	1	1	188	—	—	188	285	265
Newry	1	12	—	—	12	—	—	12	29	24
New Ross	5	671	1	—	672	1	—	671	1,156	2,492
Skibbereen	—	—	—	—	—	—	—	—	10	—
Sligo	—	—	—	—	—	—	—	—	198	396
Tralee	2	439	—	—	439	4	—	435	724	1,417
Waterford	1	177	—	—	177	—	—	177	206	1,056
Westport	—	—	—	—	—	—	—	—	125	—
Wexford	—	—	—	—	—	—	—	—	—	147
Youghal	—	—	—	—	—	—	—	—	—	153
	26	1,682	10	1	1,693	5	—	1,688	4,106	16,168

SCOTLAND.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.
Aberdeen - -	8	818	27	1	846	–	–	846	1,414	1,606
Alloa - - -	–	- -	–	–	- -	–	–	- -	- -	2
Annan - -	–	- -	–	–	- -	–	–	- -	8	—
Arbroath - -	–	- -	–	–	- -	–	–	- -	- -	46
Ardrossan - -	–	- -	–	–	- -	–	–	- -	- -	93
Banff - - -	–	- -	–	–	- -	–	–	- -	- -	152
Dumfries - -	2	9	–	–	9	–	–	9	13	56
Dundee - - -	–	- -	–	–	- -	–	–	- -	19	28
Fraserburg - -	–	- -	–	–	- -	–	–	- -	- -	113
Glasgow - -	19	1,215	47	3	1,265	1	2	1,262	2,499	2,114
Greenock - -	2	329	3	–	332	–	–	332	268	1,786
Leith - - -	3	4	–	–	4	–	–	4	10	48
Lewis (Isle) - -	–	- -	–	–	- -	–	–	- -	331	—
Montrose - -	3	340	2	–	342	1	–	341	281	358
Stromness - -	–	- -	–	–	- -	–	–	- -	16	—
Troon - - -	–	- -	–	–	- -	–	–	- -	- -	44
	37	2,715	79	4	2,798	2	2	2,794	4,859	6,446

GERMANY, &c.

Antwerp - -	7	929	6	6	941	13	1	927	438	388
Bremen - - -	2	441	–	1	442	4	–	438	1,584	776
Bordeaux - -	1	1	–	–	1	–	–	1	—	—
Gibraltar - -	1	1	–	–	1	–	–	1	—	—
Hamburg - -	13	3,188	16	13	3,217	41	7	3,169	1,575	4,524
Havre - - -	1	1	–	–	1	–	–	1	—	—
	25	4,561	22	20	4,603	58	8	4,537	3,597	5,688

NORWAY.

Arendal - -	–	- -	–	–	- -	–	–	- -	- -	188
Bergen - -	6	1,197	–	1	1,198	3	2	1,193	229	1,452
Christiana - -	2	346	–	2	348	1	–	347	380	1,741
Drammen - -	1	210	–	1	211	2	2	207	214	319
Gothenburg - -	–	- -	–	–	- -	–	–	- -	- -	263
Krageroe - -	–	- -	–	–	- -	–	–	- -	17	523
Lurvey - - -	–	- -	–	–	- -	–	–	- -	- -	7
Ostersior - -	–	- -	–	–	- -	–	–	- -	- -	60
Porsgrund - -	1	248	–	–	248	1	–	247	239	500
Stavanger - -	3	592	2	–	594	4	2	588	188	620
Sandfjord - -	1	226	–	–	226	2	–	224	—	—
Walo Sulvack -	–	- -	–	–	- -	–	–	- -	- -	176
	14	2,819	2	4	2,825	13	6	2,806	1,267	5,849

LOWER PORTS.

Lower Ports - -	34	252	9	–	261	–	–	261	691	857

RECAPITULATION.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1856.	1855.	1854.
England - -	99	9,219	1,150	9	10,378	20	5	10,353	6,754	18,176
Ireland - -	26	1,682	10	1	1,693	5	–	1,688	4,106	16,168
Scotland - -	37	2,715	79	4	2,798	2	2	2,794	4,859	6,446
Germany, &c. -	25	4,561	22	20	4,603	58	8	4,537	3,597	5,688
Norway - -	14	2,819	2	4	2,825	13	6	2,806	1,267	5,849
Lower Ports -	34	252	9	–	261	–	–	261	691	857
	235	21,248	1,272	38	22,558	98	21	22,439	21,274	53,184

Emigration Department, Quebec,
December 1856.

A. C. Buchanan,
Chief Agent.

No. 3.

RETURN of the Number of Admissions into Hospital, Discharges, and Deaths of Emigrants during the Season of 1856.

	Admitted.	Discharged.	Died.	Remain.
Grosse Isle Hospital - - - - - -	263	242	21	—
Marine and Emigrant Hospital, Quebec - -	88	81	3	4
General Hospital, Montreal - - - -	11	10	1	—
Total - - -	362	333	25	4

Emigration Department, Quebec,
December 1856.

A. C. Buchanan,
Chief Agent.

No. 4.

RETURN of Trades and Callings of Emigrants who arrived at the Ports of *Quebec* and *Montreal*, during the Year 1856.

Bakers	65	Saddlers and Harness-makers	11
Butchers	35	Sailmakers	2
Braziers, Plumbers, and Tinsmiths	18	Sawyers	9
Bookbinders and Printers	14	Shipbuilders	11
Bricklayers and Stonemasons	115	Shoemakers	227
Cabinet-makers and Turners	10	Smiths	216
Carpenters and Joiners	308	Stone-cutters	13
Cart and Wheelwrights	50	Tailors	206
Coachmakers	7		
Coopers	27	Watch and Clock-makers	51
Curriers and Tanners	4	Wool and Flax-dressers	4
Dyers	19	Weavers	65
Engineers	35	Servants	32
Gardeners	49	Unenumerated Callings	189
Hatters	12	Farm Labourers	2,342
Millers and Millwrights	83	Common ditto	4,338
Miners	61		8,781
Merchants and Clerks	104	Deaths of Male Adults at Sea 11	
Moulders and Foundrymen	9	Quarantine 1	
Painters and Glaziers	20		12
Paper-makers	2		
Plasterers	13		
Ropemakers	5	TOTAL	8,769

Emigration Department, Quebec, December 1856.

A. C. Buchanan, Chief Agent.

No. 5.

COMPARATIVE STATEMENT of the Number of Emigrants arrived at the Port of *Quebec* since the Year 1829 inclusive.

COUNTRY.	5 years, from 1829 to 1833.	5 years, from 1834 to 1838.	5 years, from 1839 to 1843.	5 years, from 1844 to 1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	TOTAL.
England	43,386	28,561	30,791	60,453	8,980	9,887	9,677	9,276	9,585	18,175	6,754	10,353	245,878
Ireland	102,266	54,904	74,981	112,192	23,126	17,976	22,381	15,983	14,417	16,168	4,106	1,688	460,188
Scotland	20,143	11,061	16,311	12,767	4,984	2,879	7,042	5,477	4,745	6,446	4,859	2,794	99,508
Continent of Europe	15	485	- -	9,728	436	849	870	7,256	7,456	11,537	4,864	7,343	50,839
Lower Ports	1,889	1,346	1,777	1,219	968	701	1,106	1,184	496	857	691	261	12,495
	167,699	96,357	123,860	196,359	38,494	32,292	41,076	39,176	36,699	53,183	21,274	22,439	868,908

Emigration Department, Quebec, December 1856.

A. C. Buchanan, Chief Agent.

No. 6.

RETURN of the Number of Persons who received Assistance to Emigrate from the United Kingdom and the Continent of Europe, with the Amount paid them on Landing, during the Season of 1856.

DATE.	SHIP.	Whence.	Number of Souls.	By whom Sent out.	Amount Paid by		REMARKS.
					Emigration Department.	Other Agents.	
					£. s. d.	£. s. d.	
14 June -	Emma - - -	Liverpool - -	15. 13 girls and 2 boys.	Enniscorthy Union - -	15 - -	—	
14 „ -	Ditto - -	- ditto - -	6 girls - -	Wexford Union - -	- -	- -	On embarking.
14 „ -	Ditto - - -	- ditto - -	13 persons -	Chatham Union - -	11 - -	—	
12 July -	Shepherdess - -	- ditto - -	12 boys - -	Reformatory School -	12 - -	—	
16 „ -	Culloden - -	- ditto - -	63 girls - -	Mullingar Union - -	66 - -	—	
16 „ -	Ditto - - -	- ditto - -	56 girls - -	Wexford Union - -	- -	- -	On embarking.
5 August	Martin Luther - -	- ditto - -	14 persons (two families).	Dunfanaghy Union - -	7 - -	—	
11 „ -	Admiral Boxer -	- ditto - -	4 persons -	Enniscorthy Union - -	4 - -	—	
28 „ -	Inkerman - -	Greenock -	8 persons (two families).	Duncan M'Neill - -	- -	- -	Free passage only.
19 Sept. -	Wisconsin - -	Liverpool - -	9 boys - -	Reformatory School -	9 - -	—	
3 Nov. -	Canadian (steamer) -	- ditto - -	2 paupers -	Newbury, Hants - -	2 - -	—	
4 „ -	Pearl - - -	London - -	2 pauper females	Fulham Union - -	2 - -	—	
			204	£.	128 - -	—	

CONTINENT.

						Dollars.	
14 June -	Herschel - - -	Hamburg - -	8 - - -	Mecklenburg - - -	- -	32	And free passage by Baron Von Scuk.
24 „ -	Guston - - -	Bremen - -	4 - - -	Government of Hesse Cassel.	- -	18	
2 July -	Gesner - - -	- ditto - -	4 - - -	Saxe Meiningen - -	- -	16	
2 „ -	Kong Sverre - -	Antwerp - -	24 - - -	Wirtemburg - - -	- -	76	
25 „ -	Ithona - - -	- ditto - -		Swiss - - - - -	- -	30	On embarking.
28 „ -	Orion - - -	Stavanger -	50 parish paupers	Norway - - - -	- -	- -	Free passage only.
4 Aug. -	Europa - - -	Hamburg - -	8 ditto -	Hamburg - - -	- -	32	
			102		—	204	

RECAPITULATION.

From	ENGLAND.		IRELAND.		SCOTLAND.		CONTINENT.	
	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
		£. s. d.		£. s. d.		£. s. d.		*Dollars.*
Parish Funds - - -	38	36 - -	158	92 - -	-	- - -	44	172
Private Funds - - -	-	- - -	-	- - -	-	- - -	8	32
Free Passage only - -	-	- - -	-	- - -	8	- - -	50	—
	38	33 - -	158	92 - -	8	- - -	102	204

Emigration Department, Quebec, December 1856.

A. C. Buchanan,
Chief Agent.

Sir, Magdalen Islands, 17 November 1856.

PREVIOUS to the close of the navigation, I beg to offer a few remarks, which I deem of some importance to the Emigration Department, of which you have the honour of being the Chief Agent.

The position of these islands being in the track of vessels bound from Europe to Quebec, and from the frequent occurrence of wrecks, no doubt can exist of their being very dangerous.

Since my residence here, in 1846, no less that four emigrant ships have struck the ground here, and all, with one exception, became total wrecks, and the lives of many unfortunate creatures sacrificed. You are not aware, perhaps, that should an emigrant ship be unfortunately lost here to-day, there is not a building to be obtained wherein could be placed 20 persons, and consequently her living freight must either remain exposed to the inclemency of the weather, or seek such shelter as an old sail or a few spruce bushes could render or afford; as was the case, in the year 1846, to the passengers of the ill-fated ship "Miracle," from Liverpool for Quebec, and which struck upon the east end of the island in the beginning of May. She had upwards of 600 passengers on board, and after the ship struck, the masts were cut away, causing the loss of the sails. Those unfortunate creatures who reached the shore alive wandered in the spruce bushes, and amongst the sand hills, in hopes of finding shelter (many having the ship fever), where they fell down and died, the snow being still upon the ground, and no person taking the least interest in them. I myself, with four others, whom I entreated to assist me, buried near and about the spot where the ship was wrecked upwards of 200 of them; those who were found alive were at last brought up to House Harbour, and, for want of a suitable building to contain them, were placed in an old shed without a floor, and only sea grass to cover them, where they died by dozens, so that by the time vessels could be obtained to send them to Pictou, only about 200 remained.

As it is the policy of our Government to encourage emigration to Canada, and to render every assistance in their power to emigrants, I beg to suggest to you the necessity of your mentioning the fact in your annual report, that a person empowered to act as emigration agent, and a suitable building to accommodate emigrants, who may have the misfortune of being cast away here, is much required to serve in emergency. The building need not be more than a wooden one, with two floors; no extra work is required, but stoves should be sent down, ready for putting into use: the same would serve as a customs warehouse and general depôt, and then, should an accident occur, passengers could at once be brought up and sheltered, until vessels were got ready to remove them to their port of destination; and in many cases a vast saving would be made to the Government in consequence.

I have been induced to make these remarks in consequence of seeing such bad management exercised in all cases of the kind, which would be remedied by a Government building, and an agent under you to see the Act carried into execution, and assist on the part of the department; and trusting you will not think it presumption in me for so doing,

I am, &c.

A. C. Buchanan, Esq., (signed) *Jno. J. Fox*, C. H. M. C.
Chief Emigration Agent, Quebec.

No. 7.

EXTRACTS from the Notes appended to the Periodical Reports of Arrivals of Passenger Ships at the Ports of *Quebec* and *Montreal*, in the Season of 1856.

RETURN No. 1.—From the 30th of April to the 22d of May.

Two thousand one hundred and forty-three emigrants have landed at this port since the opening of the navigation to this date, all in good health; two-thirds of whom are from England and Scotland, and consist of farmers and agricultural labourers. Many of the former have brought out a considerable amount of capital with them, and, with a very few exceptions, have all proceeded to settle in Western Canada, where all appear to have friends or relations already settled.

The emigrants from Aberdeen and Montrose are a highly respectable and intelligent class of emigrants, and cannot fail to prove a valuable addition to the western section of the Province.

Those from Plymouth and Truro have chiefly proceeded to friends in the Newcastle and Home districts.

The Irish emigrants, per "Dunbrody," from New Ross, have, with the exception of a few families, proceeded to friends in the Western States; they were respectable in appearance, and all appeared in comfortable circumstances.

The Germans, by the "Washington," from Hamburg, are chiefly Prussians; about one-half have proceeded to the German settlements in the Gore and Wellington districts. They brought out a considerable amount of property with them. A few families had drafts amounting

CANADA.

amounting to over 2,000 dollars on a firm in this city, but which were refused acceptance from want of advice. The drafts were protested, and placed in the hands of the consul, and the parties, about 20 in number, proceeded to their friends in Guelph, Canada West, where they intend to reside.

The vessels included in this return are the first which have arrived under the regulations of the amended Passenger Act of 1855. The passengers all reported favourably of the kindness and good treatment they received from the masters of the several ships during the passage.

The rates of passage by the vessels from Scotland range from 4*l.* 10*s.* to 6*l.* each adult; from English ports, from 4 *l.* 10 *s.* to 5 *l.* 10 *s.*; and by the steamers the charge was eight guineas.

The steamer "North America" is the first arrival of the ocean steamers under the recent contract entered into between the Government and Mr. Allan, of Montreal, and it is gratifying to find that the passengers, both cabin as well as steerage, report most favourably of her sea qualities, and also of the excellence of her arrangements and accommodation. The regular establishment of this line cannot but prove highly beneficial to the interest of the Province, and be the means of inducing a larger number of the more respectable class of emigrants to select this route, which heretofore were obliged to proceed by the United States.

The demand for labour in Western Canada is favourable, and applications have been received for a considerable number of men on the Grand Trunk Railway works at Darlington, wages 5*s.* 6*d.* per day; also from farmers and others in Western Canada, for agricultural labour, wages 12 dollars per month, with board; and for good handy men and mechanics, to work with machinery and in saw-mills, wages from 26 to 33 dollars per month, according to capability.

The inquiries in this direction are extremely limited, and do not at present offer much field for emigrant labour.

RETURN No. 2.—From the 22d of May to the 7th of June.

TWO thousand eight hundred and eighty-six emigrants have landed at this port during the period embraced in this return, all in good health.

The greater part are English and Scotch; their place of nativity, taken from the ships' lists, appears as follows:—

English	- - - - - - - -	1,452
Irish	- - - - - - - -	512
Scotch	- - - - - - - -	390
Foreigners	- - - - - - - -	532
		2,886

The small proportion of natives of Ireland in this return presents a marked contrast with the number from the country in previous years, and, of this number, but 208 persons came in vessels direct from Waterford and Limerick; the remainder, 304, came *viâ* Liverpool.

They are chiefly of the labouring classes, and coming out to friends, the greater part of whom reside in the United States.

The English and Scotch emigrants consist of respectable farmers and agricultural labourers, two-thirds of whom intend settling in Western Canada, where they have friends. They generally appear to possess capital, and were desirous of purchasing land.

On board the "John Howell" there were a few German families, who, having no particular destination in view, were directed to Trenton, Bay of Quinte, where they have all obtained employment.

The emigrants by the "Fedres Minde," and "Midas," from Antwerp, were Belgians, Prussians, and Swiss, and have all proceeded to the Western States. Those by the "Eliza," from Hamburg, were chiefly Prussians, and have, with the exception of three persons, proceeded to the State of Illinois and Wisconsin.

One hundred and fifty-three passengers arrived on board of 20 vessels; but, as they did not come within the regulations of the Passenger Act, the names are not enumerated.

On board the "Margaret," "John Howell," "Roslin Castle," and "Clio," there were a few destitute families, who were assisted to enable them to proceed to their friends. They are chiefly women and children, numbering 281 souls; viz. 135 adults, 118 children, and 28 infants.

The inquiry for labourers in this section continues limited; but the accounts from Western Canada are more favourable, and parties desiring work can obtain it without difficulty on the public works, or with the farmers.

RETURN No. 3.—From the 7th to the 26th of June.

THREE thousand eight hundred emigrants have landed at this port during the period embraced in this return, all in good health, 2,310 of whom were foreigners, 1,485 from the United Kingdom, and five from the lower provinces. Of those which sailed from ports in the United Kingdom, 456 were natives of England, 963 Irish, and 23 Scotch.

The emigrants per "Ann Thompson," from Tralee, were all of the labouring class, and were generally poor, the greater part of whom emigrated to join relations, chiefly in the United States. Those by the "Arabian" and "Emma," from Liverpool, were chiefly Irish. In the latter vessel there were 15 paupers sent out by the Enniscorthy Union, 13 girls, and 2 boys; their appearance was favourable, and they seemed well disposed to work. They proceeded on to Montreal, where they found immediate employment. The portion sent out by the Chatham Union were chiefly females, but they were healthy, and are likely to do well.

The schooner "Nazaire," Blais, master, brought up to this port 57 passengers saved from the wreck of the "Pallas," of Cork, lost on the Island of St. Paul's, on the night of the 30th May. The vessel sailed from Cork on the 25th April with 136 passengers; 52 men, 46 women and 38 children; 23 men, 18 women and 6 children were saved.

They were chiefly going to their friends in the United States, and having landed here destitute, were supplied with some provisions, and sent forward to their several destinations.

The passengers per "Argentinus," from Londonderry, were respectable farmers and labourers; they proceeded to Western Canada to join their friends.

The Norwegian emigrants have all proceeded to Illinois and Wisconsin.

Of the Germans, a considerable number proceeded to the German settlements in the Gore and Wellington district; they generally bring money with them.

The whole number of free passages granted among the several ships included in this return, including the wrecked passengers by the "Pallas," was 384, and this assistance was confined to large families or women and children; 195 were adults, and 189 were children under 12 years of age.

RETURN No. 4.—From the 26th of June to the 5th of July.

THE emigrants arrived during the week ending 5th instant are chiefly foreigners, one-half of whom are Norwegians. A few cases of fever occurred on board the "Apollo," from Bergen; all the others were healthy.

The Norwegians have all proceeded direct to the western states, chiefly to Green Bay, Wisconsin; a considerable number of the Germans will remain in Western Canada, where they have relations; a number of the young men, who had no particular destination, have been sent to Belville, Bay of Quinte, from which place applications have been received offering them employment.

It would be desirable if a Norwegian settlement could be opened up the Ottawa, as, from their steady, industrious habits, they could not but prove a valuable addition to that fine section of the country; but to induce them to settle in this province, it will be necessary to make its advantages and wants known previous to their leaving their homes, as all those who come out here appear to have their destination fixed, and are invariably either proceeding to join friends or relations who have preceded them, or to settle in that neighbourhood.

The services of a judicious agent to visit Europe, under the authority of Government, would appear to be the most effective way by which a portion of the valuable foreign emigration now taking the St. Lawrence route could be induced to remain in Canada; if a few families could be once introduced into the Ottawa section of the country, they would soon draw others around them.

Of the Germans, a considerable number, possessing means, have proceeded to the western section of the province to friends already settled there; but the German population is now becoming so generally interspersed throughout Western Canada, that the emigrant is almost certain to find a friendly voice to guide and direct him on his first arrival, and he is enabled soon to establish himself advantageously.

Two vessels from Antwerp brought 249 Belgians, respectable farmers and mechanics, chiefly from Brabant and Hainault; they appear generally in good circumstances, and were all proceeding to Chicago and Green Bay to friends.

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The emigration from the United Kingdom number but 627 souls. They came by the steamers "Anglo Saxon" and "North American," from Liverpool, and the "Grampian," from Glasgow. Nearly the whole of the steerage passengers by the steamers were Scotch farmers and mechanics, and proceeded chiefly to Western Canada; the "Grampian's" passengers were respectable farmers and agriculturists; destination, Hamilton and Toronto.

The demand for labour in Western Canada is very general, and complaints have been received from several quarters of the scarcity of labourers. Wages range from 3 *s.* 9 *d.* to a dollar per day.

RETURN No 5.—From the 5th to the 19th of July.

THREE thousand and sixty-eight emigrants arrived at this port from the 5th to the 19th instant, two-thirds of whom sailed from England, principally from Liverpool, of whom there were—

Natives of England - - - - - - - -	562	
„ Scotland - - - - - - - -	217	
„ Ireland - - - - - - - -	1,116	
„ Foreigners - - - - - - - -	54	
		1,949

1,782 of whom came by sailing vessels, and 167 by steamer. Of the latter, 51 were cabin, and 116 steerage passengers.

Those by sailing vessels were respectable farmers and agricultural labourers.

The Irish portion were chiefly families coming out to their relations in different parts of Canada and the United States; and it was found necessary to grant assistance to 382 souls, chiefly of this class, to enable them to meet their friends.

On board the "Culloden" there were 63 females, sent out by the guardians of the Mullingar Union; they received 20 *s.* sterling each, paid them through this office; 56 females from the Wexford Union, who received their money before sailing. A number of these young women obtained immediate employment in this neighbourhood and about Montreal; and but 16 could be induced to proceed up the country, where their services are much desired, and where they would eventually succeed much better than by remaining about the cities.

The passengers per "Woodstock," from New Ross, were principally of the labouring class, and a few farmers. They all appear to have emigrated to join friends and relations; a large proportion, consisting of females and children, required assistance to enable them to proceed, which was granted to the extent of 168 souls.

The Germans, 464 in number, were generally in good circumstances. A few families, possessing considerable capital, stated their intention of settling in Western Canada, but the chief part proceeded direct to the Western States.

The Norwegians all left direct for Wisconsin.

The demand for labourers in Western Canada is very good, and both farmers and contractors of public works complain of the difficulty of procuring hands. Wages offer 5 *s.* 7½ *d.* to 6 *s.* 3 *d.* currency per day, equal to 4 *s.* 6 *d.* to 5 *s.* sterling.

RETURN No. 6.—From the 19th to the 31st of July.

THE emigrants arrived from the 19th to the 31st ultimo number 1,353 persons, three-fourths of whom were foreigners. They have all landed in good health, and are classed as follows:

Natives of England - - - - - - -		122	
„ Scotland - - - - - - -		244	
„ Ireland - - - - - - -		24	
Foreigners; viz.			
Germans - - - - - -	73		
Prussians - - - - - -	652		
Swiss - - - - - -	4		
Belgians - - - - - -	29		
		758	
Norwegians - - - - - -		205	
			1,353

The

The Scotch and English are respectable farmers and agricultural labourers, and mechanics, and a few fishermen from Fife, whose object is to try their craft in our lakes, and, if successful, will be followed by others.

The foreigners have generally proceeded to the Western States. A number of Prussians whose means were limited, and had no particular destination in view, have been directed to Western Canada for employment, and some, who were very destitute, have been provided with a free passage as far as Hamilton. The whole number assisted was 109 souls; 88 Prussians and Belgians, and 21 Norwegians. A party of 50 paupers were sent out by the "Orion" from Stavanger; they were all desirous of proceeding to the Western States, but being without means, the above number were sent to the Buffalo and Lake Huron Railway for employment, and where labourers are much needed, but will doubtless proceed after their friends so soon as they acquire sufficient means.

RETURN No. 7.—From the 31st of July to the 16th of August.

EIGHTEEN hundred and thirty-seven steerage and 105 cabin passengers arrived at this port between the 1st and 16th instant, all in good health.

Of the steerage passengers from Liverpool, 960 in number, 186 were English, 210 Scotch, 367 Irish, and 197 foreigners; of the latter, 177 were discharged soldiers from the Foreign Legion.

The Scotch emigrants, by the ships "Chieftain" and "St. Lawrence" from Glasgow, were respectable farmers and agriculturists, generally in comfortable circumstances, and all emigrated to join friends. They all landed in excellent health, notwithstanding their long passage of upwards of 60 days.

The passengers per "Chieftain" complained that they were put on short allowance of provisions, two weeks at half rations, and one week three-quarter rations. They had made up their claim against the ship at 6*d.* per day for the period they were on half rations, and 3*d.* per day for the seven days on three-quarter rations, which amounted to 8*s.* 9*d.* sterling for each passenger, which the acting master at once paid. Captain Scott died on the passage; and some time previous to his death, finding he was likely to make a long passage, ordered the rations to be reduced; but after his death the mate, who took charge of the ship, ordered a full allowance to be issued again.

The emigrants from Hamburg, 443 in number, are chiefly Prussians; about 90 remain in Western Canada; the chief part proceeded to the Western States.

RETURN No. 8.—From the 16th to the 31st of August.

THE emigrants arrived during the period embraced in this Return have landed in excellent health.

The Norwegians, per "Gifion," all proceeded to the State of Wisconsin, where they have friends; a party of 60, who stated they were without means, and unable to proceed, were offered a free passage to Ottawa City, with a promise of employment during the winter if they would proceed to that locality; they, however, declined the offer, and, as afterward informed, with the assistance of their fellow-passengers succeeded in obtaining sufficient money to enable them to reach Chicago.

The emigrants per "Transit," from Hamburg, are chiefly Bavarians and Prussians; the former, consisting of a party of 37 persons, have proceeded to Muria Town, Eastern District, to join a party of their countrymen, who were sent in there in the fall of 1853, and who obtained employment on the Williamsburg Canal, where they have since remained. These parties have come out on their representations; they possess considerable capital, and expressed their intention of purchasing land.

The passengers per "Eliza Morrison," from Tralee, 238 in number, are all very poor, two-thirds of whom are females and children, coming out to join friends and relations, a large number of whom required assistance to enable them to proceed.

The Scotch and English emigrants are generally respectable farmers and agricultural labourers; all have proceeded to Western Canada.

Employment continues abundant in Western Canada, and daily applications are received for farm and domestic servants, which it is most difficult to supply, as but few of the emigrants arriving this season are seeking employment, having chiefly come out to join relations who in many instances have assisted them with the necessary means.

RETURN No. 9.—From the 31st of August to the 20th of September.

THE arrivals during the past fortnight number but thirteen hundred and twenty-two souls; they are classed as follows:—English 661, Irish 210; Scotch 364, Foreign 63. Canadian 24. They have all landed in good health, and, with but few exceptions, have all emigrated to join friends.

A large proportion of the passengers by the "Wisconsin," from Liverpool, consist of females and children, coming out to their parents and husbands, chiefly settled in Western Canada; the proportion of Irish among them were all very poor, and in many instances had received the means from their friends in this country to enable them to come out.

It was found necessary to assist upwards of 150 persons from this vessel with free passages, to enable them to reach their friends.

Nine boys sent out from the London Ragged School applied, stating that they were to have received a sovereign each on landing, but no advice had reached this office respecting them; they were forwarded up the Ottawa, with letters of recommendation, and as they are active stout lads, they will readily find employment.

The Scotch and English emigrants are respectable farmers, mechanics, and agricultural labourers, and generally in good circumstances.

A few families by the "Oriental" required assistance to enable them to reach their friends in Western Canada.

RETURN No. 10.—From the 20th to the 30th of September.

THE emigrants per "Gipsey Queen" landed in good health; and all speak favourably of the kindness of Captain Gill, and of the accommodation and treatment they received while on board his ship. They consist chiefly of females and children, proceeding to join their husbands and parents, already settled in this province; 11 families (45 persons) were forwarded free to Darlington, Hamilton, and London.

But one more vessel remains to arrive of those officially reported, viz., "The Lady Peel," from Plymouth, with 68 passengers; sailed 30th of August.

RETURN No. 11.—From the 30th of September to the 25th of November.

THIS return closes the season's emigration by the route of the St. Lawrence: it has on the whole been satisfactory. They have been unusually healthy, and generally in good circumstances, and not a single complaint has reached me requiring legal investigation.

The masters have been uniformly kind and attentive to their charge.

The total numbers show a small increase on the season of 1855.

The numbers embarked in each year appear as follows:—

	1855.	1856.
From England	6,810	10,369
„ Ireland	4,110	1,692
„ Scotland	4,869	2,794
„ Germany	3,616	4,583
„ Norway	1,275	2,821
„ Lower Provinces	691	261
	21,371	22,520
United Kingdom	15,789	14,855
Foreigners	4,891	7,404
Lower Provinces	691	261
	21,371	22,520

Despatch from the Secretary of State.

— No. 2. —

(No. 137.)

No. 2.
Right Hon. H. Labouchere, M. P., to Gov.-General Sir E. Head, Bart. 26 August 1856.

COPY of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Governor-General Sir *Edmund Head*, Bart.

Sir, Downing-street, 26 August 1856.

IN the return of the immigration into Canada between the 26th of June and the 5th of July last, I observe that Mr. Buchanan offers some remarks * as to the expediency of encouraging Norwegian and German immigration into the province. I am not in possession of your views on this subject; but, considering the alleged want of labour in Canada, and the improbability that any very large emigration will proceed from this country to that province, it may be desirable to adopt some such course as that indicated by Mr. Buchanan; and in the event of the proposal meeting with the approbation of the Provincial Government, I would suggest that a memorandum, stating the advantages of emigration to Canada, be prepared and transmitted to me, in order that it may be forwarded to the British ministers and consuls in the countries from which it is desired to draw the emigrants.

* *Vide* remarks on Return No. 4, page 22.

I have, &c.

(signed) *H. Labouchere.*

NEW BRUNSWICK.

Despatches from the Lieutenant-Governor.

NEW BRUNSWICK.

No. 3.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon. H. Labouchere, M. P.
20 August 1856.

26 July 1856.

— No. 3. —

(No. 14.)

COPY of DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Honourable *H. Labouchere*, M. P.

Government House, Fredericton, New Brunswick,
20 August 1856.
(Received 8 September 1856.)

Sir,

I HAVE the honour to forward, herein enclosed, a copy of a letter from Her Majesty's emigration officer at St. John, together with a ship return, No. 2,* reporting the arrival of the barque "Mary Ann" with emigrants.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

* Total number arrived, 159.

Enclosure in No. 3.

Encl. in No. 3.

Government Emigration Office,
St. John, 26 July 1856.

Sir,

I HAVE the honour to report the arrival of the barque "Mary Ann" from Londonderry, and enclose the usual ship return.

The passengers by this vessel were nearly all sent for by friends in this province and Nova Scotia, and in the neighbouring States, whom they immediately joined.

The immigration of the present season is likely to be unusually small.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Honourable R. D. Wilmot,
Provincial Secretary.

— No. 4. —

(No. 38.)

No. 4.
Lieut.-Gov. the Hon. J. H. T. Manners Sutton to the Right Hon H. Labouchere, M. P.
12 December 1856

COPY of DESPATCH from Lieutenant-Governor the Hon. *J. H. T. Manners Sutton* to the Right Honourable *H. Labouchere*, M.P.

Government House, Fredericton, New Brunswick,
12 December 1856.
(Received 29 December 1856.)

Sir,

(Answered, No. 13, 17 February 1857, page 35.)

1. ON the 1st May last the House of Assembly presented to me an address (a copy of which is herein enclosed), calling my attention to the importance of encouraging immigration into the province, and requesting me to move Her Majesty's Government to authorise the payment from the Surplus Civil List Fund of any expense which might be incurred in furthering this object. I also enclose a copy of my reply to this address.

Enclosure No. 1. Extract Journals, 1856.

Enclosure 2. Extract Journals, 1856.

2. To enable me to bring under your consideration in a satisfactory shape the wishes of the House of Assembly on this subject, it was necessary that I should be in a position to lay before you some general statement or estimate of the probable amount of the charge to which, in the event of Her Majesty's Government acquiescing in the request of the House of Assembly, the Surplus Civil List Fund would be subjected; and I need scarcely say, that the consideration

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ration of the means whereby a healthy stream of immigration hither may be best promoted involves questions of a complicated character, and of no inconsiderable difficulty.

3. The subject has, however, been for some time under the careful consideration of my Government, and I am now enabled to lay before you the details of certain regulations adopted by me in Council on the 9th inst., for facilitating the sale of Crown lands to actual settlers, with the copies of other documents connected with this scheme, as marked in the margin. I also forward to you a copy of the instructions issued to Mr. Perley, the chief immigration officer in this province, who, having obtained leave of absence to enable him to proceed to England on business connected with his functions as the British Fishery Commissioner, under the first and second articles of the "Reciprocity" treaty, has been directed by me to perform, when in England, the duties specified in these instructions.

Enclosure 3.
Enclosure 4.
Enclosure 5.
Enclosure 6.

4. You will observe that the new regulations respecting the sale of Crown lands are not subversive of, but supplemental to the regulations previously existing. Any one, whether a resident in the province or an immigrant, who desires to purchase Crown land under the old regulations, may do so (elsewhere than in the particular tracts set apart in the new scheme) either for cash or by instalments, or under what is commonly called the Labour Act (cap. 9, title 3, Revised Statutes, vol. I.), and many will no doubt continue to exercise this right. On the other hand, those who desire to obtain immediate possession of Crown land (which, although uncleared, is of ascertained good quality) in a locality to and through which the necessary road, if not already constructed, will be made at the expense of the Government, and where the purchaser may look forward confidently to the rapid growth of a neighbourhood around him, may now, under the new regulations, avail himself of these advantages; and to the important nature of these advantages, especially as regards newly arrived immigrants, I need not call your attention.

5. Moreover the instructions to the emigrant agents in the province, coupled with the instructions to Mr. Perley, will, when carried out, provide for the regular collection and diffusion not only here, but also in Great Britain and Ireland, of a mass of information of great value to intending emigrants in the mother country, as well as to immigrants on their arrival in this province.

6. I attach myself peculiar importance to this branch of the scheme, because, while I readily recognise the fact that the immediate acquisition, either free or on very easy terms, of a freehold in the colony is the most attractive lure which the Government of the colony can hold out to many of those who are disposed or willing to emigrate from the mother country, I nevertheless entertain the strongest conviction that the success of the immigrant does not depend solely or even mainly on the facility with which he can, on his arrival in the colony, obtain possession of a lot of Crown land.

7. On the contrary, I believe that the timely possession of full and accurate information with respect to the demand and value of labour of different descriptions, and the opportunities of obtaining employment, and of purchasing cleared farms as well as wild lands, with other statistical details of a similar character, will do more to promote the success of the immigrant here than any reduction in the upset price (already very low) at which Crown lands can be obtained, or even the free grant of such lands. If this view of the case be correct, it is impossible to over-rate the importance of obtaining and disseminating information of the character above referred to; for although other means might possibly be devised, which would have a greater effect in giving a momentary impulse to immigration hither, the continuance of a healthy stream of immigration either to this Province or to any other part of the world must depend mainly on the ascertained success of those who have previously emigrated.

8. Having thus explained to you the principal features of the scheme set forth in the enclosures to this despatch, I turn to that part of the address of the House of Assembly of the 1st May last, in which the House expressed a wish that the expense incurred in the encouragement of immigration here should be charged on the surplus civil list fund. Since this address was presented to me, I have received instructions from you to place, on certain conditions, at the disposal

disposal of the Assembly, the accumulated surplus civil list, and to take the same course with the accruing surplus of future years.

9. If, therefore, the conditions referred to had been fulfilled, I could not properly apply to you for authority to expend any portion of the accumulated surplus civil list fund, either for the encouragement of immigration or for any other purpose. The decision on such questions would rest with the Assembly. But as the case now stands, it is clear that the authority of the Secretary of State is no less requisite now to enable me to give effect to the wish expressed by the House of Assembly that the expenditure incurred in the encouragement of immigration should be charged on the surplus civil list fund, than it was at the time that the address to which I have referred was presented to me by the House of Assembly. On the other hand, the scheme which has been adopted by the Government for the encouragement of immigration will be of no value as regards the immigration of the ensuing season, unless arrangements are forthwith made for carrying it into operation. Under these circumstances, I have the honour to request that I may be authorised by you to expend for this purpose a sum not exceeding 2,000 *l.* from the surplus civil list fund.

I have, &c.
(signed) *J. H. T. Manners Sutton.*

Enclosure 1, in No. 4.

JOURNALS of the House of Assembly, 1st May 1856, page 342. Encl. 1, in No. 4.

Resolved,—As the opinion of this House, that it is desirable to afford every facility for the encouragement of emigration to this province, and that the necessary measures should be adopted to attain that end; and further,

Resolved,—That an humble address be presented to His Excellency the Lieutenant-governor, communicating the foregoing resolution, and praying that His Excellency will be pleased to give it effect, and to move Her Majesty's Government to authorise the defraying of the expense necessary to be incurred thereby out of the surplus civil list fund.

Enclosure 2, in No. 4.

JOURNALS of the House of Assembly, 1st May 1856, page 344. Encl. 2, in No. 4.

THE Lieutenant-governor will consult with his Council as to the best mode of facilitating immigration into the province, and will lay before Her Majesty's Government the wish of the House of Assembly, that the expense to be thereby incurred should be defrayed from the surplus civil list fund.

Enclosure 3, in No. 4.

REGULATIONS for facilitating the Sale of Crown Lands to Actual Settlers. Encl. 3, in No. 4.

(Passed in Council, 9 December 1856.)

1. IN order to promote the settlement of New Brunswick, tracts of land, of ascertained good quality, will, as required, be surveyed and set apart in different parts of the province for actual settlement.

2. These tracts will not exceed 10,000 acres each. They will be divided into lots of 100 acres, as near as may be, and will be selected with reference to their fitness for cultivation, their proximity to existing settlements, and the facilities for reaching them by roads from the nearest highway.

3. After a tract is selected for settlement, and surveyed, the lots therein will be sold in conformity with the following regulations, and upon the conditions hereinafter expressed.

4. All the lots in each tract selected, after due notice in the Royal Gazette, will be exposed to sale at public auction, by the local deputy for the district in which such tract is situate, at the upset price of 2*s.* 6*d.* currency per acre. Not more than 100 acres will be sold at public sale to any one purchaser. The purchase-money must be paid at once to the local deputy; on production of his receipt for the same to the emigrant agent for the

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the district, a location ticket in the form annexed will be granted to the purchaser. The lots for which no bid is made will be struck off, at the upset price, to the emigrant agent for the district, as the purchaser for the time being.

5. A diagram of the lots struck off to the emigrant agent for the district will thereafter be lodged with him, and he alone will have authority to dispose of such lots. Any person wishing to become an actual settler may, on application to the emigrant agent, in the form annexed, purchase from him, at private sale, not more than 100 acres or less than 50 acres at the upset price.

6. The purchaser at private sale shall forthwith pay the whole of the purchase-money into a bank, or branch bank, or to the deputy treasurer for the district, as may be directed by Order in Council, to the credit of the Receiver-general. Upon lodging the deposit receipt for the same with the emigrant agent, the purchaser will receive from him a location ticket, in the form annexed.

7. In every case the purchaser must take actual possession of the land purchased, within 30 days after the date of his deposit receipt. He must clear at least five acres of his lot, and build a house thereon; and he must reside at least three months in such house, all within one year from the time of purchase.

8. The house shall not be less than 18 by 20 feet. It may be of logs, of such description as may be put up in four days by five men.

9. If a family comprising several settlers prefer residing on a single lot, they will be exempted from the obligation of building and residence, except upon the lot on which they choose to live. But no family shall hold more than three lots of 100 acres each, and shall make the requisite amount of clearing on each lot they purchase.

10. No grant will be made of land purchased under these regulations until after the expiration of one year from the date of purchase, and not until the foregoing conditions are fulfilled. In case of non-fulfilment, the purchase-money will be forfeited, and the land declared open for re-sale.

11. At the expiration of one year from the date of each purchase, it shall be the duty of the emigrant agent to ascertain, by personal inspection or otherwise, whether the conditions of sale have been fulfilled. If they have not been fulfilled, he will immediately report the same to the Surveyor-general. If they have been fulfilled, he will grant a certificate thereof to the purchaser. Upon production of such certificate to the Surveyor-general, a grant of the land, under the Great Seal, will issue to the purchaser free of expense.

12. Each tract selected for settlement under these regulations will receive a distinguishing name. When one-half thereof is sold to settlers, another tract will be brought forward for sale in the like manner.

13. Land for churches and schools will be reserved in each tract, in convenient situations for the settlers.

14. A road will be made at the public expense, from the nearest highway, to and through each of the tracts selected and set apart under these regulations.

15. The sale of lands under these regulations, in the tracts selected for settlement, is not to interfere with the sale of other vacant Crown lands as at present under the existing regulations.

Form of Application for Purchase of Land at private Sale.

To the Emigrant Agent at

I, the undersigned desire to become the purchaser at private sale of acres of land in your district, thus described:—

[*Description.*]

And I hereby declare that I intend to become an actual settler on such land, and that I will in all respects conform to the "Regulations for facilitating the sale of Crown lands to actual settlers," passed in Council on the 9th day of December, A. D. 1856.

Dated this day of 18

Form of Location Ticket.

PROVINCE OF NEW BRUNSWICK.

THIS is to certify, that has this day paid to the use of Her Majesty, the sum of currency, in full for the purchase money of acres of land in this province, described as follows:

[*Here insert Description.*]

Which said Lot or Parcel of Land has been purchased by the said upon the following Terms and Conditions:—

1. That he the said shall take actual possession of the said acres of land within 30 days from the date hereof.

2. That

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2. That he the said will clear at least five acres of the same, that he will build a house thereon, and will reside in such house not less than three months, all within one year from the date hereof.

3. That the said house shall not be less than 18 by 20 feet, and may be of logs, of such description as may be put up in four days by five men.

4. That no grant of the said land shall be made until after the expiration of one year from the date hereof.

5. That if at the expiration of one year, the foregoing conditions are not fulfilled, the purchase-money above mentioned shall be forfeited, and the land herein described shall be declared open for resale.

6. That if these conditions are fulfilled, the said shall then be entitled, free of expense, to Letters Patent under the Great Seal, granting the said land to him, his heirs and assigns, for ever.

In witness whereof, the emigrant agent for the district in which the said lot or parcel of land is situate, by authority of the "Regulations for facilitating the sale of Crown lands to actual settlers," has hereunto set his hand, this day of in the year of our Lord one thousand eight hundred and

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Enclosure 4, in No. 4.

Encl. 4, in No. 4.

INSTRUCTIONS to Emigrant Agents, passed in Council, 9 December 1856.

1. EACH emigrant agent in New Brunswick will open an office, in some convenient situation, in the district for which he is appointed, and attend therein.

2. At sea ports, the emigrant agent will superintend the arrival of passengers by sea, and perform all the duties of emigration officer, under the provisions of the Imperial Passengers Act. He will protect emigrants against fraud or imposition, and obtain redress for them, when they have sustained oppression or injury.

3. It will be the duty of the emigrant agent to afford gratuitously to emigrants every assistance in his power, by way of advice and information, as to obtaining employment, or as to purchasing land and becoming settlers. He will also furnish information and advice to persons that are making arrangements for bringing over their friends from Europe.

4. The emigrant agent is hereby charged with the duty of carrying out the "Regulations for facilitating the sale of Crown lands to actual settlers," to which he will give special attention. He will be furnished by the Crown Land Department with diagrams of the lots in his district, struck off to him at public auction, as purchaser for the time being. He will dispose of these lots by private sale, at the upset price of 2 *s.* 6 *d.* currency per acre, to intending settlers, in the order of their several applications. He will sell no more than 100 acres, nor less than 50 acres, to any one person.

5. Upon receiving the deposit receipt from a purchaser, he will forward the same to the Surveyor-general, with a description of the lot, or part of a lot, sold.

6. When one-half of a tract selected for settlement shall be sold to settlers, the emigrant agent will, without delay, give notice thereof to the Surveyor-general, in order that another tract may be brought forward for sale.

7. At the expiration of one year from the date of purchase of each lot, it will be the special duty of the emigrant agent to ascertain, by personal inspection or otherwise, whether the conditions of sale have been fulfilled. This duty he will in no case neglect, and he will proceed therein, as directed by the 11th Article of the Regulations above named.

8. The emigrant agent will open a registry of farms and private lands for sale in his district, such registry to contain a description of the property for sale, its situation and price. He will also open a "Labour Registry," in which he will enter the applications of all persons seeking employment, as well as the applications of those who need workmen, servants, or labourers. He will, in addition, collect information as to the amount and description of labour required in his district; he will transmit the same monthly to the Surveyor-general, with a list and description of the farms and private lands for sale in his district, and state their price, with the facilities for reaching them. He will at the same time furnish to the Surveyor-general any other information of interest respecting his district, especially as regards the progress of the settlement, and the erection of churches, school houses, and mills therein.

9. The information received from each emigration agent by the Surveyor-general, will be transmitted by him without delay to all the other emigrant agents, so that every emigrant agent will be in a position to furnish information respecting all parts of the province.

10. Each

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10. Each emigrant agent will receive such annual allowance for his services as may be determined, and he will also be entitled to a commission of five per cent. on the amount of all sales of land effected by him, such allowance and commission to be paid quarterly.

J. Montgomery, Sur. Gen.

Enclosure 5, in No. 4.

Encl. 5, in No. 4.

Crown Land Office, 9 December 1856.

NOTICE is hereby given, that the tracts of land already surveyed and described in the annexed schedule have been selected and set apart for settlement, under the "Regulations for facilitating the sale of Crown lands to actual settlers," passed in Council this day.

All persons are hereby forbid trespassing or intruding upon the said tracts, on any pretence whatever, until the same shall be sold for actual settlement. The several local deputies in whose districts they are situate are hereby directed to report any cases of trespass or intrusion on the same, in order that the parties offending may be prosecuted under the Act of Assembly.

J. Montgomery, Sur. Gen.

SCHEDULE.

County of *Restigouche.*

"Balmoral."—This tract contains 6,800 acres, on the branches of Eel River, about nine miles from the town of Dalhousie. It is divided into 68 lots of 100 acres each; numbers 28 to 45, 56 to 69, and 163 to 198, all inclusive.

Gloucester.

"Medisco."—This tract comprises 4,100 acres in the rear of granted lands fronting on the Bay of Chaleur, at Point Medisco, about nine miles from the town of Bathurst. It consists of 41 lots of 100 acres each; numbers 65 to 71, and 91 to 124, all inclusive.

Northumberland.

"Breadalbane."—This tract contains 10,000 acres, on both sides Dungarvon River (a tributary of the Renous), about 10 miles from M'Laggan's Mills. It is divided into 102 lots; number 2 to 110 inclusive, excepting lots 4, 5, 7, 8, 15, 54, and 55, already located.

Kent.

"Trafalgar."—This tract contains 10,000 acres, on the Maclauchlan Road, leading from Moncton to the Richibucto River. It is divided into 62 lots of 160 acres each; numbers 9 to 20, 23 to 32, and 49 to 77 inclusive, in the south division; and numbers 41 to 44 inclusive, in the middle division, Munro's Survey.

Westmorland.

"Monteagle."—This tract contains 4,500 acres, on the north side of North River, a tributary of the Petitcodiac. It consists of 45 lots of 100 acres each; numbers 51 to 77, 84 to 97, and 105 to 108, all inclusive.

Albert.

"Blackwood."—This tract contains 7,800 acres, in 78 lots of 100 acres each, on the head-waters of the Coverdale River. These lots are in ranges two, three, four, five, and six, in the Mechanics' Settlement; numbers 49 to 64 inclusive, in each range, excluding two lots already located.

St. John.

"Bayfield."—This tract contains 6,000 acres, near the Bay of Fundy, at the mouth of Great Salmon River, about seven miles east of Quaco. It is divided into 60 lots, of 100 acres each, numbers 1 to 60 inclusive.

Queen's and *Charlotte.*

"Clarendon."—This tract consists of 9,000 acres, about 15 miles from the mouth of the Nerepis River, between the Queen's Lake and the South Oromocto Lake, partly in Queen's and partly in Charlotte county. It is divided into 91 lots, intersected by several small lakes. The numbers are 1 to 48 inclusive, south division, excepting lots 12 and 30, already located; and numbers 33, 35, 37, 39, 41, 43, 45, 47, and 49 to 86 inclusive, in the north division, omitting lot 68, now located.

Sunbury.

"Peltoma."—This tract contains 10,000 acres, lying south of the Great Oromocto Lake, with Lake Peltoma in its midst. It is divided into 104 lots, about 100 acres each, in two ranges, numbers 11 to 63 inclusive, in each range, excepting the numbers 13, already located.

York.

"Campbell."—This tract comprises 4,000 acres, divided into 40 lots of 100 acres each, in four ranges, on the River Nackawick, about nine miles from its mouth. The numbers are from 11 to 20 inclusive, in ranges one and two; and numbers 1 to 10 inclusive, in ranges three and four.

Carleton.

"Connell."—This tract contains 6,000 acres, on the head-waters of the River Nackawick, about 10 miles from Woodstock. It is divided into 61 lots, of 100 acres each, numbers 112 to 181 inclusive, excluding lots 113, 126, 127, 128, 154, 156, 160, 178, and 180, already located.

Victoria.

"Tobique."—This tract contains 10,000 acres, lying on both sides the Tobique River. between the Wapskehegan and Gulquack, including the Plaister Rocks. It comprises 131 lots, from 70 to 150 acres, each having a front on the river. The numbers are from 62 to 198 inclusive, excepting lots 163, 164, 166, 168, 170, and 189, already located.

Enclosure 6, in No. 4.

Encl. 6, in No. 4.

INSTRUCTIONS to *M. H. Perley*, Esq., Chief Emigration Agent, for his Guidance on his Arrival in *England.*

ON your arrival in London, you will confer with the Emigration Commissioners as to the best means to be adopted for promoting a healthy emigration to New Brunswick.

You will take the proper steps for establishing an agency in London for the sale, at very low prices, of books, pamphlets, maps, and documents relative to New Brunswick, and for the diffusion of information of every kind respecting the same, provided that this object can be obtained at a moderate cost; and also for establishing similar agencies in some of the principal towns and sea-ports of Great Britain and Ireland, if it can be effected without expense, or at a moderate and limited outlay.

The travelling expenses necessarily incurred by you in the United Kingdom in the performance of the above-mentioned duties will be repaid to you, and you are authorised to expend a sum not exceeding 300*l.* sterling in printing official notices and documents relative to the Province, for gratuitous distribution at the various agencies, in advertising those agencies, and for advertisements generally.

You will place yourself in communication with the owners or agents of passenger ships to New Brunswick, from whatever port in the United Kingdom such vessels may sail, with the view of inducing them to advertise the vessels extensively.

By each mail to Halifax you will report to me the steps you have taken and the progress you are making in the execution of the important duties entrusted to you, and you will abstain from entering into any engagement extending beyond the year 1857.

(signed) *R. D. Wilmot.*

— No. 5. —

No. 5.
Annual Report of the Emigration Agent, New Brunswick.

ANNUAL REPORT of the Emigration Officer, *New Brunswick.*

To His Excellency the Honourable *J. H. T. Manners Sutton*, Lieutenant Governor, &c. &c. &c.

Government Emigration Office,
St. John, 5 January 1857.

May it please your Excellency:

1. I HAVE the honour to submit herewith, the annual abstract of immigration to this province for the year 1856, showing the whole number of immigrants during the year to be 712 souls only. This is a great falling off, being little more than half the immigration of 1855, and less by 2,906 souls than the immigration of 1854.

	Souls.
In 1854	3,618
1855	1,405
1856	712

2. These

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2. These few passengers arrived from the United Kingdom in 24 vessels, four only of which carried sufficient numbers to come under the provisions of the Imperial Passengers Act. In the remaining 20 vessels the passengers were in very small numbers. All the passengers of the year arrived at this port of St. John, and landed in good health. There were only two deaths on the voyage, both children, of croup. About 200 of the passengers had through tickets to the United States, and were at once forwarded to their friends there. Nearly all the others remained in this province.

3. During the early part of the past season there was a limited demand for ordinary labour owing to the depression in the timber trade and ship-building, consequent upon the Russian war. The restoration of peace has given an impetus to both these branches of business; and in the latter part of the year, there was a demand for all descriptions of labour at fair wages.

4. In addition to the labour that will be needed next year in every branch of business, there will be a considerable demand for unskilled labour to be employed in the construction of the two lines of railway now in progress; the one from St. Andrews towards Woodstock, and the other from this city of St. John to Shediac.

5. It may therefore be held out to mechanics, agricultural labourers, male and female domestics, and common labourers in the United Kingdom, that there will be a demand for their services in New Brunswick during the year 1857, at fair wages. Female servants are much in request, and will readily obtain employment throughout the province in almost any number.

6. The recent regulations for facilitating the sale of Crown lands to actual settlers, will enable persons possessing ability to obtain the best land, with access by a good road, at a reasonable price. Persons of moderate means may procure land on the credit system; and those not having the ability to purchase, may obtain land by their labour on the roads. These three modes appear to meet the requirements of all classes of settlers, as they enable every person desirous of actually settling on land, to procure a location on terms to suit his means.

Which is respectfully submitted.

(signed) *M. H. Perley*,
H. M. Emigration Officer for New Brunswick.

Enclosure in No. 5.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick* during the Year ending 31 December 1856.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Adults.		Between 12 Years and 1 Year.		Under 1 Year.		Totals.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending—												
31 March - - -	Nil.	—	—	—	—	—	—	—	—	—	—	—
30 June - - -	9	–	–	116	103	37	37	9	7	162	147	309
30 September - -	7	2	1	129	125	29	25	4	3	162	153	315
31 December - -	8	–	–	41	26	8	7	3	3	52	36	88
Totals - - -	24	2	1	286	254	74	69	16	13	376	336	712

RECAPITULATION.

	M.	F.
Adults - - - - -	286	254
Between 12 Years and 1 Year	74	69
Under 1 Year - - - -	16	13
Totals - - -	376	336

Whole Number,
Seven hundred and twelve souls.

Government Emigration Office,
St. John, New Brunswick,
31 December 1856.

M. H. Perley,
H. M. Emigration Officer for New Brunswick.

Despatches from the Secretary of State.

— No. 6. —

(No. 77.)

No. 6.
Right Hon. H. Labouchere, M.P., to Lieut.-Gov. the Hon. J. H. T. Manners Sutton.
31 December 1856.

COPY of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Lieutenant-Governor the Hon. *J. H. T. Manners Sutton.*

Sir, Downing-street, 31 December 1856.

I HAVE to acknowledge your despatch No. 38,* of the 12th ultimo, enclosing an Address from the House of Assembly, calling your attention to the importance of encouraging immigration into the province.

As this despatch has only just reached me, I defer any farther remarks which I may have to make on this important subject. But in reference to the wish of the House that the expense incurred for this object should be charged on the Civil List Fund, I wish to refer you to my despatches of this day's date on the subject of that fund, and to state that Her Majesty's Government wish to leave you and your advisers at liberty to deal as you may think proper with the fund for this purpose, the primary charges already brought under your notice having been first disposed of.

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

* Page 27.

— No. 7. —

(No. 13.)

No. 7.
Right Hon. H. Labouchere, M. P., to Lieut.-Gov. the Hon. J. H. T. Manners Sutton.
17 February 1857.

COPY of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Lieutenant-Governor the Hon. *J. H. T. Manners Sutton.*

Sir, Downing-street, 17 February 1857.

WITH reference to your despatch No. 38, of the 12th of December last, I transmit for your information the copy of a Report from the Colonial Land and Emigration Commissioners, on the encouragement of immigration into New Brunswick.

7 February 1857.

With respect to the last paragraph of this Report, I have to refer you to my despatch No. 77, of the 31st of December last.

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

Enclosure in No. 7.

Encl. in No. 7.

Sir, Emigration Office, 7 February 1857.

WE have to acknowledge your letter of the 27th ultimo, enclosing a letter from the Foreign Office, with a communication from Mr. Perley, and a despatch from Mr. H. Manners Sutton, on the subject of the encouragement of immigration into New Brunswick.

2. It appears that the House of Assembly at New Brunswick, on the 1st of May last, addressed the Lieutenant-governor, expressing their wish that every facility should be afforded for the encouragement of emigration to that province. In compliance with this wish, the Lieutenant-governor has, with his Executive Council, prepared and now transmits regulations for facilitating the acquisition of land in New Brunswick, and for affording throughout the province information as to the demand for labour, and the lands open for sale under the new system in each district. He has also taken the opportunity of Mr. Perley's coming to this country on business connected with the Fishery Commission, to direct him to establish agencies in this country, for the publication of information connected with New Brunswick, and for stimulating emigration thither.

3. By the new regulations tracts of land, not exceeding 10,000 acres each, are to be set apart in different parts of the province, to be divided into lots of 100 acres; all such lots to be put up to auction, after due notice, at an upset price of 2 *s.* 6 *d.* currency per acre, and those not

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not so disposed of, to be struck off to the emigration agent of the district, to be disposed of by him at private sale, in lots not exceeding 100, nor less than 50 acres. Not more than one lot is to be sold to one purchaser, nor more than three lots to any family; the purchase-money must be paid at once to the local deputy, on the production of whose receipt for the amount, the emigration agent will issue a location ticket to the purchaser. The purchaser must take possession within thirty days of the date of his "deposit receipt" (meaning, as it appears, the receipt for the whole purchase-money,) and must within a year clear five acres, build a house of specified dimensions, and reside in it three months. A family occupying more than one lot may, if they prefer it, reside on one lot only, but must make the requisite amount of clearing on each. At the end of a twelvemonth the emigration agent is to ascertain whether the conditions have been complied with. If they have, he will give a certificate to that effect, on which a grant of the land will be issued to the purchaser; if they have not, he will report that fact to the Surveyor-general.

4. These regulations are not to supersede or interfere with the existing regulations in any but the special tracts to be set apart for settlement.

5. If the Local Government see their way to the enforcement of regulations of this description, we are not aware of any reason for objecting to them. The risk is that, in the course of time, the conditions and restrictions may be gradually relaxed, and the lots become an object to land speculators. But the Local Government may easily prevent such a result, and it will be their interest to do so. The only addition which we would suggest to the regulations, would be to provide for the case of the death of a purchaser before the whole of his settlement duties had been performed. The letter of the regulations would extrude the family under such circumstances, which might involve great hardship. We have no doubt that the Local Government would supply this omission if their attention were called to it.

6. But whether the regulations are likely to promote any extensive emigration to New Brunswick is a point on which, as it appear to us, more question may arise. The Lieutenant-governor states that he attaches more importance to the dissemination throughout the United Kingdom of accurate information respecting the demand for labour and the rates of wages than to facilities for the acquisition of land. In this opinion we entirely concur; and we think, therefore, that the instructions issued to the emigration agents in the colony, and to Mr. Perley in this country, to ensure the publication of accurate reports of the demand for labour and the rate of wages, are likely to be valuable. There can be no question that the bulk of the emigrants who formerly left the United Kingdom for America were actuated, not by the expectation of becoming landowners at an early period or on easy terms, but by the desire to obtain continuous employment at ample wages. Had New Brunswick at that time been able to offer the same advantages as the United States and Canada, it would no doubt have received and retained its share of the emigration. Latterly the course of emigration has very much depended on the direction taken by the friends of emigrants who have preceded them and sent home money; and Canada and the United States now, therefore, possess an advantage which New Brunswick cannot for some years obtain. Nevertheless, if the public works, which we understand to be contemplated in that Province, offer fair wages and continuous employment, there can be no reasonable doubt that a sufficient number of emigrants will be attracted to it. We shall, of course, give every information and assistance in our power to Mr. Perley in carrying out the mission which has been entrusted to him.

7. In conclusion, we have only to call attention to the fact that the House of Assembly, in their resolutions, expressed a wish that the expense incurred in the encouragement of immigration should be defrayed from the surplus civil list fund; and that Mr. Manners Sutton proposes in consequence that a sum of 2,000 *l.* should be appropriated out of that fund to the service. On this part of the subject it would be beyond our province to offer any opinion.

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

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

EMIGRATION (NORTH AMERICAN COLONIES).

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 14, of Session 1 of 1857).

Ordered, by The House of Commons, *to be Printed,*
23 *June* 1857.

125—Sess. 2.

Under 8 *oz.*

380

HUDSON'S BAY COMPANY.

RETURN to an Address of the Honourable The House of Commons, dated 29 May 1857;—*for*,

A "COPY of the LETTER addressed by Mr. Chief Justice *Draper* to Her Majesty's Secretary of State for the Colonies, bearing date the 6th day of May 1857; together with a Copy of the MEMORANDUM therein referred to, relative to the HUDSON'S BAY COMPANY."

Colonial Office,
15 June 1857.

C. FORTESCUE.

COPY of LETTER from Chief Justice *Draper*, C. B., to the Right Honourable *H. Labouchere*, M. P.

Chief Justice Draper, C.B., to Right. Hon. H. Labouchere, M.P. 6 May 1857.

Sir, 33, Spring-gardens, 6 May 1857.

IN the last interview with which you favoured me, I took occasion to advert to the question of boundary between Canada and the Hudson's Bay territory, as one which required to be settled, as a necessary preliminary to many other very important inquiries involved in the matters submitted to a Committee of the last House of Commons, and as I understand to be again submitted to the new Parliament.

I alluded to the difference between the views of the Hudson's Bay Company as expressed in former times, and those which are now and have been within the last 40 years advanced by them on this point, and I stated my readiness to submit a memorandum to you in relation thereto, which you were pleased to signify your readiness to receive and consider.

That memorandum I have the honour to enclose. As the construction of the language of the charter, and the extent of the territory purporting to be granted are involved, it may be considered desirable that the matter should be referred to the Judicial Committee of the Privy Council. In this event, I venture to request that counsel on the part of the Province may be permitted to attend to watch the argument, and, if it be deemed necessary, that they may be heard in support of those views which more immediately affect the interests of Canada.

I have suggested a reference to the Judicial Committee, because I think its opinion would command the ready acquiescence of the inhabitants of Canada as to their legal right, and because I believe they entertain a very strong opinion that a considerable portion of the territory occupied or claimed by the Hudson's Bay Company will be found to lie within the proper limits of that Province.

Whether it would be desirable to sever this from the more general question of the legality and validity of the charter, is a matter that I should desire to leave for your consideration; but in any event, I think it expedient that counsel should be permitted to attend to watch the interests of the Province.

I have, &c.
(signed) *Wm. H. Draper.*

Enclosure.

Enclosure.

It is not proposed at present to discuss the validity of the charter of the Hudson's Bay Company; a careful perusal of it will suggest many doubts whether it be not altogether void; but, assuming that it may be sustainable for every or for any of the purposes for which it was intended, and, for the moment, conceding that the indefinite description of the territory purporting to be granted does not vitiate the grant, there is a question as to the limits of that territory in which the province of Canada is deeply interested.

The parts of the charter bearing on this question are as follow: 1. "All the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid" (stated in a preceding part to be those which lie "within the entrance of the straits commonly called Hudson's Straits," in whatsoever latitude such bays, &c. should be) "that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian prince or state, with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes in the seas, bays, inlets, and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid, and all mines royal, as well discovered as not discovered, of gold, silver, gems, and precious stones to be found or discovered within the territories, limits, and places aforesaid; and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America called Rupert's Land: And further, we do, by these presents, for us, our heirs, and successors, make, create, and constitute the said Governor and Company for the time being, and their successors, the true and absolute lords and proprietors of the same territory, limits, and places aforesaid, and of all other the premises hereby granted as aforesaid, with their and every of their rights, members, jurisdictions, prerogatives, royalties, and appurtenances whatsoever, to them the said Governor and Company and their successors for ever, to be holden of us, our heirs, and successors, as of our manor of East Greenwich, in our county of Kent, in free and common soccage."

And 2. "And furthermore, we do grant unto the said Governor and Company, and their successors, that they and their successors, and their factors, servants, and agents, for them and on their behalf, and not otherwise, shall for ever hereafter have, use, and enjoy not only the whole, entire, and only trade and traffic, and the whole, entire, and only liberty, use, and privilege of trading and trafficking to and from the territory, limits, and places aforesaid, but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes, and seas into which they shall find entrance or passage by water or land out of the territories, limits, or places aforesaid, and to and with all the natives and people inhabiting within the territories, limits, and places aforesaid, and to and with all other nations inhabiting any of the coasts adjacent to the said territories, limits, and places which are not granted to any of our subjects."

Prior to this charter, there was little or nothing done within Hudson's Bay in the way of taking any actual possession of the territory granted. The bay had been discovered; several ships from time to time had entered it, and probably some interchange of commodities with the Indians had taken place while the vessels remained within the straits; but nothing whatever was known of the interior. Charles the Second claimed, for it was no more than a claim, all the territory which the discovery of the straits and bay could confer on the British Crown. The French Crown, in like manner, had claimed, by reason of their actual settlement of Canada, and of their progressive discoveries and trade, not only all the western territory, including that now in dispute, but even the Bay of the North, and thence to the Pole; but neither French nor English had, in 1670, actually penetrated, so far as appears, within many hundred miles of the Red River.

The settlements made by the Hudson's Bay Company were at first confined to those on the shores of James' Bay, and at the Churchill and Haye's Rivers. Henley House, which is about 150 miles up the Albany River, was not erected before the year 1740. The Company afterwards erected Fort Nelson, which is laid down on the maps at about 200 or 230 miles from the mouth of Churchill River, and the fort at Split Lake, which is represented as about 140 miles from the mouth of the Nelson River. It is believed that these two last-named forts are of comparatively modern erection; but that, at all events, for more than a century after the date of the charter, these, together with the forts on or near the shores of the bays, were the only settled posts of the Hudson's Bay Company.

This throws some light upon the view which the Company practically adopted of the extent of their territories.

In many written documents they treat Hudson's Straits and Bay as the governing and principal matter in reference to, or for the purpose of securing which, the grant of territory was made to them.

In a petition addressed by the Hudson's Bay Company to Charles the Second in 1682, they say that his Majesty was graciously pleased to incorporate them, and to grant to them for ever all the said bay and the straits leading thereunto called Hudson's Straits, with all the lands and territories, rivers, and islands in and about the said bay, and the sole trade and commerce there: and referring to a letter of Mons. De la Barre, the Governor of Canada, threatening to drive them out, they observe, they doubt not but that by the King's Royal authority and protection they will be enabled to defend his undoubted right and their own, within the bay "wherein never any nation but the subjects of your Imperial Crown has made discoveries or had any commerce."

In a letter dated 25 January 1796-7 they urge, "whenever there be a treaty of peace between the Crowns of England and France, that the French may not travel or drive any trade beyond the midway betwixt Canada and Albany Fort, which we reckon to be within the bounds of our charter."

In 1698, in a letter written by their deputy-governor to the Lords Commissioners of Trade, they repeat the same desire.

In a memorial, dated in June 1699, they represent the charter as constituting them the true and absolute proprietors of Hudson's Bay, and of all the territories, limits, and places thereto belonging. They further set forth the attacks made in 1682 and 1686 by the French from Canada, and their applications for redress, and the declaration made by James the Second that he, upon the whole matter, did conceive the said Company well founded in their demands, and therefore did insist upon his own right and the right of his subjects to the whole Bay and Straits of Hudson, and to the sole trade thereof; and they pray the then king, William the Third, to insist upon the inherent right of the Crown of England, and the property of his subjects, not to be alienated, that so considerable a trade might not be lost, and the Hudson's Bay Company "be left the only mourners" in the peace of Ryswick.

At this time all their forts but one (Albany Fort) had been taken by the French, some of them, indeed, while the two Crowns were at peace; an act of aggression specially referred to by his Majesty in the declaration of war in 1689.

In January 1700, being called upon by the Lords of Trade and Plantations, they offered proposals for limits between them and the French in Hudson's Bay, insisting, at the same time, upon their undoubted right "to the whole Bay and Streights of Hudson." The proposed limits were to confine the French from trading, or building any house, factory, or fort to the northward of Albany River, situate in about 53° of north latitude on the west main coast, or to the northward of Rupert's River on the east main or coast of the bay; binding themselves not to trade, or build any house, factory, or fort to the southward of these two rivers, "on any ground belonging to the Hudson's Bay Company." They urged that these limits should be settled, stating that, if the French refused, they must insist upon their prior and undoubted right to the whole Bay and Straits of Hudson, which, they observed, the French never yet would strictly dispute or suffer to be examined into, though the first step of the eighth article of the treaty of Ryswick directs the doing of it. These limits would have given the French access to the bay by the Moose River.

The French ambassador did, however, in March 1698-9, set forth the claims of his sovereign in a long answer to the English memorial; among other things observing, that the different authors who have written about Canada, or New France, gave it no limits northwards; and that it appeared, by all the grants or letters of corporation made at several times by the kings of France to the companies settled in New France, and particularly in 1628, that all the Bay of the North is comprehended in the limits mentioned by the said grants.*

He also further suggested, that if the English had had any knowledge of the bay, or any claim thereto, they would not have failed to have insisted on it, and expressly to mention it in the treaty of 1632 (that of St. Germain en Laye), when they restored to the French, New France.. Admitting that the French neither then, nor for a long time afterwards, had any forts on the coasts of the bay, he explains it by saying that being masters of the inland country, the savages, with whom they had a continual trade, brought their furs over lakes and rivers.

In April 1714, the Hudson's Bay Company thank the Queen, "for the great care your Majesty has taken for them by the treaty of Utrecht, whereby the French are obliged to restore the whole Bay and Streights of Hudson, the undoubted right of the Crown of Great Britain."

In August 1714, in reference to the same treaty, the Hudson's Bay Company proposed that the limits between the English and French on the coast of Labrador, should commence from the island called Grimmington's Island, or Cape Perdrix, in the latitude of 58 ½ N., which they desire may be the boundary between the French and English on the coast of Labrador, and that a line be drawn south-westerly, to pass through the centre of Lake Mistassinnee, and from that lake a line to run south-westward into 49° north latitude, and that such latitude be the limit; that the French do not come to the north, nor the English to the south of it.

In another paper of about the same period, they give the following account of the motives which induced the formation of the Company: "It was, therefore, after the happy restoration of King Charles the Second, that trade and commerce began to revive, and in particular that some noblemen and other public-spirited Englishmen, not unmindful of the discovery and right of the Crown to those parts in America, designed at their own charge to adventure the establishing of a regular and constant trade to Hudson's Bay, and to settle forts and factories there, whereby to invite the Indian nations (who lived like savages many hundred leagues up in the country) down to their factories."

In

* L'Escarbot describes Canada at the period of the appointment of De la Roche in 1598, thus—"Ainsi notre Nouvelle France a pour limites du côte d'ouest les terres jusqu'à la Mer Pacifique au-dela du Tropique du Cancer; au midi les îles de la Mer Atlantique du côte de Cuba et l'île Espagnole; au levant la Mer du Nord qui baigne la Nouvelle France; et au septentrion cette terre qui est dite inconnue vers la Mer Glacée jusqu'à la Pole Arctique."

In August 1719 the Hudson's Bay Company acknowledged the surrender by the French of the straits and bay, in such manner that they had nothing to object or desire further on that head. But they urged the settlement of the limits between the English and French territories without delay, since the French subsequently to the conclusion of the peace (in 1715) made a settlement at the head of Albany River, upon which the Company's principal factory was settled, whereby they interrupted the Indian trade from coming to the Company's factories. It was therefore proposed and desired, "that a boundary or dividend line may be drawn so as to exclude the French from coming anywhere to the northward of the latitude of 49°, except on the coast of Labrador; unless this be done, the Company's factories at the bottom of Hudson's Bay cannot be secure, or their trade preserved."

In all the foregoing documents it will be observed, that whether upon the peace of Ryswick, when English affairs looked gloomy and those of France were in the ascendant, or after the treaty of Utrecht, when the power of France was broken, the Hudson's Bay Company sought to have the boundary between the territories they claimed and those forming part of Canada settled by some defined and positive line, which was to be the result of negotiation, not then pretending that there was anything in their charter which gave them a rule by which they could insist that the extent of their territories to the southward should be ascertained.

Even in October 1750 they entertained the same views, while at that time they were pushing their pretensions both to the northward and westward to the utmost limits. They state that the limits of the lands and countries lying round the bay, comprised as they conceived within their grant, were as follow: All the land lying on the east side or coast of the said bay eastward to the Atlantic Ocean and Davis' Straits, and the line hereafter mentioned as the east and south-eastward boundaries of the said Company's territories; and towards the north all "the lands that lie on the north end, or on the north side or coast of the said bay, and extending from the bay northwards to the utmost limits of the lands there towards the North Pole, but where or how these lands terminate is at present unknown; and towards the west, all the lands that lie on the west side or coast of the said bay, and extending from the bay westward to the utmost limits of those lands, but where or how those lands terminate to the westward is also unknown, though probably it will be found they terminate on the Great South Sea; and towards the south, all the lands that lie on the south end, or south side or coast of the said bay, the extent of which lands to the south to be limited and divided from the places appertaining to the French in those parts by a line," &c.; describing the line from Cape Perdrix to the 49th parallel, and along that parallel westward, as in their proposal of August 1719, excepting that they state the starting point to be in latitude 59½ N. They add, with regard to this boundary, that "to avoid as much as possible any just grounds for differing with the French in agreeing on those boundaries which lie nearest their settlements, it is laid down so as to leave the French in possession of as much or more land than they can make any just pretensions to, and at the same time leaves your memorialists but a very small district of land from the south end of the said bay, necessary for a frontier." It is worthy of remark, that this line would have given to France the southerly portion of the Lake of the Woods,—Rainy River and Rainy Lake, which are now claimed as within the territories of the Hudson's Bay Company.

The foregoing extracts are deemed sufficient to establish that the Company considered their territorial rights in reference to their connexion with and proximity to Hudson's Bay itself, where they had planted their factories and desired to attract the Indian trade. They certainly show that neither after the treaty of Ryswick nor that of Utrecht, when they stated the boundaries they were either willing to submit to or were desirous of obtaining, nor yet in 1750, when they set forth what they thought themselves entitled to claim under their charter, did they ever think of asserting a right to all the countries the waters of which flow into Hudson's Bay. Their claims to lands lying both northward and westward of the Bay, are entirely at variance with any such idea. Sir J. Pelly, before a Committee of the House of Commons, in March 1837, seems to have adhered to the views expressed in 1750, when he said "the power of the Company extends all the way from the boundaries of Upper and Lower Canada away to the North Pole, as far as the land goes; and from the Labrador coast all the way to the Pacific Ocean;" though he afterwards explains that the Company claimed in fee simple all the lands the waters from which ran into Hudson's Bay.

It is submitted that if this latter claim were well founded, the further grant in the charter of exclusive trade beyond the limits of the territories granted in fee simple, would give colour to the assertion of the "power" of the Company extending to the Pacific; assuming that the word "power" was used to designate the exclusive right of trade, and not the ownership of the territory. For if the charter gives the fee simple of the lands to the Rocky Mountains, the Pacific is a "Sea," and Fraser's and M'Kenzie's are "Rivers," into which "entry or passage by water or land out of the territories" actually granted may be found; though in such case the application for a license for the exclusive trade would, if the charter be in this respect valid, have been unnecessary.

The French Government it appears would not agree to the proposal which would have limited them to the 49th parallel. Colonel Bladen, one of the British Commissioners under the treaty of Utrecht, wrote from Paris in November 1719, in reference thereto, "I already foresee some difficulty in the execution of this affair, there being, at least, the difference of two degrees between the best French maps and that which the Company delivered us." No settlement of the boundary could be arrived at.

If the later claim of territorial limits had been advanced during this negotiation, there can be

be no doubt it would have been resisted even more strenuously than the effort to make the 49th parallel the boundary was, not merely by contending that the territory so claimed formed part of Canada, and had been treated as such by the French long before 1670, but also that the French king had exercised an act of disposition of them, of the same nature as that under which the Hudson's Company claim, by making them the subject of a charter to a company under the Sieur de Caen's name; and after the dissolution of that Company, had in 1627 organised a new company, to which he conceded the entire country called Canada; and this was before the treaty of St. Germain en Laye, by which the English restored Canada to the French. In 1663 this company surrendered their charter, and the king, by an edict of March in that year, established a council for the administration of affairs in the colony, and nominated a governor. And about 1665, Monsieur Talon, the intendant of Canada, despatched parties to penetrate into and explore the country to the west and north-west; and in 1671 he reported from Quebec that the "Sieur de Lusson is returned, after having advanced as far as 500 leagues from here, and planted the cross, and set up the king's arms, in presence of 17 Indian nations assembled on the occasion from all parts, all of whom voluntarily submitted themselves to the dominion of his Majesty, whom alone they regard as their sovereign protector."

The French kept continually advancing forts and trading posts in the country which they claimed to be part of Canada, not merely up the Saguenay River, towards James' Bay, but towards and into the territory now in question, in parts and places to which the Hudson's Bay Company had not penetrated when Canada was ceded to Great Britain in 1763, nor for many years afterwards.* They had posts at Lake St. Anne, called by the older geographers Aleminipigou, at the Lake of the Woods, Lake Winnipeg, and two, it is believed, on the Saskatchewan, which are referred to by Sir Alexander M'Kenzie in his account of his discoveries.

Enough, it is hoped, has been stated to show that the limits of the Hudson's Bay Company's territory are as open to question now as they have ever been, and that when called upon to define them in the last century, they did not advance the claim now set up by them; and that even when they were defining the boundary which they desired to obtain under the treaty of Utrecht, at a period most favourable for them, they designated one inconsistent with their present pretensions, and which, if it had been accepted by France, would have left no trifling portion of the territory as part of the Province of Canada.

So far as has been ascertained, the claim to all the country the waters of which ran into Hudson's Bay, was not advanced until the time that the Company took the opinions of the late Sir Samuel Romilly, Messrs. Cruise, Holroyd, Scarlett, and Bell. Without presuming in the slighest degree to question the high authority of the eminent men above named, it may be observed that Sir Arthur Pigott, Serjeant Spankie, Sir Vicary Gibbs, Mr. Bearcroft, and Mr. (now Lord) Brougham, took a widely different view of the legal validity of the charter, as well as regards the indefinite nature of the territorial grant, as in other important particulars.

Of the very serious bearing of this question on the interests of Canada, there can be no doubt.

By the Act of 1774, the Province of Quebec is to "extend westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the merchants adventurers of England trading to Hudson's Bay."

And in the division of the Provinces under the statute of 1791, the line was declared to run due north from Lake Temiscamang "to the boundary line of Hudson's Bay;" and the Upper Province is declared to consist "of or include all that part of Canada lying to the westward and southward of the said line."

The union of the Provinces has given to Canada the boundaries which the two separate Provinces of Upper and Lower Canada had; the northern boundary being the territory granted to the Hudson's Bay Company.

It is now becoming of infinite importance to the Province of Canada to know accurately where that boundary is. Plans for internal communication, connected with schemes for agricultural settlements, and for opening new fields of commercial enterprise, are all more or less dependent upon or affected by this question; and it is to Her Majesty's Government alone that the people of Canada can look for a solution of it. The rights of the Hudson's Bay Company, whatever they may be, are derived from the Crown; the Province of Canada has its boundaries assigned by the same authority; and now that it appears to be indispensable that those boundaries should be settled, and the true limits of Canada ascertained, it is to Her Majesty's Government that the Province appeals to take such steps as in its wisdom are deemed fitting or necessary to have this important question set at rest.

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* In the evidence given by the Honourable Wm. M'Gillivray, on one of the North-west trials at York (now Toronto), in 1818, he stated that there were no Hudson's Bay traders established in the Indian country about Lake Winnipeg or the Red River for eight or nine years after he had been used (as a partner in the North-west Company) to trade in that country.

HUDSON'S BAY COMPANY.

COPY of the LETTER addressed by Mr. Chief Justice *Draper* to Her Majesty's Secretary of State for the Colonies, bearing date the 6th day of May 1857, together with a Copy of the MEMORANDUM therein referred to, relative to the HUDSON'S BAY COMPANY.

(*Mr. Labouchere.*)

Ordered, by The House of Commons, *to be Printed,*
16 *June* 1857.

104—Sess. 2.

Under 1 *oz.*

386

VANCOUVER'S ISLAND.

RETURN to an Address of the Honourable The House of Commons, dated 25 June 1857;—*for*,

"COPIES or EXTRACTS of any DESPATCHES that have been received by Her Majesty's Secretary of State for the Colonies, on the subject of the Establishment of a REPRESENTATIVE ASSEMBLY at *Vancouver's Island*."

Colonial Office,
28 July 1857.

C. FORTESCUE.

(*Mr. Secretary Labouchere.*)

Ordered, by The House of Commons, *to be Printed*,
3 *August* 1857.

SCHEDULE.

DESPATCHES FROM THE RIGHT HON. H. LABOUCHERE, M.P.

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3	21 Oct. 1856 No. 18.	Acknowledging his Despatch of the 22d July, enclosing Minutes of Council, and Copy of Proclamation convening Assemblies of Freeholders in the Island - - - - - - -	5
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DESPATCHES FROM GOVERNOR DOUGLAS.

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10	20 Aug. 1856 No. 19. (Extract.)	Reporting the Opening of the House of Assembly on 12th August. Enclosing his Address on the Occasion. Election of a Speaker, and Petitions against the Return of certain Members - - - - - - - - - - - - -	10
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Copies or Extracts of any Despatches that have been received by Her Majesty's Secretary of State for the Colonies, on the subject of the establishment of a Representative Assembly at *Vancouver's Island*.

Despatches from the Right Hon. H. Labouchere, M. P., Secretary of State.

— No. 1. —

(No. 5.)

No. 1.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 28 Feb. 1856.

Copy of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Governor *Douglas*.

Sir, Downing-street, 28 February 1856.

By the Commission and Instructions which your predecessor, Governor Blanchard received when the colony of Vancouver's Island was first founded, he was directed to summon General Assemblies of freeholders, qualified by the ownership of 20 acres of land, and with their advice and that of his Council, to make laws and ordinances for the good government of the island.

2. I am aware that the same Commission contains another clause, professing to empower the Governor to make such laws with the advice of his Council only. Perhaps this was introduced with the view of creating a legislature to meet the immediate wants of the community before Assemblies could be summoned. But I am convinced, as well by the general tenor of the documents themselves as by the information which I have been able to obtain of the intention of Her Majesty's Government in framing them, that it was then contemplated that such Assemblies should be summoned as soon as it should be practicable to do so.

3. Causes over which the local Government had no control, and which are too well known to need recapitulation, have hitherto prevented the settlement from acquiring that development which its founders may have expected. Considering the small number of established colonists, you thought it advisable to act on the power apparently given to yourself to conduct the affairs of the island with the advice of your Council only, and to pass certain laws which you considered most required by the exigencies of the time. In doing so, you proceeded on a fair understanding of the authority conveyed to you, and Her Majesty's Government are fully satisfied with the course which you took.

4. Nevertheless, it has been doubted by authorities conversant in the principles of colonial law, whether the Crown can legally convey authority to make laws in a settlement founded by Englishmen, even for a temporary and special purpose, to any legislature not elected wholly, or in part, by the settlers themselves. If this be the case, the clause in your Commission on which you relied would appear to be unwarranted and invalid.

5. It appears to Her Majesty's Government, therefore, that steps should be taken at once for the establishment of the only legislature authorised by the present constitution of the island. I have, accordingly, to instruct you to call together an Assembly in the terms of your Commission and Instructions.

6. For this purpose it will be within your power, as provided by the ninth clause of your Instructions, to fix the number of representatives, and, if you should consider it essential, to divide the colony into districts, and to establish separate polling places, although with so small a number of settlers you may find this inexpedient.

7. I leave

7. I leave it to your local knowledge and discretion, with the advice of your Council, to suggest to the Assembly, when thus summoned, to pass such measures as you may yourself deem most required, and in particular, such as may be necessary, in order to leave no doubt of the validity of proceedings already taken without the authority of an Assembly.

8. But it appears to me, that in a community containing so very limited a number of inhabitants, the maintenance of a constitution on the model of those considerable colonies, with a House of Representatives and a Council, may be inexpedient: and that a smaller and more select body will, for the present, and probably for some years to come, perform in a satisfactory manner the functions really required in the present stage of progress of the island.

9. Such a body, however, can be constituted only by enactment of the Legislature, authorised by the Commission, that is to say, of the Assembly and Council, together with yourself. It would be no unusual circumstance for a legislature thus constituted to surrender its powers into the hands of a single chamber. It has been successfully done in some of the smaller West India Islands.

10. I leave it to yourself to consider, with the advice of the local authorities, the numbers and proper qualification of the members of such a single Council; but in the event of your determining to introduce the elective principle into it, a certain proportion, not less than one-third, should be nominated by the Crown. The power of assenting to, or negativing, or suspending, for the assent of the Crown, the measures passed by such a Council, should be distinctly reserved to yourself. And it is very essential that a constitutional law of this description should contain a proviso, reserving the initiation of all money votes to the local Government.

11. An additional reason in favour of the course which I now prescribe (namely, that of calling together the Assembly, and then, if the Legislature so created think proper, establishing a simpler form of government) is to be found in the circumstance that the relations of the Hudson's Bay Company with the Crown must necessarily undergo revision before or in the year 1859. The position and future government of Vancouver's Island will then unavoidably pass under review, and if any difficulty should be experienced in carrying into execution any present instructions, a convenient opportunity will be afforded for reconsidering them.

12. I am aware that Her Majesty's Government are imposing on you a task of some difficulty as well as responsibility in giving you these instructions, especially as they have to be carried into execution with so small an amount of assistance as the present circumstances of your settlement afford. But I have every reason to rely on your abilities and public spirit; and you may, on your part, rely on the continuance of such assistance and support as Her Majesty's Government can render you, and on their making full allowance for the peculiarities of your position.

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

— No. 2. —

(No. 16.)

No. 2.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 23 Aug. 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor *Douglas*.

Sir, Downing-street, 23 August 1856.

I HAVE to acknowledge the receipt of your despatches, Nos. 12 and 14,* of the 22d of May and the 7th of June last.

* Pages 6, 7.

I am very sensible of the responsibility imposed upon you by my despatch of the 28th of February last, instructing you to convoke a Legislative Assembly, but I am satisfied from your language, that you are fully prepared to encounter that responsibility, and to take the necessary steps.

With

With respect to the franchise, you have, I do not doubt, very good reason for considering that it is too much restricted by the terms of your Commission. It seems to me, however, that the best course will be not for the present to alter the Commission; but that you should act on it in the first instance, and bring upon the Assembly convoked with it, a measure for extending the suffrage in the manner which you propose.

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

— No. 3. —

(No. 18.)

No. 3.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 21 Oct. 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor *Douglas*.

Sir, Downing-street, 21 October 1856.

I HAVE to acknowledge the receipt of your despatch dated 22d July,* No. 15, enclosing minutes of the proceedings in the Council of Vancouver's Island, on the 4th and 9th of June last, together with the copy of a Proclamation convening Assemblies of freeholders, and remarking generally on the state of the colony.

* Page 7.

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

— No. 4. —

(No. 19.)

No. 4.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 10 Nov. 1856.

EXTRACT of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor *Douglas*; dated Downing-street, 10 November 1856.

I HAVE to acknowledge the receipt of your despatch, No. 19,† of the 20th of August.

† Page 10.

I have read with satisfaction the speech with which you opened the Session of the Legislature on the 12th August. With respect to the difficulty you experience in constituting a committee to inquire into the validity of the disputed elections; it is probable that that difficulty will have been removed before the receipt of this despatch.

I shall, therefore, await your further report upon the subject.

— No. 5. —

(No. 4.)

No. 5.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 24 Jan. 1857.

COPY of DESPATCH from the Right. Honourable *H. Labouchere*, M.P., to Governor *Douglas*.

Sir, Downing-street, 24 January 1857.

I HAVE to acknowledge your despatch, No. 30,‡ of the 31st October last, reporting the proceedings of the House of Assembly of Vancouver's Island.

‡ Page 12.

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

— No. 6. —

(No. 6.)

No. 6.
Right Hon. H. Labouchere, M. P., to Governor Douglas, 24 Mar. 1857.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor *Douglas*.

Sir, Downing-street, 24 March 1857.

* Page 12.

I HAVE to acknowledge your despatch, No. 2,* of the 9th January, reporting the proceedings of the House of Assembly of Vancouver's Island, from the 13th of November to the 18th of December 1856.

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

Despatches from Governor Douglas.

— No. 7 —

(No. 12.)

No. 7.
Governor Douglas to Right Hon. H. Labouchere, M. P., 22 May 1856.

EXTRACT of DESPATCH from Governor *Douglas* to the Right Hononourable *H. Labouchere*, M. P.; dated Victoria, Vancouver's Island, 22 May 1856.

(Received, 12 August 1856.)

(Answered, No. 16, 23 August 1856, page 4.)

* Page 3.

I HAVE the honour to acknowledge the receipt of your despatch No. 5,* of the 28 February last with its enclosures.

It is, I confess, not without a feeling of dismay that I contemplate the nature and amount of labour and responsibility which will be imposed upon me, in the process of carrying out the instructions conveyed in your despatch. Possessing a very slender knowledge of legislation, without legal advice or intelligent assistance of any kind, I approach the subject with diffidence; feeling, however, all the encouragement which the kindly-promised assistance and support of Her Majesty's Government is calculated to inspire.

Under those circumstances, I beg to assure you that every exertion on my part shall be made, to give effect to your said instructions, at as early a period as possible.

I have not had time since the arrival of your despatch, to consider the subjects treated therein as thoroughly as their importance requires; and therefore have not arrived at any definite conclusion, as to the precise plan for carrying your instructions into effect. I will, however, take the liberty of addressing you again on the subject. I observe that the terms of my Commission only empower me "to summon and call general assemblies of the inhabitants owning 20 or more acres of freehold land within the said island," apparently restricting the elective franchise to the holders of 20 acres of land and upwards, to the exclusion of holders of houses and other descriptions of town property, a class more numerous than the former. I am utterly averse to universal suffrage, or making population the basis of representation; but I think it expedient to extend the franchise to all persons holding a fixed property stake, whether houses or lands in the colony; the whole of that class having interests to serve, and a distinct motive for seeking to improve the moral and material condition of the colony.

With those remarks, I would here take the liberty of enquiring, if it is the desire of Her Majesty's Government to restrict the elective franchise to the holders of 20 acres of land or upwards, or to give the representation a more extended basis.

The mail is on the point of leaving, and I am therefore compelled to bring my remarks thus abruptly to a close.

— No. 8. —

(No. 14.)

No. 8.
Governor Douglas to Right Hon. H. Labouchere, M. P., 7 June 1856.

EXTRACT of DESPATCH from Governor *Douglas* to the Right Honourable *H. Labouchere*, M. P.; dated Victoria, Vancouver's Island, 7 June 1856.

(Received, 12 August 1859.)

Answered, No. 16, 23 August 1856, page 4.)

SINCE I had the honour of addressing you on the 22d May last,* I have held a meeting of Council for the purpose of taking into consideration the instructions contained in your despatch No. 5, respecting the summoning of Assemblies of the freeholders of this colony. I read to Council a draft of the proclamation which I intend to issue for convening the Assembly; proposed that the island should be divided into four electoral districts, and should return seven members; and that the property qualification of members should be freehold estate of the value and not lower than 300 *l.* sterling. The property qualification of voters to be according to the terms of Her Majesty's Commission, 20 acres or upwards of freehold land.

The Council adjourned without coming to any decision till to-morrow, for the better consideration of the subjects laid before them.

The proclamation for convening the freeholders will probably be issued in the course of this week, and the Assembly will probably meet about the first week in August.

There will be a difficulty in finding properly qualified representatives; and I fear that our early attempts at legislation will make a sorry figure; though at all events, they will have the effect you contemplate, of removing all doubts as to the validity of our local enactments.

* Page 6.

— No. 9. —

(No. 15.)

No. 9.
Governor Douglas to Right Hon. H. Labouchere, M. P., 22 July 1856.

EXTRACT of DESPATCH from Governor *Douglas*, to the Right Honourable *H. Labouchere*, M. P.; dated Victoria, Vancouver's Island, 22 July 1856.

(Received, 14 October 1856.)

(Answered, No. 18, 21 October 1856, page 5.)

I HAVE the honour of enclosing herewith minutes of the proceedings in the Council of Vancouver's Island, on the 4th and 9th of June last. I stated in my communication of the 7th of June, † the subjects which had been laid before the Council on the 4th of that month. The propositions in respect to the convening and constitution of the Assembly, were approved and passed without alteration at the meeting of the 9th of June.

In order to suit the circumstances of the colony, the property qualification of members was limited to the ownership of 300 *l.* of freehold estate, or upwards. To have fixed upon a higher standard of qualification, would have disqualified all the present representatives, leaving no disposable persons to replace them, and it appeared to me impolitic, as well as unconstitutional, to dispense altogether with the property qualification.

You will observe by the said minutes, that absentee proprietors of freehold estates are allowed to vote through their resident agents or attorneys, after the example of British Guiana.

The division of the settlements into four electoral districts, admits of a more equal representation, and has given more general satisfaction to the colonists, than a single poll opened in any one district.

The electors are so few in number, that the returns were mere nominations in all the districts with the exception of Victoria, where the contest was stoutly maintained by no fewer than five rival candidates.

The elections are now over, and the Assembly is convened for the 12th day of August.

† Supra.

Encl. 1, in No. 9.

Enclosure 1, in No. 9.

WHEREAS it having pleased Her most Gracious Majesty, our Lady the Queen, in a commission under the Great Seal of the United Kingdom of Great Britain and Ireland; constituting me, James Douglas, Governor of Vancouver's Island aud its dependencies, to authorise, empower, and command me in the manner and terms following; to wit,

We do hereby give and grant unto you full power and authority, with the advice and consent of our said Council, from time to time as need shall require, to summon and call general assemblies of the inhabitants, owning 20 or more acres of freehold land, within the said island and its dependencies under your Government, in such manner and form, and according to such powers, instructions, and authorities as shall be at any time hereafter granted or appointed under our sign manual and signet, or by our order in our Privy Council, or by us, through one of our principal Secretaries of State, and our will and pleasure is, that the persons thereupon duly elected by the major part of the said freeholders, and so returned, shall, before their sitting, take the oath of allegiance; which oath you shall commission fit persons under the public seal of our said island and its dependencies, to tender and administer unto them, and until the same shall be so taken, no person shall be capable of sitting, though elected.

And we do hereby declare, that the persons so elected and qualified, shall be called and deemed the General Assemby of our said island of Vancouver.

And whereas, Her most Gracious Majesty, having further in her aforesaid instructions in that behalf, commanded and authorised me in the terms and manner following, viz.:—

You are therefore for the purpose of electing the members of such assemblies, hereby authorised to issue a proclamation, declaring the number of representatives to be chosen by such freeholders, to serve in the said General Assembly, and if you should see fit, dividing our said island and its dependencies into districts or counties, towns or townships, and declaring the number of representatives to be chosen by each of such districts or counties, towns or townships respectively.

And you are hereby authorised and empowered to nominate and appoint proper persons to execute the office of returning officer in the said island, or in such districts or counties, towns or townships respectively; and you are, as soon as you shall see expedient, to issue writs in our name, directed to the proper officers in the said island, or the proper officers in such districts or counties, towns or townships respectively, directing them to summon the aforesaid freeholders to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions to be signified in the proclamation to be issued by you as aforesaid.

Now let it be known unto all Her Majesty's loving subjects of Vancouver's Island, and its dependencies, that I, James Douglas, Governor of the said island and its dependencies, with the advice and consent of the Council, have issued out writs in due form and according to law, calling a general assembly of the freeholders aforesaid of Vancouver's Island and its dependencies, for the purpose of electing members to serve in the said General Assemby, which writs are to be returnable on Monday the 4th day of August next, and that the said election shall be held at the several precincts hereinafter appointed and named.

And also, that the said freeholders shall thereupon proceed to elect seven fit and discreet persons to serve in the said General Assembly.

And also, that we have divided the said island and its dependencies into districts, as follows; to wit,

District of Victoria.	District of Nanaimo.
District of Esquimalt and Metchosen.	District of Soke.

And also, that the number of representatives shall be as follows; to wit,

District of Victoria - - - - - -	3 members.
District of Esquimalt and Metchosen - - -	2 members.
District of Nanaimo - - - - - -	1 member.
District of Soke - - - - - - -	1 member.

And also, that we have hereby constituted and appointed the following persons returning officers for the aforesaid districts; to wit,

Andrew Muir - - - -	Victoria District.
Herbert W. O. Margary - -	Esquimalt and Metchosen District.
Charles E. Stuart - - -	Nanaimo District.
John Muir, jun. - - -	Soke District.

And

And also, that the said returning officers shall be directed to give due and proper notice of the place and time at which the poll is to be taken in each of such districts respectively.

Given under my hand and seal, at Government House, Victoria, this 16th day of June, in the Year of our Lord one thousand eight hundred and fifty-six, and in the nineteenth year of Her Majesty's reign.

(signed) *James Douglas*, Governor.

GOD SAVE THE QUEEN.

Enclosure 2, in No. 9.

Encl. 2, in No. 9

MINUTE of COUNCIL.

Vancouver's Island, 4 June 1856.

THE Council having met this morning, pursuant to summons, the Governor being present and the following members; to wit, John Tod, senior member, James Cooper, Roderick Finlayson, John Work,—

The Governor proceeded to lay before the Council certain instructions lately received by him from the Secretary for the Colonies, instructing him to call general assemblies of the people for the purpose of carrying Her Majesty's instructions fully into effect; and the Council adjourned at 5 o'clock p. m. till Monday the 9th of June.

9 June 1856.

THE Council having met this morning, pursuant to adjournment, the Governor being present, and the following members; to wit, John Tod, senior member, James Cooper, John Work,—

Resume the consideration of Her Majesty's instructions for calling general assemblies of the freeholders of Vancouver's Island.

The subjects under consideration on the 4th instant were as follows; to wit,

The property qualification of members serving in the general assembly.

The property qualification of voters.

The right of absentee proprietors to be represented in the general assembly.

The Governor laid down as a principle that the custom or practice observed in England should, as far as possible, be adopted in this colony in framing the rules for elections, and proposed,

That the ownership of 300 *l.* of freehold property or immovable estate should constitute the qualification of a member of the Assembly.

That absentee proprietors shall be permitted to vote through their agents or attorneys.

That the qualification of voters should be the ownership of 20 acres of freehold land or upwards, as required by his instructions from the Crown.

The Council expressed their unanimous concurrence with those suggestions, and the proposed regulations are finally settled and approved.

It was then resolved that the settlements should be divided into four electoral districts; viz.,

Victoria District - -	The country east of the Victoria Arm, and of a line running in a northerly direction towards Sanitch, so as to include Peer's Farm.
Esquimalt District - -	The country west of Victoria Arm and east of Pedder Bay, including M'Kenzie's and the farms west of Colquot's River.
Soke District - - -	From Pedder Bay to Otter Head, the headland beyond Soke.
Nanaimo District - -	Colvile Town.

It was then resolved, That this Council do now adjourn.

— No. 10. —

(No. 19.)

No. 10. Governor Douglas to Right Hon. H. Labouchere, M P., 20 Aug. 1856.

EXTRACT of DESPATCH from Governor *Douglas* to the Right Honourable *H. Labouchere*, M.P.; dated Victoria, Vancouver's Island, 20 August 1856.

(Received, 28 October 1856.)

(Answered, No. 19, 10 November 1856, page 5.)

THE House of Assembly was opened on the 12th of the present month. The affair passed off quietly, and did not appear to excite much interest among the lower orders.

I herewith forward a copy of my address to the Assembly on that occasion, which I can only hope will meet with your approbation. As mentioned in one of my previous communications, the House of Assembly consists of seven members, viz.,

John Muir	Soke District.
John S. Helmcken, Thomas Skinner	Esquimalt District.
J. D. Pemberton, James Yates, E. E. Langford	Victoria District.
John F. Kennedy	Nanaimo District.

J. S. Helmcken has been elected Speaker of the House, but nothing further has been done; in consequence of objections having been raised to the validity of the election in one instance, and to the property qualification in two cases, making three out of the seven members against whose return petitions have been sent in, leaving only the Speaker and three members at liberty to act, and that number is insufficient to form a committee of inquiry, the House, therefore, hardly know how to get over the difficulty. One of the petitions is evidently got up for mere party purposes, and if that were withdrawn, there would be four members and the Speaker, who might proceed to regulate the affairs of the House. In the territorial governments of the United States, the practice in such cases is, for the governor to grant certificates of qualification to a majority of the members, who then proceed to constitute the House, but I am not certain if such a course would be in harmony with English law; nevertheless, if the House should appeal to me on the subject, I will have recourse to that expedient.

Encl. in No. 10.

Enclosure in No. 10.

The Governor's Address on opening the General Assembly at *Victoria*, Tuesday, 12 August 1856.

Gentlemen of the Legislative Council, and of the House of Assembly.

I congratulate you most sincerely on this memorable occasion; the meeting in full convention of the General Assembly of Vancouver's Island, an event fraught with consequences of the utmost importance to its present and future inhabitants; and remarkable as the first instance of representative institutions being granted in the infancy of a British colony.

The history and actual position of this colony are marked by many other remarkable circumstances. Called into existence by an Act of the Supreme Government, immediately after the discovery of gold in California, it has maintained an arduous and incessant struggle with the disorganising effects on labour of that discovery. Remote from every other British settlement, with its commerce trammelled, and met by restrictive duties on every side, its trade and resources remain undeveloped.

Self-supporting, and defraying all the expenses of its own Government, it presents a striking contrast to every other colony in the British empire, and like the native pines of its storm-beaten promontories, it has acquired a slow but hardy growth.

Its future progress must, under Providence, in a great measure depend, on the intelligence, industry, and enterprise of its inhabitants, and upon the legislative wisdom of this Assembly.

Gentlemen, I look forward with confidence and satisfaction to the aid and support which the executive power may in future expect to derive from your local experience and knowledge of the wishes of the people, and the wants of the country. I feel assured that, as public men, holding a solemn and momentous trust, you will, as a governing principle, strive with one accord to promote the true and substantial interests of the country; and that

that our legislative labours will be distinguished alike by prudence, temperance, and justice to all classes.

Gentlemen, I am happy to inform you, that Her Majesty's Government continue to express the most lively interest in the progress and welfare of this colony.

Negociations are now pending with the Government of the United States, which may probably terminate in an extension of the reciprocity treaty to Voncouver's Island.

To show the commercial advantages connected with that treaty, I will just mention that an import duty of 30 *l.* is levied on every 100 *l.*'s worth of British produce which is now sent to San Francisco, or to any other American port; or, in other words, the British proprietor pays as a tax to the United States, nearly the value of every third cargo of fish, timber, or coal, which he sends to any American port The reciprocity treaty utterly abolishes those fearful imposts, and establishes a system of free trade in the produce of British colonies.

The effects of that measure, in developing the trade and natural resources of the colony, can, therefore, hardly be over-estimated.

The coal, the timber, and the productive fisheries of Vancouver's Island, will assume a value before unknown; while every branch of trade will start into activity, and become the means of pouring wealth into the country.

So unbounded is the reliance which I place in the enterprise and intelligence possessed by the people of this colony, and in the advantages of their geographical position, that, with equal rights and a fair field, I think they may enter into successful competition with the people of any other country.

The extension of the reciprocity treaty to this island once gained, the interests of the colony will become inseparably connected with the principles of free trade, a system which, I think, it will be sound policy on our part to encourage.

Gentlemen, the colony has been again visited this year by a large party of northern Indians, and their presence has excited in our minds a not unreasonable degree of alarm.

Through the blessing of God, they have been kept from committing acts of open violence, and been quiet and orderly in their deportment; yet the presence of large bodies of armed savages, who have never felt the restraining influences of moral and religious training, and who are accustomed to follow the impulses of their own evil natures, more than the dictates of reason or justice, gives rise to a feeling of insecurity, which must exist as long as the colony remains without military protection.

Her Majesty's Government, ever alive to the dangers which beset the colony, have arranged with the Lords Commissioners of the Admiralty, that the "President" frigate should be sent to Vancouver's Island; and that measure will, I have no doubt, be carried into effect without delay.

I shall, nevertheless, continue to conciliate the good will of the native Indian tribes, by treating them with justice and forbearance, and by rigidly protecting their civil and agrarian rights; many cogent reasons of humanity and sound policy recommend that course to our attention, and I shall therefore rely upon your support in carrying such measures into effect.

We know, from our own experience, that the friendship of the natives is at all times useful, while it is no less certain that their enmity may become more disastrous than any other calamity to which the colony is directly exposed.

Gentlemen of the House of Assembly, according to constitutional usage, with you must originate all Money Bills; it is, therefore, your special province to consider the ways and means of defraying the ordinary expenses of the government, either by levying a Customs duty on imports, or by a system of direct taxation.

The poverty of the country and the limited means of a population struggling against the pressure of numberless privations, must necessarily restrict the amount of taxation; it should, therefore, be our constant study to regulate the public expenditure according to the means of the country, and to live strictly within our income.

The common error of running into speculative improvements, entailing debts upon the colony, for a very uncertain advantage, should be carefully avoided.

The demands upon the public revenue will at present chiefly arise from the improvement of the internal communications of the country, and providing for the education of the young, the erection of places for public worship, the defence of the country, and the administration of justice.

Gentlemen, I feel, in all its force, the responsibility now resting upon us. The interests and well-being of thousands yet unborn may be affected by our decisions, and they will reverence or condemn our acts according as they are found to influence for good or for evil the events of the future

Gentlemen of the House of Assembly, I have appointed Chief Justice Cameron to administer the oath of allegiance to the Members of your House, and to receive your declarations of qualification; you may then proceed to choose a Speaker, and to appoint the officers necessary for the proper conduct of the business of the House.

(signed) *James Douglas*, Governor.

— No. 11. —

(No. 30.)

No. 11. Governor Douglas to Right Hon. H. Labouchere, M. P., 31 Oct. 1856.

COPY of DESPATCH from Governor *Douglas*, to the Right Honourable *H. Labouchere*, M. P.

Victoria, Vancouver's Island, 31 October 1856.
(Received, 14 January 1857.)

Sir, (Answered, No. 4, 24 January 1857, page 5.)

* Page 4.

1. I HAVE the honour to acknowledge the receipt of your despatch, No. 16* of the 23d of August in reply to my communications, Nos. 12 and 14 of the 22d May, and the 7th of June last, reporting my proceedings in respect to carrying out the instructions contained in your despatch of the 28th of February 1856, for convoking a Legislative Assembly in this colony, and requesting advice and instructions from you on various subjects connected with that measure.

No. 15, 22 July 1856. No. 19, 20 August 1856.

2. I have since, in my several despatches of the numbers and dates mentioned in the margin, reported to you the several steps taken towards carrying those instructions into effect, and the formal opening of the House of Assembly on the 12th day of August last, together with the objections raised to the property qualification of certain members, who took their seats on that occasion, and the consequent difficulty experienced in organising the House.

3. After repeated adjournments the Speaker with much tact and address, finally succeeded, without my interference, in adjusting party differences, and forming a committee, which immediately proceeded with an inquiry into the qualifications of the members elect, and declared the return of Edward E. Langford null and void, in consequence of his not having sufficient property to constitute a legal qualification, and then adjourned to the 24th day of October (present).

4. A fresh writ was in consequence issued, and Joseph William M'Kay was returned without opposition as member for the district of Victoria, in the place of Edward E. Langford.

5. The House met on the 24th day of the present month (October), and after some necessary arrangements adjourned to the 13th day of November next, when they will be prepared for serious work.

6. Those delays have not been without their use, as the members have had time to prepare for the proper discharge of the public duties they have to perform, and their minds have been disabused of many false notions, which were commonly entertained here, concerning the powers and jurisdiction of the House of Assembly, so that on the whole I do not regret the time spent in constituting the House.

7. I observe with satisfaction that in abiding by the terms of my Commission, in respect to the franchise, I have acted in conformity with the instructions, on that point, contained in your despatch, and we shall further carry out your instructions by bringing a measure before the Assembly, when it is found desirable to extend the suffrage.

I have, &c.
(signed) *James Douglas*,
Governor.

— No. 12. —

(No. 2.)

No. 12. Governor Douglas to Right Hon. H. Labouchere, M. P., 9 Jan. 1857.

COPY of DESPATCH from Governor *Douglas* to the Right Honourable *H. Labouchere*, M. P.

Victoria, Vancouver's Island, 9 January 1857.
(Received, 17 March 1857.)

Sir, (Answered, No. 6, 24 March 1857, page 6.)

† Supra.

1. MY last report of the 31st of October †, on the proceedings of the House of Assembly, closed with its adjournment to the 13th day of November, when it again met, and remained in session till the 18th of December, it then adjourned for the Christmas recess.

2. The

2. The House has been so far chiefly occupied with matters of detail, connected with the expenditure and financial condition of the colony. I furnished every means of information in my power connected with those subjects, as you will observe through my correspondence with the House, which is herewith forwarded.

3. A Bill granting the sum of 130*l.* sterling, for paying the servants, and defraying the ordinary expenses of the House, was passed on the 18th day of December, and the same will be brought before the Council at an early day.

4. I am now preparing a Bill for imposing a Custom's duty on imports, as a means of meeting the ordinary expenses of Government; but the subject must be approached with caution, as there is a very general feeling in both Council and Assembly against taxation under any form, and I am prepared to encounter much clamour and opposition in carrying so unpopular a measure through the Houses.

I have, &c.
(signed) *James Douglas*,
Governor.

Enclosure in No. 12.

Encl. in No. 12.

Victoria, Vancouver's Island.

RETURNS to three addresses of the Honourable the House of Assembly, numbered respectively 11, 12, 13, without date, viz.:

Address, No. 11.

For a new writ for the election of a member for the district of Victoria.—(Mr. Skinner.)

Address, No. 12.

For a correct copy of the Grant of Vancouver's Island, and of any other documents of a public nature calculated to throw light upon the political position of Vancouver's Island. Likewise a general abstract of colonial accounts, since the first formation of the colony, showing the present income and expenditure.—(Mr. Pemberton.)

Incomplete.

Address, No. 13.

That this House is prepared to receive any message from his Excellency the Governor or Council.—(Mr. Skinner.)

SCHEDULE.

No. 1.—A writ for a new election of one citizen for the town of Victoria; with return from sheriff.

No. 2.—Charter of grant of Vancouver's Island to the Hudson's Bay Company, dated 13 January 1849, and correspondence between the Colonial Office and the Hudson's Bay Company thereon: with circular, colonization of Vancouver's Island.

No. 3.—Extracts from the Governor's despatch to William G. Smith, Esq., Secretary, Hudson's Bay Company, dated 16 October 1856.

No. 4.—Extracts from the Governor's despatch to William G. Smith, Secretary, Hudson's Bay Company, dated 19 July 1855.

Government House, Victoria, Vancouver's Island,
27 November 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HEREWITH transmit the documents described in the accompanying schedule, for your information. The colonial accounts, extending to the close of 1855, are not yet completed, and therefore cannot be laid before the House in full.

You will, however, find, among the documents now transmitted, a full account of all lands appertaining to the public domain of this colony, which have been sold up to the 10th day of October last, and also a classified abstract of the expenditure of the colony, for the year ending with the 1st day of November 1855.

In addition to the proceeds arising from sales of the public domain appearing in the documents herewith, the sum of 6,193*l.* has been received from the Hudson's Bay Company, for lands purchased on their account within the colony.

Further documents, relative to the financial state of the colony, will be sent to the House as soon as they are made up.

I have to recommend that a sufficient money appropriation be made by the House to defray the expense of preparing any documents required for their information in future, as there are at present no funds at my disposal for that purpose.

I beg that the charter of grant of Vancouver's Island may be returned when convenient, as I have no other copy.

(signed) *James Douglas*,
Governor, Vancouver's Island.

EXTRACTS from the Governor's Despatch to *William G. Smith*, Esq., Secretary, Hudson's Bay Company, dated 16 October 1856.

I HAVE the honour of transmitting herewith a statement of the lands, forming part of the public domain, which have been sold in this colony since the 12th day of July 1855, up to the 10th day of this present month of October 1856.

You will observe, by statement No. 1, that the whole quantity of land sold since last year, amounts to 2,137 acres. The extent of unimprovable rock, added to the allowance made for roads, somewhat exceeds 837 acres, leaving 1,299 acres 3 roods and 26 perches chargeable to purchasers, on which 512*l.* 17*s.* 6*d.* has been already paid in, and there remains payable by annual instalments the sum of 787*l.* 0*s.* 10*d.*

The public expenditure of the colony for the twelvemonth ending with the 1st day of November 1855, amounts to the sum of 4,107*l.* 2*s.* 3*d.* The income arising from the duty on licensed houses, sales of public land, and other sources, produced the sum of 693*l.* 2*s.* 10*d.*

The balance of the account in this country remaining unpaid, is therefore 3,413*l.* 19*s.* 5*d.*, as will appear in the following exhibit of the public objects to which that outlay was applied; viz.:—

	£.	s.	d.
Government premises		7	5 10
Surveying department supplies £. 183 18 1			
„ „ wages 500 – –			
	683	18	1
Construction of bridges 720 14 7			
„ „ roads 667 10 10			
	1,388	5	5
Victoria church	877	1	–
Public schools	320	4	11
Victoria parsonage	117	9	4
Chaplain, salary and board	368	7	1
Collector's office	1	7	6
Poor-rates	10	10	3
Administration of justice	100	–	–
Gaol expenses	30	9	2
Militia	81	8	8
Sundry expenses	107	14	1
Overcharge from last account	12	–	11
£.	4,107	2	3
The sums placed to credit of the colony are as follows; viz.:—			
Sundry credits £. 18 5 4			
Land sales, &c. 334 17 6			
Duty on licensed houses 340 – –			
	693	2	10
Leaving a balance unpaid as beforesaid of £.	3,413	19	5

There is a further sum of 65*l.* 6*s.* 8*d.* arising from proceeds of land sales effected last year, which was omitted in the fur trade books, but will be brought forward this year.

EXTRACT from the Governor's Despatch to *William G. Smith*, Esq., Secretary, Hudson's Bay Company, dated 19 July 1855.

A COMPLETE account of all the land sales (*see* No. 1) made on Vancouver's Island, the company's purchase at Nanaimo excepted, since the commencement of the colony, is herewith transmitted. A proportion of the land has been paid only in part, but the payments will be completed as soon as the title-deeds are ready for issue, otherwise the titles will not be issued to the purchaser.

	£.	s.	d.	£.	s.	d.
The amount of receipts for land sold, and stamps, as per this account is -				6,871	9	4
Remitted per last account, dated 10th October 1853 -	3,577	5	2			
Paid by the Paget's Sound Company in London - -	2,574	–	–			
Paid by W. C. Grant and J. Huggins in London -	120	–	–			
				6,271	5	2
Remains on hand - - - £.				600	4	2
As per statement No. 2:						
200 *l.* of this balance was paid over to the fur trade—say bill from Arthur W. Owen - - - £.150						
Transfer from W. H. M'Neil - - - 50						
	200	–	–			
And credited the colony in the books of outfit 1854, and the balance, say - - - - - - -	400	4	2			
Has been paid over to the fur trade on account of outfit, 1855.						
£.	600	4	2	600	4	2

You will observe by statement No. 2, an account of land sales effected and monies received for stamps at this place since my last report of land sales, dated 6th October 1853, the amount being 600 *l.* 4 *s.* 2 *d.*

House of Assembly, Vancouver's Island,
3 December 1856.

THE Speaker begs to inform his Excellency the Governor that the House of Assembly met this day adopted the following resolutions, and ordered the same to be presented to your Excellency.

1st. That the thanks of this House be presented to his Excellency the Governor for the communication of November 27th, 1856, and that the subject "relating to a supply of money for copying documents, &c." shall be taken into consideration at an early period.

2d. It was resolved, That respectful application be made, on the part of the House of Assembly, to know "what funds are subject to its control (if any), the amount of the same, and from what source derived; also, what fund is the royalty upon coal paid into?"

3d. That T. J. Skinner, Esq. was elected Chairman of Committee and Deputy Speaker.

The House stands adjourned until Saturday next, December 6th; then to meet at 10 a. m.

(signed) *J. S. Helmcken*, Speaker.

Government House, Victoria, Vancouver's Island,
6 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HAVE further to transmit with this communication abstracts of the income and expenditure of the colony for the two years ending respectively with the 31st day of October 1853 and 1854.

I have received your Speaker's address of the 3d day of December, and highly appreciate your complimentary message.

In reply to the following questions of the House, "What funds are subject to its control?" "the amount of such funds?" "from what source derived?" and "to what fund is the royalty upon coal paid into?" I would observe that I am not at present prepared to

 give

give the House a reliable and decided answer. My own impression, however, is, that the House can exercise a direct control only over the revenue raised in the colony through the act of the general Legislature.

The revenue derived from the tax on licensed houses is therefore, I conceive, the only fund absolutely at our disposal; the proceeds arising from "land sales," "royalties," and "timber duties" being remitted and placed to account of the Reserve Fund in England, which is, however, also exclusively applicable for colonial purposes, with the exception of 10 per cent., allowed by virtue of the charter of grant to the Hudson's Bay Company.

The amount of revenue derived from the duty on licensed houses, for the respective years mentioned, is given in the annexed table:—

	£.	*s.*	*d.*
Year 1853 - - - - - - -	220	–	–
„ 1854 - - - - - - -	460	–	–
„ 1855 - - - - - - -	340	–	–

Those sums are also embodied in the abstracts of the colonial accounts transmitted to the House.

(signed) *James Douglas*,
Governor, Vancouver's Island.

House of Assembly, Vancouver's Island,
The Speaker, 6 December 1856.

Has the honour to inform his Excellency the Governor, that the House of Assembly resolved this day:

"That the Speaker be requested to thank his Excellency the Governor, on behalf of this House, for the information so courteously and promptly afforded;" and further, "to apply to his Excellency for similar information for the year ending November 1856;" as also to ask, "Whether there is any charge against the Licence Fund, to come under their control from that date."

The House of Assembly will meet again on Wednesday next, at 11 a. m., and resolve itself into a Committee of Supply.

(signed) *J. S. Helmcken*, Speaker.

Government House, Victoria,
10 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I have received your address, through Mr. Speaker's communication of the 6th December, and I thank you, gentlemen, for your kind message.

I herewith transmit, for your information, an abstract of the expenditure and income of the colony, made up to the 31st day of October last, excepting, however, the income derivable from the royalty on coals, and the duty on timber, of which a statement will be sent to the House as soon as the returns are received.

With respect to your inquiry touching the application of the duty on licensed houses for the year 1856, I have to inform the House that the whole sum derived from that source of revenue was paid over to the Hudson's Bay Company immediately after collection, and was carried, with the other proceeds of revenue, to the credit of the General Colony Account, as shown by the abstract of the year's income transmitted with this communication.

(signed) *James Douglas*,
Governor, Vancouver's Island.

House of Assembly, Vancouver's Island,
The Speaker, 10 December 1856.

On the part of the House of Assembly, begs respectfully to acknowledge the receipt this day of a gracious communication, and an abstract of the income and expenditure for the year 1856 from his Excellency the Governor, and to inform his Excellency that the House of Assembly unanimously resolved:

"That the thanks of this House be presented to his Excellency the Governor for the same."

(signed) *J. S. Helmcken*, Speaker.

House of Assembly, Victoria,
The Speaker, 13 December 1856.

Has the honour respectfully to inform his Excellency the Governor, that the House of Assembly resolved this day.

"That a requisition be made to his Excellency the Governor, for a copy of the last 'Census' of the "population of Vancouver's Island," and further, "that any other information connected therewith will be thankfully received."

The House will meet on Thursday next, the 18th instant, at 11 o'clock, a. m.

(signed) *J. S. Helmcken*, Speaker.

Victoria, Vancouver's Island, 17 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HAVE received Mr. Speaker's communication of the 13 day of December, containing the Requisition of the House "for a copy of the last Census of the population of Vancouver's Island;" and I have in consequence the honour of forwarding with this letter, the documents described in the annexed schedule.

Not having time to procure copies, I have sent the original documents, which the House will probably cause to be returned when convenient.

(signed) *James Douglas*, Governor.

Schedule No. 1.—Census Returns, Vancouver's Island Colony, 1855.

„ No. 2.—Indian Population, Vancouver's Island, 1856.

House of Assembly of Vancouver's Island,
The Speaker, 18 December 1856.

ON behalf of the House of Assembly, begs respectfully to acknowledge the receipt of "the Census of the white and Indian population of Vancouver's Island," from his Excellency the Governor, and has the honour in the name of the House, "to thank his Excellency for the same," and that they shall be returned at an early period.

He also begs to inform his Excellency that Mr. R. Barr wishes to resign his office of clerk of the House *pro tem.*

(signed) *J. S. Helmcken*, Speaker.

House of Assembly of Vancouver's Island,
The Speaker, 18 December 1856.

BEGS to inform his Excellency the Governor and Council, that the enclosed Appropriation Bill was first voted in Committee of Supply, and has subsequently passed through the usual stages of first, second, and third readings, and that it is now presented by order of the House for the consideration and approval of his Excellency the Governor and Council.

(signed) *J. S. Helmcken*, Speaker.

A BILL for the Appropriation of certain Monies for the use of the House of Assembly of *Vancouver's Island.*

WHEREAS it is necessary that certain sums of money be voted for defraying the unavoidable expenses attending the conduction of the business of the House of Assembly of Vancouver's Island, be it enacted:

1st. That 50*l.* sterling be placed at the disposal of his Excellency the Governor to defray the expenses of copying statistics and documents for the use of this House.

2d. That 10*l.* sterling be granted to Mr. Robert Barr for his past services as clerk of this House.

3d. That 5*l.* sterling be granted to Mr. Andrew Muir for his past service of sergeant-at-arms.

4th. That 25*l.* be allowed for the salary of the clerk of the House, for the year 1857.

5th. That 15*l.* be allowed for the salary of the serjeant-at-arms and messenger, for the year 1857.

6th. That 20*l.* sterling be granted for lighting, heating, and furnishing the House of Assembly, for the year 1857.

7th. That 5*l.* sterling be granted for stationery, for the use of the members of the House of Assembly.

8th. That the above items be paid out of the revenue derived from the licenses of July 16th, 1856.

Read the third time this 18th day of December 1856, A.D., and ordered to be forwarded to his Excellency the Governor and Council.

(signed) *J. S. Helmcken*, Speaker.

The following resolution relating to the preceding Appropriation Bill, was also agreed to 13th December 1856:

"That in the opinion of this House, the revenue received on the 16th day of July 1856, from the licenses to sell spirituous liquors, &c., ought to be withdrawn from the credit of the "Trust Fund."

(signec) *J. S. Helmcken*, Speaker.

To his Excellency *James Douglas*, Esq., Governor, &c. &c. &c.

Sir, House of Assembly, Victoria, 19 December 1856.

I AM instructed by the Honourable the Speaker of the House of Assembly to acknowledge the receipt of your Excellency's communication and documents of the 17th instant, and to thank your Excellency for the same; and also to inform your Excellency that the House will again meet on Wednesday next, the 24th instant, at 11 o'clock, a.m.

I have, &c.
(signed) *Robert Barr*, Clerk *pro tem.*

— No. 13. —

(No. 5.)

No. 13. Governor Douglas to Right Hon. H. Labouchere, M. P., 24 Feb. 1857.

COPY of a DESPATCH from Governor *Douglas* to the Right Honourable *H. Labouchere*, M. P.

Victoria, Vancouver's Island, 24 February 1857.

Sir, (Received, 29 April 1857.)

1. I HAVE the honour to acknowledge the receipt of your despatches, Nos. 18 and 19,* of the 21st of October and the 10th of November last.

* Page 5.

2. It is very gratifying to learn that the speech with which I opened the Legislature on the 12th of August, has received your approval.

3. The House of Assembly not having met for regular business since my report of the 9th of January, there is nothing of importance to add to the information then communicated respecting its proceedings.

4. The Council was convened on the 14th day of the present month, for the consideration of an Act passed by the House of Assembly on the 18th day of December granting the sum of 130*l.* sterling, chargeable to the duties on licensed houses, to be applied, in the manner stated in the several clauses of the Act, as it appears in the minutes of Council forwarded herewith. This Act, with some few verbal alterations, passed the Council on that day, and will be transmitted after receiving the final approval of the House of Assembly.

5. The consideration of the Rules and Regulations of the Supreme Court for the administration of justice in civil cases, as submitted by Chief Justice Cameron, with a communication of which I herewith forward a copy, was taken up on the 14th, and finally passed the Council without alteration on the 17th of February.

6. A copy of those rules will also be transmitted for Her Majesty's final approbation or disallowance, as soon as transcribed and carefully revised, and by that time the official seal of the court, for which I took the liberty of sending a requisition with my despatch, No. 18, of the 14th of August last, will probably have arrived in this country, and will be attached to the document as directed by Her Majesty's Order in Council.

7. A copy of the proclamation of the Rules and Regulations of the Supreme Court, published on the 18th of this month of February, is also forwarded with this despatch.

8. Hoping that those proceeding may meet with your approval.

I have, &c.
(signed) *James Douglas*,
Governor.

Enclosure 1, in No. 13. Encl. 1, in No. 13

COPY of MINUTES of a Council held at *Victoria, Vancouver's Island*, on the 14th, and following days of February 1857.

Saturday, 14 February 1857.

THE Council having met this morning pursuant to a summons issued on the 13th of this present month; the Governor being present, and the following members, viz.: John Tod, senior member, Roderick Finlayson, John Work.

The Governor then proceeded to lay before the Council, an Act granting the sum of 130 *l.* for defraying the unavoidable expenses of the House of Assembly, which was read for the third time, and passed the House on the 18th day of December last.

The Council having read the several clauses of the said Act, it was proposed as an amendment that the following words should be omitted in the preamble, that is to say "attending the conduction of the business," and the following words in the 8th clause, viz.: "Licences of 16th July 1856", and that the Act be as follows:

A Bill granting certain Sums of Money for the use of the House of Assembly of *Vancouver's Island*.

Whereas it is necessary that certain sums of money be voted for defraying the unavoidable expenses of the House of Assembly of Vancouver's Island, be it therefore enacted;

1st. That 50 *l.* sterling be placed at the disposal of his Excellency the Governor to defray the expenses of copying statistics and documents for the use of this House.

2d. That 10 *l.* sterling be granted to Mr. Robert Barr for his past services as clerk of this House.

3d. That 5 *l.* sterling be granted to Mr. Andrew Muir for his past services as serjeant-at-arms.

4th. That 25 *l.* sterling be allowed for the salary of the clerk of the House for the year 1857.

5th. That 15 *l.* sterling be allowed for the salary of the serjeant-at-arms and messenger, for the year 1857.

6th. That 20 *l.* sterling be granted for lighting, heating, and furnishing the House of Assembly for the year 1857.

7th. That 5 *l.* sterling be granted for stationery for the use of the Members of the House of Assembly.

8th. That the above items be paid out of the revenue derived from the duty charged on licensed houses.

The Act so amended was approved, and passed.

The Governor then proceeded to lay before the Council a letter from Chief Justice Cameron, transmitting a copy of the rules and manner of proceeding to be observed in the Supreme Court of Civil Justice of Vancouver's Island, drawn up in virtue of the authority vested in the Court by Her Majesty's Order in Council, dated the 4th day of April 1856, which was submitted for the approval of the Council.

This document was before the Council until evening, when an adjournment took place to Monday, the 6th instant.

Monday, 16 February 1857.

The Council met this morning, pursuant to adjournment, the Governor and the same Members being present, as on Saturday the 14th instant.

Proceeded with the reading and consideration of the rules and manner of proceeding of the Supreme Court for the remainder of the day, and then adjourned to Tuesday the 17th instant.

Tuesday, 17 February 1857.

The Council met this morning according to adjournment, the Governor and the same Members being present, as on Monday the 16th instant. Completed the reading and consideration of the rules and manner of proceeding of the Supreme Court, which were unanimously approved and passed in Council.

The Council then adjourned.

(signed) *James Douglas*, Governor.

Encl. 2, in No. 13.

Enclosure 2, in No 13.

COPY of Letter from Chief Justice *Cameron* to Governor *Douglas*.

Sir, Belmont, 12 February 1857.

I HEREWITH transmit, for the approval of your Excellency and your Honourable Council, a copy of the rules and manner of proceeding to be observed in the Supreme Court of Civil Justice of Vancouver's Island, drawn up in virtue of the authority vested in the Court by Her Majesty's Order in Council, dated the 14th day of April 1856.

As no seal has yet been received for the use of the Court, I have authenticated the copy by my signature, which I hope may suffice for its passing your Council. And as these rules cannot take effect until three months at least after publication, I hope your Excellency and Council will take action on them as speedily as possible.

I am, &c.
(signed) *David Cameron*, C. J.

Encl. 3, in No. 13.

Enclosure 3, in No. 13.

PROCLAMATION by his Excellency *James Douglas*, Governor and Commander-in-Chief of the Colony of *Vancouver's Island* and Dependencies, and Vice Admiral of the same, &c. &c. &c.

WHEREAS it hath pleased the Queen's Most Excellent Majesty, by and with the advice of Her Most Honourable Privy Council, in an order from the Court at Buckingham Palace, bearing date the 4th day of April 1856, to constitute a court for the administration of justice in civil cases in her colony of Vancouver's Island, and to vest in the said court power and authority to frame, constitute, and establish such rules and regulations as shall seem meet, touching and concerning the forms and manner of proceeding to be observed in the said court, and the practice in pleadings and other matters, as set forth and declared in Her Majesty's said Order in Council.

Now, be it known unto all Her Majesty's subjects, that the rules and regulations of the said court, as submitted by Chief Justice Cameron, have been approved, and passed the Council this 17th day of February 1857, and will take effect three months from the date hereof.

Given under my hand and seal, at Government House, Victoria, this 18th day of February in the year of our Lord 1857, and in the 20th year of Her Majesty's reign.

(signed) *James Douglas*, Governor. (SEAL.)

By his Excellency's command,

(signed) *Richard Golledge*, Secretary.

VANCOUVER'S ISLAND.

COPIES OR EXTRACTS of any DESPATCHES that have been received by Her Majesty's Secretary of State for the Colonies, on the subject of the establishment of a REPRESENTATIVE ASSEMBLY at *Vancouver's Island.*

(*Mr. Secretary Labouchere.*)

Ordered, by The House of Commons, *to be Printed,*
3 *August* 1857.

229—Sess. 2.

Under 3 *oz.*

IMPORTS AND EXPORTS (CANADA AND UNITED STATES).

RETURN to an Order of the Honourable The House of Commons, dated 24 July 1857;—*for*,

RETURNS "of the VALUE of the ARTICLES Imported into *Canada* from the *United States*, in each of the Years 1853 and 1854, afterwards declared Free by the Reciprocity Treaty (so far as the same can be given), and the Quantities and Values of the same Articles, in each of the Years 1855 and 1856:"

"And, of the VALUE of the ARTICLES Exported from *Canada* to the *United States*, declared Free by the Reciprocity Treaty, in each of the Years 1853, 1854, 1855, and 1856."

No. 1.

RETURN of the VALUE of the ARTICLES Imported into *Canada* from the *United States*, in each of the Years 1853 and 1854, afterwards declared Free by the Reciprocity Treaty (so far as the same can be given), and the Quantities and Value of the same Articles, in each of the Years 1855 and 1856.

IMPORTS TO CANADA FROM THE UNITED STATES.

ARTICLES.	YEARS					
	1853.	1854.	1855.		1856.	
	Value in Currency.	Value in Currency.	Quantities.	Value in Currency.	Quantities.	Value in Currency.
	£.	£.		£.		£.
Grain, Flour, and Bread Stuffs of all kinds; viz.—						
Barley and Rye - -	665	490	—	—	—	—
Beans and Peas - -	174	543	—	—	—	—
Flour - - - - -	1,188	4,385	—	—	—	—
Meal - - - - -	173	178	—	—	—	—
Oats - - - - -	2,300	2,792	—	—	—	—
Hops - - - - -	3,886	2,958	—	—	—	—
Wheat - - - - -	1,686	34,728	—	—	—	—
Bran and Shorts - -	134	180	—	—	—	—
TOTAL - - -	10,206	46,254	*Barls.* 2,676,775	1,091,949	*Barls.* 3,601,211	884,375
Animals of all kinds; viz.—						
Cows - - - - -	1,022	943	—	—	—	—
Horses - - - - -	12,693	14,339	—	—	—	—
Oxen and Bulls - -	953	1,642	—	—	—	—
Sheep - - - - -	338	658	—	—	—	—
Pigs - - - - -	77	264	—	—	—	—
TOTAL - - -	15,083	17,846	*No.* 7,470	51,896	*No.* 16,700	118,474

ARTICLES Imported into *Canada* from the *United States*—continued.

ARTICLES.	YEARS					
	1853.*	1854.*	1855.		1856.	
	Value in Currency.	Value in Currency.	Quantities.	Value † in Currency.	Quantities.	Value † in Currency.
	£.	£.		£.		£.
Meats, Fresh, Smoked, and Salted	26,059	143,113	*Cwts.* 109,096	254,953	*Cwts.* 158,800	354,443
Cotton Wool	4,477	3,814	- - -	3,926	- - -	4,383
Seeds	11,809	24,597	- - -	30,282	- - -	16,926
Vegetables; viz. (in 1853 and 1854) Potatoes	1,149	1,101	- - -	2,934	- - -	8,515
Fruits:—						
Dried	25,163	19,920	- - -	3,148	- - -	11,516
Undried	6,752	10,110	- - -	35,732	- - -	34,396
Fish, of all kinds	14,988	18,713	- - -	27,369	- - -	38,133
——— Products of	- -	- -	- - -	1,068	- - -	72
Poultry	126	442	- - -	483	- - -	1,735
Eggs	- -	- -	*Doz.* 13,371	457	*Doz.* 64,005	2,643
Hides and Pelts	54,282	63,268	- - -	15,000	- - -	20,000
Furs, Skins or Tails, undressed	- -	- -	- - -	6,922	- - -	13,707
Marble Blocks, unpolished	3,481	6,844	- - -	14,286	- - -	15,948
Slate	- -	- -	- - -	7,398	- - -	5,001
Butter	44	274	*Cwts.* 1,320	6,450	*Cwts.* 2,300	11,242
Cheese	5,328	8,352	„ 9,500	25,996	„ 13,800	38,415
Tallow	55,792	86,159	- - -	86,633	- - -	88,880
Lard	2,352	9,131	- - -	22,884	- - -	35,533
Horns	—	—	—	—	—	—
Manures	3,739	5,995	- - -	2,998	- - -	2,775
Ores of Metals of all kinds	- -	- -	- - -	109	- - -	1,488
Coal	27,055	55,095	*Tons* 80,000	81,628	*Tons* 84,000	96,340
Pitch and Tar	3,284	2,843	*Barls.* 3,200	2,614	*Barls.* 2,300	1,965
Turpentine	- -	7,181	- - -	720	- - -	7
Ashes	152	219	- - -	784	- - -	1,799
Timber and Lumber of all kinds, round, hewed and sawed, unmanufactured in whole or in part	12,684	16,248	- - -	27,104	- - -	33,422
Firewood	- -	- -	- - -	7,746	*Cords* 24,717	15,115
Plants, Shrubs, and Trees	11,610	13,387	- - -	9,452	- - -	15,840
Pelts, Wool	—	—	—	—	—	—
Fish Oil	- -	- -	*Galls.* 204,155	37,026	*Galls.* 283,158	62,298
Rice	4,304	11,599	*Cwts.* 7,533	10,619	*Cwts.* 8,300	10,043
Broom Corn	2,148	4,981	- - -	7,048	- - -	9,826
Bark	598	593	- - -	817	*Cords* 608	551
Gypsum, ground or unground	- -	- -	- - -	3,013	- - -	1,560
Burr and Grindstones, hewn, wrought, or unwrought	1,110	2,107	- - -	5,297	- - -	4,452
Dye Stuffs	7,911	6,696	- - -	4,649	- - -	6,453
Flax, Hemp and Tow, undressed	18,140	26,235	- - -	17,293	- - -	20,271
Tobacco, unmanufactured	- -	- -	- - -	350	- - -	218
Rags	—	—	—	—	—	—
GRAND TOTAL - £.	329,826	613,117	- - -	1,931,393	- - -	2,020,705

* *Note*—The Value of the Goods the growth and produce of the United States is not distinguished from the Total Value of Articles Imported for the Years 1853 and 1854 into Canada from the United States.

† The Quantity and Value for the years 1855 and 1856 is for Articles the growth and produce of the United States.

Statistical Department, Board of Trade,
30 July 1857.

A. W. Fonblanque.

No. 2.

RETURN of the VALUE of the ARTICLES Exported from *Canada* to the *United States*, declared Free by the Reciprocity Treaty, in each of the Years 1853, 1854, 1855, and 1856.

EXPORTS FROM CANADA TO THE UNITED STATES.

ARTICLES.	YEARS			
	1853.	1854.	1855.	1856.
	Value - £.*	*Value* - £.*	*Value* - £.*	*Value* - £.*
Grain of all kinds (except Flour) -	657,034	474,284	1,660,669	1,889,810
Flour - - - - - -	556,840	842,580	1,255,799	1,043,755
Animals of all kinds - - - -	143,379	103,500	203,704	338,521
Meats of all kinds - - - -	10,251	8,318	53,343	12,769
Seeds - - - - - -	19,845	13,708	13,492	19,966
Vegetables - - - - - -	600	908	17,669	2,205
Fruit, Green - - - - -	2,040	698	1,765	—
Fish - - - - - -	18,324	21,108	31,822	33,477
Hides and Pelts - - - -	3,396	5,477	24,021	53,166
Furs and Skins - - - - -	21,021	13,366	17,764	18,285
Stone, unwrought - - - -	- - -	7,870	- - Not stated.	
Butter - - - - - -	42,688	29,260	47,574	83,107
Cheese - - - - - -	140	140	273	99
Eggs - - - - - -	18,526	5,731	14,412	17,236
Tallow - - - - - -	28	210	1,477	407
Lard - - - - - -	379	459	3,957	8,664
Horns - - - - - -	175	370	391	841
Manures - - - - - -	1,293	2,012	- - Not stated.	
Ores of Metals - - - - -	14,600	21,787	3,667	14,978
Ashes - - - - - -	25,728	27,130	63,780	73,738
Timber and Lumber - - - -	605,795	493,757	673,559	724,399
Plants, Shrubs, and Trees - - -	- - -	- - -	- - Not stated.	
Fish Oil - - - - - -	31	260	5,316	1,762
Tobacco, unmanufactured - - -	887	- - -	- - Not stated.	
Rags - - - - - -	5,341	2,443	4,687	3,485
Wool - - - - - -	41,389	7,560	68,836	78,215
TOTAL - - £.	2,189,731	2,082,936	4,167,977	4,418,885

* In currency.

Statistical Department, Board of Trade,
30 July 1857.

A. W. Fonblanque.

IMPORTS AND EXPORTS
(CANADA AND UNITED STATES).

RETURN of the VALUE of the ARTICLES Imported into *Canada* from the *United States* in the Years 1853 and 1854, afterwards declared Free by the Reciprocity Treaty, and the Quantities and Values of the same Articles in the Years 1855 and 1856; also, of the VALUE of the ARTICLES Exported from *Canada* to the United States, declared Free by the Reciprocity Treaty, in the Years 1853, 1854, 1855, and 1856.

(*Mr. Pease.*)

Ordered, by The House of Commons, *to be Printed,*
4 *August* 1857.

236—Sess. 2.

Under 1 *oz.*

412

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OF

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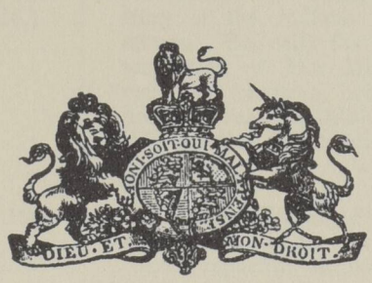
RELATIVE TO

THE DISCOVERY OF GOLD

IN

THE FRASER'S RIVER DISTRICT, IN BRITISH NORTH AMERICA.

Presented to both Houses of Parliament by Command of Her Majesty.
July 2, 1858.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1858.

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Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
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CORRESPONDENCE

RELATIVE TO THE

DISCOVERY OF GOLD IN THE FRASER'S RIVER DISTRICT, IN BRITISH NORTH AMERICA.

No. 1. No. 1.

Copy of a DESPATCH from Governor Douglas to the Right Hon. Henry Labouchere, M.P.

(No. 10.)

Victoria, Vancouver's Island, April 16, 1856.

(Received June 30, 1856.)

(Answered, No. 14, August 4, 1856.)

Sir,

I hasten to communicate for the information of Her Majesty's Government a discovery of much importance, made known to me by Mr. Angus McDonald, Clerk in charge of Fort Colvile, one of the Hudson's Bay Company's Trading Posts on the Upper Columbia District.

That gentleman reports, in a letter dated on the 1st of March last, that gold has been found in considerable quantities within the British territory, on the Upper Columbia, and that he is moreover of opinion that valuable deposits of gold will be found in many other parts of that country; he also states that the *daily earnings* of persons then employed in digging gold were ranging from 2*l.* to 8*l.* for each man. Such is the substance of his report on that subject, and I have requested him to continue his communications in respect to any further discoveries made.

I do not know if Her Majesty's Government will consider it expedient to raise a revenue in that quarter, by taxing all persons engaged in gold digging, but I may remark, that it will be impossible to levy such a tax without the aid of a military force, and the expense in that case would probably exceed the income derived from the mines.

I will not fail to keep you well informed in respect to the extent and value of the gold discoveries made; and circumstances will probably be the best indication of the course which it may be expedient to take, that is, in respect to imposing a tax, or leaving the field free and open to any persons who may choose to dig for gold.

Several interesting experiments in gold washing have been lately made in this colony, with a degree of success that will no doubt lead to further attempts for the discovery of the precious metal. The quantity of gold found is sufficient to prove the existence of the metal, and the parties engaged in the enterprise entertain sanguine hopes of discovering rich and productive beds.

I have, &c.

(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Henry Labouchere,
&c. &c. &c.

No. 2. No. 2.

Copy of a DESPATCH from the Right Hon. Henry Labouchere to Governor Douglas.

(No. 14.)

Sir,

Downing Street, August 4, 1856.

I have to acknowledge the receipt of your Despatch, No. 10, of the 16th April last, reporting the discovery of gold within the British territory on the Upper Columbia River district.

In the absence of all effective machinery of Government, I conceive that it would be quite abortive to attempt to raise a revenue from licences to dig for gold in that region. Indeed, as Her Majesty's Government do not at present look for a revenue from this distant quarter of the British dominions, so neither are they prepared to incur any expense on account of it. I must, therefore, leave it to your discretion to determine the best means of preserving order in the event of any considerable increase of population flocking into this new gold district; and I shall rely on your furnishing me with full and regular accounts of any event of interest or importance which may occur in consequence of this discovery.

I have, &c.

To Governor Douglas, &c. &c.

(Signed) H. LABOUCHERE.

No. 3.

No. 3.

COPY of a DESPATCH from Governor DOUGLAS to the Right Hon. HENRY LABOUCHERE, M.P.

(No. 28.)

Victoria, Vancouver's Island, October 29, 1856.

(Received January 14, 1857.)
(Answered, No. 5, January 24, 1857.)

SIR,

1. I HAVE the honour to acknowledge the receipt of your Despatch, No. 14, of the 4th of August, communicating the arrival of my Despatch, No. 10, of the 16th April last, in which was reported the discovery of gold within the British territory in the Upper Columbia River District.

2. I have, since the date of that letter, received several other communications from my correspondent in that part of the country, who, however, scarcely makes any allusion to the subject of the gold discovery; but I have heard through other almost equally reliable sources of information, that the number of persons engaged in gold digging is yet extremely limited, in consequence of the threatening attitude of the native tribes, who being hostile to the Americans, have uniformly opposed the entrance of American citizens into their country.

3. The people from American Oregon are therefore excluded from the gold district, except such, as resorting to the artifice of denying their country, succeed in passing for British subjects. The persons at present engaged in the search of gold are chiefly of British origin and retired servants of the Hudson's Bay Company, who, being well acquainted with the natives, and connected by old acquaintanceship and the ties of friendship, are more disposed to aid and assist each other in their common pursuits than to commit injuries against persons or property.

4. They appear to pursue their toilsome occupation in peace, and without molestation from the natives, and there is no reason to suppose that any criminal act has been lately committed in that part of the country.

* * * * * *

5. It is reported that gold is found in considerable quantities, and that several persons have accumulated large sums by their labour and traffic, but I cannot vouch for the accuracy of those reports; though, on the other hand, there is no reason to discredit them, as about 220 ounces of gold dust has been brought to Vancouver's Island direct from the Upper Columbia, a proof that the country is at least auriferous.

From the successful result of experiments made in washing gold from the sands of the tributary streams of Fraser's River there is reason to suppose that the gold region is extensive, and I entertain sanguine hopes that future researches will develope stores of wealth, perhaps equal to the gold fields of California. The geological formations observed in the "Sierra Nevada" of California being similar in character to the structure of the corresponding range of mountains in this latitude, it is not unreasonable to suppose that the resemblance will be found to include auriferous deposits.

6. I shall not fail to furnish you with full and regular accounts of every event of interest connected with the gold district, which may from time to time occur.

I have, &c.

The Right Hon. H. Labouchere, &c. &c. &c. (Signed) JAMES DOUGLAS, Governor.

No. 4. No. 4.

Copy of a DESPATCH from the Right Hon. Henry Labouchere to Governor Douglas.

(No. 5.)

Sir, Downing Street, January 24, 1857.

I have to acknowledge your Despatch (No. 28) of the 29th October 1856, relative to the discovery of gold in the Upper Columbia River district.

I have, &c.

Governor Douglas. &c. &c. (Signed) H. LABOUCHERE.

No. 5. No. 5.

Copy of a DESPATCH from Governor Douglas to the Right Hon. Henry Labouchere, M.P.

(No. 22.)

Victoria, Vancouver's Island, July 15, 1857.

Sir, (Received, September 18, 1857.)

1. I have the honour of communicating for your information the substance of advices which I have lately received from the interior of the continent north of the 49th parallel of latitude, corroborating the former accounts from that quarter respecting the auriferous character of certain districts of the country on the right bank of the Columbia River, and of the extensive table land which divides it from Fraser's River.

2. There is, however, as yet a degree of uncertainty respecting the productiveness of those gold fields, for reports vary so much on that point, some parties representing the deposits as exceedingly rich, while others are of opinion that they will not repay the labour and outlay of working, that I feel it would be premature for me to give a decided opinion on the subject.

3. It is, however, certain that gold has been found in many places by washing the soil of the river beds and also of the mountain sides; but, on the other hand, the quantities hitherto collected are inconsiderable, and do not lend much support to the opinion entertained of the richness of those deposits; so that the question as to their ultimate value remains thus undetermined, and will probably not be decided until more extensive researches are made.

4. A new element of difficulty in exploring the gold country has been interposed through the opposition of the native Indian tribes of Thompson's River, who have lately taken the high-handed, though probably not unwise course, of expelling all the parties of gold diggers, composed chiefly of persons from the American territories, who had forced an entrance into their country. They have also openly expressed a determination to resist all attempts at working gold in any of the streams flowing into Thompson's River, both from a desire to monopolize the precious metal for their own benefit, and from a well-founded impression that the shoals of salmon which annually ascend those rivers and furnish the principal food of the inhabitants, will be driven off, and prevented from making their annual migrations from the sea.

5. The officers in command of the Hudson's Bay Company's posts in that quarter, have received orders carefully to respect the feelings of the natives in that matter, and not to employ any of the Company's servants in washing out gold, without their full approbation and consent. There is, therefore, nothing to apprehend on the part of the Hudson's Bay Company's servants, but there is much reason to fear that serious affrays may take place between the natives and the motley adventurers who will be attracted by the reputed wealth of the country, from the United States' possessions in Oregon, and may probably

attempt to overpower the opposition of the natives by force of arms, and thus endanger the peace of the country.

6. I beg to submit, if in that case, it may not become a question whether the natives are not entitled to the protection of Her Majesty's Government, and if an officer invested with the requisite authority should not, without delay, be appointed for that purpose.

I have, &c.

The Right Hon. H. Labouchere, &c. &c. &c.

(Signed) JAMES DOUGLAS, Governor.

No. 6.

No. 6.

EXTRACT of a DESPATCH from Governor DOUGLAS to the Right Hon. HENRY LABOUCHERE, M.P., dated Victoria, Vancouver's Island, December 29, 1857. (Received March 2, 1858.)

(No. 35.)

SINCE I had the honour of addressing you on the 15th of July last, concerning the gold fields in the interior of the country north of the 49th parallel of latitude, which, for the sake of brevity, I will hereafter speak of as the "Couteau mines" (so named after the tribe of Indians who inhabit the country), I have received further intelligence from my correspondents in that quarter.

It appears from their reports that the auriferous character of the country is becoming daily more extensively developed, through the exertions of the native Indian tribes, who, having tasted the sweets of gold finding, are devoting much of their time and attention to that pursuit.

They are, however, at present almost destitute of tools for moving the soil, and of washing implements for separating the gold from the earthy matrix, and have therefore to pick it out with knives, or to use their fingers for that purpose; a circumstance which in some measure accounts for the small products of gold up to the present time, the export being only about 300 ounces since the 6th of last October.

The same circumstance will also serve to reconcile the opinion now generally entertained of the richness of the gold deposits by the few experienced miners who have seen the Couteau country, with the present paucity of production.

The reputed wealth of the Couteau mines is causing much excitement among the population of the United States territories of Washington and Oregon, and I have no doubt that a great number of people from those territories will be attracted thither with the return of the fine weather in spring.

In that case, difficulties between the natives and whites will be of frequent occurrence, and unless measures of prevention are taken, the country will soon become the scene of lawless misrule.

In my letter of the 15th of July, I took the liberty of suggesting the appointment of an officer invested with authority to protect the natives from violence, and generally, so far as possible, to maintain the peace of the country.

Presuming that you will approve of that suggestion, I have, as a preparatory step towards the proposed measures for the preservation of peace and order, this day issued a proclamation declaring the rights of the Crown in respect to gold found in its natural place of deposit, within the limits of Fraser's River and Thompson's River districts, within which are situated the Couteau mines; and forbidding all persons to dig or disturb the soil in search of gold, until authorized on that behalf by Her Majesty's Government.

Encl. Nos. 1, 2.

I herewith forward a copy of that proclamation, and also of the regulations since published, setting forth the terms on which licences will be issued to legalize the search for gold, on payment of a fee of ten shillings a month, payable in advance.

When mining becomes a remunerative employment, and there is a proof of the extent and productiveness of the gold deposits, I would propose that the licence fee be gradually increased, in such a manner, however, as not to be higher than the persons engaged in mining can readily pay.

My authority for issuing that proclamation, seeing that it refers to certain districts of continental America, which are not strictly speaking within the jurisdiction of this Government, may perhaps be called in question; but I trust that the motives which have influenced me on this occasion, and the fact of my being invested with the authority over the premises of the Hudson's Bay Company, and the only authority commissioned by Her Majesty within reach, will plead my excuse. Moreover, should Her Majesty's Government not deem it advisable to enforce the rights of the Crown, as set forth in the proclamation, it may be allowed to fall to the ground, and to become a mere dead letter.

If you think it expedient that I should visit the Couteau Mines in course of the coming spring or summer, for the purpose of enquiring into the state of the country, and authorize me to do so, if I can for a time conveniently leave this Colony, I freely place my services at the disposal of Her Majesty's Government.

Enclosure 1 in No. 6. Encl. 1 in No. 6.

PROCLAMATION by his Excellency JAMES DOUGLAS, Governor of Vancouver's Island and its Dependencies, &c. &c.

WHEREAS by law all mines of gold, and all gold in its natural place of deposit, within the districts of Fraser's River and of Thompson's River, commonly known as the "Quââtlan," "Couteau," and "Shuswap" countries, whether on the lands of the Queen or of any of Her Majesty's subjects belong to the Crown.

And whereas information has been received by the Government that gold exists upon and in the soil of the said districts, and that certain persons have commenced, or are about to commence, searching and digging for the same for their own use, without leave or other authority from Her Majesty.

Now, I, James Douglas, the Governor aforesaid, on behalf of Her Majesty, do hereby publicly notify and declare that all persons who shall take from any lands within the said districts any gold, metal, or ore containing gold, or who shall dig for and disturb the soil in search of gold, metal, or ore without having been duly authorized in that behalf by Her Majesty's Colonial Government, will be prosecuted, both criminally and civilly, as the law allows.

And I further notify and declare that such regulations as may be found expedient will be prepared and published, setting forth the terms on which licences will be issued for this purpose on the payment of a reasonable fee.

Given under my hand and seal at Government Office, Victoria, this 28th day of December, in the year of our Lord one thousand eight hundred and fifty-seven, and in the twenty-first year of Her Majesty's reign.

(Signed) JAMES DOUGLAS, Governor.

By his Excellency's command.
(Signed) RICHARD GOLLEDGE, Secretary.

God save the Queen.

Enclosure 2 in No. 6.

Government House, Victoria, December 29, 1857.

WITH reference to the proclamation issued on the 28th of December, declaring the rights of the Crown in respect to gold found in its natural state of deposit within the districts of Fraser's River and of Thompson's River, commonly known as the Quââtlan, Couteau, and Shuswap countries, his Excellency the Governor, has been pleased to establish the following provisional regulations, under which licences may be obtained to dig, search for, and remove the same.

1st. From and after the first day of February next, no person will be permitted to dig, search for, or remove gold, on or from any lands, public or private, without first taking out and paying for a license in the form annexed.

2nd. For the present, and pending further proof of the extent and productiveness of the gold deposits, the licence fee has been fixed at 10*s.* per month to be paid in advance; but it is to be understood that the rate is subject to future adjustment as circumstances may render expedient.

3rd. The licences can be obtained at Victoria, Vancouver's Island, until a Commissioner is appointed by his Excellency the Governor to carry those regulations into effect, and who will be authorized to receive the fee payable thereon.

4th. Rules adjusting the extent and position of land, to be covered by each licence, and for the prevention of confusion, and the interference of one licence with another, will be regulated by the said Commissioner.

(Signed) JAMES DOUGLAS, Governor.

By his Excellency's command,
(Signed) RICHARD GOLLEDGE, Secretary.

No. 7.

No. 7.

Copy of a DESPATCH from the Governor of Vancouver's Island to the Right Hon. H. Labouchere, M.P.

(No. 1.) Victoria, Vancouver's Island, January 22, 1858.

Sir, (Received March 15, 1858.)

1. With reference to the Proclamation and Regulations legalizing the search for gold in the districts of Fraser's River and Thompson's River, transmitted with my Despatch No. 35, of the 29th of December last, I have now the honour to communicate for your information, that we have since that date raised the licence fee from ten shillings to twenty-one shillings a month, payable in advance, which is the present charge for gold licences.

2. We were induced to make that change through a desire to place a larger amount of revenue at the disposal of Government to meet the expense of giving protection to life and property in those countries, and at the same time from a well-founded conviction that persons really bent upon visiting the gold district will as readily pay the increased as the lower rate of charge.

I have, &c.

(Signed) JAMES DOUGLAS,

To the Right Hon. Henry Labouchere, Governor.

&c. &c. &c.

No. 8.

No. 8.

Copy of a DESPATCH from Governor Douglas to the Right Hon. H. Labouchere, M.P.

(No.15.)

Sir, Victoria, Vancouver's Island, April 6th, 1858.

1. Since I had last the honour of addressing you in my Despatch No. 35, of the 29th of December last, in reference to the discovery of gold in the Couteau, or Thompson's River District, we have had much communication with persons who have since visited that part of the country.

2. The search for gold and "prospecting" of the country, had, up to the last dates from the interior, been carried on almost exclusively by the native Indian population, who have discovered the productive beds, and put out almost all the gold, about eight hundred ounces, which has been hitherto exported from the country, and who are moreover extremely jealous of the whites, and strongly opposed to their digging the soil for gold.

3. The few white men who passed the winter at the diggings, chiefly retired servants of the Hudson's Bay Company, though well acquainted with Indian character, were obstructed by the natives in all their attempts to search for gold. They were on all occasions narrowly watched, and in every instance when they did succeed in removing the surface and excavating to the depth of the auriferous stratum, they were quietly hustled and crowded by the natives, who, having by that means obtained possession of the spot, then proceeded to reap the fruits of their labours.

4. Such conduct was unwarrantable and exceedingly trying to the temper of spirited men, but the savages were far too numerous for resistance, and they had to submit to their dictation. It is, however, worthy of remark, and a circumstance highly honourable to the character of those savages, that they have on all occasions scrupulously respected the persons and property of their white visitors, at the same time that they have expressed a determination to reserve the gold for their own benefit.

5. Such being the purpose of the natives, affrays and collisions with the whites will surely follow the accession of numbers, which the latter are now receiving by the influx of adventurers from Vancouver's Island and the United States territories in Oregon; and there is no doubt in my mind that sooner or later the intervention of Her Majesty's Government will be required to restore and maintain the peace. Up to the present time, however, the country continues quiet, but simply, I believe, because the whites have not attempted to resist the impositions of the natives. I will, however, make it a part of my duty to keep you well informed in respect to the state of the gold country.

RECONNAISSANCE
OF
FRASER'S RIVER
FROM FORT HOPE TO THE FORKS.

FRASER R.

Gold found

The Great Falls of Fraser R. are about 80 miles above the Fork.

3 days Journey by Canoe to entrance of Shuswap River — no dangerous Rapids — Currents strong.

Forks

Gold found

TUCUMJANE
Indian Village

THOMPSON R.

SHUSWAP R.

2 days Journey by land — passable horse road.

1½ days Journey to Quayome.

Rapid

Rapid

Rapid

Portage 100 Yds

Portage 100 Yds

QUAYOME
Indian Village

COUTEAU COUNTRY

½ days Journey to Keekaloose by Canoe.

Mountainous Country
Impassable for horses

Gold found

KEEKALOOSE

2 days Journey with loaded horses from Quayome.

SPUZZEM

Douglas Portage
10 Miles long

Succession of Cataracts and Rapids

Cascade Range
High Mountains on both sides of the River.

Road to Kamloops

FORT YALE

Gold found

FRASER R.

FORT HOPE
80 miles above Fort Langley

True North (?)

NIKOWEMEEN R.

This is the Stream where Gold is now found.

Presented to both Houses of Parliament, by Command of Her Majesty.—July 1858.

John Arrowsmith, Litho.

6. The extent of the gold region is yet but imperfectly known, and I have, therefore, not arrived at any decided opinion as to its ultimate value as a gold-producing country. The boundaries of the gold district have been, however, greatly extended since my former report.

7. In addition to the diggings before known on Thompson's River and its tributary streams, a valuable deposit has been recently found by the natives on a bank of Fraser's River about five miles beyond its confluence with the Thompson, and gold in small quantities has been found in the possession of the natives as far as the Great Falls of Fraser's River, about eighty miles above the Forks. The small quantity of gold hitherto produced,—about eight hundred ounces,—by the large native population of the country is, however, unaccountable in a rich gold-producing country, unless we assume that the want of skill, industry, and proper mining tools, on the part of the natives sufficiently account for the fact.

8. On the contrary, the vein rocks and its other geological features, as described by an experienced gold miner, encourage the belief that the country is highly auriferous.

9. The miner in question clearly described the older slate formations thrown up and pierced by beds of quartz, granite, porphyry, and other igneous rocks; the vast accumulations of sand, gravel, and shingle extending from the roots of the mountains to the banks of Fraser's River and its affluents, which are peculiar characteristics of the gold districts of California and other countries. We therefore hope and are preparing for a rich harvest of trade, which will greatly redound to the advantage of this Colony.

10. I have further to communicate for your information that the Proclamation issued by me, asserting the rights of the Crown to all gold in its natural place of deposit, and forbidding all persons to dig for gold without a licence, have been published in the newspapers of Oregon and Washington territories, and that notwithstanding some seventy or eighty adventurers from the American side have gone by the way of Fraser's river to the Couteau mines without taking out licences.

11. I did not, as I might have done, attempt to enforce those rights by means of a detachment of seamen and marines, from the "Satellite," without being assured that such a proceeding would meet with the approval of Her Majesty's Government; but the moment your instructions on the subject are received, I will take measures to carry them into effect.

* * * * *

I have, &c.
(Signed) JAMES DOUGLAS,
Governor.

The Right Hon. Henry Labouchere, M.P.
&c. &c. &c.

[*An explanatory sketch of Fraser's River is forwarded with this report.*]

No. 9. No. 9.

Copy of a LETTER from the Governor of the Hudson's Bay Company to the Right Hon. Sir E. Bulwer Lytton, M.P.

Sir, Hudson Bay House, June 3, 1858.

I have the honour to enclose for your information extracts of two letters received by the last mail from Governor Douglas, dated respectively, Victoria, Vancouver's Island, 22nd and 25th March, giving the latest information from the gold fields recently discovered on the North-west Coast of America.

I have, &c.
(Signed) JOHN SHEPHERD,
Governor.

Sir Edward Bulwer Lytton, Bart.,
&c. &c., &c.

Encl. 1 in No. 9.

Enclosure 1 in No. 9.

EXTRACT of LETTER from JAMES DOUGLAS, Esq., to W. G. Smith, Esq., dated Victoria, Vancouver's Island, March 22, 1858.

"The winter has been remarkably dry and mild, and the farmers generally report their stock to be in fair condition for the season. Seed time has commenced in earnest, and with the most favourable weather for that important operation of husbandry. There is, however, a great scarcity of labourers, as nearly the whole floating population of the colony have moved off towards the Thompson's River gold mines.

"There will be much suffering in that quarter for want of food, as the country is without resources, and the transport from the sea coast is difficult and expensive.

"I trust Her Majesty's Government will take measures for the prevention of crimes, and the protection of life and property in that quarter, or there will, ere long, be a large array of difficulties to settle.

"A great number of Americans have also gone towards Thompson's River, and others are preparing to follow.

"I have written to Her Majesty's Government on that subject, and shall not fail to communicate with you as soon as I receive their reply."

Encl. 2 in No. 9.

Enclosure 2 in No. 9.

EXTRACT of LETTER from JAMES DOUGLAS, Esq., to W. G. SMITH, Esq., dated Victoria, Vancouver's Island, March 25, 1858.

"I returned from Fort Langley on the 16th instant, having despatched a party to build Fort Dallas, and another party with a further supply of trade goods for Thompson's River.

"Mr. Simpson's transport party had experienced some difficulty above the Falls, and lost two canoes which were dashed to pieces on the rocks, but the property was saved and no lives were lost. We have received no more definite tidings from the gold country than we before possessed.

"An experienced miner whom I met at Fort Langley, assured me that the country was much richer in gold than the Colvile District. The principal diggings are on the banks of Fraser's River, about 5 miles above the Forks, and the natives beyond that point are said to have found gold. The country is in fact but imperfectly known, and it is hardly possible to give any decided opinion at present in regard to the ultimate yield of gold. The bed rock, and other geological features of the country as described by the miner in question, would, however, lead one to believe that the district will be found productive of gold. He perfectly described the older slate formations thrown up and pierced by quartz, granite, and porphyry beds, and the vast accumulations of gravel and shingle extending from the roots of the mountains to the banks of Fraser's River, and its affluents; which are all characteristics of the gold districts of California and other countries."

No. 10.

No. 10.

EXTRACT of a DESPATCH from Governor DOUGLAS to the Right Hon. HENRY LABOUCHERE, dated Victoria, Vancouver's Island, May 8, 1858.

(No. 19.)

SINCE I had the honour of addressing you on the 6th of April last on the subject of the "Couteau" gold mines, they have become more than ever a source of attraction to the people of Washington and Oregon territories, and it is evident from the accounts published in the latest San Francisco papers, that intense excitement prevails among the inhabitants of that stirring city on the same subject.

The "Couteau" country is there represented and supposed to be in point of mineral wealth a second California or Australia, and those impressions are sustained by the false and exaggerated statements of steamboat owners and other interested parties, who benefit by the current of emigration which is now setting strongly towards this quarter.

Boats, canoes, and every species of small craft, are continually employed in pouring their cargoes of human beings into Fraser's River, and it is supposed that not less than one thousand whites are already at work and on the way to the gold districts.

Many accidents have happened in the dangerous rapids of that river; a great number of canoes having been dashed to pieces and their cargoes swept away by the impetuous stream, while of the ill-fated adventurers who accompanied them many have been swept into eternity.

The others, nothing daunted by the spectacle of ruin, and buoyed up by the hope of amassing wealth, still keep pressing onwards towards the coveted goal of their most ardent wishes.

On the 25th of last month the American steamer "Commodore" arrived in this port direct from San Francisco, with 450 passengers on board, the chief part of whom are gold miners for the "Couteau" country.

Nearly 400 of those men were landed at this place, and have since left in boats and canoes for Fraser's River.

I ascertained through inquiries on the subject that those men are all well provided with mining tools, and that there was no dearth of capital or intelligence among them. About 60 British subjects, with an equal number of native born Americans, the rest being chiefly Germans, with a smaller proportion of Frenchmen and Italians, composed this body of adventurers.

They are represented as being, with some exceptions, a specimen of the worst of the population of San Francisco; the very dregs, in fact, of society. Their conduct while here would have led me to form a very different conclusion; as our little town, though crowded to excess with this sudden influx of people, and though there was a temporary scarcity of food, and dearth of house accommodation, the police few in number, and many temptations to excess in the way of drink, yet quiet and order prevailed, and there was not a single committal for rioting, drunkenness, or other offences, during their stay here.

The merchants and other business classes of Victoria are rejoicing in the advent of so large a body of people in the Colony, and are strongly in favour of making this port a stopping point between San Francisco and the gold mines, converting the latter, as it were, into a feeder and dependency of this Colony.

Victoria would thus become a depôt and centre of trade for the gold districts, and the natural consequence would be an immediate increase in the wealth and population of the Colony.

To effect that object it will be requisite to facilitate by every possible means the transport of passengers and goods to the furthest navigable point on Fraser's River; and the obvious means of accomplishing that end is to employ light steamers in plying between, and connecting this port (Victoria) with the Falls of Fraser's River, distant 130 miles from the discharge of that river, into the Gulf of Georgia; those falls being generally believed to be at the commencement of the remunerative gold diggings, and from thence the miners, would readily make their way on foot or after the summer freshets by the river into the interior of the country.

By that means also the whole trade of the gold regions would pass through Fraser's River and be retained within the British territory, forming a valuable outlet for British manufactured goods, and at once creating a lucrative trade between the mother country and Vancouver's Island.

Taking a view of the subject, simply in its relations to trade and commerce, apart from considerations of national policy, such perhaps would be the course most likely to promote the interests of this Colony; but, on the contrary, if the country be thrown open to indiscriminate immigration the interests of the Empire may suffer from the introduction of a foreign population, whose sympathies may be decidedly anti-British.

Taking that view of the question it assumes an alarming aspect, and suggests a doubt as to the policy of permitting the free entrance of foreigners into the British territory for residence without in the first place requiring them to take the oath of allegiance, and otherwise to give such security for their conduct as the Government of the country may deem it proper and necessary to require at their hands.

The opinion which I have formed on the subject leads me to think that, in the event of the diggings proving remunerative, it will now be found impossible to check the course of immigration, even by closing Fraser's River, as the miners would then force a passage into the gold district by way of the Columbia River, and the valuable trade of the country in that case be driven from its natural course into a foreign channel and entirely lost to this country.

On the contrary, should the diggings prove to be unremunerative, a question which as yet remains undecided, the existing excitement we may suppose will die away of itself, and the miners having no longer the prospect of large gains will naturally abandon a country which no longer holds out any inducement for them to remain.

Until the value of the country, as a gold producing region, be established on clearer evidence than can now be adduced in its favor,—and the point will no doubt be decided before the close of the present year,—I would simply recommend that a small naval or military force should be placed at the disposal of this Government, to enable us to maintain the peace, and to enforce obedience to the laws.

The system of granting licences for digging gold has not yet come into operation.

Perhaps a simpler method of raising a revenue would be to impose a Custom's duty on imports, to be levied on all supplies brought into the country whether by Fraser's or the Columbia River.

The export of gold from the country is still inconsiderable, not exceeding 600 ounces since I last addressed you. The principal diggings are reported to be at present, and will probably continue, flooded for several months to come, so that unless other diggings apart from the river beds are discovered, the production of gold will not increase until the summer freshets are over, which will probably happen about the middle of August next. In the meantime the ill-provided adventurers who have gone thither will consume their stock of provisions, and probably have to retire from the country until a more favourable season.

I shall be most happy to receive your instructions on the subjects in this letter.

No. 11.

No. 11.

Copy of a LETTER from the Governor of the Hudson's Bay Company to Secretary Sir E. Bulwer Lytton.

Sir. Hudson's Bay House, June 24, 1858.

I have the honour to acknowledge the receipt of the Earl of Carnarvon's letter of the 22nd instant, stating your desire to be furnished with extracts of the letters lately received by the Hudson's Bay Company from Governor Douglas, on the subject of the gold fields on Fraser's River, and I beg in accordance therewith to transmit the accompanying copy of a letter from Governor Douglas, dated Victoria, April 27th, and extracts of his letters of the 19th and 30th of the same month.

I have, &c.

Sir Edward Bulwer Lytton, Bart.
Colonial Office.

(Signed) JOHN SHEPHERD,
Governor.

Encl. 1 in No. 11.

Enclosure 1 in No. 11.

Victoria, Vancouver's Island,
(Extract.) April 27, 1858.

I have to communicate for the information of the Governor and Committee that the steam vessel "Commodore" arrived in this port on the 25th instant, direct from San Francisco, with 450 passengers, chiefly gold miners, who have come here with the intention of working the gold mines of the interior.

About 400 of those men were landed on the same day, and, with the exception of a few who left yesterday for Fraser's River, are now engaged in purchasing canoes and making arrangements for continuing their journey by Fraser's River into the Couteau country.

They all appear to be well provided with mining tools, and there seems to be no want of capital and intelligence among them. About 60 of the number are British subjects, with about an equal number of Americans, and the rest are Germans, Frenchmen, and Italians.

Though our little town was crowded to excess with this sudden influx of people, and there was a temporary scarcity of food and dearth of house accommodation, the police

force small, and many temptations to excess in the way of drink, yet they were remarkably quiet and orderly, and there has not been a single committal for rioting or drunkenness since their arrival here.

The merchants and general dealers of Victoria are rejoicing in the increase of wealth and business produced by the arrival of so large a body of people in the colony, and are strongly in favour of making this place a stopping point between San Francisco and the gold mines, which, so far as respects the prosperity of the colony, is evidently an object of the utmost importance, as both in going and returning, the miners would make purchases, and spend a great deal of money; the value of property would be vastly enhanced, while the sale of public land and the colonization of the country would be greatly promoted.

The interests of the empire, if I may use the term, may not, however, be improved to the same extent by the accession of a foreign population, whose sympathies are decidedly anti-British.

From that point of view the question assumes an alarming aspect, and leads us to doubt the policy of permitting foreigners to enter the British territory, *ad libitum*, without taking the oath of allegiance, and otherwise giving security to the government of the country.

In the meantime, the people who have gone into the interior will meet with innumerable difficulties of route in their progress towards the mines, both from the nature of the country and the dangerous state of the rivers.

The principal diggings on Fraser's and Thompson's Rivers are also at present, and will continue, flooded for many months to come; there is moreover a great scarcity of food in the gold districts, so that those united causes will, in all probability, compel many of the ill-provided adventurers to beat a retreat and for the time to relinquish the enterprise.

The licence system has not been yet carried into effect, and it will be difficult to bring it into a general operation. It has since occurred to me that by levying an import duty on goods, the gold districts might be taxed to any desirable extent, without clamour or exciting discontent among the people, an object which might be effected at a moderate expense, by means of a customs station on Frasers River, and another at the point where the road from the Columbia strikes the ford of the O'Kanagan River, those being the only two commercial avenues of the Couteau country.

I shall soon address Her Majesty's government on the subjects referred to in this communication, and it is also my intention to represent how seriously the peace of the country may be endangered by the presence of so many people wandering over the interior in a vagrant state, especially in the event of the diggings proving unremunerative, and the miners being, as an inevitable consequence, reduced to poverty, and destitute of the common necessaries of life.

We have this moment been informed of the arrival of the Pacific Mail Steamer "Columbia," at Port Townsend, with 80 passengers from San Francisco, who are also bound for the Couteau gold district, and we observe by the latest San Francisco papers that several other vessels are advertised for the same destination.

Enclosure 2 in No. 11. **Encl. 2 in No. 11.**

Extract of a Letter from James Douglas, Esq., to William G. Smith, Esq., Secretary of the Hudson's Bay Company, dated Victoria, Vancouver's Island, April 19, 1858.

"Mr. George Simpson was the bearer of despatches from Fort Langley of the 14th, and from Chief Trader M'Lean, dated Forks (Thompson's River), the 4th instant, and arrived here by canoe on the 17th instant.

"The tidings from the gold district are of the most flattering description, but are not supported by a large return of gold dust. Mr. Simpson reports that gold is found in more or less abundance on every part of Fraser's River, from Fort Yale to the Forks, but I presume those diggings cannot be very productive, or there would have been a larger return of gold. Chief Trader Yale reports that parties are proceeding up Fraser's River towards the gold diggings almost every day."

Enclosure 3 in No. 11. **Encl. 3 in No. 11.**

Extract of a Letter from James Douglas, Esq., to W. G. Smith, Esq., Secretary of the Hudson's Bay Company, dated Victoria, Vancouver's Island, April 30, 1858.

"We have received no official intelligence from the gold mining districts since my letter of the 19th instant.

"Several parties of Americans and Canadians have, however, lately returned from thence disappointed and unsuccessful. They report that the waters of Fraser's River had

risen so much, that the auriferous 'Bars' were flooded, and they could not consequently employ themselves to advantage. They, however, think that the country is decidedly auriferous, and will yield large returns of gold.

"About 150 white miners had already arrived at the Forks of Thompson's River, when they left that place, and they met about as many more on the river travelling towards that point."

No. 12.

No. 12.

Copy of a LETTER from the Secretary of the Admiralty to Herman Merivale, Esq.

Sir, Admiralty, June 26, 1858.

I am commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Secretary Sir E Bulwer Lytton, a copy of a letter from Captain Prevost, of H.M. Ship "Satellite," dated at Vancouver's Island, 7th May 1858, respecting the discovery of gold on Fraser's and Thompson's Rivers, near to the 51st parallel of north latitude, in North America.

The newspaper and specimen of the gold dust referred to in Captain Prevost's letter are also enclosed.

I am, &c.

Herman Merivale, Esq., (Signed) H. CORRY.
Colonial Office.

Encl. in No. 12.

Enclosure in No. 12.

H. M. S. "Satellite," Esquimalt,
(Extract.) Vancouver's Island, May 7, 1858.

I have the honour to report to you that considerable excitement has been occasioned recently in this neighbourhood by the discovery of gold on Fraser's and Thompson's Rivers, at about the position of the juncture of the latter with the former river, near to 51st parallel of north latitude.

The reports concerning these new gold diggings are so contradictory that I am unable to furnish you with any information upon which I can depend. That gold exists is certain, and that it will be found in abundance seems to be the opinion of all those who are capable of forming a judgment upon the subject; but it is so obviously to the advantage of the surrounding community to circulate exaggerated, if not altogether false reports, for the purpose of stimulating trade, or creating monopolies, that it is most difficult to arrive at any correct conclusion, or to obtain any reliable information. I have every reason to believe that the Indians have traded some quantity of gold with the officers of the Hudson's Bay Company, and I am satisfied that individuals from this imm diate neighbourhood who started off to the diggings upon the first intelligence of their existence, have come back with gold dust in their possession, and which they assert was washed by themselves; but whether such be really the case, or whether it was traded from the Indians I am unable to determine. These persons all declare that at the present moment, although the yield is good, yet that there is too much water in the rivers to admit of digging and washing to be carried on with facility; but that when the water falls somewhat, as the summer advances, that the yield will be abundant. I am inclined myself to think that this information is not far from the truth, for these persons, after obtaining a fresh stock of provisions, have all returned to the diggings.

The excitement in Vancouver's Island itself is quite insignificant compared to that in Washington and Oregon territories, and in California, and which, of course, is increased by every possible means by interested parties. The result has been that several hundred persons from American territory have already flocked to the newly reported auriferous regions, and by the last accounts fresh steamers, and even sailing vessels, were being chartered to convey passengers to Puget Sound, or to Vancouver's Island, whence they have to find their way to the diggings principally by canoes.

I have heard that all the crews of the ships in Puget Sound have deserted, and have gone to the diggings; I am happy to say that as yet I have not lost a single man from the "Satellite" since the information was received, and I have every reason to hope that I may not be unfortunate in this respect, although, doubtless, soon the temptations to desert will be of no ordinary character.

No. 13. No. 13.

COPY of a DESPATCH from Secretary Sir E. BULWER LYTTON to Governor DOUGLAS.

(No. 2.)

SIR, Downing Street, July 1, 1858.

I HAVE to acknowledge your Despatch No. 19, of the 8th ultimo, in continuation of former Despatches, informing the Secretary of State from time to time of the progress of the gold discoveries on Fraser's River, and the measures which you had taken in consequence. I am anxious not to let the opportunity of the present mail pass without informing you that Her Majesty's Government have under their consideration the pressing necessity for taking some steps to establish public order and government in that locality, and that I hope very soon to be able to communicate to you the result.

In the meantime Her Majesty's Government approve of the course which you have adopted in asserting both the dominion of the Crown over this region, and the right of the Crown over the precious metals. They think, however, that you acted judiciously in waiting for further instructions before you endeavoured to compel the taking out of licenses, by causing any force to be despatched for that purpose from Vancouver's Island.

They wish you to continue your vigilance, and to apply for instructions on any point on which you may require them. They are, however, in addition, particularly anxious to impress on you that, while Her Majesty's Government are determined on preserving the rights, both of government and of commerce, which belong to this country, and while they have it in contemplation to furnish you with such a force as they may be able to detach for your assistance and support in the preservation of law and order, it is no part of their policy to exclude Americans and other foreigners from the gold fields. On the contrary, you are distinctly instructed to oppose no obstacle whatever to their resort thither for the purpose of digging in those fields, so long as they submit themselves, in common with the subjects of Her Majesty, to the recognition of Her authority, and conform to such rules of police as you may have thought proper to establish. The national right to navigate Fraser's River is of course a separate question, and one which Her Majesty's Government must reserve.

Under the circumstance of so large an immigration of Americans into English territory, I need hardly impress upon you the importance of caution and delicacy in dealing with those manifold cases of international relationship and feeling which are certain to arise, and which but for the exercise of temper and discretion might easily lead to serious complications between two neighbouring and powerful states.

It is impossible by this mail to furnish you with any instructions of a more definite character. Her Majesty's Government must leave much to your discretion on this most important subject; and they rely upon your exercising whatever influence and powers you may possess in the manner which from local knowledge and experience you conceive to be best calculated to give development to the new country, and to advance imperial interests.

I have, &c.

Governor Douglas, &c. &c. (Signed) E. BULWER LYTTON.

APPENDIX.

EXTRACT of a LETTER from JAMES DOUGLAS, Esq., to W. G. SMITH, Esq., Secretary of the Hudson's Bay Company, dated Victoria, Vancouver's Island, February 18, 1858.

"They say that the country is as rich as any part of California, though we have as yet no satisfactory evidence of that fact, there being circumstances indeed which rather favour the opposite conclusion. It is, for instance, well known that the export of gold dust from the state of California exceeded 150,000 ounces during the eight months following the discovery of gold in that country, and that the stream of wealth had in that time forced its way into all the neighbouring countries. We had a good share of it at Fort Vancouver, where we purchased at the Company's shops about 8,000 ounces in the course of a few months, and that formed but a small part of the wealth that had been actually brought into the country.

" Now the ascertained export from Thompson's River up to the present time does not much exceed 500 ounces, and admitting, for the sake of comparison, that an equal quantity still remains in the hands of the diggers and at our own establishment in Thompson's River, that would only give a total yield since the discovery of about 1,000 ounces, which, after making due allowance for the disproportion in the number and skill of the mining population in the two countries, is relatively a small return compared with that of the first eight months of the gold miners in California.

" The conclusion is obvious, but still Thompson's River may turn out to be a very valuable gold district."

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

HUDSON'S BAY COMPANY.

RETURN to an Address of the Honourable The House of Commons, dated 16 February 1858 ;—*for*,

"COPIES or EXTRACTS of any CORRESPONDENCE that has taken place between the Colonial Office and the *Hudson's Bay* Company, or the Government of *Canada*, in consequence of the REPORT of the SELECT COMMITTEE on the AFFAIRS of the COMPANY which sat in the last Session of Parliament."

Colonial Office, 22 February 1858.

H. LABOUCHERE.

(*Mr. Roebuck.*)

Ordered, by The House of Commons, *to be Printed*, 26 *February* 1858.

SCHEDULE.

Number in Series.	From Whom.	DATE.	SUBJECT.	Page.
1	Herman Merivale, Esq., to John Shepherd, Esq., Governor of the Hudson's Bay Company.	1858: 20 January	- - Informing him of the Conditions on which Her Majesty's Government are prepared to advise Her Majesty to renew the existing License of the Hudson's Bay Company, for a further Term of Twenty-one Years from its approaching expiration, on the 30th May 1859 - - - - - - - - -	3
2	Herman Merivale, Esq., to John Shepherd, Esq., Governor of the Hudson's Bay Company.	20 January	- - Stating that it is the intention of Her Majesty's Government to advise the exercise of the power reserved to the Crown to Repurchase and take Vancouver's Island from the Hudson's Bay Company, and requesting that Her Majesty's Government may be furnished with a Statement of the Sums expended on the Island, for which the Directors may claim Repayment - - -	4
3	John Shepherd, Esq., to the Right Hon. H. Labouchere.	21 January	- - Conveying the acquiescence of the Directors in the Conditions laid down by Her Majesty's Government for the renewal of the existing License of the Company - -	5
4	John Shepherd, Esq., to the Right Hon. H. Labouchere.	21 January	- - Acknowledging Mr. Merivale's Letter, informing him of the views of Her Majesty's Government in regard to Vancouver's Island, and adding that the required statement shall be prepared and transmitted as soon as possible - - - - - - - - -	6
5	The Right Hon. H. Labouchere to Governor-General Sir E. Head.	22 January	- - Enclosing copies of the preceding Correspondence for his consideration, and that of his Council, with General Remarks on the whole subject - - - - - - -	6

COPIES or EXTRACTS of any CORRESPONDENCE that has taken place between the Colonial Office and the *Hudson's Bay* Company, or the Government of *Canada*, in consequence of the REPORT of the SELECT COMMITTEE on the AFFAIRS of the COMPANY which sat in the last Session of Parliament.

— No. 1. —

COPY of LETTER from *Herman Merivale*, Esq., to *John Shepherd*, Esq.

No. 1.
H. Merivale, Esq., to J. Shepherd, Esq.
20 January 1858.

Sir, Downing-street, 20 January 1858.

1. HER MAJESTY'S Government have had under their consideration your letter of the 22d December 1856, containing an application on behalf of the Governor and Committee of the Hudson's Bay Company, for a renewal of their license for exclusive trading with the Indians in the north-western territories of America. They have also, since the receipt of that letter, paid full attention to the Report of the Select Committee of the House of Commons appointed during the last Session of Parliament, to consider the state of the British possessions under the administration of the Hudson's Bay Company. And I have now to acquaint you, by direction of Mr. Secretary Labouchere, with the result of their deliberations on the whole subject.

2. They are disposed to advise Her Majesty to execute the powers vested in Her by the Act 1 & 2 Geo. 4, c. 66, by renewing the existing license of the Hudson's Bay Company for a further term of 21 years from its approaching expiration on the 30th May 1859, on the following conditions:

3. The reservation, as in the present license, of any territories which may be formed by Her Majesty's Government into colonies.

4. Vancouver's Island to be excepted from the license, as already constituted into a colony. On the subject of this island, I am to refer you to another letter, of even date herewith, in which the views of Her Majesty's Government in relation to it are communicated to you.

5. I am further to state, that Her Majesty's Government consider it very desirable to ascertain, by the decision of some competent authority, the boundary between the province of Canada and the territories claimed by the Company under their charter. It has been suggested by Her Majesty's law advisers, that this might be effected through the intervention of the Judicial Committee of the Privy Council, on their being moved to entertain the question. You stated in your letter addressed to me on the 18th July last, that the directors of the Company were prepared to recommend to their shareholders a concurrence in this course. But I have no authority to state that the province of Canada is also prepared to concur in it, unless allowed at the same time to discuss the farther question of the validity of the charter itself, a question which, on public grounds, Her Majesty's Government do not consider themselves authorised to raise. If, therefore, any parties in Canada propose to take measures towards contesting the Company's rights to the full extent before a legal tribunal, Her Majesty's Government must leave them to take that course on their own responsibility. If, on the other hand, Canada thinks it expedient to agree to the course now proposed, namely, that of trying the question of boundary alone, with the consent of the Hudson's Bay Company, Her Majesty's Government will afford every facility in their power for its determination. It is therefore Mr. Labouchere's intention, in the first place, to submit this proposal to the option of the colony.

6. But supposing that no such proceedings are taken, and that the colony declines to contest the naked question of boundary in the manner suggested, Mr. Labouchere is of opinion that the objects recommended by the Committee may be attained by another course. He will then be prepared to propose to

Canada, and to the Company on the part of Her Majesty's Government, as a further condition for the renewal of the license, that the Company should surrender to the Crown such portions of the territory now claimed by it under the charter as may be available to, and required by Canada for purposes of settlement.

7. It is stated in the Report that the districts likely to be required for early occupation are those on the Red River and Saskatchewan. If that should be the case, the portion of territory thus generally indicated should be rendered free for annexation to Canada. Such annexation to take place whether in this or any other direction, when Canada has made a road or other line of communication connecting the territory she requires; and when Canada has given satisfactory evidence of her intention to take steps for laying out townships and settling and administering the affairs of these districts. Thus the annexation might be gradual, in case it should be found to suit the convenience of the several parties interested.

8. For the purpose of ascertaining the satisfactory performance by Canada of the terms thus required, the period when such annexation should consequently commence, and the manner in which it should be carried into execution, Mr. Labouchere would propose the appointment of a Board of three Commissioners, one to be nominated by the province of Canada, one by the Company, and one by Her Majesty's Government.

9. The same Board should be authorized to consider and report on the following question; viz. the amount of pecuniary compensation which, under all the circumstances of the case, may become justly payable to the Company, in consequence of such contemplated annexation, and in respect of property which they may be required to surrender.

10. The Commissioners should be instructed to dispose of further questions connected with the transfer which in the course of these proceedings it may appear desirable to refer to them.

11. Her Majesty's Government have further to propose that, if it should at any time be made known to them that there is good reason to believe that mining operations or fisheries may be advantageously conducted in any portion of the territory held by the Hudson's Bay Company under their charter, facilities should be afforded to Her Majesty's subjects for engaging in those pursuits, within limited districts. For this purpose, it would be necessary that Her Majesty's Government should be authorized to grant licenses or leases, or in some other manner, which may be arranged by mutual consent, to place the parties engaging to prosecute such undertakings in possession of the land required for the purpose, any territorial rights of the Company notwithstanding. On the other hand, it should be fully understood that Her Majesty's Government will not grant any such facilities unless the parties applying for them give to Her Majesty's Government and the Company substantial proof of their competency, and of the *bonâ fide* nature of their intentions, nor unless proper security be taken against the interference of such parties with the fur trade of the Company with the Indians. The mode of carrying into execution these arrangements would be matter for subsequent consideration, if the Company should agree to the principles now suggested.

12. If the Company should signify through yourself their willingness to consent to these proposals, Her Majesty's Government will proceed forthwith to submit them to the local Government of Canada for their consideration, and in the event of their concurrence, they will be prepared to take the necessary means for carrying them into effect.

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

— No. 2. —

No. 2.
H. Merivale, Esq., to J. Shepherd, Esq.
20 January 1858.

COPY of LETTER from *Herman Merivale*, Esq., to *John Shepherd*, Esq.

Sir, Downing-street, 20 January 1858.

WITH reference to my letter of this day's date, respecting the proposed renewal of the Hudson's Bay Company's license of trade in north-western America,

America, I am further directed by Mr. Labouchere to inform you that, in pursuance of the recommendation of the Committee of the House of Commons, referred to in that letter, it is the intention of Her Majesty's Government to advise the exercise of the power reserved to the Crown by the existing grant of Vancouver's Island, to repurchase and take that island from the Hudson's Bay Company, at the approaching expiration of the Company's present trading license, namely, on the 30th May 1859.

I am therefore to request that the directors will, at their earliest convenience, furnish Her Majesty's Government with a statement of the sums for which they may claim repayment as "laid out and expended by them in and upon the said island and premises, and as the value of their establishments, property and effects thereon," according to the terms of the grant.

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

— No. 3. —

COPY of LETTER from *John Shepherd*, Esq., to the Right Honourable *H. Labouchere.*

Sir, Hudson's Bay House, 21 January 1858.

No. 3.
J. Shepherd, Esq., to the Right hon. H. Labouchere.
21 January 1858.

I HAVE the honour to acknowledge the receipt of Mr. Merivale's letter of the 20th instant, communicating the result of the consideration which Her Majesty's Government had given to my letter of the 22d December 1856, and adverting to the full attention paid to the Report of the Select Committee of the House of Commons, which inquired last Session into the state of the British possessions under the administration of the Hudson's Bay Company, detailing the conditions on which Her Majesty's Government are prepared to advise Her Majesty to renew the existing license for a further term of 21 years, and informing me, that if the Company should signify their willingness to consent to these proposals, Her Majesty's Government will proceed forthwith to submit them to the local Government of Canada for their consideration, and, in the event of their concurrence, will be prepared to take the necessary measures for carrying them into effect.

In reply, I beg leave to state that, after full consideration with my colleagues in the direction, we shall be prepared to recommend to our proprietary body—

1st. To agree to the reservation, as in the present license, of any territories which may be formed by Her Majesty's Government into colonies.

2d. To agree to the proposed exception of Vancouver's Island from the license; and, upon this subject, we beg to refer you to the answer to the communication which you have forwarded to us, conveying the views of Her Majesty's Government in relation thereto.

3d. We concur in your suggestion, that in the event of the Government of Canada declining to be a party to the proposed reference of the boundary question to the Judicial Committee of the Privy Council, upon the footing which Her Majesty's Government are prepared to recommend, and which this Company has already expressed their willingness to adopt, the objects recommended by the Committee of the House of Commons may be attained by another course, the detailed arrangements of which should be carried out under the supervision of three Commissioners, one to be appointed by the Crown, one by the Canadian Government, and one by the Hudson's Bay Company.

I trust that the ready acquiescence of the Hudson's Bay Company in the plan proposed for meeting the requirements of the Canadian Government will be accepted as an earnest of their desire to be on terms of harmony and friendship with their countrymen in Canada.

4th. In communicating this assent on the part of the Hudson's Bay Company, it is, however, right to notice that the territories mentioned as those that may probably be first desired by the Government of Canada, namely, the Red River and Saskatchewan districts, are not only valuable to the Hudson's Bay Company as stations for carrying on the fur trade, but that they are also of

 peculiar

peculiar value to the Company as being the only source from which the Company's annual stock of provisions is drawn, particularly the staple article of pemican, a regular supply of which is absolutely necessary to enable the officers of the Company to transport their goods to the numerous inland and distant stations, and to feed and maintain the people, both European and Indian, stationed thereat. It is proper, therefore, that I should draw your attention to the fact, that the ultimate loss of these districts will most probably involve the Hudson's Bay Company in very serious difficulties, and cause a great increase of expense in conducting their trade. The Company assume that the Canadian Government will be responsible for the preservation of peace and the maintenance of law and order in all the territories ceded to them, and that they will prevent lawless and dishonest adventurers from infringing from thence the rights of the Company over the remaining portions of their territories.

5th. With respect to the 11th paragraph of your letter, in which it is proposed that Her Majesty's Government should be authorized at any time to grant licenses or leases, or in some other manner which may be arranged by mutual consent, to place parties engaging to prosecute mining operations or fisheries in possession of the land required in any portion of our territory for the purpose, any territorial rights of the Company notwithstanding: assuming that the principles stated in the 9th paragraph as applicable to cessions to Canada apply equally to any cessions which may take place in virtue of this 11th clause, I beg to state that we shall be prepared to recommend our shareholders to concur in this proposal.

6th. In conclusion, allow me to refer to the sentiments expressed in the fifth and last paragraphs of my letter of the 18th July last, as explanatory of the continued views of myself and colleagues. We are willing to enter upon a new tenure of our engagements under the renewed license, upon being assured of the support of Her Majesty's Government, and of the cordial co-operation of the neighbouring Government of Canada, in maintaining tranquillity and order among the Indian tribes, and protecting the frontiers of the whole adjacent British territories from foreign encroachment.

The interests of the Hudson's Bay Company, we are convinced, are closely united with the real prosperity of Canada, and we trust that the humane and beneficent objects of Her Majesty's Government will prosper under our united exertions.

I have, &c.
(signed) *John Shepherd*, Governor.

— No. 4. —

COPY of LETTER from *John Shepherd*, Esq., to the Right Honourable *H. Labouchere*.

No. 4.
J. Shepherd, Esq., to the Right hon. H. Labouchere.
21 January 1858.

Sir, Hudson's Bay House, 21 January 1858.

I HAVE the honour to acknowledge the receipt of Mr. Merivale's letter of yesterday's date, communicating the intention of Her Majesty's Government in reference to Vancouver's Island colony; and, in accordance with your request, a statement of the sums for which the Hudson's Bay Company may claim repayment according to the terms of the grant, will be prepared and transmitted as soon as possible.

I have, &c.
(signed) *John Shepherd*, Governor.

— No. 5. —

COPY of DESPATCH from the Right Honourable *H. Labouchere* to Governor-General Sir *Edmund Head*.

No. 5.
The Right hon. H. Labouchere to Governor-Gen. Sir E. Head,
22 January 1858.

(No. 9.)

Sir, Downing-street, 22 January 1858.

IN sending for your consideration and that of your Council a correspondence which has recently passed between the Directors of the Hudson's Bay Company and

and this department, on the subjects embraced by the investigation of a Committee of the House of Commons in the last year's Session of Parliament, it is not necessary that I should add much to the information which that correspondence conveys.

H. Merivale, Esq. to J. Shepherd, Esq. 20 January 1858, page 3.

The relations in which the Company is placed both towards Canada and towards Her Majesty's Government in this country, have naturally attracted, in no common degree, the attention of the Canadian community; and they were also carefully investigated by the Committee to which I have referred.

Ditto - ditto, 20 January 1858, page 4.

It is the anxious desire of Her Majesty's Government to take the opportunity afforded by the approaching termination of the Company's license of exclusive trade over what is termed the Indian territory, for placing these relations upon such a footing as shall be consonant with justice, and at the same time conducive to the satisfaction and to the interests of the great Province under your Government.

J. Shepherd, Esq. to the Right hon. H. Labouchere, 21 January 1858, page 5.

It is for the purpose of promoting these objects that I have carried on the correspondence which I now transmit to you. And I make no question but that it will be considered in a similar spirit by the Legislature and people of Canada.

Ditto - ditto, 21 January 1858, page 6.

I do not propose to discuss the question of the validity of the claims of the Company in virtue of their charter over the whole territory known as Rupert's Land. Her Majesty's Government have come to the conclusion that it would be impossible for them to institute proceedings with a view to raise this question before a legal tribunal without departing from those principles of equity by which their conduct ought to be guided. If, therefore, it is to be raised at all, it must be by other parties on their own responsibility.

With regard to the question of boundary, as distinguished from that of the validity of the charter, Her Majesty's Government are anxious to afford every facility towards its solution—a mode of accomplishing which is indicated in the correspondence—if such should be the desire of Canada.

But I trust that in any case a machinery may be provided, through the course now proposed, which will afford to Canada the means of obtaining any districts which she may require for the purposes of settlement, and to which she may be able to afford the benefits of administration and protection. The tracts claimed by the Company under its charter are conterminous on the north and west with the whole of that great Province which is now united under your Government. I therefore look to the gradual aggregation of such portions of those tracts as may be found available to that Province which contains within its limits the noble water communication afforded by the Lakes and the St. Lawrence to the Atlantic.

I recommend this important subject to the early consideration of yourself and your advisers.

Her Majesty's Government can have no other wish regarding it than, consistently with the principles of good faith, to promote the prosperity and consult the feelings of the people of Canada in this matter, as well as to provide for the security of law and order in those vast regions, in the maintenance of which Canada has herself so deep an interest.

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

HUDSON'S BAY COMPANY.

COPIES of CORRESPONDENCE that has taken place between the Colonial Office and the *Hudson's Bay* Company, or the Government of *Canada*, in consequence of the REPORT of the SELECT COMMITTEE on the AFFAIRS of the COMPANY, which sat in the last Session of Parliament.

(Mr. Roebuck.)

Ordered, by The House of Commons, *to be Printed,*
26 *February* 1858.

99.

Under 1 *oz.*

PRINCE EDWARD ISLAND.

PAPERS on the Subject of affording the Imperial Guarantee to a Loan for the Service of Prince Edward Island.

Colonial Office,
16 April 1858.

CARNARVON.

(PRESENTED TO PARLIAMENT BY HER MAJESTY'S COMMAND.)

Ordered, by The House of Commons, *to be Printed,*
16 *April* 1858.

SCHEDULE.

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1	Lieut.-Governor Daly to the Right Hon. Lord J. Russell.	19 May - - No. 28. (Extract.)	Enclosing a Bill, intituled, "An Act to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain rented Township Lands in Prince Edward Island, in order to defray the Expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further Encouragement of Education;" with Explanatory Remarks thereon - - - -	1
2	Lieut.-Governor Daly to the Right Hon. Lord J. Russell	28 June - - No. 38.	Enclosing a Bill, intituled, "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil" - - - - - - - - -	5
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8	Lieut.-Governor Daly to the Right Hon. H. Labouchere.	24 January - No. 4. (Extract.)	In reply to Despatches Nos. 6 and 7 of Series, stating that the Legislature is summoned for 14 February, and that he will then be able to report on the subjects alluded to in those Despatches - - - - - - - - -	15
9	Lieut.-Governor Daly to the Right Hon. H. Labouchere.	3 March - No. 15. (Extract.)	Enclosing Copies of his Speech on opening the Legislature on the 14 February, and the Addresses of the Council and Assembly in reply - -	16
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11	Lieut.-Governor Daly to the Right Hon. H. Labouchere	18 April - - No. 22. (Extract.)	Enclosing a Joint Address to Her Majesty from both Houses of the Legislature on the Subject of the Land Question, and with reference to a Loan for the purchase of the rights of Landlords in the Island - - - - - - - - - -	19

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		1856:		
12	The Right Hon. H. Labouchere to Lieut.-Governor Daly.	18 July - - No. 24.	Stating, in reply, that Her Majesty's Government are prepared to consider favourably this suggestion; but that they wish to be informed of the Amount of the proposed Loan, and to be furnished at the same time with a full Statement of the Financial Resources of the Island, and of the Provision to be made for securing the Repayment of the Principal and Interest of the Loan - -	20
13	Lieut.-Governor Daly to the Right Hon. H. Labouchere.	5 September - No. 41.	Enclosing Minute of Council, with accompanying Statements, furnishing the Information required in regard to the Financial Resources of the Colony - - - - - - - - -	21
14	The Right Hon. H. Labouchere to Lieut.-Governor Sir D. Daly.	23 November - No. 43.	Acknowledging the preceding Despatch, and stating that Her Majesty's Government are prepared to authorise a Loan of 100,000*l.*, to be appropriated to the Purchase of the Rights of Landed Proprietors in the Island, on certain conditions stated; the Subject to be again brought under the consideration of the Council, with a view to the introduction of the Measure necessary for giving effect to the proposed Arrangement - - - -	23
15	The Right Hon. H. Labouchere to Lieut.-Governor Sir D. Daly.	11 December - No. 45.	Enclosing, for his guidance in framing the Act above alluded to, Copy of an Act of the Legislature of Jamaica, passed in 1852, for raising a sum of Money for the benefit of that Island - -	24
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16	Lieut-Governor Sir D. Daly to the Right Hon. H. Labouchere.	19 January - No. 6. (Extract.)	Acknowledging the preceding Despatch. Satisfaction evinced in the Island in regard to the proposed Measure - - - - - - -	24
17	Lieut.-Governor Sir D. Daly to the Right Hon. H. Labouchere.	1 May - - No. 22. (Extract.)	Enclosing Copies of "An Act for raising Monies to be applied to the Purchase of Lands under the Act 16 Vict. c. 18, intituled, 'An Act for the Purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale and Management thereof, and for other Purposes therein mentioned.'" - - - - -	25
18	The Right Hon. H. Labouchere to Lieut.-Governor Sir D. Daly.	15 June - - No. 17.	Enclosing, in reply to the preceding Despatch, a Copy of a Letter from the Lords Commissioners of the Treasury on the Subject, and requesting to be furnished with certain information - -	28
19	Lieut.-Governor Sir D. Daly to the Right Hon. H. Labouchere.	13 July - - No. 34.	Furnishing, as far as possible, the information required, and enclosing a Commission appointing the Lords of the Treasury to be Agents for the execution of the Loan Act - - - - -	29
20	The Right Hon. H. Labouchere to Lieut.-Governor Sir D. Daly.	14 August - No. 22.	Acknowledging the preceding Despatch, and informing him of the unavoidable postponement till next Session of the introduction of the measure into Parliament for the Guarantee of the proposed Loan - - - - - - - - -	30
21	Lieut.-Governor Sir D. Daly to the Right Hon. H. Labouchere.	7 September - No. 46. (Extract.)	Stating, in reply, that he fears the delay will occasion disappointment in the Island - - - -	31
		1858:		
22	Lieut.-Governor Sir D. Daly to the Right Hon. H. Labouchere.	5 January - No. 1. (Extract.)	Stating that much anxiety is felt for the completion of the arrangements for the introduction of the Imperial Measure - - - - - - -	31

PRINCE EDWARD ISLAND.

— No. 1. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Daly* to the Right Hon. Lord *John Russell*; dated Prince Edward Island, 19 May 1855.

No. 1.
Lieut.-Governor Daly to Right Hon. Lord J. Russell, 19 May 1855.

(No. 28.)

(Received, 18 June 1855.)

(Answered, No. 13, 17 November 1855, page 11.)

I HAVE the honour to transmit to your Lordship three copies of a Bill intituled, "An Act to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain Rented Township Lands in Prince Edward Island, in order to defray the Expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further Encouragement of Education."

This Bill, as its title denotes, is intended to supply the necessary means for the support of a permanent force for the protection of the colony, to fill the place of the detachment of Her Majesty's troops withdrawn, and any surplus, after the attainment of that object, to be applied to the general purposes of education.

The nature of this Act rendered the insertion of a suspending clause necessary, and it cannot go into operation until it shall have received the Royal Assent.

It is certainly liable to the objection of exclusive or class taxation; but I have seen with regret the impossibility of procuring any other measure which could effect the object contemplated, being the establishment of a force upon which reliance could be placed for the maintenance of tranquillity and the defence of the colony.

The paramount feeling in and out of the Legislature is, that the proprietors, being the class most immediately and vitally interested in the maintenance of a power to enable the Government to enforce the law, ought to bear the whole expense, and in that view the Bill has been passed in both branches of the Legislature by large majorities. I regret to be obliged to assure your Lordship that I can see no ground for entertaining the slightest expectation that any less objectionable measure could be passed in the Provincial Legislature.

It cannot be doubted that a general resistance to the payment of rents would follow from a continuance of the present powerless position of the Government, and that attempts to establish a court of escheat, and every other means to harass the proprietors, would be resorted to. It is from the anticipation of these evils that I feel impelled respectfully to urge the expediency of allowing this Bill to go into immediate operation.

Enclosure, in No. 1.

Encl. in No. 1.

AN ACT to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain rented Township Lands in *Prince Edward Island*, in order to defray the expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education.—[Passed 17 April 1855.]

WHEREAS Her Majesty's forces, heretofore stationed in this island, have been withdrawn, and it is deemed expedient that, in the event of any emergency, provision should be made for

Preamble.

for raising an armed force for the protection of the colony: And whereas the proprietors of township lands in the said island have leased a large portion thereof to tenants, from whom they derive large rents, and covenants are generally contained in the leases of such lands, that the tenants or occupiers thereof shall pay all taxes imposed or to be imposed on the lands so leased to them, whereby the said proprietors evade the payment of said taxes, and the principal part thereof is paid by the tenantry: And whereas such lands have greatly increased in value from the industry of the tenants, and from the prosperity and progressive state of the colony, independently of any outlay made by the proprietors of such lands: it is therefore deemed just and equitable that the said proprietors should contribute towards defraying the expenses of any armed force for the protection of the colony, and also for the further encouragement of education:

Imposes a tax of 5 per cent. on the rent-roll of the proprietors, &c., of more than 500 acres of leased or rented lands.
Payable annually to the treasurer or his deputies, &c.

I. Be it therefore enacted by the Lieutenant-governor. Council and Assembly, as follows: From and after the time when this Act shall go into operation, and during the continuance thereof, the proprietor or owner, or the agent, factor, trustee, or receiver of any proprietor or owner of more than 500 acres of leased or rented lands, situate on any township in this island, shall yearly and every year, and at the time and in manner hereinafter directed, pay into the hands of the treasurer of this island, for the time being, or into the hands of any of his deputies, appointed as hereinafter mentioned, the sum of 1 *s.* of the lawful current money of the said island for every 20 *s.* of the like lawful money which such proprietors or owners, or the agent, factor, trustee or receiver of any such proprietors or owners is now or hereafter may be entitled to receive, as the annual rent of such lands; and upon every fractional part of 20 *s.* which any proprietor, owner or agent, factor, trustee or receiver may be entitled to receive as such rent as aforesaid, the like proportion of duty at the rate before directed shall be charged and paid: provided that no rate or duty shall be charged of a lower denomination than one penny.

First annual payment to become due, &c., on 1st June 1856, and subsequent payments on same day in each year.
Treasurer to call for same by advertisements, &c.

II. The first annual payment of the rate or duty hereby imposed shall become due and be payable, and made on the 1st day of June, in the year of our Lord 1856, and on the same day in every succeeding year during the continuance of this Act; and the said treasurer shall call for the said rate or duty by advertisement in the "Royal Gazette," inserted for at least six weeks previous to the said 1st day of June in each year.

Treasurer to appoint deputies in each county, &c.;
And define and publish their districts, &c.
Treasurer responsible for the conduct, &c., of his deputies.
Deputies to open books and give receipts for amount of rate paid, &c.
Books to be kept open until 5th December, and to be then forwarded, with monies received, &c., to treasurer.
Remuneration to deputies.

III. The said treasurer shall, by writing under his hand and seal, nominate and appoint such and so many deputies for each county in this island as to the said treasurer shall seem meet, and which deputies shall be appointed for certain districts or sections of the several counties in this island respectively, to be defined and published by the said treasurer, who shall be responsible for the faithful discharge of their duties; and such deputies, when so appointed, shall, and they are hereby authorised and empowered, to open books of account for the receipt of the rate or duty hereby imposed upon all persons chargeable with the same, and to give receipts for the said rate or duty, and to take and receive the statement or return, and administer the oath in the fourth section of this Act directed to be taken by persons chargeable with the said rate or duty; and such deputies shall keep open their books until the 5th day of December in each year, and shall immediately thereafter forward all sums of money received by them under this Act, together with their books or true copies thereof; and the return or statement hereinafter required to be made by such deputies to the said treasurer; and each and every such deputy shall be allowed the sum of 5 *l.* per centum on all monies collected and received by him under this Act.

Proprietors, &c., of more than 500 acres of land, &c., when paying rate, are to deliver a statement, on oath, setting forth situation of their lands, amount of annual rent receivable, &c.
According to form in Schedule (A).

IV. The proprietor or owner, or the agent, factor, trustee or receiver of any such proprietor or owner of more than 500 acres of leased or rented township lands in this island, and all other persons chargeable under this Act, at the time of paying the rate or duty hereby imposed, shall fill up and deliver to the said treasurer, or his deputies, a true and correct statement or return in writing, signed by the person making the same, and which statement or return shall be according to the form in Schedule (A) to this Act annexed, and shall contain the names of the proprietors or owners of such lands, and the names of the agent, factor, trustee or receiver of such proprietors or owners—the amount of annual rent which such proprietors or owners, or such agent, factor, trustee or receiver is entitled to receive for the same—and where the said lands may be situate—and the amount of rate or duty chargeable on account of the rent of such lands; which statement or return shall be accompanied by a declaration on oath and signed by the party making the same, of the truth of such statement or return, which oath shall be in the form prescribed by Schedule (B) to this Act annexed, and taken before the said treasurer or his deputies, to be appointed under this Act, who are hereby respectively required and empowered to administer the same.

Declaration, on oath, accompanying statement, to be in form as set forth in Schedule (B).
Oath to be administered by treasurer or his deputies, &c.

Penalty on proprietor, &c., neglecting or refusing to make return, or making false returns, &c.;
Or neglecting to pay rate, &c.

V. Any proprietor or owner, or any agent, factor, trustee or receiver, or any person chargeable under this Act, who shall neglect or refuse to make, or shall falsely make the said statement or return, or who shall refuse to take and subscribe the oath required by this Act, or who, having made such statement or return, shall neglect or refuse to pay the said rate or duty, shall forfeit and pay for every such neglect or refusal, or false return, the sum of 20 *l.*, and treble the amount of rate or duty at which such person ought to be rated under this Act.

VI. Whereas

VI. Whereas difficulty may arise in determining the amount of rate or duty payable under this Act, by persons refusing to make or falsely making the return hereby required: be it therefore enacted, that it shall be the duty of the deputies to be appointed by the said treasurer as hereinafter directed, when they make their return, with their books and accounts, as required by the third section of this Act, to certify to the said treasurer the number of acres of leased or rented township lands in their respective districts—the names of the respective proprietors or owners thereof—and the names of the agent or receiver of such proprietors or owners—the number of acres held by each proprietor or owner—the amount of annual rent which such proprietors, or the agent, or receiver of such proprietors or owners may be entitled to receive for such lands—and where situate in this island; and for all the purposes of this Act such return shall be held correct until the contrary be proved; and the onus of disproving the truth of such return shall be on the person or persons complaining to be injured thereby.

Treasurer's deputies, when they make the return as required by the 3d section, are to certify to treasurer the quantity of acres leased, &c., in their districts, names of owners, and amount of annual rent, &c.

Such return to be deemed correct until contrary shown by party disputing same.

VII. The said treasurer, on receiving such returns from his deputies, shall, in order to recover the rate or duty, or any part or portion thereof, which any person or persons chargeable under this Act shall have neglected or refused to pay, contrary to the provisions of this Act, shall compute thereby the amount of rate or duty payable or in arrear by any such persons under this Act; and having so ascertained the amount of such rate or duty, the said treasurer shall sue for and recover the same, with costs, together with the said penalty of 20 *l.*, in the Supreme Court in Queen's County, from any person or persons chargeable under this Act with the said rate or duty, and the said penalty of 20 *l.*, and who is or are in arrear for the same; and for that purpose shall, from time to time, as the same may be required, cause to be issued out of the said court, at the suit of such treasurer, against each and every such person or persons so chargeable or in arrear as aforesaid, a writ of summons, returnable at any sitting of the Supreme Court in Queen's County, subsequent to the issuing thereof, a copy of which shall be published in the "Royal Gazette" newspaper of this island for eight successive weeks; and in which summons it shall be stated that the defendants are sued, under the seventh section of this Act, for the said rate or duty, and the amount thereof, and such statement shall throw upon the defendant the burthen of disproving the truth thereof; and if the defendant, at the return of the said writ of summons, shall not appear, or, appearing, shall fail in proving that he is not liable for any part of the amount charged against him in such summons, the Court shall, without further proof than of the publication of the summons as herein directed, proceed to give judgment for double the amount of rate or duty which it shall in such case find to be chargeable under this Act, together with the said penalty of 20*l.*, and costs of the said action; and the amount of said judgment shall be levied and recovered as follows, that is to say: if the defendant named in such summons be the proprietor or owner of the lands in respect of the rent of which such proprietor or owner is chargeable with the said rate or duty, and for which such person is sued under this Act, then execution shall issue against the lands, wheresoever situate in this island, of such proprietor, or against the goods and chattels of such proprietor or owner, for the full amount of the said judgment; but if the said defendant be only the agent or receiver of such proprietor, or owner, or person beneficially entitled to such rent, then execution shall issue either against his lands, goods and chattels, to the amount of 20 *l.*, being the penalty imposed upon him, and against the lands or goods and chattels of the proprietor or owner for whom he is agent or receiver, for the residue of the amount of said judgment.

Treasurer on receiving returns, in order to recover rate in arrear, is to sue for the same, with the penalty and costs, in the Supreme Court, Queen's County.

Mode of proceeding for recovery of same, &c.

Statement in summons.

Burden of disproving statement of liability contained in summons thrown upon defendant, and if defendant do not appear or disprove such statement, &c., Court to give judgment against him, &c., for double amount of rate, with penalty and costs.

Mode in which amount of judgment is to be levied, &c.

VIII. In any case where execution, directed to the sheriff of any county in this island as aforesaid, shall issue out of the said Supreme Court, such sheriff shall levy on such lands, tenements, hereditaments and real estate, and shall make public sale thereof, at the court-house, in the county where such lands may be situate, after having first given three calendar months' notice thereof in the "Royal Gazette" newspaper of this island, and out of the proceeds of such sale he shall pay into the hands of the treasurer of this island the amount of the said judgment and costs; and after retaining and deducting an amount sufficient to defray the fees of such sheriff, and the expense of such advertisement and sale as aforesaid, and all other incidental expenses, shall pay the balance to the proprietor or owner of such lands, or to the agent or receiver of such proprietor or owner; and the sheriff is hereby empowered and directed to make and execute a deed to the purchaser or purchasers of such lands and real estate; which deed, when so executed and registered, shall vest in such purchaser or purchasers a good and sufficient title, seizin and estate in fee simple of, and in the premises therein described, without entry or possession given, against all the former owners or holders thereof, subject only to the conditions of the original grant thereof from the Crown: Provided always, that in the event of any such sale of lands, tenements, hereditaments, or real estate as aforesaid, an equity of redemption shall nevertheless be open to the former owner or owners, proprietor or proprietors, his or their agents, heirs, or assigns, for the space of two years next after the day on which the same shall have been sold, he, she or they repaying the purchase-money, with lawful interest thereon, and also all reasonable expenses attending the same, and a fair allowance for such improvements as shall or may be made thereon; the same, in case of a dispute, to be ascertained by the Supreme Court; provided, that in all cases of sale of lands under the provisions of this Act, the fee simple or freehold interest only shall be sold subject to any lease thereof, previously *bonâ fide* made to any person or persons; and if the premises so sold, or any part thereof, shall have been leased to any tenant or tenants before the extending execution thereon, whose lease or leases or tenancy shall not have expired at the time of the sale, that then it

Sheriff under execution to levy on lands, &c., and sell same, &c.

Three months notice of sale to be given.

Appropriation of proceeds of sale.

Sheriff to give deed &c., to purchaser, &c.

Effect of such deed in vesting estate, &c., in purchaser.

Equity of redemption to former owner of lands sold for two year after sale, &c.,

on repayment of purchase-money, &c.

Fee simple only of lands taken in execution to be sold, subje to leases thereof previously existing.

Tenants to attorn to purchaser ; And to be entitled to benefit of lease.

shall and may be lawful for the sheriff or his deputy, and he is hereby required, to notify such tenant or tenants that they must attorn and become tenants to such purchaser or purchasers ; and in so doing he or they shall be entitled to the full benefit of the term of their or his tenancy or lease, as the case may be.

Tenants of lands in this island are to make known, when required by treasurer, &c., names of their proprietors, amount of rent payable ;

And give all necessary information.

Penalty for refusal, and mode of recovering the same, &c.

Appropriation of penalty.

IX. In order to enable the deputies appointed by the said treasurer, under this Act, to obtain the information necessary to make the return required by this Act, the tenants or occupiers of all lands in this island shall, when required by the said treasurer or his said deputies, truly make known and declare the names of the proprietors or owners of any tract or piece of land held or leased by such tenants or occupiers, and the names of the agent or receiver of such proprietors or owners, the amount of rent which such proprietors or owners are entitled to receive for the same, and such tenants shall also, when required, produce or show forth to the said treasurer or his deputies, hereby appointed, any lease, agreement, or other writing relating to any lands in their occupation ; and shall answer all such questions, and give such other information as may be necessary and proper to enable the said treasurer or his said deputies to make the return required by this Act ; and all persons refusing to give, or falsely giving such information, shall forfeit for every such offence the sum of 40*s.*, to be recovered on the oath of such deputy or any other credible witness before any justice of the peace ; and on default of payment, such penalty shall be levied on the goods and chattels of the party delinquent ; and if no such goods and chattels can be found, such person shall be committed to the gaol of the county for a period not exceeding 30 days, and not less than 10 days ; and the penalty of 40*s.* imposed upon parties refusing to give evidence as required by this section, when recovered, shall be paid, one-half to the deputy or person suing for the same, and the other half into the treasury of this island for the use of the Government.

Agent of proprietor chargeable under this Act authorised to retain sufficient amount out of monies received by him to pay rate.

X. It shall and may be lawful for the agent, factor, trustee or receiver of any person or persons chargeable under this Act, out of any money or other value which such agent, factor, trustee, or receiver shall receive as rent, to retain so much and such part thereof as shall be sufficient to pay the rate or duty hereby imposed ; and every such agent, factor, trustee, or receiver is, and shall at all times be hereby indemnified against every person whomsoever for all payments which he shall make in pursuance of, and in conformity with this Act.

No tenant directly or indirectly, to be chargeable with rate imposed by this Act. Any agreement, &c., making tenant liable, to be void.

XI. No tenant or lessee, or any person paying rent to any proprietor or owner, or other person chargeable under this Act, shall, either directly or indirectly, be subject to the said rate or duty, or liable to pay the same ; and no contract, covenant, or agreement between landlord and tenant, or any other person or persons, touching the payment of the said rate or duty hereby imposed, shall be valid or binding, contrary to the intent and meaning of this Act.

Infants, married women, &c., chargeable under this Act.

And liable to penalties as in other cases.

XII. Any person, being an infant or married woman, or lunatic, idiot or insane, or the agent, factor, trustee or receiver, guardian or committee of any such person, entitled to rent arising from more than 500 acres of leased or rented township lands in this island, as aforesaid, shall be chargeable with, and liable to the rate or duty hereby imposed ; and shall, on neglect or refusal to comply with the provisions of this Act, be liable to pay the said rate or duty increased to double the amount as hereinbefore mentioned, and to any fine or penalty imposed on persons refusing or neglecting to comply with the provisions of this Act.

Mode of computing rate per annum in cases where rent is only payable every two or three years, &c.

XIII. In the event of the rent of lands, and for which rent any person is or shall be chargeable under this Act, being reserved and payable every two or three years, or for any other term longer than one year, the average rent of such lands for one year shall be considered the annual rent thereof, for the purposes of this Act ; and when any rent is, or shall be payable in grain, produce, or other matter, instead of money, the rate or duty hereby imposed shall be computed, charged, and exacted on the amount which such grain or produce, or other matter, would realize, if sold and converted into money.

Monies arising under this Act to be appropriated toward raising armed force when required for the protection of the island. Until such force shall be required monies to be applied to educational purposes.

XIV. The monies that may be levied under and by virtue of this Act shall be appropriated by the Lieutenant-governor and Council towards the raising of any armed force which may at any time be required for the protection and well-being of the colony ; but the said monies shall, until such force be called for and necessary, be applied towards the further encouragement of education.

Continuance of Act.

XV. This Act shall continue and be in force for five years, and from thence to the end of the then next session of the General Assembly, and no longer.

Suspending clause.

XVI. This Act shall not go into operation, nor be of any force or effect until Her Majesty's assent thereto shall be known ; and notification thereof published in the " Royal Gazette" newspaper of this island.

SCHEDULES

SCHEDULES to which this ACT refers. Schedule (A).

SCHEDULE (A).

Name of Persons making the Return, and in what capacity he makes the same, whether as Owner, Trustee, Agent, Factor, Receiver, Guardian, or Committee, and to and for whom such Person may be Agent, Factor, Trustee, Receiver, Guardian, or Committee.	Amount of Annual Rent which Persons making Return is entitled to receive as Owner or Proprietor of more than 500 acres of Township Lands in this Island, or as the Agent, Factor, Trustee, or Receiver, Guardian or Committee of such Proprietor or Owner.	Number of Acres of Land in respect of which any Person making Return is entitled to receive Rent, and on what Township situate in this Island, and the Name of the Owner or Proprietor thereof.	Amount of Rate or Duty which Person making Return is chargeable with under this Act, or which any Agent or Factor, Trustee, Receiver, Guardian, or Committee making Return, is required to pay under this Act.

SCHEDULE (B). Schedule (B).

I, *A. B.*, do solemnly swear that the return or statement now given in and signed by me, is correct and true in every respect and particular, as I verily believe,

So help me God.

A. B.

Charlotte Town, Prince Edward Island. *George Coles*, Colonial Secretary.

A true copy of the original, which I certify.

(signed) *Joseph Hensley*,
Attorney-General.

22 May 1855.

— No. 2. —

No. 2.
Lieut.-Governor Daly to Right Hon. Lord J. Russell, 28 June 1855.

COPY of DESPATCH from Lieutenant-Governor *Daly* to the Right Honourable Lord *John Russell*.

(No. 38.)

Prince Edward Island, 28 June 1855.
(Received, 16 July 1855.)

My Lord, (Answered, No. 13, 17 November 1855, page 11.)

I HAVE the honour to transmit to your Lordship three authenticated copies of a Bill passed by the Legislature of this Island in its last session, intituled "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil."

2. Although this Bill had its origin in proceedings upon analogous subjects in the Imperial Parliament, where the principle of securing to improving tenants the value of money laid out by them during their possession of leases, has met with general concurrence, yet it will be apparent to your Lordship that, in Great Britain, where real property is generally let either in terms specifying the manner and amount of improvements to be made, or the property let is already improved, public policy has pointed out that improving tenants should be sustained from loss, or its apprehension, how much more necessary is it to protect those whose lives must be spent in the arduous task of reclaiming forests and swamps from their state of primitive nature.

3. The difficulty of adjusting a general measure to embrace the variety of tenures which it would affect in Great Britain, does not operate in this island where the uniform tenure of leaseholds facilitates the completion of a measure to carry out the admitted principle; and believing that justice and sound policy

demand the application of this measure to the peculiar circumstances of the colony, I respectfully trust that your Lordship will see sufficient grounds to recommend it for Her Majesty's confirmation.

4. In the vicissitudes of human events, and more particularly when they are influenced, as in this island, by the market for timber, and by ship-building, the fluctuations of which will at any time either exhilarate or depress the settler, the most industrious family may be brought to want without fault or criminality; and, unless protected by this enactment, may be ejected from farms which the strength of their youth and manhood have reduced to cultivation and rendered valuable.

5. In such cases the landlord would be prevented from taking all; and unexceptionable referees would establish the value that should be placed upon the tenant's labour, whilst the improved farm would return to the possession of the landlord, to be disposed of with increased ease and advantage.

6. The tenantry have long been anxious for this measure, and at a time when the provincial Government is resisting the delusion (that for political purposes is so mischievously propagated), that escheat and free lands are to be attained by agitation, your Lordship will perceive how desirable it is that their reasonable expectations should not be disappointed.

* * * * * * *

I have, &c.
(signed) *D. Daly*,
Lieutenant-Governor.

Enclosure in No. 2.

Enclosure in No. 2.

AN ACT to secure Compensation to Tenants in *Prince Edward Island*, and thereby to promote the Improvement of the Soil.—[Passed 17 April 1855.]

Preamble.

WHEREAS a great part of the lands in this island are let to tenants, in some instances by written leases and agreements, and in others on merely verbal agreements, or on determinable tenures, or at will, such lands being in a wilderness and unimproved state, and without, at the commencement of such tenancy, any suitable buildings, or other improvements being made thereon by the lessor, or any allowance given or secured to the tenant or lessee, in consideration of any improvement made by clearing the forest, fencing, erecting buildings, draining, or otherwise, for the culture of the soil, in case he shall at any time, by misfortune or otherwise, make default in payment of the rent reserved in the lease or agreement, and the landlord shall thereupon, or at the expiration of such tenant's or lessee's term, take proceedings, by ejectment or otherwise howsoever, to recover possession of the land; and the tenant or lessee has on that account cause of complaint: be it therefore enacted, by the Lieutenant-governor, Council, and Assembly, as follows:—

Every tenant of land qualified, as mentioned in this Act, (where the land was unimproved at the commencement of the tenancy), who has made improvements, shall receive compensation therefor, previous to ejectment, &c., for non-payment of rent.

I. From and after the passing of this Act every tenant, qualified as hereinafter mentioned, occupying lands and paying rent in this island under a lease or agreement, verbal or in writing, reserving rents which shall have been in a wilderness state, and unimproved when the possession was given, or lease or agreement thereof granted or made at the date thereof, and when permanent improvements shall have been made on the land or premises in his occupation since the commencement of such occupation or date of the lease or agreement, shall be entitled, previous to the execution of any writ, process of ejectment, or other process at law, for nonpayment of rent, to receive compensation for the value of such improvements, according to the rules and regulations in this Act hereinafter provided.

Tenant on being served with notice to quit or declaration in ejectment, &c., shall serve notice of claim for compensation on landlord, with an offer of arbitration and name of an arbitrator.

II. If any such tenant or lessee shall be desirous to claim compensation under this Act, such tenant or lessee shall, on service of a notice to quit, or a declaration in ejectment, or other process issued or served to recover the premises in his occupation being made on him by such landlord, or within 20 days after such service, serve on such landlord, or his agent or attorney, a notice of such claim, which notice shall be in writing, and shall state the amount demanded by such tenant or lessee; and also an offer, on the part of the tenant or lessee, to refer all the aforesaid matters to arbitration; and which notice shall also contain the name of an arbitrator, being a fit and proper person resident in Prince Edward Island, to be appointed by such tenant or lessee for the purpose of such arbitration; and in case the claim for compensation shall not be acceded to by such landlord, or his agent or attorney, or adjusted by agreement between the parties, such landlord shall, within 20 days after the delivery of such notice, serve upon such tenant or lessee a notice containing the name of an arbitrator, being a fit and proper person resident in Prince Edward Island, to act in the matter of such arbitration; and the said two arbitrators so appointed by the tenant or lessee, and the landlord, shall appoint a third arbitrator, being a fit and proper person resident in Prince Edward Island, and the said matters in dispute shall be referred to the three arbi-

The two arbitrators to appoint a third arbitrator.

trators

trators as aforesaid; and the said arbitrators, or any two of them, shall and are hereby authorised and empowered, by such means as they shall think proper, to settle the amount of compensation, if any, to which the tenant or lessee shall be entitled under the provisions of this Act, and to make their award thereon in writing under their hands and seals, or under the hands and seals of any two of them, and such arbitrators shall, within 20 days after the making of such award, forward to each of the parties a copy thereof, and the expenses of such arbitration shall be paid by such party or parties, or in such proportion as the said arbitrators shall direct.

Arbitrators, or any two of them, empowered to settle amount of compensation, and give award in writing, &c.

A copy of award to be forwarded to each party.

III. If any landlord, against whom any such claim of compensation as aforesaid shall be made, shall proceed further, by any process of law, against the tenant or lessee making such claim for the purpose of recovering the possession of the lands or tenements, in respect whereof such claim shall have been made, it shall be lawful for such tenant or lessee to prove, by evidence at the trial of such ejectment, or other action for the recovery of lands, that such claim had been made, on his part, in conformity with the provisions of this Act; and either that compensation has been awarded to him, which compensation has not been paid or tendered to be paid by said landlord, or that such landlord has neglected or refused to appoint an arbitrator, having been duly required to do so, according to this Act, and that therefore such claims remain, by the default of the landlord, pending and undetermined; and on proof thereof, unless the amount of the award, if any award has been made, be forthwith lodged in court, or the claim of the tenant or lessee be otherwise settled, or appeal made against the award, as hereinafter in certain cases permitted, such tenant or lessee shall be entitled to a judgment or decree, as the case may be, in his favour, in the matter of such ejectment or other action as aforesaid; but if it shall appear that the claim of the tenant or lessee for compensation remains undetermined, by reason of any default of the arbitrators appointed as aforesaid, in not having made an award, or by reason of any informality in the service of the notices, or any part of the proceedings, it shall be lawful for such court, on the application of such tenant or lessee or landlord, and such court is hereby required to appoint an arbitrator or valuator, being a fit and proper person, resident in Prince Edward Island, who shall have full power to determine the amount of compensation, if any, due to such tenant or lessee, and such court shall withhold the issuing of any *habere* or writ of eviction, to which such landlord might be otherwise entitled, until the amount of compensation, if any, determined by the award of such arbitrator or valuator, shall have been paid to such tenant or lessee, or lodged in such court, to the credit of such suit; and if any such amount shall not be so paid or lodged within a time named, such court shall then give judgment or decree, as the case may be, in favour of the tenant or lessee.

If landlord proceed with ejectment, tenant, at trial, may prove that award was made and remains unpaid, or else that no arbitrator has been appointed by the landlord, although duly notified, whereupon judgment shall be given for tenant.

But if, by reason of default of the arbitrators, no award has been made, or any informality in the proceedings, the Court, if required by either party, shall appoint an arbitrator to determine the amount of compensation.

Habere or writ of eviction to be withheld until amount of the award shall be paid or lodged in court.

If not paid within a time named, judgment may be given for tenant.

IV. If, in any case, wherein an award shall have been made under this Act by arbitrators, any landlord, tenant or lessee shall think himself aggrieved by such arbitrators having failed to observe the rules herein provided for the regulation of their proceedings, and for determining the amount of compensation to be awarded, or with regard to the qualifications of the tenant or lessee, to make claim for compensation, under the rules and limitations with reference thereto in this Act enacted, it shall be lawful for such landlord, tenant or lessee to appeal against such award to the court in which any such ejectment case or other action for the recovery of land as aforesaid shall be tried; and if it shall appear to such court that the objections so made to the proceedings of the arbitrators in the matter of any award made by them were valid against the same, it shall thereupon be lawful for such court to cancel, alter or amend any such award; and if necessary to appoint an arbitrator or valuator to make a new award in the matter of such claim, as hereinbefore provided in the case of default in the arbitrator making award.

Landlord or tenant may appeal to the Court where the award has not been made according to the rules of this Act.

Court may cancel, alter, or amend award, or appoint an arbitrator, as if no award had been made.

V. The arbitrators who may be appointed to decide any case of dispute between landlord and tenant or lessee under this Act shall proceed in manner following: they shall first inquire whether the tenant or lessee claiming is in all respects entitled to make claims, according to the rules herein provided; and if the arbitrators find the claimant so qualified, they shall proceed to ascertain the improvements of all kinds for which the tenant or lessee is entitled to compensation, according to the terms and meaning of these provisions, whether the same be in the form of clearing and reducing the land into cultivation, of buildings, or of works to increase the productive power of the soil, by draining, or by any other productive expenditure of labour, and the expense of such improvements, and the amount of increased value created by the same; and they shall award to the tenant or lessee the full costs of all improvements so made, by which the value of the premises may be increased, or such amount thereon as they shall think fair and just, according to the circumstances of the tenancy, and according to the rules herein provided, making their award in such manner as best to carry out the principles upon which the provisions of this Act are founded.

Mode of proceeding by the arbitrators in determining their award.

VI. In any estimate of the amount of compensation to be allowed for buildings under this Act, the arbitrators aforesaid shall first estimate the cost at which new buildings might be erected, of the quality and extent of those for which compensation may be claimed, and afterwards they shall estimate whether any and what deduction should be made for deterioration from age or other causes; and having deducted such amount, if any, from the sum first ascertained, the remainder shall in all cases be deemed and taken to be the amount of compensation to be awarded to the tenant or lessee for such buildings: Provided always, that in case it shall appear that any building or buildings for which compensation shall be demanded are of greater extent, or erected at a higher cost, or for purposes other than what are suitable

Mode of determining the value of buildings.

No buildings to be allowed for, which do not increase the rent for which the premises would let.

able for the premises, and from any of these causes do not increase the value of the same, or do not produce an increased rent equal to the cost, the compensation shall be reduced in amount accordingly; and in determining the amount of compensation which shall be allowed to any claimant for the improvement of the soil, credit shall be given by the said arbitrators for all works of every description, and all expenditure of labour and capital proved to have been made, whether in clearing and reducing the land into cultivation, or any other way which shall have produced a permanent increase of the real value of annual rent of the property unimproved, and none other; and the nature, extent, expense, and present condition of all such improvements having been ascertained by the evidence which shall be produced on the part of the tenant or lessee, the amount of compensation to be awarded shall be determined in the following manner; that is to say, an estimate shall be first made of the annual rent which the lands would produce, as then improved, and an estimate shall be next made of the inferior rent which the same lands would be capable of producing if such improvements had not been made; and the difference of the two sums shall be considered the amount of annual profit to the landlord, created by the tenant's or lessee's improvements on the soil; and the amount of compensation to be awarded, as due to the claimant for improvements on the soil, shall be so much principal money as the amount of annual profit represents in the shape of interest, for one year, at the rate of five pounds per centum per annum; for instance, if the amount of annual profit shall be 2*l.* 10*s.*, then the amount to be awarded as compensation for improvements on the soil shall be 50*l.*, and so on in like proportion for a greater or less amount; and in determining such amount, it shall be lawful for the arbitrators to inquire into, and take into consideration the length of previous tenure or occupancy, and the rent paid, and the extent to which the tenant or lessee had been or might have been remunerated for the clearing of the land, or improvement of the soil, during his past occupancy; and it shall also be lawful for the arbitrators aforesaid to take into consideration any expenditure of manure, lime, or any other matter calculated to improve the temporary fertility of the soil, although not in the class of permanent improvements, and to award such recompense as they may think right for all such unremunerated expenditure.

Mode of determining the value of improvements of the soil.

Landlord may, if he can, rebut tenant's claim for compensation, and require arbitrators to make allowance after hearing his objections.

VII. It shall be lawful for any landlord, against whom claim for compensation shall be made by any tenant or lessee as aforesaid, to rebut such claim thereto, if in his power, and to require the arbitrators to inquire into objections made by such landlord, and to make such allowance or reduction, after hearing such objections, as to such arbitrators may seem just; and all rent and arrears of rent, debts, fines, or penalties, due to the landlord by the tenant or lessee, shall, in all cases of allowance of compensation for improvements of any kind, be discharged out of the money paid or agreed to be paid, for the purpose of such compensation.

All arrears of rent, debts, &c., due to landlord to be deducted out of such compensation, and to be retained by landlord.

Definition of terms used in this Act. "Tenant" or "Lessee."

VIII. In the construction of this Act, the words "tenant or lessee" shall be understood to mean and include the original tenant or lessee of wilderness and unimproved lands, and also his heirs, executors, administrators, and assigns, who shall be in the use or occupation of any wilderness and unimproved land, under any lease or agreement, reserving rent, whether verbal or written, in lands which, at the date of the lease or agreement, or at the commencement of his entry or occupation, were in a wilderness and unimproved state, and were then let for the purpose of agriculture, but not for the purpose of occupying or making use of the same for one or two seasons only, or for any special or temporary purpose, and shall not be let for the express purpose of building, or let by the foot, or other lineal measurement, denoting that such letting was actually *bonâ fide* for the purpose of building; and the word "landlord" shall be understood to mean the person or party entitled to the immediate possession or reversion of the lands or premises, on the determination of the tenancy, and the legal representative of such person or party, for the time being; and the word "improvement" shall be taken to include all buildings, and repairs of buildings, fences, clearing land from the forest, and reducing it into a state of cultivation, and all works of any kind which have tended to increase the permanent value of the land and premises; and the word "serve" shall be construed to mean either personal service or services on the attorney, agent, bailiff, steward, or receiver of the person or party to be served; or service, by delivery at the place of abode of such person or party, his attorney, agent, bailiff, steward, or receiver.

"Landlord."

"Improvement."

"Serve."

This Act only to apply to township lands and islands, and not to towns, &c.

IX. This Act shall only apply and extend to the lands of this island, known as township lands and islands, and not to the towns, commons, and royalties thereof.

Suspending clause.

X. This Act shall not go into operation, or be of any force or effect, until Her Majesty's pleasure therein shall be known, and notification of Her Majesty's assent being given thereto shall have been published in the "Royal Gazette" newspaper of this island.

Charlotte Town, 2 July 1855. (signed) *George Coles*,
Colonial Secretary.

(A true copy, which I certify.)

(signed) *Joseph Hensley*,
Attorney-General for Prince Edward Island.

— No. 3. —

No. 3.
Lieut.-Governor Daly to Right Hon. Lord J. Russell.
2 July 1855.

COPY of DESPATCH from Lieutenant-Governor *Daly* to the Right Honourable Lord *John Russell.*

(No. 39.)

Prince Edward Island, 2 July 1855.
(Received, 16 July 1855.)

My Lord, (Answered, No. 13, 17 November 1855, page 11.)

I HAVE the honour to transmit to your Lordship a petition, from certain proprietors of lands and their agents in this island, to The Queen, praying that Her Majesty may be pleased to withhold her Royal confirmation from the "Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil," which has been placed in my hands by Mr. Robert Bruce Stewart for that purpose.

2. I see no sufficient grounds in the statements of the petitioners to induce me to qualify the opinion I have had the honour of submitting to your Lordship in my despatch of the 28th June (No. 38); but, in justice to the proprietors generally, I am happy to be enabled to confirm that portion of the statement of the petitioners which asserts "that the conduct of the landlords has not been harsh or oppressive."

3. No circumstance has occurred during my administration of this Government that can be thus characterised, although I regret to be unable to discover the slightest ground to encourage a hope that the feelings of distrust and discontent evinced by the tenantry will be overcome so long as the leasehold system is persevered in.

I have, &c.

(signed) *D. Daly,*
Lieutenant-Governor.

Enclosure in No. 3.

Encl. in No. 3.

To the Queen's Most Excellent Majesty.

The humble Petition and Remonstrance of the undersigned Proprietors and Agents of Land in Prince Edward Island.

Most respectfully showeth,

THAT in the last session of the provincial Parliament of the said island a Bill was passed, intituled, "An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil," in which said Bill is a clause restraining the operation thereof until your Majesty's assent should have been first given thereto.

The undersigned humbly beg leave to submit that the said Bill should not be allowed to become law, for the following amongst other reasons:—

Because the provisions of the Bill are utterly subversive of all acknowledged principles of law and equity, destructive of the mutual relations existing between landlord and tenant, as recognised by the common law of England from time immemorial, and directly opposed to the dictates of common sense; so that it is difficult to suppose that those who concurred in passing it, from motives which will be hereafter alluded to, could have entertained the slightest hope that it would ever receive the Royal assent.

Before entering into the details of the Bill, it is deemed necessary to show under what relations the tenants contemplated in it stand with respect to their landlords as regards duration of tenure and terms of payment of rent, as these have a very evident bearing on the policy and justice of passing the Bill into an Act.

The majority of the tenants hold by leases of a long endurance, as appears by the enumeration of the respective holdings in the census of 1848 (the general accuracy of which there is no reason to doubt), as it is published by the order of the House of Assembly in the appendix to its journals of the year 1849.

In the year 1848 the whole number of tenants in the island amounted to 6,099, of whom more than one-half held under leases for 999 years, the residue by terms varying from 999 to 100, 50, and 30 years; there being of the whole number only 199 that occupy their lands under leases or agreements for a shorter period than 30 years; and those holding by these comparatively short periods of 100, 50, or 30 years have generally a clause inserted in the lease or agreement giving them the power of demanding releases in fee-simple upon the payment of 20 years' purchase-money.

As to the terms respecting the payment of rents under which the lands are held, they are, as given by the same authority, as follow: Out of the 6,099 tenants, are 4,970 who pay 9*d.* British sterling the acre; 898 at rents varying from 9*d.* to 16*d.* British sterling the acre; 37 not exceeding 2*s.* sterling per acre, and 87 in the oldest, most populous, and best cultivated districts, who hold at a greater rent than 3*s.* British sterling per acre.

That there is no species of contract which the laws of all countries, by a common consent, founded on the immutable principles of justice, look upon as so religiously to be kept and enforced as that between landlord and tenant; and the payments of the rent reserved in such contracts have ever, by the law of England, been compelled to be made with rigour and strictness, tempered and modified by a care and watchfulness that the extraordinary power vested in the landlord should not be abused; and of this care and watchfulness the tenant of Prince Edward Island has an equal share with those of England, in addition to the benefit conferred by statutes, by which the power of the landlord is curtailed and regulated, passed by the local legislature in favour of the tenant, who has also the same advantages given by the law of replevin, and may avail himself of any plea, in bar or of set off, that the practice of the courts allow, as fully as the tenant in England can.

But the tenant in Prince Edward Island is, in almost every possible case, placed on a far more favourable footing than the tenant in England. In the first place, the tenant's lease is of a long endurance; secondly, he is hampered with no burthensome conditions, is compellable to erect no particular species of buildings, to follow no prescribed course of cropping or tillage; all he has to do is simply to provide for and pay his rent of 9*d.* British sterling per acre, and the public taxes, which do not amount to 1*d.* British sterling per acre; and having performed these duties, he is totally independent of his landlord; may sell and dispose of his leasehold interest, at public auction or by private contract; may mortgage, build, cultivate, or let it alone, just as he pleases. It is therefore submitted that it is contrary to the dictates of sense, as well as opposed by the rules of common justice, that the landlord should be compelled to pay for buildings and improvements, on the necessity of erecting the one and making the other he has never been consulted, and which, if he had been consulted, he would in all probability have disapproved of.

That the compelling the landlord to take back the land because the tenant is either unable or unwilling to discharge the rent, and pay for the improvements at a valuation by arbitrators, is an act of injustice to him as a creditor, to which no other creditor of the tenant is by law subjected, inasmuch as any judgment creditor of the tenant may take out execution, levy upon the leasehold interest, and sell it, with all the improvements, in a year from the date of the levy; turn the tenant out of possession; and if the leasehold interest, with the improvements, are not sufficient to pay the debt, seize upon his person and lodge it in prison until the residue be paid.

That the mortgagee of property is at liberty to foreclose, when the condition for the repayment of the mortgage money is broken; and that in such case the land, with all its improvements, is forfeited; and that this Bill would place the landlord who, by abstaining from pressing his tenant for the rent, has in equity lent him so much money, in a worse situation than a mortgagee or a judgment creditor; thus making the claim of the landlord, which is in England and all other countries considered as paramount, inferior to those of strangers.

That the Bill is retrospective, and will, if it takes effect, be the means of adding a Parliamentary covenant to pay for improvements on the part of the landlord, which, had it been proposed at the time of executing the lease, he would have at once rejected.

That it is taking a fraudulent and unjust advantage of the lenity of the landlord, who in most, or in all cases, has forborne to press the tenant for the payment of his rent, from an unwillingness to interfere with or prevent his making the necessary improvements; resting satisfied that by so doing he was promoting the interests of the tenant, and enabling him to pay his rent with greater ease in future years: that, in fact, by this Bill the landlord is to be punished for having assisted his tenant, at the outset of his career, with what was equivalent to a loan of money, without interest, for 5, 10, or 15 years.

That the very fact of the improvements being to any amount greater in value than the rent in arrear, is a convincing proof that the tenant has had a beneficial use of the soil, and that there is no injustice in compelling him to dispose of those improvements at public sale or by private contract; and, first discharging the debt which honour and honesty alike require him to pay, appropriate the residue at his own will and pleasure.

That no distinction is made by the Bill between landlords who have only a life interest in the soil and those who have the fee-simple; as, for instance, tenants for life, tenants in tail, tenants by the courtesy, and tenants in dower, all of whom have no other interest in the land than what they derive from the annual profits, and who might be ruined or starved by the detention of the rents, and who have, certainly, no interest in the improvements other than their affording a greater security for the payment of those rents.

That the Bill has not been called for by any harsh or oppressive practices on the part of landlords or their agents, there having been only six tenants, out of all that hold lands in the island, ejected for the nonpayment of rent during the space of the last four years, as was shown by a return furnished by the prothonotary of the Supreme Court.

That the allowing the improvements to be estimated by arbitrators is an useless, expensive, and uncertain method of finding their true value, which more easily and with greater certainty can be ascertained by exposing them to sale, with proper notice and under proper precautions; a mode of procedure to which the proprietor who is in want of his rent must have recourse if the Bill should become an Act, and who, if the improvements realise less

than

than their estimated value, must submit to a loss which ought, in justice and equity, to be borne by the tenant.

That under the terms of the Bill, as to what shall be considered the just value of the improvements to be paid for by the landlord and those to be borne by the tenant, it would be utterly impossible for any arbitrators to come to a just decision, inasmuch as few, if any, of the tenants in the island keep any account of their expenditure or of their income.

That the Bill directs the arbitrators "to take into consideration any expenditure of manure, lime, or any other matter calculated to improve the temporary fertility of the soil, and to award a recompense therefor," a convincing proof that the true intention of the Bill is to prevent the landlord from ever recovering his rent when it has been suffered to fall in arrear, as an award made upon such principles would, in most cases, amount to more than the original value of the land.

That it is a specimen of class legislation of the most odious kind, and can serve no other end than to reduce the value of real estate, already at a very low rate, as may be seen by the price paid by the Government for the estate of Charles Worrell, Esq.

That the Bill is impolitic, having a tendency to drive all monied men from the island, as no one will be inclined or can be expected to invest capital in the purchase of land which he is deprived of the power of turning to a beneficial use, and may be prevented from reaping the just profits of under the sanction of law.

That the true object of this Bill has been declared by the Honourable George Coles, the leader of the Government, in his speech on the escheat question, on the 29th day of March last, to be for the purpose of compelling the proprietors "to come in and offer their lands to the Government under the Land Purchase Bill."

That if the Royal assent be given to this Bill, it will be sanctioning a species of class, partial, and unjust legislation, which cannot fail to have a ruinous effect on the future prosperity of Prince Edward Island, and may be drawn into a precedent for any species of wrong and injury it may be the pleasure of an ignorant or interested majority in the Legislature to inflict upon either individuals or bodies of men.

The undersigned, therefore, most humbly pray that your Majesty will be graciously pleased to take the premises into your Royal consideration, and withhold your Royal allowance from the said Bill.

And your Majesty's petitioners, as in duty bound, shall ever pray.

Charlotte Town, Prince Edward Island, 19 June 1855. [33 Signatures.]

— No. 4. —

No. 4.
Right Hon. Sir G. Grey to Lieut.-Governor Daly, 17 November 1855.

EXTRACT of DESPATCH from the Right Hon. Sir *George Grey* to Lieutenant-Governor *Daly*; dated Downing-street, 17 November 1855.

(No. 13.)

I have to acknowledge your despatches, by which you transmit to me for Her Majesty's sanction two Acts passed by the Legislature of Prince Edward Island in the month of April last, intituled respectively,

"An Act to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain Township Lands in Prince Edward Island, in order to defray the expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education:" and,

"An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil;" both of which Acts contain suspending clauses, reserving them for the assent of the Crown; and also transmit representations from various parties interested in the subject of these Acts.

Her Majesty's Government have considered these Acts separately, and with an anxious desire to do justice between the community of Prince Edward Island in general, and the proprietors of the soil, and to allow the fullest possible scope to the principle of local independence in legislative matters, subject only to their paramount duty, not to advise the Crown to assent to any measure inflicting manifest wrong on any of Her subjects.

I regret to be obliged to inform you, that Her Majesty's Government find themselves unable to advise Her Majesty to give her assent to either the one or the other of these Acts.

If the Legislature of Prince Edward Island should find that the revenue of the island is not sufficient to defray the public expenses of the colony, and if those expenses cannot be diminished by any economical revision without detriment to the public service, a general tax affecting alike all incomes arising in any way from land, from houses, from trade, from manufactures, from salaries, or from any other source, might be a fair and proper mode of providing the requisite funds. And if such an Act were passed (with sufficient reason shown for it), applying equally to landowners and tenants, to proprietors and occupiers, such a measure would be free from objection.

The measure intituled "An Act to secure Compensation to Tenants," is one to which Her Majesty's sanction must be refused, because its plain and direct tendency is to transfer property in land from the owner to the tenant. This Bill provides, that where a tenant is unable or unwilling to fulfil the contract between him and the landowner by which the tenant has agreed to pay to the landowner a fixed annual rent, usually very small in amount, for the land which he holds, the landlord must either forego the rent, and thus let the land pass practically to the tenant, or he must pay to the tenant a sum equal to 20 years' purchase of what is termed the "annual profit to the landlord created by the tenant's or lessee's improvements on the soil," the amount of which payment would in many cases be equal to the marketable value of the fee simple of the land. In the one case, he would make over to the tenant the land itself; in the other case, he would make over to the tenant a sum which might even go beyond the value of the land.

It is needless to enumerate all the objections which apply to this measure; and the more so, as they are ably stated in the Memorial presented against it by some of the owners of land, and transmitted with your despatch No. 39* of the 2d July last.

* Page 9.

But I cannot refrain from remarking, that those lands in Prince Edward Island on which any great improvements have been made by tenants were let in a state of wilderness at the almost nominal rent of 9*d.* or 1*s.* an acre, on the express understanding that they were to be brought into cultivation by the tenant: that, to secure to the tenant the enjoyment and profits of his improvements, leases of extraordinary length were given; and that a tenant who, by misfortune or other cause, is unable to pay that insignificant rent is always at liberty to sell his lease to the best bidder, and thus to realise in the market the value of the improvements he may have made.

— No. 5. —

No. 5.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P., 10 December 1855.

EXTRACT of DESPATCH from Lieutenant-Governor *Daly* to the Right Hon. *Henry Labouchere*, M. P.; dated Government House, Prince Edward Island, 10 December 1855.

(No. 70.)

(Received, 1 January 1856.)
(Answered, No. 5, 2 January 1856, page 15.)

I HAVE the honour to acknowledge the receipt of Secretary Sir George Grey's despatch of the 17th November, No. 13,* informing me that Her Majesty's assent would not be given to "An Act to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain Township Lands in Prince Edward Island, in order to defray the expenses of any Armed Force which may be required on account of the withdrawal of the Troops, and for the further encouragement of Education:" and,

* Page 11.

"An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the improvement of the Soil."

In sanctioning the introduction of those measures on the recommendation of my Council, after the most careful and anxious consideration, I acted under the conviction that there was no other course open to me, by which the tranquillity of the colony could be maintained, and the interests of all the holders of property therein so effectually protected.

By

By this means the cordial co-operation of my Council was secured in the resistance which I felt it to be of paramount importance to offer to the "escheat" agitation, in which, up to the present time I have succeeded beyond my most sanguine expectations.

The resignation of the Executive Council, which would have followed upon a refusal on my part to permit the introduction of these measures, must have led to their places being filled by persons far less qualified in every respect for that position, if indeed, as would probably have been the result, a dissolution were not forced upon me, which would in such circumstances have given a large majority of the Assembly pledged to escheat (the party lately in power having for the most part regardless of all other consequences, encouraged the mischievous agitation of that subject for the sole purpose of displacing the present Council, and without any reason to expect that they could themselves have returned to office).

I was under no apprehension that any amount of agitation could induce a departure on the part of Her Majesty's Government, from the equitable decisions which had been so repeatedly communicated to the Legislature on the subject of escheat, but a continued agitation of the question, as in all previous instances would have furnished a pretext for a general resistance to the collection of rents, attended by evil consequences which I should have found myself in a position wholly unable to counteract.

My constant endeavours have been directed to upholding the rights of property, and to leading the people to a more just appreciation of their position, and the prosperity that is attainable from a proper use of the advantages they possess; and, proprietors and tenants alike attribute to the influence I have exerted in this respect, the remarkable improvement that has taken place during the time that I have had the honour of administering this Government.

I beg, sir, to assure you that I do not allude to circumstances affecting myself personally in a boastful spirit, or with any other feeling than such as arises from the consciousness of having done my duty to the best of my judgment, in such a way as I trusted would merit the approbation of Her Majesty's Government.

The Act imposing a rate upon rent-rolls, I always considered to be objectionable as "class legislation;" but the advantages that would accrue to the tax-payers, far outweighed, in my humble judgement, the contribution which it was intended to levy under it.

It was manifest that the Act could not produce more than a portion (probably not one-half) of the cost of such a force as was required, but it would have enabled the local Government to appeal successfully to the Assembly for the deficiency.

I had not been many days in this island before the extremely oppressive nature of the Land Assessment Act was brought to my notice by proprietors and their agents, and by none more forcibly than Mr. Bruce Stewart, who described his position as all but ruinous, from the effects of that measure. (9 Vict. c. 7).

In the minute and careful consideration which this circumstance suggested, and which I have not ceased to give to the difficulties that surround the land question, and with a sincere desire to devise some means of relief for the proprietors, and the removal of all just cause of discontent from the parties wishing to occupy land, I have obtained the concurrence of my Council in a measure which I am under the impression would go far towards the attainment of the objects to which I have referred.

The leading feature of this measure is to relieve the proprietors from all tax upon wilderness lands, contained within such limits as they should voluntarily place on sale with the Crown Lands Department, for such number of years, and at such rates as might be agreed upon, not exceeding the prices at which similar lands are sold by the Government in this and in the neighbouring provinces.

I have had a Bill for some time in course of preparation, with the intention of having it submitted to the Legislature at its next session; but to what extent my views in this respect may be frustrated by the disallowance of these Acts, I am as yet unable to say; and in alluding to the subject at present, I merely desire to show that my exertions have been directed to the relief rather than the oppression of the proprietary class.

With regard to the Act to secure compensation to tenants, I can only say that I acted under the assurance of my principal Crown law officer, that it

was wholly free from the objections which are alleged against it; and that I much regret his opinion should still differ so entirely from that which is entertained by any member of Her Majesty's Government.

With reference to the concluding portion of Secretary Sir George Grey's despatch, I have the honour respectfully to assure you that I have never been unmindful that Her Majesty's Government possess s the power of causing the law to be respected in all parts of her dominions. I humbly submit that my endeavours were directed to the best of my judgment, to obviating any necessity for the employment of extraordinary means by the Imperial Government, for the preservation of order in this colony, an alternative which I could not doubt would always be resorted to with regret by Her Majesty's Government.

With the consciousness of having faithfully performed my duty, I prize the confidence of Her Majesty's Government above every other consideration; and I humbly trust, sir, that the explanations I have felt called upon to offer, from the terms in which the decision of Her Majesty's Government is conveyed to me on this occasion, will be deemed satisfactory.

— No. 6. —

No. 6.
Right Hon. H. Labouchere, M.P., to Lieut.-Governor Daly, 21 December 1855.

EXTRACT of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Lieutenant-Governor *Daly*; dated Downing-street, 21 December 1855.

(No. 3.)

UPON entering on the duties which Her Majesty has been pleased to confide to me, I could not avoid giving my most serious attention to the correspondence which has recently taken place with regard to two Acts * of the Legislature of Prince Edward Island, to which Her Majesty's Government were unable to advise Her Majesty to give her assent.

* Pages 1 and 6.

I have at the same time found it necessary to review the series of transactions extending over a long period of years, which are marked by the continued effort of a large portion of the resident inhabitants of the island, either to abolish altogether, or materially to curtail the rights of the owners of landed property.

I will not now repeat arguments which have been urged on various occasions by my predecessors, it will be sufficient for me to express my decided opinion, that whatever character may properly attach to the circumstances connected with the original grants which have been often employed against the maintenance of the rights of the proprietors, they could not with justice be used to defeat the rights of the present owners, who have acquired their property by inheritance, by family settlements, or for valuable consideration.

Seeing, therefore, that the rights of the proprietors could not be sacrificed without manifest injustice, I feel that it will be my duty steadily to resist by all means in my power measures similar in their character to those which were recently under the consideration of Her Majesty's Government.

I desire, however, at the same time, to assure you that it was with much regret that Her Majesty's advisers felt themselves constrained to oppose the wishes of the people of Prince Edward Island, expressed through their representatives, and that it is my earnest wish to be spared the necessity of authoritative interference in regard to matters affecting the internal administration of their affairs.

With regard to the main object which has been frequently proposed by a large portion of the inhabitants, namely, that some means may be provided by which a tenant holding under a lease may arrive at the position of fee-simple proprietor, I am anxious to facilitate such a change, provided that it be effected without injustice to the proprietors.

There are but two ways in which such a change could be effected. The first is the usual and natural one of purchase and sale between the tenant and the owner, and no reason appears as yet to have been stated why, if the tenants offer to the landowners the full value of the rihgt and interest of the landowner, sales and purchases cannot be effected. It would seem probable, that at all events, in the cases of non-resident owners, such fair offers would generally be accepted, and as the lands are usually let upon leases of extraordinary length,

and

and at a small annual rent, there can, it would seem, be but few tenants who could not find the means of offering a fair price for buying up the annual rent of their holding.

The other method would be, that the Government of the island should treat with such of the landowners as might be willing to sell, and that the State, thus becoming possessed of the fee-simple of such lands as might thus be sold, should be entitled to afford greater facilities for converting the tenants into free-holders than the landlords themselves might feel an interest in doing.

An arrangement of this kind would probably not be made without a loan to a considerable amount to be raised by the island Government, the interest thereof to be charged upon the revenues of the island. But Her Majesty's Government would not be indisposed to take into consideration any plan of this kind which you might submit to them, knowing in what way the interest of such loan could locally be provided for, and what arrangements would be proposed as to the manner of disposing of the lands of which the fee-simple might so be bought up.

I shall be happy to receive from you in the meantime any suggestions or information which may tend to promote the satisfactory settlement of this difficult and protracted controversy.

— No. 7. —

No. 7.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Daly, 2 January 1856.

EXTRACT of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Lieutenant-Governor *Daly*; dated Downing-street, 2 January 1856.

(No. 5.)

I HAVE to acknowledge your despatch, No. 70* of the 10th ultimo, relating to the two local Acts to which Her Majesty's assent has not been given.

* Page 12.

As this despatch has reached me only in time for bare acknowledgment by the present mail, and as the considerations which it raises are of much importance, I postpone until next mail any instructions which I may have to convey to you thereupon. But I am anxious not to let this opportunity pass by of assuring you, that Her Majesty's Government are and have been throughout fully aware that your conduct in reference to these Acts has been dictated by a sincere desire to consult the best interests of the community of Prince Edward Island, and that you have had to select your own course on a question beset with very serious difficulties.

— No. 8. —

No. 8.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P., 24 January 1856.

EXTRACT of DESPATCH from Lieutenant-Governor *Daly* to the Right Hon. *H. Labouchere*, M. P.; dated Prince Edward Island, 24 January 1856.

(No. 4.)

(Received, 12 February 1856.)

THE despatch which you did me the honour of addressing to me on the 21st December, No. 3,* having reached me only a few hours before the departure of the regular mail, in consequence of the interruptions of our postal arrangements, (frequent at this season), I was unable to do more than acknowledge its receipt.

* Page 14.

I am unable on this occasion to enter fully upon the subject of your despatch No. 3,* as well from the very limited time afforded to me, as from my not having been yet able to ascertain the precise views of my Council on some of the points to which it refers; but I hope to have the honour of doing so at an early date.

* Page 14.

I have summoned the Legislature for the 14th February, and I shall soon be able to form some idea of what may be expected from the Assembly, under the disappointment occasioned by the failure of the Bills.

— No. 9. —

No. 9,
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P.,
3 March 1856.

EXTRACT of DESPATCH from Lieutenant-Governor *Daly* to the Right Hon. *Henry Labouchere*, M.P.; dated Prince Edward Island, 3 March 1856.

(No. 15.)

(Received, 28 March 1856.)
(Answered, No. 19, 8 April 1856, page 19.)

I HAVE the honour of transmitting to you enclosed copies of the Addresses of both branches of the Legislature, in answer to the Speech with which I opened the Legislative Session on the 14th of February.

I am as yet unable to ascertain to what extent the Assembly may be induced to adopt any measures calculated to mitigate the evils arising out of the "land question," but I regret to say that my expectations are far from sanguine in that respect.

Encl. in No. 9.

Enclosure in No. 9.

ROYAL GAZETTE EXTRA.

Charlottetown, Prince Edward Island, February 185 .

OPENING OF THE COLONIAL LEGISLATURE.

SPEECH of his Excellency the Lieutenant-Governor.

Mr. President, and Honourable Gentlemen of the Legislative Council:
Mr. Speaker, and Gentlemen of the House of Assembly:

I HAVE called you together at the period which experience has shown to be most convenient for the ordinary course of public business.

Under the blessing of Divine Providence, the late harvest has proved abundant, and will, no doubt, stimulate those engaged in agricultural pursuits to perseverance in the habits of industry and order which have marked their course during the past year, and which cannot fail to produce the happiest results.

I am happy to be enabled to inform you that the decrease which I anticipated in the revenue of the past year is unimportant, and that in this slight fluctuation, which may be easily accounted for, there is nothing to apprehend for the stability and soundness of the resources of the island, the revenue being more than equal to the ordinary expenditure.

Mr. Speaker, and Gentlemen of the House of Assembly:

The public accounts shall be submitted to you as speedily as practicable, and I rely upon your readiness to make provision for the efficient support of the public service.

The laws for the collection of the revenue, as well as for its protection from the baneful effects of illicit traffic, appear to me to be liable to serious objections; to remedy which, their careful revision and consolidation has become necessary; and in directing your attention to this important branch of the public service, I cannot doubt that it will receive all the consideration which the extended commercial relations and increasing importance of the trade of this island demand.

Mr. President, and Honourable Gentlemen of the Legislative Council:
Mr. Speaker, and Gentlemen of the House of Assembly:

I feel assured that the interest you have manifested in the events of the war is undiminished, and that, although exempted from the great sacrifices which it entails, you are not the less solicitous for its early and satisfactory termination.

The Act of the last Session "to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain rented Township Lands in this Island," and also the "Act to secure Compensation to Tenants," have not received her Majesty's confirmation.

The grounds upon which the decision of Her Majesty's Government regarding those measures is founded shall be communicated to you.

I am happy to inform you that the transactions respecting the sale of public lands, which will in due course be submitted to you, have, in their progress, fully justified the expectations formed of the effects to be derived from the Land Purchase Bill, in the desired conversion

version of leaseholders into independent freeholders, advantages which are only limited by the small amount placed by that measure at the disposal of the Government.

The great advantages, moral and social, which are derived from the constant extension of free education are appreciated to a very gratifying extent, as the rapidly increasing number of schools, already amounting to 268, and attended by above 11,000 pupils, fully testifies.

The agricultural portion of the community continue to derive substantial benefits from the operations of the Royal Agricultural Society, whose judicious importations supply those necessary articles, which could not be rendered available by unassisted private enterprise.

Closely bound up with the success of agriculture and trade, is the state of the island communication with the neighbouring colonies; and no more judicious application of the public resources can be devised than such as may be required to render this communication more secure, as well as frequent and expeditious. Any expenditure, with this very important object, cannot fail to be repaid by the increased benefits which it will confer on every class of the community.

These, and all other objects affecting the public interests, will, I doubt not, receive your fostering care and attention; and you may always rely upon my cordial co-operation in every well-directed effort to promote the welfare of the people and the prosperity of Prince Edward Island.

ADDRESS of the Legislative Council in Reply.

To his Excellency *Dominick Daly*, Lieutenant-Governor and Commander-in-Chief, in and over Her Majesty's Island of Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c.

May it please your Excellency:

WE, the Members of Her Majesty's Legislative Council of Prince Edward Island, beg to offer to your Excellency our thanks for your speech at the opening of the present Session.

We are grateful to Divine Providence for the blessing of an abundant harvest, and are happy to learn that the anticipated decrease in the revenue of the past year is unimportant.

We assure your Excellency that we take a lively interest in the events of the war, and rejoice at the successes which, under the blessing of Providence, have attended the Allied Arms, which we trust will lead to the re-establishment of peace upon a firm, honourable, and satisfactory basis.

When the grounds upon which the decision of Her Majesty's Government, relative to the Act of the last Session, "to impose a Rate or Duty on the Rent-rolls of the Proprietors of certain rented Township Lands in this Island," and also, the Act "to secure Compensation to Tenants," shall be communicated to us by your Excellency, they shall receive due consideration.

We are gratified to be informed by your Excellency that the expectations formed of the advantages to be derived from the Land Purchase Bill have been fully realised, and trust that the Government may be enabled to extend to all parts of this island the benefits of that measure.

We fully appreciate the advantages of free education, and have no doubt that the constant extension of that admirable system, which has been brought to our notice by your Excellency, will be productive of great benefits to the inhabitants of this island, and promote their social happiness.

We are happy to learn from your Excellency, that the operations of the Royal Agricultural Society have been satisfactory and beneficial to the agricultural community, and that their importations have been judiciously made.

We heartily concur with your Excellency as to the importance of rendering the communication between this island and the neighbouring provinces secure and expeditious, and will give to any measures which may be submitted to us, for the promotion of that or any other object affecting the public interests, our careful and serious attention.

We thank your Excellency for the assurance of co-operation in every well-directed effort to promote the welfare and prosperity of Prince Edward Island, and we beg to express our full confidence in your Excellency's administration of its Government.

His Excellency's Reply thereto.

Mr. President, and Honourable Gentlemen of the Legislative Council:

I BEG you to accept my best thanks for your address, and for the assurances of co-operation and confidence, upon which I place the fullest reliance.

ADDRESS of the House of Assembly in Reply to His Excellency's Opening Speech.

To his Excellency *Dominick Daly*, Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

May it please your Excellency:

WE, Her Majesty's faithful subjects, the House of Assembly of Prince Edward Island, respectfully thank your Excellency for the speech with which you were pleased to open the present Session at a period so convenient for the ordinary transaction of public business.

It is a source of the highest gratification to know that the labours of the husbandman have, during the past year, been blessed with an abundant harvest--a blessing, we feel assured, which will give an impetus to industry and perseverance in agricultural pursuits.

We are rejoiced to learn that the decrease in the revenue for the past year is unimportant; and that while there is nothing to apprehend from that fluctuation for the stability and soundness of the resources of the colony, it is gratifying to know that the revenue for the year has been more than sufficient to meet the ordinary expenditure.

We shall give a careful attention to the public accounts as soon as they are laid before us, and we will cheerfully make the necessary provision for the public service.

We fully concur with your Excellency in opinion as to the necessity of revising and consolidating the laws for the collection of the revenue, with the view of checking illicit traffic, so injurious to the trade and commercial relations of the island; and it will be our duty to give the best consideration to this important subject.

The interest we have endeavoured to manifest in the progress of the war is not only undiminished, but rather quickened, by the recollection of the splendid achievements which crowned the arms of the Allied Sovereigns during the past year. Though far removed from the scene of conflict, and happily exempt from the sacrifices it entails, we are, nevertheless, earnestly solicitous that the crowning glory to the arms of our beloved Queen and of Her august Allies may be speedily found in the restoration of an honourable and permanent peace.

It is with unfeigned surprise and regret we have learned that the Act of the last Session "to impose a rate or duty on the rent-rolls of the proprietors of certain rented township-lands in this island," and also the 'Act to secure compensation to tenants," have been denied the Royal confirmation. Confident that your Excellency is at all times desirous to promote the prosperity of this island, we are satisfied that the failure of those measures, so equitable in their principle, and so essential to the well-being of the colony, was not owing to the want of your Excellency's personal recommendation, but rather to the exercise of an influence long seriously felt, always foreign, and always baneful to the best interests of the colony. The communications promised by your Excellency in reference to the measures which Her Majesty has been so unexpectedly advised to disallow, shall receive an early and deliberate consideration.

It affords us much satisfaction to learn that the transactions under the operation of the Land Purchase Bill have been such, as to fully justify the high expectations formed of that measure, with regard to the conversion of leaseholders into independent freeholders, an advantage which we are fully sensible could be greatly augmented if a due regard for other interests allowed a larger amount to be placed at the disposal of the Government under the Bill alluded to.

We are rejoiced, though not surprised, to learn that the inhabitants of the island so highly appreciate the moral and social advantages resulting from a general diffusion of education, as is evident from the unprecedented number of schools that have been called into active operation by the Free Education Bill. We believe that no part of Her Majesty's dominions, of the like area with Prince Edward Island, can exhibit such marked improvement in what tends so much to promote public happiness, tranquillity, and prosperity as a constant and liberal extension of education.

We are fully sensible of the advantages which the agricultural portion of the community have derived from the operations of the Agricultural Society. Every other interest is involved in the prosperity of our agriculturists, and a society which confers benefits upon that industrious class, demands encouragement from every other.

But much as agricultural industry may be encouraged through the exertions of an agricultural society, its progress mainly depends upon an active and thriving commerce. To secure this, it is necessary there should be a free, uninterrupted, and expeditious communication with other countries, and especially with the neighbouring colonies. So important an auxiliary to trade requires a liberal appropriation of the public finances, and we trust, that during the present Session we shall not be found to take a narrow and contracted view of a matter which so deeply concerns the prosperity of the country.

In the progress of our deliberations on these and other objects affecting the public interests, we shall be happy at all times to avail ourselves of your Excellency's well known zeal and ability, and we doubt not that our united efforts may tend to promote the welfare of the people of Prince Edward Island.

His Excellency's Reply thereto.

Mr. Speaker, and Gentlemen of the House of Assembly:

I thank you cordially for your address, and for the assurances of support and co-operation which it contains; and I confidently rely on your assistance in my endeavours to promote the public interests.

— No. 10. —

No. 10.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Daly,
8 April 1856.

COPY of DESPATCH from the Right Honourable *Henry Labouchere*, M.P. to Lieutenant-Governor *Daly*.

(No. 19.)

Sir, Downing-street, 8 April 1856.

I HAVE to acknowledge the receipt of your despatch, No. 15,* of the 3d of March, enclosing copies of the Addresses presented to you in answer to the Speech with which you opened the Session of the Legislature on the 14th of February.

* Page 16.

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

— No. 11. —

No. 11.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P.
18 April 1856.

EXTRACT of DESPATCH from Lieutenant-Governor *Daly*, to the Right Hon. *Henry Labouchere*, M. P.; dated Government House, Prince Edward Island, 18 April 1856.

(No 22.)

(Received, 19 May 1856.)
(Answered, No. 24, 18 July 1856, page 20.)

AT the commencement of the Session which has just closed, a good deal of irritation was manifested in both branches occasioned by the failure of the two Bills of the previous Session.

It was difficult until near the close of the Session, to ascertain what direction this feeling might take, and my best endeavours were exerted to leading the Assembly to the consideration of the only means by which the existing difficulties of the colony can be met, and which are so appropriately set forth in your despatch of the 21st December, No. 3.*

* Page 14.

The result has been the adoption of a joint address to the Queen by both Houses, which I have the honour of transmitting to you herewith, for the purpose of being laid at the foot of the throne.

The whole subject of the land question difficulties, is so fully before Her Majesty's Government, that I do not imagine any observation from me on this occasion can be necessary.

Enclosure in No. 11.

Encl. in No. 11.

To the QUEEN'S Most Excellent Majesty.

Most Gracious Sovereign,

YOUR Majesty's loyal and dutiful subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Parliament convened, have had under their earnest consideration during the present Session, a despatch addressed to his Excellency the Lieutenant-governor of this island, by your Majesty's Principal Secretary of State for the Colonies, dated "Downing-street, 21st December 1855," in reference to the long agitated question of the land tenures in this island; from which despatch we beg to make the following extract for your Majesty's Royal consideration:

"With regard to the main object which has been frequently proposed by a large portion of the inhabitants, namely, that some means may be provided by which a tenant holding under a lease may arrive at the position of fee simple proprietor; I am anxious to facilitate such a change, provided that it be effected without injustice to the proprietors.

"There are but two ways in which such a change could be effected. The first is the usual and natural one of purchase and sale between the tenant and owner, and no reason appears as yet to have been stated, why, if the tenants offer to the landowners the full value of the right and interest of the landowner, sales and purchases cannot be effected. It would seem probable that, at all events, in the cases of non-resident owners, such fair offers would generally be accepted; and as the lands are usually let upon leases of extraordinary length, and at a small annual rent, there can, it would seem, be but few tenants who would not find the means of offering a fair price for buying up the annual rent of their holding.

"The other method would be, that the Government of the island should treat with such of the landowners as might be willing to sell, and that the State thus becoming possessed of the fee-simple of such lands as might thus be sold, should be enabled to afford greater facilities for converting the tenants into freeholders, than the landlords themselves might feel an interest in doing.

"An arrangement of this kind could probably not be made without a loan to a considerable amount, to be raised by the island Government, the interest thereof to be charged upon the revenues of the island. But Her Majesty's Government would not be indisposed to take into consideration any plan of this kind which you might submit to them, showing in what way the interest of such loan could locally be provided for, and what arrangements would be proposed as to the manner of disposing of the lands of which the fee-simple might so be bought up."

Your Majesty's Secretary of State seems not to have been made aware that there is a law upon our statute book authorising the Government to purchase the township lands in this island; but by this law the Government cannot exceed, in making such purchases, the sum of thirty thousand pounds (30,000 *l.*), and the whole of the revenues of the colony are pledged to the redemption of that amount.

The law in question is now in operation, but its beneficial results can only be felt to a very limited extent, by the smallness of the amount which can be appropriated to the extinction of proprietary claims.

We humbly conceive that if all the township lands were purchased by the Government, there would be a sufficient sum realised, by their resale, to cover the expense incurred, the interest of the money employed, as well as its repayment; while the advantages would be incalculable which this loyal colony would derive from such a measure, by its stimulating the enterprise and industry of its inhabitants, now in a great measure paralysed by the long prevailing contention between landlords and tenants, and restoring tranquillity and contentment.

As your Majesty's Secretary of State has been pleased to say that your Majesty's Government would not be indisposed to take into consideration any plan for extinguishing by purchase the rights of proprietors. We beg humbly to suggest that if your Majesty's Government will give a guarantee for any sufficient loan required, as alluded to by the Secretary of State, the legislature of the colony will in its next Session make the necessary provision for the payment of its interest; and in offering this suggestion, we are convinced that no loss would be sustained by your Majesty's Government.

Council Chamber, 14 April 1856. (signed) *Charles Young*, President.

House of Assembly, 14 April 1856. (signed) *E. Thornton*, Speaker.

— No. 12. —

No. 12.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Daly,
18 July 1856.

COPY of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Lieutenant-Governor *Daly*.

(No. 24.)

Sir, Downing-street, 18 July 1856.

I HAVE to acknowledge your despatch, No. 22,* of the 18th April last, enclosing an Address from both Houses of the Legislature of the island to Her Majesty, referring to former correspondence on the subject of the landlord and tenant question in Prince Edward Island, and suggesting, that if Her Majesty's Government would give a guarantee for any sufficient loan required for the purpose of purchasing landlord's rights, the colony would, in the next Session of its Legislature, make the necessary provision for payment of interest.

* Page 19.

2. I have to state in reply, that Her Majesty's Government are prepared to give a favourable consideration to this suggestion, and that the local Land Purchase Act, to which reference is made, appears to them to furnish fair principles of adjustment, which might be extended by increasing the sum to be raised under Imperial guarantee. It would be necessary, however, before proceeding further, that Her Majesty's Government should be informed of the amount of the proposed loan, and they should at the same time receive a full statement of the financial resources of the island, and of the precise nature of the provision to be made for securing the repayment of the principal and interest of the loan. Her Majesty's Government would not feel justified in pledging themselves to any decision on this subject until such information is before them.

I have, &c.

(signed) *H. Labouchere.*

— No. 13. —

No. 13.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P., 5 September 1856.

COPY of DESPATCH from Lieutenant-Governor *Daly* to the Right Hon. *H. Labouchere*, M. P.

(No. 41.)

Government House, Prince Edward Island,
5 September 1856.
(Received, 22 September 1856.)

Sir, (Answered, No. 43, 23 November 1856, page 23.)

I HAVE the honour to acknowledge the receipt of your despatch of the 18th July, No 24,* conveying the gratifying intimation that Her Majesty's Government are prepared to give a favourable consideration to the suggestion of the Legislature of this island, in regard to a loan to be raised under Imperial guarantee, and calling for information on certain points therein stated, to enable Her Majesty's Government to come to a final decision on the subject.

* Page 20.

Having brought your despatch under the consideration of my Council, I trust that the minute which I have the honour to enclose, with the accompanying statements, marked (A.), (B.), and (C.), therein referred to, will afford all the information required, and be deemed to exhibit a sound state of the financial resources of the colony.

After the most careful consideration of the difficulties that have so long existed in this colony, with a view to their final and effectual removal, I have not been able to discover any means which, in my humble opinion, afford so fair a prospect of success as the operation of the Land Purchase Act, with an extension of funds suited to the exigencies of the case, which would be amply supplied by the amount now proposed to be raised; and I incline much to the opinion that it will not at any time be necessary to raise the whole of that sum.

Experience thus far justifies the belief that these measures cannot occasion any pecuniary loss; and operations under the Land Purchase Bill are already producing their effects upon the price of lands generally, and must ultimately bring a large portion of the wild lands, by whomsoever owned, within the reach of actual settlers, to the advantage of all concerned.

I have, &c.
(signed) *D. Daly*,
Lieutenant-Governor.

Encl. in No. 13.

Enclosure in No. 13.

May it please your Excellency,

THE committee of the Executive Council, to whom was referred the despatch from the Right Honourable Henry Labouchere, Her Majesty's Principal Secretary of State for the Colonies, "No 24," dated 18th July 1856, in reply to your Excellency's despatch, No. 22, of the 18th April last, enclosing an Address from both branches of the Legislature of this island to Her Majesty, referring to former correspondence on the subject of the landlord and tenant question in Prince Edward Island, and suggesting that if Her Majesty's Government would give a guarantee for any sufficient loan required for the purpose of purchasing landlords' rights, the colony would in the next Session of its Legislature, make the necessary provision for the payment of interest; have given the subject matter of the despatch careful consideration.

They cannot but feel gratified at the assurance given in the despatch in question, that Her Majesty's Government are prepared to give a favourable consideration to the suggestion, and that the local Land Purchase Act to which reference is made, appears to them to furnish fair principles of adjustment which may be extended, by increasing the sum to be raised under Imperial guarantee.

Before proceeding further, however, Her Majesty's Government require:—

1st. To be informed of the amount of the proposed loan.
2d. To receive a statement of the financial resources of the island.
3d. And also a statement of the precise nature of the provision to be made for securing the repayment.

With regard to the first point, viz., the amount of the loan, your Committee are of opinion that it would be requisite to have authority to raise a sum of money, not exceeding 100,000 *l.* sterling, although it is probable that the whole of that amount will not be required at any one time.

2dly. The financial resources and position of the island will be understood on reference to the tabular statements (A.), (B.), and (C.) accompanying this Report.

Tabular statement (A.) is of the revenue during eight years ending 31st January 1856, in which, with the exception of the last year only, there has been a rapid annual increase. The slight decrease in the last year as compared with that immediately preceding, was caused, it is believed, by the war and the extreme depression in the shipping and mercantile interests consequent upon it, but it is confidently anticipated that the revenue for the now current year will again exhibit a decided improvement. It will be observed that the revenue which in the year 1848 was 11,861*l.* 10*s.* 9*d.*, had risen in the year 1854, to 30,689*l.* 1*s.* sterling, an increase of 18,827 *l.* 10 *s.* 3 *d.* sterling, considerably more than double; and its amount even in 1855, which as already observed, exhibits a decrease on that of 1854, exceeded that of 1853 by 4,490 *l.* 12 *s.* 6 *d.* sterling, and was more than double that of 1848. (Excess over 1848, 16,192 *l.* 10 *s.* 9 *d.* sterling.)

Tabular statement (B.) is of the revenue and expenditure during the same period, showing that 5,786 *l.* 16 *s.* 5 *d.* sterling more on the balance of accounts was to the credit of this colony, in January 1856, than in 1848; and this too after charging as expenditure in the year 1854, the sum of 12,000 *l.* sterling issued in debentures for the purchase of the Worrell estate (84,000 acres or thereabouts), and not taking any credit for the lands by that purchase vested in the Government.

Tabular statement (C.) is a statement of the finances of the colony on the 31st January 1856, which has been carefully prepared, and contains, in the opinion of your committee, a just and correct view of its present financial condition, which proves, after taking credit to the colony for the value of government lands estimated at a low rate, and charging it with all debentures afloat, and with £. 7,666. 13*s.* 4 *d.* Treasury notes afloat, not bearing interest, that, strictly speaking, at that date the colony not only was out of debt, but that a balance existed in its favour amounting to £ 6,521. 6*s.* 3*d.* sterling.

With respect to the third point, namely, the precise nature of the provision to be made for securing the repayment of the proposed loan, your committee, in the first instance, would remark, that they conceive it will be necessary to pass an Act, in addition to the Land Purchase Act, empowering the Government to raise the required amount by debentures or bonds, in such form as the Imperial Government may point out as usual and most convenient in such cases. The Act should contain a clause, securing the repayment of the monies to be raised, in accordance with the 20th section of the original Land Purchase Act of 16 Victoria, cap. 18, which reads as follows:--

"For the repayment of all sums of money borrowed under this Act and the interest thereon, and for the payment of all sums contracted to be paid under this Act, and expenses incurred thereunder, the monies arising from the sale, rents, and profits of lands purchased thereunder, and paid into the treasury, shall, in the first instance, be pledged and rendered liable, and the other public funds, monies, and securities of this island shall be, and the same are hereby in the next place pledged and rendered liable."

Your committee believe that Her Majesty's Government, after considering the sound state of the finances of the island, and that the proceeds of the lands to be purchased, as well as the general revenue, will, by legislative enactment, be pledged to secure the repayment of the principal and interest of any amount borrowed, will feel fully justified in aiding the colony in obtaining a loan on advantageous terms, by giving the Imperial guarantee for the sum required.

The foregoing Report approved in Council, 30 August 1856.

Chas. Desbrisay,
Clerk, Ex. Council.

(A.)

An Abstract Table showing the Total Revenue, and the Annual Increase, Decrease, and the Total Increase of the Revenue of *Prince Edward Island*, from 31 January 1848 to 31 January 1856.

REVENUE.				ANNUAL INCREASE.		ANNUAL DECREASE.		TOTAL INCREASE.
Year.	Sterling.	Year.	Sterling.	Year.	Sterling.	Year.	Sterling.	Sterling.
	£. s. d.		£. s. d.		£. s. d.		£. s. d.	£. s. d.
1848 - -	11,861 10 9	1849 - -	12,410 - 8	1849 - -	548 9 11	1849 - -	—	—
1849 - -	12,410 - 8	1850 - -	15,192 12 3	1850 - -	2,782 11 7	1850 - -	—	—
1850 - -	15,192 12 3	1851 - -	15,264 6 7	1851 - -	71 14 4	1851 - -	—	—
1851 - -	15,264 6 7	1852 - -	20,855 12 8	1852 - -	5,591 6 1	1852 - -	—	—
1852 - -	20,855 12 8	1853 - -	23,563 9 -	1853 - -	2,707 16 4	1853 - -	—	—
1853 - -	23,563 9 -	1854 - -	30,689 1 -	1854 - -	7,125 12 -	1854 - -	—	—
1854 - -	30,689 1 -	1855 to Jan. 1856 -	28,054 1 6	1855 to Jan. 1856 -	- - -	1855 to Jan. 1856 -	2,634 19 6	—
1855 - -	28,054 1 6					Increase -	16,192 10 9	16,192 10 9
Totals -	157,890 14 5	- - -	- - -	- - -	18,827 10 3	- - -	18,827 10 3	16,192 10 9

(B.)

ABSTRACT STATEMENT of the Annual Revenue and Expenditure, defining the Yearly Over, and Under, and Total Under Expenditure, of *Prince Edward Island*, from 31 January 1848 to 31 January 1856.

REVENUE. Sterling.		EXPENDITURE. Sterling.		OVER EXPENDITURE. Sterling.		UNDER EXPENDITURE. Sterling.		TOTAL UNDER EXPENDITURE, 31 Jan. 1856.
Year.	Amount.	Year.	Amount.	Year.	Amount.	Year.	Amount.	
	£. s. d.		£. s. d.		£. s. d.		£. s. d.	£. s. d.
1848 - -	11,861 10 9	1848 - -	15,703 5 8	1848 - -	3,841 14 11	1848 - -	—	—
1849 - -	12,410 - 8	1849 - -	13,159 17 9	1849 - -	749 17 1	1849 - -	—	—
1850 - -	15,192 12 3	1850 - -	7,240 15 11	1850 - -	—	1850 - -	7,951 16 4	—
1851 - -	15,264 6 7	1851 - -	16,115 14 -	1851 - -	851 7 5	1851 - -	—	—
1852 - -	20,855 12 8	1852 - -	14,856 13 5	1852 - -	—	1852 - -	5,998 19 3	—
1853 - -	23,563 9 -	1853 - -	19,622 4 4	1853 - -	—	1853 - -	3,941 4 8	—
1854 - -	30,689 1 -	1854 - -	35,212 3 9	1854 - -	4,523 2 9	1854 - -	—	—
1855 to Jan. 1856 - -	28,054 1 6	1855 to Jan. 1856 -	30,193 3 2	1855 to Jan. 1856 -	2,139 1 8	1855 to Jan. 1856 -	—	—
		Under Expenditure	5,786 16 5	Balances, under Expenditure	5,786 16 5	- - -	- - -	5,786 16 5
TOTALS -	157,890 14 5	- - -	157,890 14 5	- - -	17,892 - 3	- - -	17,892 - 3	5,786 16 5

(C.)

FINANCIAL STATEMENT of the Colony of *Prince Edward Island*, up to 31 January 1856.

	Debt in Sterling.	Assets in Sterling.	Balance in favour of the Colony.
LIABILITIES:	£. s. d.	£. s. d.	£. s. d.
Treasury Notes afloat this date - - -	7,666 13 4	—	—
Debentures under Act 14 Vict. ditto - -	6,666 13 4	—	—
Debentures under Act 16 Vict. ditto - -	12,000 - -	—	—
Treasury Warrants, ditto - - - -	7,108 18 2	—	—
ASSETS:			
Assets in Treasury, this date - - -	- - -	24,707 12 7	—
44,582 acres, public lands, at 4*s.* - - -	- - -	8,916 8 -	—
7,392 acres, Crown lands, at 3*s.* 4*d.* - -	- - -	1,232 - -	—
Bonds in hand for public lands - - -	- - -	1,000 - -	—
Balance due on sales of public lands, secured on lands by defeazance on deeds, according to statute - - - - - - - -	- - -	4,107 10 6	—
Balance in favour of the colony - - -	6,521 6 3	- - -	6,521 6 3
TOTALS - - - £.	39,963 11 1	39,963 11 1	6,521 6 3

— No. 14. —

No. 14.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Daly, 23 November 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Lieutenant-Governor Sir *D. Daly*.

(No. 43.)

Sir, Downing-street, 23 November 1856.

I HAVE to acknowledge the receipt of your despatch, No. 41,* of the 5th of September, transmitting a Minute of Council, with other documents, explanatory of the financial condition of Prince Edward Island, as required by my despatch of the 18th of July last.

* Page 21.

The resources of the island, as shown by these documents, appear to Her Majesty's Government to afford sufficient guarantee for the due payment of the interest as it falls due, and for the formation of a sinking fund for the payment of the principal of the loan proposed to be raised under the Imperial guarantee, and they are therefore prepared to authorise a loan of 100,000 *l.* to be appropriated to the purchase of the rights of landed proprietors in the island, subject to the following conditions.

Her Majesty's Government observe, that in order to secure the repayment of monies borrowed under the provisions of the Land Purchase Act, 16 Vict. c. 18, as well as the interest thereon, the monies arising from the sale, rent and profits of lands purchased under the Act and paid into the Treasury, are in the first instance pledged and rendered liable, and the other public funds, monies, and securities are likewise pledged and rendered liable.

In order, therefore, to secure this country against any undue charge, proper provision must be made for the regular payment of the interest of the proposed loan, as well as for the formation of a sinking fund, such as will secure the liquidation, in 20 years, of the principal amount of the debt, for the interest of which the Imperial guarantee is proposed to be given.

It will further be necessary that the proceeds of the lands to be purchased, as well as a first charge on the general revenue of the province, should be secured by Legislative enactments for the payment of principal and interest, and any other expenses that may be necessarily incurred.

I have therefore to instruct you to bring the subject again under the consideration of your Councils, with a view to the introduction into the Legislature of the measure necessary for giving effect to the proposed arrangement.

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

— No. 15. —

No. 15.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Sir D. Daly, 11 December 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Lieutenant-Governor Sir *D. Daly*.

(No. 45.)

Sir, Downing-street, 11 December 1856.

WITH reference to my despatch, No. 43,* of the 23d of November last, I transmit for your information and guidance in framing the Provincial Act for giving effect to the proposed arrangement in regard to the guaranteed loan, a copy of an Act of the Legislature of Jamaica passed in 1852 for raising a sum of money for the benefit of that island.

* Page 23.

Jamaica Act.
Vide House of Commons Paper, No. 76, presented 13 December 1852, Part II., Jamaica, p. 356.

In the case of Prince Edward Island, the operation of the Local Act will be made to depend on the passing of the Imperial Act, under the authority of which the guarantee of the Government of this country will be given. The preamble, therefore, and many of the clauses of the Jamaica law, are inapplicable, but it will serve to indicate the course which it will be necessary for your Government to take with regard to many of the details of the measure.

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

— No. 16. —

No. 16.
Lieut.-Governor Sir D. Daly to Right Hon. H. Labouchere, M. P., 19 January 1857.

EXTRACT of DESPATCH from Lieutenant-Governor Sir *D. Daly* to the Right Honourable *H. Labouchere*, M. P.; dated Government House, Prince Edward Island, 19 January 1857.

(No. 6.)

(Received, 12 February 1857.)

I HAVE the honour to acknowledge the receipt of your despatch of the 11th December, No. 45,† transmitting, for my information and guidance, copy of an Act of the Legislature of Jamaica for raising a sum of money for the benefit of that island.

† Supra.

This

This very opportune addition to your previous instructions, in reference to the contemplated guaranteed loan to this island, will, I trust, enable me to effect the preparation and adoption of such an Act as will meet your approval.

The announcement of the favourable disposition of Her Majesty's Government in regard to this matter has given all but universal satisfaction throughout the island.

— No. 17. —

No. 17.
Lieut.-Governor Sir D. Daly to Right Hon. H. Labouchere, M. P., 1 May 1857.

EXTRACT of DESPATCH from Lieutenant-Governor Sir *D. Daly* to the Right Honourable *H. Labouchere*, M. P.; dated Government House, Prince Edward Island, 1 May 1857.

(No. 22.) (Received, 18 May 1857.)

(Answered, No. 17, 15 June 1857, page 28.)

I HAVE the honour of transmitting herewith three authenticated copies of an Act of the last Session, intituled, "An Act for raising Monies to be applied to the purchase of Lands under the Act 16 Vict. c. 18, intituled, 'An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned.'"

The appointment of "agent or agents" under the Act I propose, with the advice of my Council, to offer to Messrs. Codd, of London, subject to the approval of Her Majesty's Government, and further subject to approval by the local Government, of the terms upon which they will undertake to perform the duties required by the Act, of which a copy is transmitted to them. That house possesses the confidence of many parties here, by whom it has been favourably known through business transactions for many years past, which is quite in keeping with my own knowledge of its respectability.

I trust, sir, that this measure, from which great benefit to this colony is anticipated, will meet your approval, and that I may at your early convenience be honoured with your further instructions regarding it.

Lord Selkirk's agent, Mr. Bruce Stewart, and, I understand, several other parties, are prepared to treat for the sale of estates, so soon as the local Government shall be in a condition to purchase, to which period I have deemed it, prudent to postpone all negotiations in the matter.

Enclosure in No. 17.

Encl. in No. 17.

(No. 970.)

AN ACT for raising Moneys to be applied to the Purchase of Lands under the Act 16 Vict. c. 18, intituled "An Act for the Purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale and Management thereof, and for other Purposes therein mentioned."—[Passed 15 April 1857.] 16 Vict. c. 18.

WHEREAS by virtue of the Act of the General Assembly of Prince Edward Island, passed in the 16th year of Her present Majesty's reign, c. 18, the Lieutenant-governor, with the advice of Her Majesty's Council, is authorised to borrow and receive a loan or loans of money not exceeding in the aggregate 30,000 *l.* of lawful current money of the said island, for the payment of the purchase-money of lands purchased by the Commissioner of Public Lands, under the said Act, and other purposes thereof, as therein set forth and specified: and whereas it is deemed desirable to increase the amount of money to be raised and expended under the said Act, and thus to enable the Government from time to time, as opportunities offer, to make extensive purchases of lands, in order that all parts of this island may, if possible, equally share in the benefits to be derived from a gradual extinguishment of proprietory claims; and Her Majesty's Imperial Government have offered, on certain conditions embodied in a despatch dated Downing-street, 23d day of November 1856, from the Right Honourable Henry Labouchere, Her Majesty's Secretary of State for the Colonies, to his Excellency the Lieutenant-governor, to recommend to Parliament that the credit and guarantee of the United Kingdom shall be employed to enable the Government of this island to raise, upon advantageous terms, additional funds, if required, to the extent of 100,000 *l.* sterling, to be applied to the payment of the purchase-money of lands under the said Act of the 16 Vict. c. 18, and to other purposes therein specified: and whereas it is very desirable Preamble. 16 Vict. c. 18. 16 Vict. c. 18.

to take advantage of, and accept the offer so made by Her Majesty's Government; be it therefore enacted by the Lieutenant-governor, Council, and Assembly, as follows:

Agents in England for the purposes of this Act, to be appointed by Lieut.-governor and Council, subject to approval of Her Majesty's Government.

1. That such person or persons as shall be from time to time appointed in that behalf by the Lieutenant-governor of this island, with the advice and consent of Her Majesty's Executive Council, and approved of by Her Majesty's Imperial Government, shall be, and he or they are hereby declared to be, agent or agents in England under this Act, for the purpose of raising and managing the moneys hereinafter proposed to be raised.

Power of agents to raise on debentures, &c., sum not exceeding 100,000 *l.* sterling; as required by warrant of Lieut.-governor, &c.

Requisites and form of warrant.

2. The agent or agents for the time being, under this Act, shall have full power and authority to borrow and raise in Great Britain or elsewhere, by bond, debenture, or otherwise, such sum or sums, not exceeding in the whole the sum of 100,000 *l.* sterling, as he or they may from time to time be called upon or requested to raise and borrow for the purposes aforesaid, by warrants under the hand of the Lieutenant-governor of this island, to which shall be also affixed the Great Seal of this island, and the signature of the Colonial Secretary thereof, for the time being, in the form set forth in the Schedule to this Act, or to a similar effect, in each of which warrants shall be expressly stated the amount thereby required to be raised; and all bonds and debentures to be granted by such agent or agents under this Act, shall be in such form as he or they shall deem fit and proper, and shall be transferable and negotiable, and shall be made redeemable at the expiration of 20 years from the date of such bonds or debentures respectively, and every such bond or debenture shall be drawn for a sum not less than 50 *l.* sterling, and shall bear interest at the lowest rate at which the loan can be effected, not exceeding the yearly rate of 4 *l.* in the hundred; which interest shall, by each bond or debenture, be made payable half-yearly at some place in London, to be named for that purpose in such bond or debenture.

Debentures, &c. to be made redeemable at end of 20 years.

Rate of annual interest not to exceed 4 per cent.

How payable, &c.

Moneys arising from sales, &c. of lands purchased hereunder, in the first instance, and afterwards the public funds, &c., rendered liable for the repayment of the moneys borrowed.

3. For the repayment of all sums of money borrowed under this Act, and the interest thereon, and for the payment of all sums contracted to be paid under this Act, and expenses incurred thereunder, the moneys arising from the sale, rents, and profits of lands purchased thereunder and paid into the treasury, shall. in the first instance, be pledged and rendered liable, and the other public funds, moneys, and securities of this island shall be and the same are hereby, in the next place, pledged and rendered liable.

Moneys raised under this Act, to be applied to the purchase of lands under 16 Vict. c. 18, &c.

Only so much to be raised as may be actually required for such purposes.

4. The moneys so to be raised under this Act shall be applied to the payment of the purchase-money of lands purchased by the Commissioner of Public Lands, under the Act hereinbefore referred to, namely, the Act of the General Assembly of this island passed in the sixteenth year of Her present Majesty's reign, chapter 18, and also of mortgages and other incumbrances affecting the same, and interest thereon, as therein mentioned, and for other purposes of the said Act and of this Act; and only so much money shall be raised on each occasion as shall be necessary for the payments and purchases aforesaid.

Sinking fund to be established for the redemption of the debt, according to the terms and date of each debenture.

5. For the gradual redemption of the principal moneys to be raised under this Act, there shall be established a sinking fund, to which sinking fund there shall be carried and appropriated, at the expiration of one year from the date of each bond or debenture respectively, and each succeeding year thereafter, from and out of the special moneys arising from the sales, rents, and profits of lands purchased by moneys raised hereunder, or from and out of the general revenues of this island, the sum of 5 *l.* for each sum of 100 *l.* from time to time borrowed and secured by such bonds or debentures, by which means the repayment of the principal moneys secured by each bond or debenture will be secured at the expiration of 20 years from the date thereof respectively; and such annual sums of money, and the interest or dividends to accrue upon the same when invested, shall be invested by such agent or agents in such of the public funds of Great Britain or of Prince Edward Island, or in buying up debentures or bonds issued under this Act, in such manner and in the names of such persons as the Lord High Treasurer or the Lords Commissioners of Her Majesty's Treasury, or any three of them, may from time to time direct.

Moneys applied to the formation of sinking fund, to be invested in Government securities of Great Britain and Prince Edward Island, &c.

Treasurer to remit money to agent to pay interest under this Act.

6. For the payment of the interest to accrue on such moneys as may from time to time be raised under this Act, the treasurer of this island shall from time to time, on the warrant of the Governor, issue from the public moneys in the island treasury, and remit to such agents such moneys as may from time to time be requisite for the payment of such interest.

Incidental charges incurred on raising moneys under this Act, to be paid by Lieut.-governor and agents, &c.

7. Such agents, and also the Lieutenant-governor, with the advice of the Council, shall have full power and authority to pay from time to time, out of any moneys which may be raised under the provisions of this Act, all incidental charges attendant upon the execution of this Act and the raising or application of such moneys.

Agents may issue new debentures in lieu of debentures, &c. defaced.

Regulations to be observed in so doing.

8. In case any bond or debenture to be issued under this Act shall by any accident be defaced, it shall be lawful for such agents from time to time to cause a new bond or debenture to be made, instead of any bond or debenture so defaced, which bond or debenture so defaced shall be cancelled in the pressence of such agents, or any two of them; and the bond or debenture so cancelled shall be kept on a file or files to be provided for that purpose; and such new bond or debenture so to be made shall be negotiable, and shall in all respects be subject to the same rules as the bond or debenture so defaced was subject to; and the new bond or debenture shall bear the same number and date, and shall be made for the same principal sum, and shall carry the same interest as the original bond or debenture in lieu of which such new bond or debenture shall be granted.

9. In

9. In case proof shall be made to the satisfaction of such agents, whose decision shall be final, that any bond or debenture issued under this Act has, by casualty or mischance, been lost or destroyed before the same shall have been paid off and discharged, and if by such proof the number of such bond or debenture and its amount shall be ascertained, then and in every such case such agent shall deliver to the party or parties entitled thereto a new bond or debenture, which shall bear the same number and date, and shall be made for the same principal sum, and shall carry the same interest as the bond or debenture so lost or destroyed; and if any bond or debenture so lost or destroyed shall be overdue, such agents shall cause the money due upon every such bond or debenture to be paid off and discharged: Provided always, that in every such case the agents shall be bound to take good security to indemnify this island against any loss which might otherwise be incurred in case any bond or debenture, stated to be lost or destroyed, should at any time afterwards be offered for payment of the sum mentioned, or of the interest thereon.

Agents may issue new debentures, &c., in lieu of debentures, &c. lost or destroyed.

Proviso.

10. Such agents shall hold all sums of money raised by virtue of this Act at the disposal of the Governor, and shall accept and pay bills, remit and pay money, as such agents may from time to time be directed by the Governor; and shall from time to time invest in Government funds or Exchequer Bills all sums remaining in their hands, not immediately required for the purposes of this Act.

Agents to hold moneys at the disposal of the Lieut.-governor, &c.

11. Such agents shall, on the 30th day of June and the 31st day of December in each year, make up a full and particular account of all moneys received by or remitted to them under this Act, and shall transmit such accounts to the Governor, through Her Majesty's Secretary of State for the Colonies, to be laid before the Assembly of this island.

Agents to furnish half-yearly account, &c.

12. The Commissioner of Public Lands shall monthly account for, and pay over, all moneys in his hands, received or arising from the sales or rents, or otherwise, arising from or out of all lands purchased by moneys hereby raised or received under this Act, to the treasurer, for the special purposes of this Act, and to the said Act of the General Assembly, 16 Vict. c. 18; and the said treasurer is hereby required to keep a separate and distinct account of the moneys so received by him, and shall pay and apply the same (after payment of such warrants as may be drawn on him by the Lieutenant-governor), for the payment of the necessary expenses of the sale and general management of the lands so to be purchased, or so much thereof as may be necessary for the purpose, in the remittance from time to time of the amounts required to meet the due and punctual payment of the half-yearly interest on the bonds or debentures to be issued under the authority of this Act, as well as of the annual payments hereinbefore provided for the redemption of the principal of such bonds or debentures: provided always, that if in any year there shall be a surplus of such moneys beyond the amount necessary to meet the payment of such interest and sinking fund respectively, then and in such case the treasurer shall carry such surplus to the credit of the general revenue of this island, or remit the same, to be added to, and increase the said sinking fund, according as he may from time to time be ordered and directed by the Lieutenant-governor, with the advice of the said Executive Council, by warrant under his hand and seal: provided also, that if in any year the amounts so to be received by the treasurer shall fall short of the payments so required to be made as aforesaid, it shall be lawful for the Lieutenant-governor, with the advice of his Council, by warrant under his hand, to direct the deficiency to be made good out of any moneys in the hands of the said treasurer belonging to the general revenues of this island.

Commissioner of Public Lands to account for and pay over to treasurer, monthly, all moneys in his hands under this Act, to be applied to purposes of this Act, and of 16 Vict. c. 18.

Treasurer to keep separate account thereof, and remit sufficient to pay interest, &c. on debentures and sinking fund, &c.

Surplus, how to be disposed of,

and deficiencies how to be made good.

13. All moneys paid into the public treasury of this island by the Commissioner of Public Lands, as before in this Act set forth, shall be exclusively applied by the treasurer to the several purposes set forth in this Act, and on no pretence shall any part or portion thereof be paid or applied to any other purpose whatsoever, under a penalty of 500*l.* for each and every misappropriation of the same or any part thereof, to be recovered in Her Majesty's name, by information or otherwise, in Her Majesty's Supreme Court of Judicature of this island; and when recovered, to be remitted to and form part of the sinking fund for the redemption of the moneys hereby raised.

Moneys under this Act to be exclusively applied by the treasurer to the purposes thereof, under penalty.

Penalty, how recoverable.

SCHEDULE to which this Act refers.

Schedule.

A. B., Lieutenant-Governor.

£.—— —— Sterling. No.

By his Excellency , Lieutenant-Governor and Commander-in-Chief, in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice-Admiral, and Ordinary of the same, &c. &c. &c.

(L. S.)

Under and by virtue of the Act of the General Assembly of the said Island, intituled, "An Act for raising moneys to be applied to the purchase of lands under the Act 16 Vict. c. 18, intituled 'An Act for the purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein

Form of warrant authorising agents to raise money for purposes of this Act.

therein mentioned:'" I do hereby authorise and require you (name of agent or agents duly appointed under the said Act) to borrow and raise, in accordance with the provisions thereof, in Great Britain or elsewhere, by bond or debenture, or otherwise, the sum of pounds sterling money of Great Britain, for the purposes of the said Act, and for your so doing this shall be unto you, and unto all whom it may concern, a sufficient warrant and authority.

C. D., Colonial Secretary.

To , Prince Edward Island.

[Name of agents, addition and residence of agent or agents.]

A true copy, which I certify,

Charlotte Town, 2 May 1857.

Joseph Hensley,
Attorney General,
Prince Edward Island.

George Coles,
Colonial Secretary.

— No. 18. —

No. 18.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Sir D. Daly, 15 June 1857.

COPY of DESPATCH from the Right Hon. *H. Labouchere*, M. P., to Lieutenant-Governor Sir *D. Daly*.

(No. 17.)

Sir, Downing-street, 15 June 1857.

I HAVE to acknowledge the receipt of your despatch, No. 22,* of the 1st of May, enclosing an Act passed by the Legislature of Prince Edward Island, for raising moneys to be applied to the purchase of lands in that island.

* Page 25.

Having referred this Act, together with your despatch, for the consideration of the Lords Commissioners of the Treasury, I now transmit for your information and guidance the copy of their Lordships' reply, and I have to request that you will enable me to answer the inquiry contained in the last paragraph of that letter.

6 June 1857.

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

Encl. in No. 18.

Enclosure in No. 18.

Sir, Treasury Chambers, 6 June 1857.

HAVING laid before the Lords Commissioners of Her Majesty's Treasury your letter of the 1st instant, furnishing copy of a despatch from the Lieutenant-governor of Prince Edward Island, enclosing an Act for raising 100,000*l.* to be applied to the purchase of lands in that island, and stating, that if an Act of the Imperial Parliament is required to carry out the arrangement with respect to the guarantee of this country for the proposed loan, it is very desirable that it should pass during the present Session.

I am directed by their Lordships to acquaint you, for the information of Mr. Secretary Labouchere, that the Act now transmitted appears to my Lords to afford sufficient security for the interest and sinking fund of the proposed loan. The rate of sinking fund is indeed greater than will be required for the redemption of the bonds or debentures to be issued for the proposed loan within the period of twenty years.

Their Lordships request that the attention of the Governor may be called to the course taken in raising the guaranteed loans for the colonies in the West Indies, &c. in regard to the appointment of agents for raising and managing the loans. In all those Acts the power of appointing agents has been vested in the Crown, and by Royal Warrants the duty has been assigned to this Board.

By the first clause of the Act transmitted, the appointment of agents is vested in the Lieutenant-governor of Prince Edward Island, with the advice and consent of the Executive Council, and subject to the approval of Her Majesty's Government; and the Lieutenant-governor, in his despatch, proposes to appoint Messrs. Codd to be agents under the Act.

Their

Their Lordships conceive that the power of raising money under the guarantee of the Imperial Government cannot properly be entrusted to any individual, and that the money so to be raised could not be obtained upon equally favourable terms for the colony.

My Lords would therefore propose in the Bill to be submitted to Parliament authorizing the raising of this loan, to introduce a clause to enable them to adopt the same course as on former occasions, and to empower Her Majesty to appoint agents for this purpose.

They would also observe, that in the second section of the present Act, the bonds or debentures are to be drawn for sums not less than 50 *l.*, whereas on no former occasion have the debentures been issued for a less sum than 300 *l.* In some instances, where the loans have been taken by the Bank of England or by other large institutions, a wish has been expressed that the debentures should be prepared for much larger amounts; and it was only in the last instance, the loan to Jamaica, that any smaller sum than 500 *l.* was inserted in the debentures.

It may be unnecessary that any further Act should be passed by the Legislature of Prince Edward Island upon these points, but their Lordships would suggest, that the Governor should be informed of the measures which they propose, and that he should appoint "the Lords Commissioners of Her Majesty's Treasury, or any two or more of them," to be agents for raising and managing the loan.

I have to state, that in the meantime their Lordships will cause a Bill to be prepared and submitted to Parliament for giving effect to the arrangements for raising and managing the loan for 100,000 *l.*

I have at the same time to transmit to you copy of the debentures issued in similar cases, and to request that you will move Mr. Secretary Labouchere to inform my Lords at what period, and in what proportions, it will be advisable to raise the sums that will be required for the purposes of the said loan.

I have, &c.

H. Merivale, Esq. (signed) *James Wilson.*

— No. 19. —

No. 19.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M.P.
13 July 1857.

COPY of DESPATCH from Lieutenant-Governor Sir *D. Daly* to the Right Honourable *H. Labouchere*, M.P.

(No. 34.) Government House, Prince Edward Island, 13 July 1857.
(Received, 27 July 1857.)

Sir, (Answered, No. 22, 14 August 1857, page 30.)

I HAVE the honour to acknowledge the receipt of your despatch of the 15th June, No. 17,* transmitting, for my information and guidance, copy of a letter from the Lords Commissioners of Her Majesty's Treasury on the subject of the Act passed by the Legislature of this island for the purpose of raising moneys to be applied to the purchase of lands therein.

* Page 28.

2. It affords me much satisfaction to learn that their Lordships approve of the security afforded by this measure for the proposed loan, from which I anticipate much benefit to the colony.

3. With regard to the appointment of agents for raising and managing the loan, no arrangement could be more satisfactory than that which their Lordships point out, and with the concurrence of my Council I have given effect to their Lordships' directions by the accompanying commission, under the public seal of this island, appointing their Lordships, or any two or more of them, to be such agents.

Enclosure.

4. With regard to the limit placed by the provincial Act upon bonds or debentures to be drawn for sums of not less than 50 *l.*, that amount was stated under an impression that it would facilitate the sale of the stock; but there being no restriction upon debentures being drawn for such amounts exceeding that sum as may be desirable, I trust no practical inconvenience is likely to result.

5. As it is not intended to raise more money under this Act than will from time to time be necessary for completing such purchases as the local Government

may be able to effect, I regret that it is not yet in my power to furnish you with such specific information as can enable you at once to reply to the inquiry of the Lords of the Treasury, " as to the period, and in what proportions it will be advisable to raise the sums that will be required."

6. Upon these points I shall not fail to furnish you with the earliest information practicable, which I trust will be found to afford ample time for raising the necessary funds, as, after an agreement for a purchase shall have been effected, some time must necessarily be occupied in the verification of plans and surveys, and other arrangements preliminary to its final completion by the payment of the purchase-money.

I have &c.

(signed) *D. Daly*,
Lieutenant-Governor.

Encl. in No. 19.

Enclosure in No. 19.

PRINCE EDWARD ISLAND.

(L. S.) *D. Daly*, Lieutenant-Governor.

BY His Excellency Sir *Dominick Daly*, Knight, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward, and the Territories thereunto belonging, Chancellor, Vice-Admiral, and Ordinary of the same, &c. &c. &c.

To the Lords Commissioners of Her Majesty's Treasury.

BY virtue of the powers and authority in me vested, under an Act of the General Assembly of Prince Edward Island, passed in the 20th year of Her present Majesty's reign, intituled, " An Act for raising Moneys to be applied to the purchase of Lands, under the Act 16th Victoria, chapter 18, intituled, ' An Act for the Purchase of Lands on behalf of the Government of Prince Edward Island, and to regulate the Sale and Management thereof, and for other Purposes therein mentioned,' "

I do hereby nominate, constitute, and appoint you, the Lords Commissioners of Her Majesty's Treasury, or any two or more of you from time to time being in such office, to be agents in England under the said recited Act for raising and managing the moneys ordered or proposed to be thereby raised, giving and granting unto you the said Lords Commissioners of Her Majesty's Treasury, or any two or more of you from time to time being in such office, all the powers, authorities, privileges, and emoluments to such agents belonging or in anywise appertaining, or given or conferred upon parties appointed to be such agents under or by virtue of the said recited Act, with respect to raising moneys and otherwise, as therein set forth.

Given under my hand and the Great Seal of Prince Edward Island, at Charlotte Town, in the said island, this 11th day of July, in the year of our Lord 1857, and in the 21st year of Her Majesty's reign.

(By Command.)

(signed) *George Coles*,
Colonial Secretary.

— No. 20. —

No. 20.
Right Hon. H. Labouchere, M. P., to Lieut.-Governor Daly.
14 August 1857.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Lieutenant-Governor Sir *D. Daly*.

(No. 22.)

Sir, Downing-street, 14 August 1857.

I HAVE received your despatch of the 13th July, No. 34,* forwarding some of the information required by the Lords Commissioners of the Treasury, in reference to the proposed loan to Prince Edward Island, and I have transmitted copy thereof to their Lordships.

* Page 29.

I take this opportunity of apprising you that the circumstances of the present Session have been such as to prevent Her Majesty's Government from proposing to Parliament to guarantee the loan intended to be raised for the purchase of lands

lands in the island. I beg to assure you of my regret at this unavoidable postponement of the measure, and to add the expression of my hope that we may have it in our power to take the necessary steps for its introduction in the next Session. As you mention in your despatch that some time must necessarily be occupied in the verification of plans and in other arrangements preliminary to any purchase of lands under the Colonial Act, I trust that this postponement of the Imperial measure will not be without its advantage, as the interval will enable you to have those arrangements made.

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

— No. 21. —

No. 21.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P.
7 September 1857.

EXTRACT of DESPATCH from Lieutenant-Governor Sir *D. Daly* to the Right Honourable *H. Labouchere*, M. P., dated Government House, Prince Edward Island, 7 September 1857.

(No. 46.)

(Received, 27 September 1857.)

I HAVE the honour of acknowledging the receipt of your Despatch of the 14th August, No. 22,* informing me that the circumstances of the present Session have been such as to prevent Her Majesty's Government from proposing to Parliament to guarantee the loan intended to be raised for the purchase of lands in this island.

* Page 30.

Whilst highly appreciating the expression of regret with which you are pleased to accompany the announcement of the unavoidable postponement of this measure, and the favourable effect which it is calculated to produce on those who are disposed to take a proper and reasonable view of the subject, yet, I deem it my duty respectfully to apprise you that I fear this delay will occasion much disappointment to the tenantry and others who have been anxiously looking forward to the early completion of arrangements from which they expect to derive much benefit, and more especially the tenantry on Lord Selkirk's estate, as his agent declines to proceed with the negotiation, or submit the titles, plans, &c., until the Imperial Act shall have been actually passed.

— No. 22. —

No. 22.
Lieut.-Governor Daly to Right Hon. H. Labouchere, M. P.
5 January 1858.

EXTRACT of DESPATCH from Lieutenant-Governor Sir *D. Daly* to the Right Honourable *H. Labouchere*, M. P., dated Government House, Prince Edward Island, 5 January 1858.

(No. 1.)

(Received, 26 January 1858.)

So much has already been effected in mitigation of the evils that have arisen out of the "Land Question," that much anxiety is felt for the completion of the arrangements for the purchase by the local Government of lands from absentee proprietors, on an extended scale.

It is very creditable to the tenantry, and to those who more especially see in the proposed guaranteed loan a prospect of the early accomplishment of their desire to obtain freeholds on reasonable terms, that they are patiently waiting for the Imperial measure, the introduction of which in the last Session was unavoidably postponed.

PRINCE EDWARD ISLAND.

PAPERS on the Subject of affording the Imperial Guarantee to a Loan for the Service of Prince Edward Island.

(Presented to Parliament by Her Majesty's Command.)

Ordered, by The House of Commons, *to be Printed,*
16 *April* 1858.

202.

Under 8 *oz.*

VANCOUVER'S ISLAND.

RETURN to an Address of the Honourable The House of Commons, dated 24 June 1858;—*for*,

A "RETURN of all LANDS in *Vancouver's Island* Sold to any Individual or Company, with the Names of the Persons or Company to whom such Lands have been Sold, the extent to which such Lands are under Cultivation, and the Localities in which they are situated."

Colonial Office, 30 July 1858.

CARNARVON.

(*Mr. C. W. Fitzwilliam.*)

Ordered, by The House of Commons, *to be Printed*, 2 *August* 1858.

RETURN of LANDS in *Vancouver's Island*, sold to any Individual or Company, with the Names of the Persons or Company to whom such Lands have been Sold, and the Localities in which they are situated, made up from the Reports of Mr. *J. D. Pemberton*, Colonial Surveyor.

PURCHASERS.	LAND SOLD. A.	R.	P.	DISTRICT.
James Douglas	12	0	0	Victoria.
Robert J. Staines	46	2	0	,,
John Tod	109	2	24	,,
Roderick Finlayson	103	0	0	,,
Charles Dodd	247	0	0	Esquimalt.
William F. Tolmie	272	0	0	Victoria.
Robert Clouston	114	3	0	,,
James Douglas	418	0	0	,,
John S. Helmcken	139	0	0	Esquimalt.
James Sangster	20	0	0	,,
John Gregg	37	0	0	,,
Henry N. Peers	205	0	0	,,
George M'Kenzie	200	0	0	Victoria.
John F. Kennedy	164	0	0	,,
William H. Gliddon	86	2	0	,,
James Yates	87	0	0	,,
Ditto	117	0	0	,,
James Tod	100	0	0	,,
Robert J. Staines	400	0	0	,,
George F. Hawkins	57	2	0	,,
James Cooper	64	1	32	Esquimalt.
Hudson's Bay Company	1,212	0	0	Victoria.
John Work	708	1	0	,,
Isabella Ross	145	0	0	,,
Puget Sound Agricultural Company	630	0	0	Esquimalt.
Ditto	606	0	0	,,
Ditto	610	0	0	,,
Ditto	605	0	0	,,
Ditto	213	0	0	Victoria.
Hudson's Bay Company	1,130	0	0	,,
Ditto	710	0	0	,,
Governor's Public Reserve	596	0	0	,,
Clergy ditto	2,188	0	0	,,
William H. M'Neill	264	0	0	,,
George Blenkinsopp	261	0	0	,,
John F. Kennedy	87	2	0	,,
Hudson's Bay Company	172	2	0	,,
Modeste De Mers	112	3	0	,,
Cornelius	201	2	0	,,
Hudson's Bay Company	140	3	0	,,
Ditto	159	1	0	,,
John Lemon	29	3	0	,,
Baptiste Botineau	40	1	0	,,
Leon Morell	40	0	0	,,
William F. Tolmie	99	0	0	,,
William R. Parsons	40	2	0	Esquimalt.
Charles Dodd	179	0	0	,,
George Mackenzie	170	0	0	Victoria.
Paul Fraser	250	0	0	Metchosin.
George F. Hawkins	20	1	0	Esquimalt.
James Cooper	20	3	0	,,
James Stockand	100	0	0	Victoria.
Archibald Muir	100	0	0	Soake.
William Bamfield	79	0	0	,,
Thomas Skinner	20	0	0	Esquimalt.
Michael Muir	71	0	0	Soake.
Andrew Muir	89	0	0	,,
John Muir	205	0	0	,,
William J. M'Donald	20	0	0	Esquimalt.

PURCHASERS.	LAND SOLD. A.	R.	P.	DISTRICT.
William M'Neill	50	0	0	Victoria.
Arthur W. Owen	150	0	0	Esquimalt.
Robert Weir	20	0	0	Metchosin.
Gideon G. Halcrow	200	0	0	Esquimalt.
John M'Gregor	40	0	0	Soake.
Walter C. Grant	374	0	0	,,
William J. M'Donald	20	0	0	Esquimalt.
W. J. Huggins	20	0	0	Metchosin.
Hudson's Bay Company	24	0	0	Esquimalt.
Isabella Ross	57	0	0	Victoria.
Roderick Finlayson	170	0	0	,,
Hudson's Bay Company	55	0	0	Esquimalt.
Ditto	6,190	0	0	Nanaimo.
John M'Dougal	82	0	0	Victoria.
William Foote	97	0	0	,,
James Douglas	100	0	0	,,
John Frederick Kennedy	199	0	0	,,
John S. Helmcken	40	0	0	Esquimalt.
Puget Sound Agricultural Company	210	0	0	Victoria.
Joseph D. Pemberton	356	0	0	,,
James Douglas	247	0	0	Esquimalt.
William Hillier	40	0	0	Lake District.
William Pike	40	0	0	,,
Robert Porter	80	0	0	,,
James and Robert Fish	50	0	0	,,
Caleb Pike	40	0	0	Esquimalt.
Ditto	60	1	34	Lake District.
Charles Dodd	262	3	38	,,
Peter Merriman	262	3	0	Victoria.
James Tod	100	2	0	,,
Robert Scott	256	2	34	,,
John Irving	128	1	25	,,
Charles Gallion	114	0	0	,,
George Blenkinsop	338	0	0	,,
John Caspar Von Allmen	312	1	14	,,
John Tod	164	0	0	,,
George Blenkinsop	365	0	0	Lake District.
Henry Von Allmen	210	0	0	Victoria.
George Greenwood	80	0	0	,,
William M'Donald	113	0	0	,,
Benjamin W. Pearse	190	0	0	,,
Joseph D. Pemberton	177	1	16	,,
William F. Tolmie	311	0	0	,,
Kenneth M'Kenzie	247	0	0	,,
George Deans	112	0	0	,,
James Yates	23	0	0	Esquimalt.
Hudson's Bay Company	119	0	0	,,
Hugh M'Kay	20	0	0	Soake.
Roderick Finlayson	385	0	0	Metchosin.
Richard Smith	41	2	16	Lake District.
John Caspar Von Allmen	60	1	8	,,
John Williams, sen.	27	1	0	,,
John Williams, jun.	27	1	0	,,
Edmund Williams	27	1	0	,,
William Williams	27	1	0	,,
Richard Caselton	27	1	0	,,
John Work	290	0	0	Victoria.
Alexander Grant Dallas	825	0	0	Lake District.
Edwin Kitson	319	0	0	Metchosin.
John M'Gregor	180	0	0	,,
George M'Kenzie	250	0	0	Lake District.

Note.—There is no information obtainable as to the extent of lands brought under cultivation.

VANCOUVER'S ISLAND.

RETURN of LANDS in *Vancouver's Island* Sold to any Individual or Company, with the Names of the Persons or Company to whom such Lands have been Sold, and the Localities in which they are situated, &c.

(*Mr. C. W. Fitzwilliam.*)

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1858.

524.

Under 1 *oz.*

478

EMIGRATION.

RETURN to an Order of the Honourable The House of Commons, dated 7 May 1858;—*for*,

RETURNS "of the Gross Number of EMIGRANTS to *America* during the Years 1855, 1856, and 1857, specifying the Number of those who sailed in British Vessels from those who sailed in Foreign Vesssels."

Colonial Office, 29 June 1858.

CARNARVON.

RETURN of the Gross Number of EMIGRANTS to *America* during the Years 1855, 1856, 1857; specifying the Number of those who sailed in British from those who sailed in Foreign Vessels.

YEAR.	No. who Sailed in British Ships.	No. who Sailed in Foreign Vessels.	TOTAL.
1855 - - - - - -	23,958	97,843	121,801
1856 - - - - - -	31,199	97,894	129,093
1857 - - - - - -	50,089	98,559	148,648
GRAND TOTAL - - -	105,246	294,296	399,542

In the above Totals are included the following numbers who proceeded to Central and South America:—

Year - - -	1855 - - -	878
	1856 - - -	421
	1857 - - -	742

Government Emigration Board, 24 June 1858.

S. Walcott, Secretary.

EMIGRATION.

RETURN of the Gross Number of EMIGRANTS to *America* during the Years 1855, 1586, 1857; specifying the Number of those who sailed in British from those who sailed in Foreign Vessels.

(*Mr. Maguire.*)

Ordered, by The House of Commons, *to be Printed,*
30 *June* 1858.

480

EMIGRATION.

RETURN to an Address of the Honourable The House of Commons, dated 19 March 1858;—*for*,

"COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 125, of Session 2, 1857)."

Colonial Office,
25 March 1858.

CARNARVON.

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed*,
26 *March* 1858.

SCHEDULE.

CANADA.

DESPATCHES FROM LIEUT.-GENERAL SIR W. EYRE AND GOVERNOR-GENERAL SIR E. HEAD, BART.

Number in Series.	Date and Number.	SUBJECT.	Page.
1	1857: 30 June (No. 3) - -	EMIGRANTS SENT OUT BY THE WELLINGTON EMIGRATION FUND. Acknowledging Mr. Labouchere's Despatch of the 11th June, and stating that Instructions had been given for affording every Information and Assistance to these Emigrants - - - - - - - - -	3
2	1858: 27 January (No. 12) -	ANNUAL REPORT OF THE CHIEF AGENT FOR IMMIGRATION FOR THE YEAR 1857 - - - - - - - - -	3
		Number of Emigrants landed and Number of Vessels employed - -	4
		Comparative Statement of the Number of Arrivals for 1856 and 1857 -	4
		Disasters at Sea: Cases of the Ships "Martin Luther" and "St. Clair"	6
		Burning of the Steamer "Montreal," with great Loss of Life - -	6
		Cases of Infringement of the Passenger Act - - - - - -	6
		Expenditure of the Emigration Department - - - - - -	8
		Amount realized by the Emigrant Tax - - - - - - -	11
		Review of the past Season's Emigration - - - - - -	12
		Prospects for 1858 - - - - - - - - - - - -	13
		Report of Mr. Hawke, Chief Agent for Upper Canada - - - - -	14
		Tabular Returns - - - - - - - - - - - - -	16
		Extract of Notes appended to the Periodical Reports - - - -	22

DESPATCH FROM THE RIGHT HON. H. LABOUCHERE, M.P.

3	1857: 11 June (No. 83) -	LETTER FROM THE WELLINGTON EMIGRATION SOCIETY, enclosing List of the Emigrants selected and despatched in the Ship "Envelope."—Requesting that Instruction may be given for affording every Information and facility to these Emigrants - - - -	28

NEWFOUNDLAND.

DESPATCH FROM GOVERNOR SIR A BANNERMAN.

4	1857: 8 December (No. 95) -	ENCOURAGEMENT OF EMIGRATION TO NEWFOUNDLAND, enclosing Minute of the Council, praying for some Relaxation of the Provisions of the Passengers Act for this purpose, and stating that the want of Labour and High Price of Wages is much felt - - -	30

DESPATCH FROM THE RIGHT HON. H. LABOUCHERE, M.P.

5	1858: 28 January (No. 5) -	Acknowledging the preceding Despatch, and stating, for the reasons given, that the Relaxations applied for could not be conceded with safety to the Emigration, and that there is no sufficient ground to justify the Interference of Her Majesty's Government in any other way	32

NEW BRUNSWICK.

6	1858: 18 Jannary - -	ANNUAL REPORT OF MR. PERLEY, Emigration Officer for New Brunswick, for the Year 1857 - - - - - - - - -	33

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES

CANADA.

Despatches from Lieut.-General Sir W. Eyre and Governor-General Sir E. Head, Bart.

— No. 1. —

(No. 3.)

COPY of DESPATCH from Lieutenant-General Sir *W. Eyre* to the Right Honourable *H. Labouchere.*

Sorel, 30 June 1857.

Sir, (Received 27 July 1857.)

WITH reference to your despatch of 11th June 1857, No. 83,* addressed to Sir Edmund Head, I have the honour to inform you that a communication having been previously received on the same subject from his Grace the Duke of Wellington, the emigration officers had been already instructed to afford every information and assistance to the persons sent out by the Committee of the Wellington Emigration Fund.

In order still further to aid them on their arrival in this country, I have placed a copy of your despatch in the hands of the Honourable P. M. Vankonyhust, who will do all in his power to further the benevolent objects of the association, and assist a class of emigrants so well adapted for this country.

I have, &c.
(signed) *Wm. Eyre,*
Lieut.-General Administering the Government.

CANADA.

No. 1.
Lieut.-General Sir W. Eyre, to the Right Hon. H. Labouchere, M. P.
30 June 1857.
* Page 28.

— No. 2. —

(No. 12.)

COPY of DESPATCH from Governor-General Sir *Edmund Head,* Bart., to the Right Honourable *H. Labouchere.*

Government House, Toronto, 27 January 1858.

Sir, (Received 16 February 1858.)

I HAVE the honour to transmit herewith the Annual Report of the Chief Agent for Emigration for the year 1857, together with an Appendix.

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

No. 2.
Governor-General Sir E. Head, Bart., to the Right Hon. H. Labouchere, M. P.
27 January 1858.

Enclosure in No. 2.

IMMIGRATION REPORT, 1857.

Encl. in No. 2.

To His Excellency the Right Honourable Sir *Edmund Head,* Bart., Governor-General, &c. &c. &c.

Office of Her Majesty's Chief Agent for the Superintendence of Emigration to Canada,
Quebec, 31 December 1857.

Sir,

I HAVE the honour to submit to your Excellency, for the information of Her Majesty's Government, my Annual Report on the Immigration to the Province during the year 1857.

Table No. 1 of the Appendix furnishes the usual returns of the season's immigration,

Table No. 1.

immigration, from which it will appear that the number of persons embarked from Europe for this port during the season was as follows:

	CABIN.	STEERAGE.	
Adults: males	892	12,443	
Adults: females	576	8,857	
Children: males	177	3,928	
Children: females	157	3,676	
Children under one year	38	1,547	
	1,840	30,451	32,291
Births on passage			44
TOTAL			32,335
Deaths on passage		206	
Deaths in Quarantine		32	
			238
Number Landed			32,097

From this Table it will further be seen that the number of vessels engaged in the conveyance of emigrants from Europe was 231, having a tonnage capacity of 143,963 tons, and navigated by 5,436 seamen. 213 of these vessels were of the ordinary class of sailing ships, and these had an average passage of 44 days. The remainder were steam ships, which made an average passage of 12 days.

Of the 213 sailing ships in this return, 180 were from ports in the United Kingdom; 93 of these came within the regulations of the Passenger Act, and 87 were exempt. The former brought out 19,997, and the latter 789 passengers. The foreign immigration employed 51 ships, seven of which were British, and 44 foreign.

Of the whole immigration of the season there arrived by the—

	CABIN.	STEERAGE.
18 steam ships	1,549	3,245
213 sailing vessels	291	27,012
	1,840	30,257

The immigration has been very free from disease, the average mortality among the passengers from the United Kingdom having been no more than 1-3d of 1 per cent., chiefly confined to children. The foreign passengers have suffered more; but among them the average mortality, between embarkation in Europe and landing in Quebec, has been less than 1 and $\frac{3}{8}$ths per cent., children included. The mortality at sea has been confined to sailing vessels, not a single death having been reported on board any of the steamers.

The following is a comparative statement of the arrivals from each country for the years 1856 and 1857:

	1856.	1857.
From England	10,353	15,471
„ Ireland	1,688	2,016
„ Scotland	2,794	3,218
„ Germany	4,537	4,961
„ Norway and Sweden	2,806	6,407
„ Lower Provinces	261	24
	22,439	32,097

showing the increase in 1857 of 9,658 souls, equal to 43 per cent.

And

And distinguishing the nationality or origin of the immigrants of the two seasons, they will appear as follows; viz.:

	1856.	1857.
English	5,555	11,098
Irish	4,357	4,466
Scotch	3,872	4,924
Germans	4,745	4,872
Norwegians and Swedes	2,806	6,470
Belgians	843	216
Canadians	261	51
	22,439	32,097

The increase is principally on the English and Norwegians.

Of the former the increase is 5,543 persons, and of the latter 3,664. From Scotland the increase is 1,052, and from Ireland 109; from Germany, 127; while on the number from Belgium and the Lower Provinces there is a decrease of 837 persons.

Table No. 2 of the Appendix presents a return of the ships and passengers from each port and country during 1857, with the mortality from each port respectively; also showing a comparative statement of the immigration from each port and country for the seasons 1855 and 1856. Table No. 2.

The deaths among 15,544 persons who sailed from English ports were 73, or equal to 0·47 per cent. From Ireland, among 2,018 persons, but two deaths occurred. From Scotland, out of 3,224, but six deaths occurred. Among the Germans the deaths were 57 out of 5,018 persons, equal to 1·13 per cent.

The greatest mortality occurred among the Norwegians, being 100 on an emigration of 6,507 souls, or equal to 1·53 per cent.

Table No. 3 presents a general hospital return, showing the number of patients admitted for medical relief, with the results: at the Quarantine Station between the 1st May and its close on the 31st October; at the Marine and Emigrant hospital in this city, and at the General Hospital, Montreal, between the 1st May and 31st December. Table No. 3

From this return it will be seen that the total number of cases treated in these several institutions was 537, and the deaths 40.

Table No. 4 furnishes a return of the adult male immigration, distinguishing trades and callings. Table No. 4

The total males embarked was 12,443, who were classed as follows; viz.:

Farmers and agricultural labourers	3,518
Mechanics	2,185
Merchants, clerks, &c.	327
Servants	134
Labourers	6,279
	12,443

Table No. 5 presents a comparative statement of the number of emigrants landed at this port since the year 1829 to the present time, a period of 29 years, numbering in the aggregate 901,005 souls, affording an average of 31,070 per annum. Table No. 5

Table No. 6 furnishes a return of persons who have been aided in their emigration to this country by private individuals, charitable societies, or under the sanction of the Poor Law Commission. Table No. 6.

The total number assisted was 1,740, and the amount paid among them on arrival here was 885 *l.* 10 *s.* 8 *d.*, of which sum 816 *l.* 15 *s.* 8 *d.* was paid through this office, and 68 *l.* 15 *s.* by agents.

CANADA.

The Wellington Emigration Society sent out from England 1,062 persons, who received a sum of 10 *s.* each adult on landing here, in addition to a free passage to Western Canada: 33 lads were from the London Reformatory School, and 62 persons were sent out by their parishes. From Ireland there were 379 persons; viz., 13 males, 293 females, and 73 children, all from poor law unions; they received from 10 *s.* to 25 *s.* sterling each on landing here.

Those from the Continent number 49 men, 51 women, and 94 children. 81 persons received money on landing here, amounting to 72 *s.* 15 *s.*, and 133 received a free passage only.

Shipwreck.

I have to report but two cases of disaster at sea occurring to emigrant vessels bound to this port during the past season; viz., the ship "Martin Luther," which sailed from Liverpool on the 9th of April, with 499 passengers, after having been a few days at sea, was dismasted in the Channel, and carried into Plymouth, where she refitted, and sailed again on the 28th of May. The second case was that of the ship "St. Clair," which sailed from Tralee on the 11th of June with 227 passengers, and, having sprung a leak, was abandoned at sea. Her passengers were rescued by the "Ariel," of Bristol, and taken into Cork, where they were provided with a passage by the "Maria," and arrived here on the 3d of September, in good health. It is satisfactory to find, that in both these cases, although the passengers were exposed to much suffering and hardship, there was no loss of life.

Steamer "Montreal."

Although the disasters at sea have fortunately been attended with no loss of life, I regret to have to refer to a most extensive disaster which occurred on the River St. Lawrence, within a few miles of this city.

The steamer "Montreal," which formed one of a line between Quebec and Montreal, left her wharf here on the afternoon of the 26th of June, with from 300 to 400 souls on board. She took fire shortly after, and was totally consumed, after having been run aground on a shoal some distance from the shore.

The loss of life never can be correctly ascertained, but 254 bodies in the whole were recovered.

The passengers by this ill-fated vessel were composed chiefly of the emigrants by the ship "Jno. Mackenzie," from Glasgow, which vessel had arrived the previous evening with 338 souls. Of this number, 69 left the next morning by railway, and 11 remained in this city; 258 are consequently supposed to have embarked on board the "Montreal," of which number but 67 are ascertained to have been saved, leaving 191 persons missing. Those saved suffered the entire loss of such of their baggage and property as was not carried on their persons.

There has been much humane attention directed to the survivors of this catastrophe, and assistance has been presented by the cities of Quebec, Montreal and Toronto, as well as by other places. The St. Andrew's Society of Montreal have taken a most active and efficient course for the relief of the Scotch emigrants, and have been zealously seconded by the sister society of Quebec. These institutions have offered a warm sympathy for the surviving dismembered families, by contributing largely towards making good their losses of property, and by enabling such as desired it to return to their relations, or to proceed to their original destination.

The circumstances of this disaster underwent at the time a searching inquest, which resulted in a verdict of "manslaughter" against the captain, owner, pilot and mate of the vessel.

The owner has evaded arrest, but the master is now in gaol, and the pilot and mate are under bail, all awaiting their trial.

Passenger Act.

In the course of the season complaints were made by the passengers of five vessels for infringement of the regulations of the Passenger Act. In three cases in which I found it necessary to institute legal proceedings, convictions were obtained; and in two other cases compensation was made to the satisfaction of the passengers.

The first case was against Captain Craig, of the steamer "United Service," from London, for short issue of water. The vessel having proceeded to Montreal, the information, with the necessary instructions, were transmitted to the agent in that city, and, on the complaint being heard, the master was fined in a penalty of 50 *l.* currency, with costs.

The

The second case was against Captain Olive, of the ship "E. A. Bright," from Liverpool, under three clauses of the Act, viz., 1st. By issuing an insufficient allowance of meat and flour during the voyage. 2d. By issuing an insufficient supply of water. 3d. By neglecting to keep the abstracts of the Passenger Act and Order in Council posted up, as required by law.

The sitting magistrates condemned the captain in the penalty of 5*l.* sterling and costs for each of the two first offences, and 40*s.* and costs for the last.

The third case was against Captain Corner, of the ship "M'Donnell," from London, for not having issued a proper and sufficient supply of water and provisions during the voyage. The complaint for the non-issue of water was fully proved, and the master was fined 1 *l.* sterling per day during the period of 34 days in which the full allowance of water was withheld. The complaint respecting the deficiency in provisions not being proved, was withdrawn.

The following complaints were settled without the necessity of a reference to the magistrates: —

Some few articles in the dietary scale of the ship "Ion," from London, had fallen short, owing to the length of passage, 68 days, but the master at once allowed the value of the articles deficient, amounting to 2*s.* 6*d.* for each passenger, with which they were all satisfied.

The last case was by the passengers of the ship "Melbourne," from Liverpool. This vessel cleared outwards with only 24 steerage passengers, and accordingly did not appear to come under the Act; but a family of four persons having entered as cabin passengers, and, although they paid cabin fare, having been provisioned and accommodated only as steerage passengers, the master was made to perceive that all the regulations of the Act might be enforced against him. In order to prevent the case being brought before the magistrates, the matter was settled by a money payment to the satisfaction of the complainants.

Complaints for breach of contract were also made by the passengers, 24 in number, per "Esmeralda," from Liverpool. As this vessel did not come within the operation of the Passenger Act, I was unable to afford them any assistance in obtaining redress.

The petition of the passengers, setting forth their grievances, was transmitted by their request to the Government Emigration Board in London.

The numerous testimonials and complimentary addresses presented to masters of passenger ships on their arrival here, show that the treatment experienced by emigrants on their voyage to this port is generally satisfactory to them.

The only case of personal ill treatment which came under my notice was made by the passengers by the "E. A. Bright," against the subordinate officers of that ship, and proceedings were about being taken by several of the passengers against the chief mate and boatswain, for assaults under various circumstances during the voyage. None of the accused were, however, forthcoming, nor could any of them be found during the stay of the prosecutors in this city. They had been made aware of the passengers' intention to prosecute them, and, dreading the punishment which they must have been sensible awaited them, they evaded a trial.

Serious complaints of this kind are, I am happy to say, of rare occurrence on board emigrant ships to this port. The masters of the regular traders are generally kind, humane men, and, being interested in obtaining and preserving a good name for their ships, provide with every care for the comfort of their passengers. Casual ships are not always so well commanded, although it is seldom that any charge can be urged beyond that of want of experience in the carriage of passengers.

A very large proportion of the British as well as the foreign emigrants proceeding to the western parts of the province continue to take the route of New York. I regret to say that numerous complaints are made of the treatment experienced by passengers on this route, not only while on the voyage across the Atlantic, but also when arrived at New York, and on the journey inland. The vessels employed in the New York passenger trade are more frequently transient ships, with masters less experienced in the business than those of the regular traders to this port, and I feel warranted in saying less respectable in their characters. So many cases of infamous conduct towards their steerage passengers, and particularly the females, have become public, that the Canadian emigration will be largely diverted from this line hereafter. The Com-

CANADA.

missioners of Immigration of New York I am aware do all in their power to check the impositions practised upon emigrants who land there, and since the establishment of the depôt at Castle Garden for the reception and temporary accommodation of the steerage passengers arriving, they are saved from many of the evils to which they were formerly subject. Still, the extent and character of the population of the city of New York of the lower class make it impracticable that a full protection should be afforded. The stranger is yet imposed upon by overcharges, detained as long as he has money to expend, misdirected on his way, and often plundered by force of his only means.

The American press is loud in denouncing the frauds practised upon those who are so pressingly invited to adopt the United States route, and their own interest leads the respectable part of the community to desire their prevention; but the too general absence of suspicion in the victims offers a temptation apparently not to be resisted, and the mal-practices seem rather to extend. The countrymen of the emigrants are often employed to inveigle them, sharing, doubtless, in the plunder obtained; and English, Irish, and Germans are largely made use of by all the pretended forwarding companies and agents who impose by means of worthless railway and steamboat tickets.

The regulations of both the railways and the steamboats of the United States are less strict in regard to luggage than is the case in Europe. Emigrants' property is exposed to loss from the confusion permitted, and if lost or stolen, is seldom recovered.

Emigrants, and more particularly families and single females, are cautioned against the risks they must run in adopting the New York route. If their destination is Canada, or, indeed, any of the Northern or Western States, they are strongly advised to come out by way of Quebec in the summer, and by way of Portland in the winter. The passage at either season is no longer, while it is on the whole less expensive; and the inland route by the St. Lawrence and the Lakes, or by railway, is more direct and a good deal cheaper. There is no detention, and any attempt at imposition, if made known, can hardly fail of being promptly punished by the authorities.

Emigrants are advised, in all cases where circumstances will permit, to secure their passage by steamers in preference to sailing vessels; and if time, health, and comfort are fully considered, the steamship will prove the cheapest in the end. The establishment of a regular weekly line of mail steamers from Liverpool to this port, which will come into operation in the ensuing spring, will afford intending emigrants full opportunity of securing a speedy, safe, and regular conveyance.

The service performed by this line during the past season has given general satisfaction, from its regularity and despatch. The first vessel arrived here on 4th May, and the last left this port on 14th November, making 14 trips.

They brought out 1,466 cabin, and 2,631 steerage passengers, making an average passage of less than 11 days.

On their return trips, 13 in number, they carried 958 cabin, and 1,609 steerage passengers, making an average passage of 10 days 20 hours, giving the total passengers carried out and home by this line 2,424 cabin, and 4,240 steerage.

Expenditure.

The total expenditure of the Emigration Department of the Province, including the cost of quarantine establishment at Grosse Isle, amounts to 11,939*l.* 15*s.* 4*d.*

	£.	s.	d.
The cost of the Quarantine Establishment amounted to the sum of - - - - - - - -	2,603	6	1
And the steamboat service for the same, cost - -	1,200	–	–
Total - - £.	3,803	6	1
The expenditure for the direct relief of emigrants, in transport and provisions, together with the salaries and other expenses, are - - - - -	8,136	9	3
£.	11,939	15	4

The

The several heads of the expenditure on account of the Quarantine establishment during the season of 1857, above referred to, were as follows, viz. :—

	£.	s.	d.
Pay of officers and staff	2,092	10	6
Hospital supplies	164	3	10
Hospital furniture	29	15	–
Cartages	70	6	10
Washing	23	–	3
Drugs	12	8	1
Boats for use of station	54	17	6
Sundries	21	7	–
Printing, stationery, &c.	39	17	1
Advance to wintering party	95	–	–
£.	2,603	6	1

This sum, when compared with the expenditure of 1856, shows a small increase of 188 *l.* 3 *s.* 7 *d.*

The expense of the Quarantine Establishment was equal to 2 *s.* 4 *d.* per head on each emigrant embarked from Europe.

The Expenditure of the Emigration Department to 31st December, has been as follows, viz. :—

	£.	s.	d.	£.	s.	d
Quebec:						
Transport (inland)	2,535	16	11			
Provisions	29	6	3			
Sundries, funeral expenses, &c.	172	16	6			
Agency charges	94	18	2			
Salaries	394	9	–			
				3,227	6	10
Montreal:						
Transport	579	16	9			
Provisions	26	8	4			
Sundries	40	14	2			
Agency charges	53	8	3			
Salaries	408	5	–			
				1,108	12	6
Ottawa:						
Transport	45	8	–			
Provisions	2	18	3			
Agency charges	74	9	–			
Salaries	225	–	–			
				347	16	–
Toronto and Kingston:						
Transport	851	11	7			
Provisions	93	5	6			
Agency charges	169	10	–			
Salaries	925	18	11			
				2,040	6	–
Hamilton:						
Transport	772	13	2			
Provisions	91	6	6			
Agency charges	98	8	3			
Salaries	450	–	–			
				1,412	7	11
			£.	8,136	9	3

From this statement it will be seen, that the total direct relief extended to destitute immigrants at the several Agencies throughout the province was,

	£.	s.	d.
In Transport	4,785	6	5
Provisions	243	4	10
Funeral and other expenses attending the lost per steamer "Montreal"	213	10	8
Office charges and sundries	490	14	5
Salaries	2,403	12	11
£.	8,136	9	3

The

CANADA.

The number of persons assisted at the Quebec Agency was 4,180, viz.:—

Males - - - -	995
Females - - - -	1,632
Children - - - -	1,553
	4,180 equal to 3,232 adults.

There were forwarded to

Montreal - - - -	1,040
Eastern Townships - - -	69
Ottawa - - - - -	40½
Western Canada - - -	1,744
Western States - - -	260
Ports on Lake Erie - - -	27
New York - - - -	52
	3,232

At an average cost of 15 *s.* 6 ½ *d.* each adult.

Of the above number, 1,519 were foreigners, viz.:

Male adults - - - -	433
Females - - - - -	443
Children - - - - -	643

These were constituted of 915 Norwegians, and 614 Germans.

The Montreal Agent reports the number assisted there as equal to 917 adults, at an average cost of 12 *s.* 6 *d.* per adult. These consisted of,

Male adults - - - -	304
Females - - - - -	436
Children - - - - -	495
	1,235

They were forwarded, viz.:

To Western Canada - -	766
Ottawa District - - -	285
United States - - -	184

Of which number 223 were foreigners, viz., 126 Germans, and 97 Norwegians. Males, 54; females, 64; children, 105.

The number of persons relieved at the several agencies in Western Canada are not stated in the returns which have reached me.

The expenditure for 1857 at the several agencies of this department, when compared with those of 1856, shows an increase of 3,329 *l.* 7 *s.* 5 *d.* This has been incurred chiefly under the head of transport and provisions. In Lower Canada the increased expenditure, amounting to 1,414 *l.*, is in proportion only to the increased number of emigrants arrived. In Upper Canada, both at Toronto and Hamilton, this proportion has been exceeded; the extra expenditure at these two places being 1,916 *l.*, while, in proportion to the larger number of the emigration, it should have been nearly 1,000 *l.* less. The demands for assistance made on these two agencies were very numerous during all the latter part of the season, consequently on the superabundant labour accumulated there; and the duty of dispersing those unable to obtain employment, became extremely burthensome. The establishment of an agency at the city of Ottawa has also involved some additional expenditure. But this, owing to the extended field opened for emigrants in that section, is likely to exercise an important and beneficial influence in future, and be the means of attracting a large portion of our future emigration to the Government lands recently opened for sale in all the neighbouring districts.

The

Emigrant Tax.

The emigrant tax realised in course of the past season was as follows; viz.,

		£.	s.	d.	£.	s.	d.
	At Quebec:						
22,567	adults - - at 5 *s.* - - -	5,641	15	–			
7,883	1 to 14 years - „ 3 *s.* 9 *d.* - -	1,478	1	3			
7	- - - - „ 7 *s.* 6 *d.* - -	2	12	6			
36	stowaways - „ 47 *s.* 6 *d.* - -	85	10	–			
					7,207	18	9
	Montreal:						
124	adults - - at 5 *s.* - - -	31	–	–			
51	1 to 14 years - „ 3 *s.* 9 *d.* - -	9	11	3			
					40	11	3
30,668				£.	7,248	10	–

Being equal to an average of 4 *s.* 8 *d.* on each emigrant from Europe above the age of one year. The total expenditure on the emigration, including the cost of the maintenance of the quarantine establishment, amounted to 7 *s.* 9 *d.* per head; but excluding the expense of the Grosse Isle Establishment, and taking the direct expenditure on the relief and assistance of the destitute among the immigration of the year, the average outlay per head is 5 *s.* 3 *d.*

Mr. Hawke's Report.

At page 14, I add copy of the annual report received from Mr. Hawke, the chief agent for Western Canada, on the result of the season's immigration to the section of the province under his more immediate charge.

From this report it will appear, that the total arrivals of immigrants in Canada during the year was 71,220: viz., 32,097 by the route of the St. Lawrence, and 39,123 by the route of the United States; and of the whole number, 37,034 proceeded to the Western States, and 34,186 have remained as settlers in Canada.

The attempt to ascertain the final place of settlement of the immigration, is always attended with difficulty, and a precise result cannot be produced by any extent of inquiry. I submit, however, the following Table, which I have drawn up from the best resources at my command, and which may be considered to be a near approximation to the truth.

	Arrivals:		
	Number of immigrants landed at Quebec, inclusive of cabin passengers -		30,257
	Number received from Portland, per railway return; viz.,		
	From Europe - - - - - - - - - - -	1,087	
	From United States - - - - - - - - - -	1,784	
			2,871
	At Toronto and Hamilton, from ports on Lake Ontario, as stated by Mr. Hawke - - - - - - - - - - - - -		3,180
	At Hamilton, by route of Niagara Suspension Bridge, as stated by Mr. Dixon, emigrant agent at that place - - - - - - - -		35,943
			72,251
	Distribution:		
	Proceeded to Western States from Hamilton, by Mr. Dixon's Report - - - - - - - - - - - -	37,034	
	From Eastern Canada, from return - - - - - -	685	
	Returned to United Kingdom by steam and sailing vessels from Quebec, according to Customs return, 1,356, one-half of whom are estimated to have been immigrants of the season - - - - - - - - - - -	678	
	Number lost by the burning of the steamer "Montreal" -	191	
			38,588
	Settled in Canada - - - - - - - - - -		33,663

CANADA.

Of this number, Mr. Hawke estimates that there settled in Western Canada, 31,423; Eastern Canada, 2,240.

I do not venture to offer an estimate of the property which is brought into the province by the annual immigration, because systematic inquiry on this point is not made, and because I find that from a large class of the immigration, it is difficult to obtain reliable answers, even when the question is put incidentally.

The amount drawn on their arrival here, by the Norwegian passengers of the season, chiefly through bills of exchange on New York, I ascertain to have been 140,000 dollars; equal to 23 dollars per head.

The Commissioners of Emigration at New York, in their report for 1856, state the average amount of money brought to that place by the European immigrants bound to Canada, at over 76 dollars.

With some persons, undoubtedly, there will be always a disposition to overstate their means; but the mass of the emigration are too apprehensive of sharpers to allow the amount of money on their persons to transpire, and I believe all estimates on this head to be understated.

Review of Seasons.

On a review of the immigration of the past season, I may be permitted to remark, that the country has received an accession to her population by the introduction of a large body of healthy immigrants, many of whom have brought a considerable amount of wealth and intelligence with them; and although some, doubtless, may have experienced disappointment because their progress has not been such as they had been led to expect, the fault has been attributable to themselves rather than to any want of means on the part of the country to provide for them.

The general condition and prospects of those who had been fitted by their education and previous habits for removal to such a country as Canada, are not unsatisfactory. Labourers, and more especially agriculturists, have been in general demand throughout the spring and summer; and in many parts of the province the supply was so far from meeting the demand, that the farmers were subjected to much inconvenience, and even loss, from want of hands. Females were universally inquired for, and all such readily found employment at fair wages. But during both the past season and that of 1856, we have received a large number of skilled mechanics, such as machinists, locomotive builders, tool-makers, and others practising the higher branches of mechanics, who have found it difficult to obtain employment; the demand for this description of labour is at all times limited, and new comers are at great disadvantage in finding places for themselves. The agent at Hamilton reports, that some of this class who reached his district have gone to the United States, while a few who had means have returned to England, dissatisfied and disappointed.

But the classes to whom this country offers the least encouragement, are those who have no business or calling. Persons who have been brought up as merchants', bankers', or lawyers' clerks, unaccustomed to labour, or persons whose sedentary employment has affected their constitution and strength, or who have been confined to a single branch of a manufacture until they are incapacitated from taking other labour. No persons of these descriptions ought to be induced to emigrate, unless some previous preparation has been made for them, or unless they come out to friends who are in a position to provide for them until suitable employment can be found.

In the return of the past season, there are no less than 327 persons among the steerage passengers styled merchants, and clerks, for whom there is really no employment. The country has an over-supply of this class, of native growth, while many among the self-styled mechanics and tradesmen, are equally without the capacity for any branch of labour that this country at this time offers.

Having mentioned the description of emigrants who are unfitted for this country, it remains only to repeat that, although persons having capital, with judgment

judgment and experience to guide its employment, must possess great advantages in Canada, still there is ample encouragement for the hardy and industrious, even without large resources at their command. CANADA.

Farm labourers are the most generally sought for, and fair wages are always open for their acceptance. But no man who possesses health and strength, with a determination to take up such offers of employment as may be made to him, can fail to earn a good livelihood; nor, if he exercises his intelligence, within a short period greatly to improve his condition and that of his family. Lands are open for purchase or occupation on terms that bring them within easy reach; and the labouring man who is saving, cannot be long in any employment without laying up sufficient store to enable him to become a settler and proprietor of a lot of land which in a few years may be made a valuable farm.

I regret that the condition of the province at the present time does not promise so fairly for the unskilled labouring emigrant of the next season as it has done for many past years. The commercial difficulties which commenced in the United States, and subsequently extended to this province, have exercised a very depressing influence upon all classes; and the field of employment on which so large a portion of our annual immigration depends, has been necessarily contracted; some large works in operation have been suspended; and many that were in contemplation have been deferred. A severe check also has been given to private enterprise. The ensuing winter, it is feared, may be one of suffering among the newly arrived of our labouring class. In the country districts, from the abundance and moderate price of provisions, there can be no want; but in many of the larger towns, the municipal authorities are already called upon to alleviate the distress by providing employment for those most in need. Prospects for 1858.

In a country like Canada, however, possessing so great natural resources in her valuable forests, and extensive tracts of fertile land, awaiting only the application of labour to render them available, the existing state of things cannot long continue. All superabundant labour must be absorbed, and room made for the arrival of fresh supplies. By the spring, I anticipate that business will have resumed its usual course, and that the country generally will have been restored to its progressive condition; so that, even if none of our extensive public works should be immediately re-entered upon, there will be a general activity among the farmers and settlers, whose ample stores will enable them to undertake further improvement of their lands by means of the labour now to be had on terms within their reach. Wages will be lower than for some years back; mechanics and artizans, unless in a few branches of work, will still find a strong competition for employment; and unskilled labour must be distributed throughout the provinces in order to be provided for; agriculturists, however, and all who can assist efficiently in the farm work of the country, with plough, hoe, or axe, will not fail to meet employment at fair wages.

At page 22 in the Appendix, I submit copy of the notes appended to the periodical reports made to your Excellency during the past season, in which I have had occasion to notice the condition and more immediate prospects of the emigrants as they arrived.

Submitting this Report to your Excellency's favourable consideration,

I have, &c.

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

Sub-Enclosure in Enclosure No. 2.

COPY of REPORT of Mr. *Hawke*, Chief Emigrant Agent for Upper Canada.

Government Emigration Office, Toronto,
Sir, 21 December 1857.

IT appears from the returns made to this office, that the total number of emigrants who have entered Canada during the year 1857, amounts to 71,220, viz.:

Landed at Quebec according to your report - - -	32,097
From various ports on Lake Ontario, chiefly Oswego and Rochester - - - - - - - - -	3,180
By the Niagara Falls Suspension Bridge, as per returns made by T. C. Dixon, emigrant agent at Hamilton -	35,943
Making a Total of - - -	71,220

Out of the emigrants who landed at Quebec, it appears that the number who proceeded direct to the Western States was 10,840, and the number who came by the suspension bridge, and proceeded to the same destination, amounted to 26,194, making the total number who proceeded to the United States 37,034 leaving 34,186 to be accounted for. These, as nearly as I can ascertain, have been distributed as follows:

Settled between the Ottawa and Toronto - - -	7,840
And in the cities, towns, and counties of Upper Canada, west of Toronto - - - - - - - -	23,583
	31,423

making the total number of actual settlers in 1857, 31,423; as to the remainder (2,763), some have probably settled in Lower Canada, and many no doubt, returned home, having been disappointed in procuring the kind of employment they had been accustomed to.

Of the 37,034 who proceeded to the United States, the returns here and at Hamilton show that 26,823 were Germans and Norwegians; 2,858 English; 3,894 Irish, and 1,506 Scotch. The nationality of the remainder cannot be ascertained.

Settled in Upper Canada.

The monthly returns kept here and at Hamilton, show the following results:

From England, by the St. Lawrence - - - -	7,363
Ireland - - - ditto - - - - -	3,507
Scotland - - - ditto - - - - -	2,908
Germans and other foreigners by, the St. Lawrence - -	1,987
From Ireland, by American ports on Lake Ontario - -	1,535
England and Scotland - - - - - -	1,645
Germany, by Suspension Bridge - - - -	1,976
England - - - ditto - - - - -	3,992
Scotland - - - ditto - - - - -	1,674
Ireland - - - ditto - - - - -	2,048
Americans - - ditto - - - - -	29
	28,664
Settlers whose nationality could not be ascertained - -	2,759
Total Number of Settlers - - -	31,423

More

More than one-half of the settlers belonged to the labouring class; about one-fourth to the agricultural, farmers, and farm servants, and the remainder to mechanical branches, and persons calling themselves shopmen, clerks, warehousemen, &c. There were also a considerable number belonging to a class who would do better in almost any part of the world than in North America—persons who have been comfortably brought up, who could "do nothing in particular," but who "were willing to do anything;" many such have left for parts unknown, some still hang loose upon society, and others have written to their relations for assistance to return to the United Kingdom; but as far as I can judge, not one-tenth of the number have found any kind of employment by which they can earn a livelihood. Canada has an over supply of this class, of native growth.

The sanitary condition of the emigrants has been very good, and the season remarkably healthly. As to the result of the year's emigration, I fully concur in the opinions expressed by Mr. Dixon. In his report, of the 16th instant, he says:—"Numbers of persons, possessed of information and skill in the higher branches of mechanism, have been induced to emigrate, for the purpose of benefiting the condition of themselves and families, without ever considering whether their various callings were in existence in this country, or, if they were, whether there was sufficient scope for healthy competition; the consequence has been, that a number of strictly skilled mechanics, bookkeepers, clerks, subordinates in the different professions, and such like, have found their way to this part of Canada, and being grievously disappointed in their expectations, the necessitous among them have been induced to turn their attention to labour and agriculture in order to obtain bread, and no doubt in time they will reap a satisfactory result. Others, with sufficient means, have left to return to their native land. On the other hand, the real agriculturist, and labourers with a knowledge of agriculture, have all succeeded well; and even yet there is a limited demand for English and Scotch farmers.

"The result of the whole year's emigration in this part of the province has been successful, with the above exceptions, and certainly furnishes ground for its repetition next year, provided those persons unfitted for the country be properly advised of the privations and suffering to which they subject themselves by leaving a certainty for an uncertainty."

As to the demand for labour, I can only repeat what I have already said in answer to that question in the "Colonization Circular," on the 17th instant: viz.—"That the prospects for 1858 are not encouraging; an unusual pressure in monetary matters has been felt in every part of British America as well as throughout the United States. The banks in the latter country have been obliged to suspend specie payments; immense numbers of mechanics and labourers have been dismissed, and distress has been greater than was ever before witnessed; many of these have sought employment in this province. Canada has not suffered to an equal extent; none of our banks have been obliged to suspend, and labourers, with few exceptions, have found work, at slightly reduced wages. Mechanics have suffered most, and I cannot invite many of that class to come out next season. Farm servants, and especially females, may depend on immediate work, at good wages. Farmers with working families, who have small capitals, can always settle themselves to advantage, and if prudent and industrious, are sure to better their condition."

I am, &c.
(signed) *A. B. Hawke*,
Chief Emigrant Agent for Upper Canada.

To A. C. Buchanan, Esq.
H. M. Chief Agent for Emigrants,
Quebec.

APPENDIX to Emigration Report 1857.

CANADA.

No. 1.

RETURN of the Number of Emigrants Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number landed at *Quebec*, distinguishing Males from Females and Adults from Children, with the Number of Souls from each Country; also the Number of Vessels, Tonnage, and Seamen Employed, and the Average Length of Passage, during the Season of 1857.

WHENCE.	Number of Vessels.	Average Days on Passage.	Tonnage.	Number of Seamen.	NUMBER EMBARKED.							BIRTHS.		Total Souls on Board.	DEATHS ON THE PASSAGE					
					Cabin Passengers.	Adults.		Children, 1 to 14 Years.		Infants.	Total Steerage.				Adults.		Children, 1 to 14 Years.		Infants.	TOTAL.
						M.	F.	M.	F.			M.	F.		M.	F.	M.	F.		
England { Sail-ships, 105 / Steamers, 16 }	121	{ 46½ / 13 }	89,603	3,447	1,647	6,194	3,750	1,645	1,561	732	13,882	8	7	15,544	6	3	17	9	31	66
Ireland	28	43	13,831	493	1	845	776	177	160	56	2,014	1	2	2,018	1	–	–	1	–	2
Scotland { Sail-ships, 29 / Steamers, 2 }	31	{ 42 / 13 }	18,612	714	188	1,289	903	356	347	140	3,035	–	1	3,224	1	1	3	1	–	6
Germany	20	44	8,406	312	4	1,771	1,525	744	674	285	4,999	3	12	5,018	4	3	15	9	22	53
Norway and Sweden	31	41	13,511	470	- -	2,334	1,893	1,004	932	334	6,497	4	6	6,507	1	2	25	25	26	79
New Brunswick, Nova Scotia, &c.	4	17	978	38	- -	10	10	2	2	- -	24	–	–	24	–	–	–	–	–	–
TOTAL	235	- -	144,941	5,474	1,840	12,443	8,857	3,928	3,676	1,547	30,451	16	28	32,335	13	9	60	45	79	206

WHENCE.	DEATHS IN QUARANTINE.						TOTAL DEATHS.	TOTAL LANDED IN THE COLONY.									GRAND TOTAL Landed in the Colony.
	Adults.		Children, 1 to 14 Years.		Infants	Total.		Adults.		Children, 1 to 14 Years.		Total.		Infants.	Total Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.	M.	F.				
England	1	- -	2	3	1	7	73	7,015	4,263	1,775	1,677	8,790	5,940	741	13,824	1,647	15,471
Ireland	- -	- -	- -	- -	- -	- -	2	845	776	177	159	1,022	935	59	2,015	1	2,016
Scotland	- -	- -	- -	- -	- -	- -	6	1,349	961	381	374	1,730	1,335	153	3,030	188	3,218
Germany	1	- -	1	1	1	4	57	1,768	1,523	728	665	2,496	2,188	277	4,957	4	4,961
Norway and Sweden	2	4	3	7	5	21	100	2,331	1,887	976	900	3,307	2,787	313	6,407	- -	6,407
New Brunswick, Nova Scotia, &c.	- -	- -	- -	- -	- -	- -	- -	10	10	2	2	12	12	- -	24	- -	24
TOTAL	4	4	6	11	7	32	238	13,318	9,420	4,089	3,777	17,357	13,197	1,543	30,257	1,840	32,097

Emigration Department, Quebec,
December 1857.

A. C. Buchanan,
Chief Agent.

No. 2.

ABSTRACT STATEMENT of the Number of Emigrants Embarked, Births on the Passage, with the Number Died at Sea and at Quarantine, and Total Landed in the Colony; distinguishing the Countries and Ports whence they Sailed, during the Season of 1857.

ENGLAND AND WALES.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1857.	1856.	1855.
Aberysthwith -	–	- -	–	–	- -	–	–	- -	- -	4
Bideford - -	3	22	–	–	22	–	–	22	- -	33
Bristol - - -	10	320	19	–	339	2	–	337	41	36
Cardiff - - -	1	3	–	–	3	–	–	3	13	—
Carlisle - -	1	4	–	–	4	–	–	4	- -	49
Falmouth - -	–	- -	–	–	- -	–	–	- -	32	—
Exeter - - -	1	8	–	–	8	–	–	8	—	—
Fowey - - -	1	70	–	–	70	–	–	70	- -	131
Grangemouth -	–	- -	–	–	- -	–	–	- -	4	—
Hull - - -	4	325	2	2	329	2	–	327	344	557
Harrington - -	–	- -	–	–	- -	–	–	- -	3	—
Liverpool - -	50	8,703	1,492	6	10,201	30	5	10,166	7,262	3,812
London - -	20	1,559	86	3	1,648	8	–	1,640	395	267
Maryport - -	2	9	–	–	9	–	–	9	12	—
Milford - -	–	- -	–	–	- -	–	–	- -	6	6
Newcastle - -	1	1	–	–	1	–	–	1	1	—
Newport - -	1	6	–	–	6	–	–	6	—	—
Padstow - -	2	16	–	–	16	–	–	16	13	—
Penzance - -	1	5	–	–	5	–	–	5	—	—
Plymouth - -	15	2,722	48	4	2,774	24	2	2,748	1,673	1,750
Poole - - -	1	15	–	–	15	–	–	15	24	19
Portsmouth - -	1	10	–	–	10	–	–	10	371	13
Shields - - -	–	- -	–	–	- -	–	–	- -	- -	17
Swansea - -	1	8	–	–	8	–	–	8	—	—
Torquay - -	1	23	–	–	23	–	–	23	—	—
Truro - - -	2	36	–	–	36	–	–	36	159	50
Weymouth - -	1	11	–	–	11	–	–	11	—	—
Workington - -	1	6	–	–	6	–	–	6	- -	10
TOTAL - -	121	13,882	1,647	15	15,544	66	7	15,471	10,351	6,754

IRELAND.

Belfast - - -	3	503	–	2	505	–	–	505	- -	130
Cork - - -	2	144	–	–	144	1	–	143	64	189
Donegal - -	–	- -	–	–	- -	–	–	- -	6	4
Dublin - - -	–	- -	–	–	- -	–	–	- -	11	—
Galway - -	–	- -	–	–	- -	–	–	- -	15	—
Limerick - -	7	72	1	–	73	–	–	73	109	1,050
Londonderry - -	4	257	–	–	257	–	–	257	188	285
Newry - - -	–	- -	–	–	- -	–	–	- -	12	29
New Ross - -	5	622	–	1	623	–	–	623	671	1,156
Skibbereen - -	–	- -	–	–	- -	–	–	- -	- -	10
Sligo - - -	–	- -	–	–	- -	–	–	- -	- -	198
Tralee - - -	1	218	–	–	218	–	–	218	435	724
Waterford - -	4	185	–	–	185	1	–	184	177	206
Westport - -	–	- -	–	–	- -	–	–	- -	- -	125
Youghal - -	2	13	–	–	13	–	–	13	—	—
TOTAL - -	28	2,014	1	3	2,018	2	–	2,016	1,688	4,106

SCOTLAND.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1857.	1856.	1855.
Aberdeen - -	7	877	37	–	914	1	–	913	846	1,414
Annan - - -	1	5	–	–	5	–	–	5	- -	8
Dumfries - -	–	- -	–	–	- -	–	–	- -	9	13
Dundee - - -	–	- -	–	–	- -	–	–	- -	- -	19
Glasgow - -	16	1,615	130	1	1,746	4	–	1,742	1,262	2,499
Greenock - -	3	263	2	–	265	–	–	265	332	268
Leith - - -	–	- -	–	–	- -	–	–	- -	4	10
Lewis (Isle) - -	–	- -	–	–	- -	–	–	- -	- -	331
Montrose - -	3	269	19	–	288	1	–	287	341	281
Stromness - -	–	- -	–	–	- -	–	–	- -	- -	16
Troon - - -	1	6	–	–	6	–	–	6	—	—
Total - - -	31	3,035	188	1	3,224	6	–	3,218	2,794	4,859

GERMANY, &c.

Antwerp - -	3	787	4	3	794	8	1	785	927	438
Bremen - - -	2	3	–	–	3	–	–	3	441	1,584
Hamburg - -	15	4,209	–	12	4,221	45	3	4,173	3,169	1,575
Total - - -	20	4,999	4	15	5,018	53	4	4,961	4,537	3,597

NORWAY AND SWEDEN.

Bergen - - -	10	2,464	–	4	2,468	14	6	2,448	1,193	229
Christiania - -	4	961	–	3	964	29	8	927	347	380
Drammen - -	4	930	–	–	930	27	1	902	207	214
Drontheim - -	1	193	–	–	193	1	–	192	—	—
Krageroe - -	1	41	–	–	41	–	–	41	- -	17
Porsgrund - -	3	386	–	–	386	–	1	385	247	239
Stavanger - -	4	917	–	1	918	1	3	914	588	188
Sandifjord - -	–	- -	–	–	- -	–	–	- -	224	—
Tonsberg - -	2	322	–	1	323	7	2	314	—	—
Gothenburg - -	2	283	–	1	284	–	–	284	—	—
Total - - -	31	6,497	–	10	6,507	79	21	6,407	2,806	1,267

LOWER PORTS.

Lower Ports - -	4	24	–	–	24	–	–	24	261	691

RECAPITULATION.

PORTS WHENCE SAILED.	Number of Vessels.	Passengers.		Births.	Total.	Deaths.		Landed in the Colony.		
		Steerage.	Cabin.			At Sea.	Quarantine.	1857.	1856.	1855.
England - -	121	13,882	1,647	15	15,544	66	7	15,471	10,353	6,754
Ireland - -	28	2,014	1	3	2,018	2	–	2,016	1,688	4,106
Scotland - -	31	3,035	188	1	3,224	6	–	3,218	2,794	4,859
Germany, &c. -	20	4,999	4	15	5,018	53	4	4,961	4,537	3,597
Norway and Sweden	31	6,497	–	10	6,507	79	21	6,407	2,806	1,267
Lower Ports -	4	24	–	–	24	–	–	24	261	691
Total - - -	235	30,451	1,840	44	32,335	206	32	32,097	22,439	21,274

Government Emigration Office,
Quebec, December 1857.

A. C. Buchanan,
Chief Agent.

No. 3.

RETURN of the Number of Admissions into Hospital, Discharges, and Deaths of Emigrants, during the Season of 1857.

	Admissions.	Discharges.	Deaths.	Remaining.
Grosse Isle Hospital - - - - - -	417	385	32	—
Marine and Emigrant Hospital, Quebec - -	69	59	3	7
General Hospital, Montreal - - - -	51	44	5	2
Total - - -	537	488	40	9

Government Emigration Office,
Quebec, December 1857.

A. C. Buchanan,
Chief Agent.

No. 4.

TRADES and CALLINGS of EMIGRANTS, 1857.

Bakers	19	Painters and Glaziers	24
Butchers	35	Paper-makers	1
Braziers and Tinsmiths	20	Plasterers	1
Bookbinders and Printers	22	Saddlers and Harness makers	15
Bricklayers and Masons	119	Sawyers	21
Cabinet-makers and Turners	25	Shoemakers	157
Cart and Wheelwrights	44	Smiths	201
Carpenters and Joiners	478	Stone-cutters	27
Coachmakers	5	Tailors	207
Coopers	21	Watch and Clockmakers	31
Curriers and Tanners	11	Wool and Flax-dressers	10
Engineers	124	Weavers	41
Gardeners	32	Unenumerated	184
Hatters	6	House Servants	134
Millers and Millwrights	127	Farmers and Farm Servants - 3,518	
Miners	156	Labourers - - - - 6,279	
Merchants and Clerks	327		9,797
Moulders and Foundrymen	21	TOTAL	12,443

Government Emigration Office, Quebec, December 1857.

A. C. Buchanan, Chief Agent.

No. 5.

COMPARATIVE STATEMENT of the Number of Emigrants arrived at the Port of *Quebec* since the Year 1829 inclusive.

WHENCE.	5 years, from 1829 to 1833.	5 years, from 1834 to 1838.	5 years, from 1839 to 1843.	5 years, from 1844 to 1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.	TOTAL.
England	43,386	28,561	30,791	60,453	8,980	9,887	9,677	9,276	9,585	18,175	6,754	10,353	15,471	261,349
Ireland	102,266	54,904	74,981	112,192	23,126	17,976	22,381	15,983	14,417	16,168	4,106	1,688	2,016	462,204
Scotland	20,143	11,061	16,311	12,767	4,984	2,879	7,042	5,477	4,745	6,446	4,859	2,794	3,218	102,726
Continent of Europe	15	485	- -	9,728	436	849	870	7,256	7,456	11,537	4,864	7,343	11,368	62,207
Lower Ports	1,889	1,346	1,777	1,219	968	701	1,106	1,184	496	857	691	261	24	12,519
	167,699	96,357	123,860	196,359	38,494	32,292	41,076	39,176	36,699	53,183	21,274	22,439	32,097	901,005

Government Emigration Office, Quebec, December 1857.

A. C. Buchanan, Chief Agent.

No. 6.

RETURN of the Number of Persons who received Assistance to Emigrate from the United Kingdom and the Continent of *Europe*, with the Amount paid them on Landing, 1857.

DATE.	SHIP.	Whence.					By whom Sent out.	Paid by		REMARKS.
								£. s. d.	£. s. d.	
26 May	Arran	Liverpool	16	16	–	–	London Ragged School	16 10 –	—	
28 „	Ocean Bride	ditto	72	–	43	29	Wexford Union	45 – 6	—	
28 „	Creole	Londonderry	5	–	1	4	Strabane Union	2 10 –	—	
29 „	Eliza	Plymouth	8	1	1	6	The Parish	– – –	– –	Free passage only.
29 „	Montezuma	London	7	7	–	–	London Ragged School	– – –	– –	– – ditto.
16 June	Oregon	Liverpool	4	2	2	–	Sligo Union	4 – –	—	
9 July	Chicago	ditto	63	3	59	1	Clonmel Union	63 – –	—	
16 „	Wexford	ditto	7	7	–	–	London Ragged School	7 6 –	—	
17 „	Envelope	London	72	39	13	20	Wellington Fund, Woolwich Dockyard.	– – –	– –	- Free passage to destination.
17 „	Ditto	ditto	14	3	6	5	Poor Law Contract	– – –	11 – –	G. B. Symes & Co.
18 „	Mid Lothian	ditto	76	23	23	30	Wellington Fund, Woolwich Artizans.	30 5 –	—	
30 „	Henry Cook	Liverpool	281	92	60	129	Wellington Fund, Woolwich Artizans.	102 5 –	—	
31 „	J. S. Parsens	ditto	105	–	96	9	Waterford Union	125 5 –	—	
31 „	Ditto	ditto	31	1	30	–	Edenderry Union	31 – –	—	
12 August	Jno. Owens	London	381	141	79	161	Wellington Fund, Woolwich Docks.	151 15 –	—	
12 „	Ditto	ditto	3	–	–	3	Poor Law Contract	– – –	1 10 –	G. B. Symes & Co.
5 Sept.	E. A. Bright	Liverpool	48	5	34	9	Enniscorthy Union	46 10 –	—	
5 „	Ditto	ditto	4	–	4	–	Kenmare Union	4 – –	—	
14 „	Ion	London	238	73	70	95	Wellington Fund, Artizans	92 10 –	—	
14 „	Ditto	ditto	40	5	8	27	Poor Law Contract	– – –	26 10 –	G. B. Symes & Co.
14 „	Arran	ditto	10	10	–	–	London Ragged School	6 4 2	—	
19 „	Ocean Bride	Liverpool	38	4	24	10	Enniscorthy Union	32 15 –	—	
19 „	Ditto	ditto	5	–	1	4	Wexford Union	4 – –	—	
20 „	Creole	Londonderry	4	–	1	3	Strabane Union	2 – –	—	
5 Oct.	Hibernia	London	14	14	–	–	Wellington Fund, Artizans	7 – –	—	
			1,546	446	555	545		773 15 8	39 – –	

CONTINENT.

								Doll. c.	*Doll.* c.	
6 May	Eliza Mary	Antwerp	10	3	3	4	Government of Wurtemburg	– – –	36 –	
6 „	Ditto	ditto	13	5	4	4	– – Ditto	– – –	– –	Paid in Antwerp.
12 „	Copernicus	Hamburg	4	1	1	2	Landlord in Mecklenburg	– – –	48 –	
12 „	Ditto	ditto	4	2	2	–	– – Ditto	– – –	– –	Free passage only.
3 June	Europa	ditto	4	1	1	2	Parish in Weimar	– – –	15 –	
3 „	Ditto	ditto	4	1	1	2	Parish in Prussia	– – –	– –	– – ditto.
8 „	Robt. Parker	Antwerp	56	9	14	33	Government of Wurtemburg	172 –	—	
8 „	Ditto	ditto	12	2	3	7	– – Ditto	– – –	– –	Paid at Antwerp.
1 July	Christiania	Gothenburg	56	17	15	24	Parish in Sweden	—	—	
9 „	Franklin	Hamburg	4	–	1	3	Parish in Prussia	—	—	
3 Sept.	Mortr. Levingston	Antwerp	7	2	2	3	Government of Wurtemburg	– – –	20 –	
3 „	Ditto	ditto	4	2	2	–	Luzerne in Switzerland	—	—	
7 Oct.	Dantzig	Gothenburg	16	4	2	10	Parish in Sweden	—	—	
			194	49	51	94		172 –	119 –	

RECAPITULATION.

From	ENGLAND.		IRELAND.		CONTINENT.	
	Number.	Amount.	Number.	Amount.	Number.	Amount.
		£. s. d.		£. s. d.		*Doll.* c.
Wellington Emigration Fund	1,062	383 15 –	—	—	—	—
Parish Funds	90	69 – 2	379	360 – 6	102	243 –
Private Funds	–	–	–	–	4	48 –
Free Passage only	15	–	–	–	88	—
	1,167	452 15 2	379	360 – 6	194	291 –

Government Emigration Office,
Quebec, December 1857.

A. C. Buchanan,
Chief Agent.

No. 7.

EXTRACTS from the Notes appended to the Periodical Reports of Arrivals of Passenger Ships at the Ports of *Quebec* and *Montreal*, in the Season of 1857.

RETURN No. 1.—From the 22d of May to the 2d of June.

SIX thousand nine hundred and sixty-seven emigrants landed at this port from the 22d May to the 2d June, being an increase of 6,671 on the season over the number arrived to corresponding period 1856.

They arrived in good health; deaths on the passage 38, chiefly children, from the effects of measles, with the exception of those on board the ship "Gipsy Queen," from Plymouth, 14 deaths having occurred from scarlatina, two adults and 12 children.

The majority of the emigrants are from England, and the natives of that country, as may be seen by reference to this return, are very considerably in excess of those from any other country.

The male adults are classed in the ships' lists, as follows:

Farmers - - - - - - - -	940
Labourers - - - - - - - -	1,525
Mechanics - - - - - - - -	538
Servants - - - - - - - -	7
Cabin - - - - - - - -	49
	3,059

The ships have arrived clean and in good order; the passengers all report most favourably of the treatment they received during the passage; the only complaint which has been made was by the passengers, 24 in number, per the "Esmeralda," from Liverpool, which vessel, owing to the small number of passengers, did not come within the provisions of the Act; the particulars of their complaint, as stated by them in writing, has been transmitted to Her Majesty's Commissioners of Emigration, London.

One thousand nine hundred and forty-four emigrants arrived in eight vessels from Plymouth, a fine healthy body of West of England farmers and agricultural labourers, many of whom appear to possess good means; a large proportion have emigrated to join friends in the Newcastle, Home, Gore, Brock and London districts, and a few to the Western States.

Those by the "Montezuma," from London, are chiefly mechanics and labourers seeking employment. There were a number of young men who had acted in the capacity of clerks or store porters, who aspire to a position above that of ordinary labourers; to persons of this class Canada offers but little inducement at present, and unless they are prepared to undertake manual labour, they will, I fear, find some difficulty in earning their support.

The emigrants from Hull and Bristol are generally respectable farmers proceeding to friends in different sections of Western Canada.

Of the Scotch, 476 are from the port of Aberdeen, and 319 from Glasgow; they consist of respectable farmers, farm labourers, and mechanics; a large proportion have emigrated to join friends in the Home, Gore, London, and Huron districts.

The Irish emigration direct number but 443 persons from New Ross and Waterford, but 541 in addition came viâ Liverpool; these are mostly poor families coming out to join their relations; about one-half proceeded to the United States.

The Germans, 727 in number, have nearly all gone to the United States, except about 200, who have proceeded to the German Settlement in Western Canada.

The Norwegians, 1,173 in number, have all gone to Illinois and Wisconsin.

A considerable number of the emigration of this season from the ports of Plymouth, Liverpool and Glasgow, have come out under the through ticket system, arranged last winter by the Grand Trunk and Mail Packet steamers; it, so far, appears to answer well. The emigrants have been received and carried forward to their destination with safety and despatch, and at fair and reasonable charges. I annex copy of the printed notice issued from this office for the information and guidance of emigrants, with a statement of the routes and rates of inland transport from this port.

The

The number of persons assisted from the several ships in this Return are as follows:

FROM THE PORT OF	ADULTS.	CHILDREN.	UNDER THREE YEARS.
Liverpool	171	72	18
Plymouth	115	85	37
London	9	5	2
Glasgow	5	3	—
Aberdeen	8	5	—
New Ross and Waterford	38	28	4
Londonderry	28	20	—
Germany	60	28	14
Norway	48	29	18
	482	275	93

Number, 850 souls, equal to 619½ adults.

RETURN No. 2.—From the 2d to the 13th June.

THE emigrants arrived at this port from the 2d to 13th June, have all landed in good health, two-thirds of whom are foreigners, and one-third natives of the United Kingdom; those from the United Kingdom have chiefly emigrated to friends, and fully three-fourths will remain as permanent settlers in Canada.

The Germans arrived, number 1,971 souls, about 400 stated their intention of settling in Canada, among whom are some families possessing considerable means; a number of Prussians have proceeded to the Ottawa section of the country, with the intention of working for a short time, and then settling on the free grants.

A number of poor were sent out by the ship "Robert Parker," from Antwerp; they were from Wurtemberg, and received 10 guilders each on landing here, to enable them to proceed where suitable employment could be obtained; they were directed up the Ottawa, and to the bay of Quinte, where they have all succeeded in procuring work; the remainder proceeded to the Western States.

The Norwegians arrived, number 1,733, all of whom have proceeded to the Western States.

The Irish were generally very poor, and a large number, consisting of females and children, had to be assisted to enable them to proceed.

The total assistance granted from the several vessels in this Return, amount to 693 souls; viz.—

From England 68, equal to 8½ per cent. on the new arrivals.
Ireland 215, equal to 34 per cent. „ „
Germany 197, equal to 10 per cent. „ „
Norway 213, equal to 12½ per cent. „ „

RETURN No. 3.—From the 13th to 20th June.

THE emigrants of the past week have all landed in good health; they are chiefly Norwegians, and, with the exception of a few young men, who, being without means, were sent into the eastern townships for employment, have all proceeded to Wisconsin.

A number of the Germans have been induced to remain in Canada; many of whom have proceeded up the Ottawa River, where they readily found employment, and have reported themselves pleased and satisfied with their situation.

The emigration from the United Kingdom are all from Liverpool, and are chiefly English; they have proceeded with few exceptions to Western Canada.

The number of persons assisted was 175; viz., 51 from England, 21 Germans, and 103 Norwegians; the nature of assistance rendered was in free passages to different sections of the province.

The demand for labour in the rural districts is good, and if those seeking employment will avoid the cities and proceed at once into the rural districts, they will find no difficulty in procuring work.

RETURN No. 4.—From the 20th to the 30th June.

THE emigrants arrived during the week ending the 30th June, number 2,319 souls, about two-thirds of whom are foreigners; all have appeared free from sickness.

Those from the United Kingdom consist of respectable farmers, mechanics, and agricultural labourers, fully four-fifths of them having emigrated with the object of joining their friends already in the country.

On the evening of the 26th occurred on the St. Lawrence, within 10 miles of Quebec, one of the most extensive disasters which has been known in Canada in connexion with the inland transportation of emigrants.

The large steamer "Montreal," plying regularly between Quebec and Montreal, and on this occasion having on board, as nearly as can be ascertained, 350 passengers, took fire soon after leaving this city, and was totally consumed.

The loss of life which has been ascertained up to this date amounts to 254, and it is possible that some have perished of whom no account has yet been taken. The exact number of persons on board the steamer at the time of her loss can never be ascertained, but it is supposed that, besides the crew of the vessel, there were on board upwards of 300 passengers.

The emigrants among these consisted of one family of Norwegians, seven souls, and 258 Scotch emigrants, very recently landed from on board the ship "John M'Kenzie," from Glasgow.

Of the Norwegians one only, a child, is among the saved, and of the 258 Scotch passengers only 67 are known to have escaped.

The "John M'Kenzie" sailed from Glasgow with 10 cabin and 330 steerage passengers. Two children died on the passage, making the number landed at Quebec 338.

Proceeded to Montreal by rail - - - - - - -	69
Remained at Quebec, two cabin, nine steerage - - -	11
	80
Embarked on board the "Montreal" - - - - -	258
Saved - - - - - - - - - - - -	67
Drowned or missing - - - - -	191

Those saved suffered the entire loss of their baggage and property not carried on their persons.

There has been much humane attention directed to the survivors of this catastrophe, and assistance has been presented by the cities of Quebec, Montreal, and Toronto, as well as by other places. The St. Andrew's Society of Montreal have taken a most active and efficient course for the relief of the Scotch emigrants, and have been zealously seconded by the sister society of Quebec; these institutions have offered a warm sympathy for the surviving dismembered families, and are contributing largely towards making good their losses of property.

A coroner's inquest has been instituted in the case; measures have been taken for the recovery and identification of the bodies of the drowned, as well as for the protection of their effects; and decent interment in the cemetery of Mount Hermon, near this city, is provided.

The Rev. Dr. Cook, minister of the Church of Scotland, interesting himself in the performance of the last offices to the dead.

The inquest remains occupied in inquiring into the causes of the disaster, and consequent fatality.

RETURN No. 5.—From 30th June to 11th July.

Two thousand nine hundred and seven emigrants arrived in this port in good health from the 1st to the 11th instant. The deaths during the passage were but 11 souls, chiefly young children.

Over two-thirds are from the United Kingdom. The male adults are classed as follows, mechanics, 194; farmers, 308; labourers, 617; servants, 17; and cabin passengers, 36.

Those from the United Kingdom have chiefly proceeded to different sections of Western Canada, some to join friends, and others in search of employment; a large proportion had arranged for their inland transport under the through ticket system established by the Grand Trunk Railway and Mail Line of Steamers.

The foreign emigrants number 996 souls. The Norwegians and Swedes all proceeded to the Western States. Of the Germans, about 150 remain in Canada, the remainder proceed to the Western States.

The

The demand for agricultural labour and female domestic servants is very good, and in some sections of the province considerable difficulty is experienced in obtaining the necessary supply of labour.

For mechanics the inquiry is not so great, and the country appears generally sufficiently well supplied with emigrants of this class.

The number of emigrants assisted from the several ships included in this return were 301, viz., 173 adults, 99 children, and 29 under three years.

They were, from	England - - - - - - - -	112
„	Ireland - - - - - - - -	98
„	Germany - - - - - - - -	78
„	Norway - - - - - - - -	13

Return No. 6.—From the 11th to the 18th of July.

The arrivals during the week ending this date were 1,347, chiefly English and Scotch; they all landed in good health.

The emigrants per "Martin Luther" chiefly emigrated to join their relations. They had been upwards of three months on board this vessel, in consequence of her having been dismasted in the English Channel shortly after she sailed from Liverpool. The people were healthy, but many were without means, having spent all their small stock of cash during their detention in Plymouth to refit; 105 required assistance on their landing here, to enable them to reach their friends.

The passengers per "Wexford," from Liverpool, and "S. D. Ryerson," from Glasgow, were respectable farmers, labourers, and mechanics; they all appeared to have friends before them. By the "Wexford" were seven lads from the London Ragged School; they received 1*l.* sterling each, and all proceeded to Kingston, C. W., where they would find immediate employment.

By the "Envelope" and "Midlothian" were received the first portion of the Woolwich artisans sent out by the Wellington Emigration Society; they landed healthy. Those by the "Midlothian" received 10*s.* sterling each adult, which was paid to them on board the ship. They all had through tickets by the Grand Trunk Railway for Toronto; but as there was but little demand for their labour in that city, they were advised to proceed to the Ottawa, or to Belleville, Trenton, and Cobourg, where they would at once find steady employment.

Return No. 7.—From the 18th to the 31st July.

The emigrants arrived between the 18th and 31st July number 1,612. They are from Liverpool, with the exception of 224 by one vessel from Hamburg.

On board the ship "Henry Cooke," from Liverpool, were 277 passengers, Woolwich artisans, chiefly families sent out by the Wellington Emigration Association; they had been supplied with through tickets by railway to Toronto, and they received at this port, on landing, 10*s.* sterling each adult.

As there was at the time comparatively little demand for labour in the western section of the province, I furnished some of them with written recommendations for employment to some influential gentlemen residing at Trenton, and in the townships of Sydney and Seymour, in the county of Hastings; and I directed a large proportion of the others to the Government Emigration Agent at Ottawa, where labourers were much wanted, and where, consequently, these people were certain of finding immediate employment. Those who stopped at the Trenton Station, about 20 families, obtained employment at once on their arrival. The party destined for the Ottawa did not leave the Grand Trunk Line at Prescott according to the directions, but were carried on to Toronto; and I have reason to doubt whether they have been equally successful in finding places, and the means of support.

The system of securing their inland transport from Quebec to the western section of the province, which has been somewhat largely adopted this season by emigrants from the United Kingdom, has doubtless some advantages for those who have a fixed destination within the province, or proceed to North Western States. But to those whose course remains to be governed by circumstances, and particularly to those dependent on employment, it is objectionable. The field for labour is not always most promising in the same part of the country; indeed, if the entire emigration were led into any one district, it must be altogether overstocked with labour for the time.

It frequently occurs that the best openings for settlers as well as labourers are presented by the sections eastward of Toronto; and the emigrant who leaves his arrangement for transport to be completed at Quebec may often save a portion of the expense as far as Toronto, by adopting an intermediate stopping place.

There is open to him, further, the possibility of his obtaining transport at rates reduced by the competition of the season much below the regular fare, whether by steamer or by railway.

The "J. S. Parsons" brought out the large number of 792 passengers from Liverpool; among these were a party of 105 females from the Waterford, and 31 from the Edenderry Union; the former received 25*s.* sterling each adult on landing, and the latter 20*s.* sterling each. They were distributed as follows: 21 obtained situations in Quebec, 39 in Montreal, 64 at Ottawa city, and 12 left the province to join friends in the United States.

Those engaged in this city and Montreal were hired in the office at wages ranging from 12*s.* 6*d.* to 15*s.* per month, and all the 64 who were sent to Ottawa, Mr. M'Clemow writes, "were engaged in that vicinity immediately on arrival; and had there been 300 additional, I could have easily provided for them; they are in respectable places, at wages from 10*s.* to 15*s.* per month, with the understanding that an increase will take place on the expiration of the first month. The male labourers that have arrived here this season have been well provided for, and it is only to be regretted that a larger number had not reached this section of the country. The demand continues very good in the rural parts, and the farmers are greatly disappointed at not being able to get the amount of labour they require.

I annex abstract return of the arrivals at this port to 31st July, showing the total number from each country, as also the nativity of the emigrants, from which it will appear the English are far in excess of those from any other country, and that the Irish, who formerly so much exceeded those from all other countries, are now the lowest in number on the list.

Number arrived to 31st July—

Natives		Natives of
From England - - - - - -	10,206	7,222
„ Ireland - - - - - -	1,692	3,346
„ Scotland - - - - - -	1,972	3,210
„ Germany, &c. - - - - -	4,565	4,609
„ Norway and Sweden - - - -	6,034	6,082
„ New Brunswick - - - - -	16	16
	24,485	24,485

Return No. 8.—From the 31st July to the 15th August.

The arrivals to the 15th instant have all landed in good health, three-fourths of whom are English and Scotch, they are classed as follows; 192 farmers, 382 labourers, and 178 mechanics.

On board the "John Owens" there were 381 persons, Woolwich artisans, sent out by the Wellington Emigration Society; they received 10*s.* sterling each adult on landing here, amounting to 151*l.* 15*s.* sterling, and each had been provided with an order for their inland passage as far as Toronto by the Grand Trunk Railway; they left this on the evening of the 13th instant; about 50 families were induced to settle in the Ottawa country, where they have all found employment; the remainder proceeded to their original destination, Toronto.

Numerous inquiries continue to be made for female servants and agricultural labourers, and all our emigrants of this class readily find employment at fair wages.

A number of poor families by the "St. James," "Agamemnon" and "Transatlantic," were assisted, to enable them to reach their friends in different parts of Western Canada; the total number relieved was 177; viz., 111 adults and 66 children.

Return No. 9.—From the 15th to the 31st August.

The arrivals during the past fortnight have been but 754 souls, chiefly Scotch and English; they were all of the better class of emigrants, and consisted of farmers, agricultural labourers, and mechanics.

Some complaints were made by the steerage passengers by the steamer "United Service," for infringement of the regulations of the Passenger Act. The ship having proceeded to

to Montreal, I instructed the Emigrant Agent at that port to institute proceedings against Captain Craigh; the chief cause of complaint was for issuing bad provisions, and for a short allowance of water; judgment was given by the presiding magistrates against the master, under the latter complaint, and he was fined 50*l.* currency, with costs. This vessel was 31 days on her passage, and having run short of coal, was obliged to put into Sydney for a supply.

Employment continues abundant throughout the province for agricultural labourers and female servants, and several hundred of the latter could at once be profitably employed at wages varying from 12*s.* 6*d.* to 20*s.*, according to capability.

The number assisted from the several ships included in this return was 18 souls; 11 adults and seven children.

RETURN No. 10.—From 31st of August to 19th September.

Two thousand eight hundred and thirty-seven emigrants landed at this port during the period embraced in this return, all in good health; notwithstanding the long passages of several of the sailing ships, the average of which was over 44 days.

Those from England, which comprise near two-thirds of the whole number, were composed of farmers, mechanics, and labourers, and, with the exception of the Woolwich emigrants by the ship "Ion," appear to have emigrated to friends, and proceeded at once to their several destinations.

Those by the "Ion" had all been provided with through tickets to Toronto, to which point they proceeded by rail; this vessel had a long passage of 68 days; some articles of dietary scale falling short, the master settled the difficulty to the satisfaction of the passengers by allowing them the value of the articles deficient, which amounted to 2*s.* 6*d.* each, which he paid them in cash; the Woolwich emigrants by this vessel, equal to 185 adults, were paid 10*s.* sterling each on leaving the ship.

Complaints were made by the passengers of the "E. A. Bright," Olive, master, from Liverpool, and the charges having been placed in the hands of the Solicitor-general, proceedings were instituted against the master for short issue of provisions; secondly, short supply of water, and thirdly, for neglecting to keep the abstract of the Passenger Act and Order in Council posted up according to law. The cases were heard before the sitting magistrates, and the master was convicted and fined 5*l.*, with costs, in each of the two first offences, and 2*l.*, with costs, for the last.

They also complained of ill-treatment and ruffianly conduct on the part of the officers of the ship, which, from the statements made, does not appear to have been checked by the master; the parties complained against all deserted the ship immediately on arrival, and by this means escaped punishment; their names are, James Bettie, first mate; Charles M'Nie, second mate; and Michael Kennan, boatswain.

Among the emigrants direct from Ireland were 138 persons by the "Maria," from Cork; these were a portion of the passengers who sailed from Tralee on the 11th of June in the ship "St. Clair," which vessel foundered at sea; her passengers, 227 in number, were fortunately all saved and carried into Cork, where upwards of 80 returned to their homes; the remainder were provided with a passage by the above ship; they arrived here very destitute, having lost nearly all their effects when wrecked; they were chiefly young able-bodied men and women coming out to their friends, and under the circumstances they were forwarded free to Montreal. This return will most probably close the arrival of foreign emigrants for the season. The Norwegians, 383, have all proceeded to the Western States; these people were generally poor, more so than any previously arrived this season, and upwards of 80 persons had to be forwarded from this; they consisted of helpless families proceeding to join their relations in Wisconsin.

The inquiry and demand for all classes of emigrant labour, except female servants, has considerably fallen off during the present month; the demand for harvest work has almost ceased, and Mr. Hawke reports that the number of emigrants are gradually increasing in Toronto, for whom no suitable employment can be found; this chiefly refers to mechanics, clerks, shopmen, and porters.

They may, however, readily obtain employment on the railroads at a dollar per day, if disposed.

RETURN No. 11.—From the 19th to the 30th September.

THE emigrants arrived by the several vessels in this return have chiefly emigrated to join their friends.

Among those by the "Ocean Bride" were a number of families coming out to join their husbands, many of whom had only arrived in the country by the spring ships; they were generally poor, and 137 persons were forwarded to their destination in Western Canada free, viz., 68 adults, and 69 children under 12 years.

Complaints were made by the passengers per the "Melbourne," from Liverpool, for breach of contract. This vessel when cleared did not come under the Act, but one family of four persons entered as cabin passengers, and although they paid full cabin fare to the

charterer, were only provisioned and accommodated as steerage passengers; they would consequently have brought the ship within the Act; there were also five stowaways found on board.

The master, however, settled with the passengers, by allowing them 2*l.* each, to prevent the case coming before the magistrates; the amount paid amounted to 48*l.*

RETURN No. 12.—From the 1st to the 10th October.

THE emigrants arrived during the past week have chiefly come out to join their friends.

Complaints were made by the passengers of the "M'Donald," Corner, master, from London, for breach of the Passenger Act, in not having issued a proper and sufficient supply of water and provisions during a part of the passage. The charges were heard before the sitting magistrates, and the complaint for the non-issue of water was fully proved, and the master was fined 1*l.* per day during the period of 34 days in which the full allowance of water was withheld.

The complaint respecting the provisions, not being proved, was withdrawn. The magistrates awarded one moiety of the penalty to be divided among the parties complaining (27 in number), which amounted to three dollars each.

The "Hibernia," from London, brought out the last party of Woolwich artisans, 17 in number. This vessel had a long passage of 66 days; and having put into a harbour in Newfoundland for supplies, three of the party remained there, having received offers of employment. The remainder, 14, landed here, and were paid 10*s.* sterling each.

The ship "Dantzig," from Gothenburg, brought out 80 passengers, Swedes. This vessel had 81 days' passage. They are farmers and agriculturists, and some of the families possess money. About 30 have expressed a desire to locate themselves on the Government free grants in Western Canada, and left this with that view.

The number of persons assisted from the several ships in this return were 76; 41 adults and 35 children. They were proceeding to Western Canada to friends.

The emigration of this season is now drawing to a close, all the sailing vessels expected having arrived.

As the mail steamers make two more trips, they may be expected to bring a few.

I annex a comparative statement of the arrivals of the season, to this date:—

WHENCE.	1856.	1857.	INCREASE.
ENGLAND - - - - - - - -	9,149	15,016	5,867
IRELAND - - - - - - - -	1,652	2,008	356
SCOTLAND - - - - - - - -	2,760	3,171	411
GERMANY, &c. - - - - - - -	4,582	5,023	441
NORWAY, &c. - - - - - - -	2,845	6,496	3,651
LOWER PORTS - - - - - - -	147	24	—
	21,135	31,738	10,726

Despatch from the Secretary of State.

— No. 3. —

No. 3.
Right Hon. H. Labouchere, M.P., to Governor Sir E. Head.
11 June 1857.

(No. 83.)

COPY of DESPATCH from the Right Honourable *H. Labouchere* to Governor Sir *E. Head.*

Sir, Downing-street, 11 June 1857.

29 May 1857.

I ENCLOSE for your information the copy of a letter from the honorary secretary to the committee for managing a fund subscribed for promoting the emigration of certain classes of unemployed workmen in the metropolis.

A large amount has been contributed by noblemen and gentlemen in London in order to meet the temporary want of employment amongst artisans, chiefly of the building trades, by assisting them to emigrate to Canada. You will perceive in Mr. Standish Haly's letter the favourable account which the committee can give of the men whom they have selected and despatched in the ship "Envelope."

I have

I have no doubt that you will wish to render every legitimate aid towards the objects of the assistance which has been liberally contributed by the subscribers to this fund, and I shall be obliged to you if you will instruct the emigration agent to give these men the most useful information and advice in his power, and to facilitate their reaching the places where their labour is likely to be best remunerated.

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

Enclosure in No. 3.

Wellington Emigration Fund, 4, St. Martin's-place,
29 May 1857.

Sir,

At a meeting of the committee held here a few days since, Mr. Thomas Baring in the chair, I was directed to transmit to you the accompanying list of a party of emigrants selected from among the unemployed workmen in the metropolis, who have been forwarded to Quebec in the ship "Envelope," at the expense of this fund. In doing this the committee direct me to request that you will have the great kindness to move his Excellency Sir Edmund Head in favour of these people, in order that on their arrival in the colony they may receive the necessary advice and assistance in procuring employment. Encl. in No. 3.

The men have been principally engaged in the building business here; they have been carefully selected, have all received good characters from their late employers, and have their perfect bodily and mental health attested by a medical man. Not one is above 40 years of age, and they have never received parochial relief. They are all furnished with railway tickets from Quebec to Toronto, on the understanding that they may, after receiving good information, leave the train at any intermediate station at which there is a probability of their getting suitable work.

I am further to say, that the committee, while seeking to ameliorate the condition of the unemployed workmen here, have not been unmindful of the interests of Canada, as the account I have given of the selection of these men will shew; and they trust that these emigrants may really prove useful to the colony.

I beg, &c.
(signed) *J. Standish Haly,*
Honorary Secretary.

The Right Hon. Henry Labouchere, M. P.

NEWFOUND-LAND.

NEWFOUNDLAND.

Despatch from Governor Sir A. Bannerman.

No. 4.
Governor Sir A. Bannerman to the Right Hon. H. Labouchere, M.P.
8 December 1857.

—No. 4.—

(No. 95.)

COPY of DESPATCH from Governor Sir *A. Bannerman* to the Right Honourable *H. Labouchere*.

Government House, Newfoundland, 8 December 1857.
(Received 29 December 1857.—Answered, No. 5, 28 January 1858, page 32.)

Sir,

I HAVE the honour to forward to you the enclosed Minute of Council, praying for some relaxation of the provisions of the Passengers Act, 18 & 19 Vict. c. 119, which was passed, I believe, on the report of a Committee appointed at the instance of Mr. John O'Connell.

Enclosure.

2. It appears that since the year 1847 emigration from Ireland to Newfoundland has declined rapidly, and is now nearly extinct, the cause of which was want of employment, and the inhabitants writing to their friends that many of them were in a state of extreme destitution. This was perfectly correct, but from one or two successful fisheries things have taken a very different turn: the want of labour and high price of wages are now severely felt. The Board of Works here, and several respectable firms, have been obliged to authorise Messrs James and Robert Kent, of the city of Waterford, and Mr. John Shea, of the city of Cork, to procure a number of labourers for Newfoundland, but which they say cannot be effected unless Her Majesty's Government will allow some relaxations in the Passengers Act, which are pointed out in the enclosed Minute.

3. I am not aware whether this can be done, but I observe that by the 96th section of the Act, voyages from colonies, if less than three weeks, are not subject to the same restrictions as for longer voyages, and I may here say that the passage from Ireland to Newfoundland is often made in less than three weeks.

4. Fisheries are precarious, and two or three bad seasons might bring along with them the same want of labour, and its consequences, which took place some years ago. I may, however, add that the discovery has recently been made of valuable minerals in this colony, opening a better prospect for labour than Newfoundland has yet experienced, and if the Passengers Act can be relaxed so as to give encouragement to the immigration of a few hundred labourers, I think the petition of the Council should, if possible, be acceded to.

I have, &c.
(signed) *A. Bannerman*,
Governor.

Enclosure in No. 4.

MINUTE of COUNCIL.—7th December 1857.

Present:—The Honourable Attorney-General, Colonial Secretary, President, Receiver-General, Surveyor-General, James J. Rogerson.

WHEREAS the supply of labour in this colony has been found inadequate to the demand for the prosecution of the Government works and the fisheries of the country, and the supply from the United Kingdom has been stopped by means of the stringent provisions of the Passengers Act, 1855, it is the opinion of the Council, that in order to meet the immediate wants of the Government and the commercial community for a sufficient number of labourers to carry on the public works and the fisheries, recourse must be had to emigration from the United Kingdom, otherwise trade, fisheries, and internal improvements will suffer material injury; and, therefore, that his Excellency the Governor be respectfully requested to bring this important subject under the notice of Her Majesty's Government, and to solicit such a relaxation of the terms of the Passenger Act, 1855, as may afford some inducement to shipowners to employ some of their vessels in conveying passengers from any part of the United Kingdom to this colony and its dependencies. Owing to the loss and inconvenience experienced by the Government and the trade during the last summer for the want of labourers, the Board of Works of this island and several commercial firms have been obliged to authorise Messrs. James and Robert Kent, of Waterford, and Mr. John Shea, of Cork, Ireland, to procure in that country a number of labourers for Newfoundland to enable them to execute their orders. It is absolutely necessary that the Passenger Act should be relaxed in favour of such vessels as they may employ in carrying passengers to this colony in the following particulars, viz.: first, with reference to the limit of one passenger for every two tons of register tonnage; secondly, the obligation to carry life-boats, fire-engines, and to cut their decks for ventilation, as the emigration officer may think necessary; 3dly, the obligation to have a duly qualified surgeon on board when the number of passengers amounts to 100; 4thly, hospitals; 5thly, passengers' stewards, and such other provisions or Orders in Council as are not necessary or applicable to a northern voyage, or one so short as that from Ireland to Newfoundland, which is usually performed by sailing vessels, according to their sailing qualities, in periods varying from 15 to 30 days. Encl. in No. 4.

While the Council trust that through the intervention of his Excellency a relaxation of the Act on the points above stated may be effected in favour of such vessels as may be laid on for passengers bound to this colony by the agents before named, they would not at all object to any general regulations adapted to the voyage, and calculated to secure the health and comfort of passengers, without unnecessarily interfering with a moderate supply of emigrants from the mother country to this truly British colony. The provisions of the present Act, although wisely intended for long voyages, have had the effect of diverting the stream of emigration from the smaller British and North American colonies to the United States and Canada, or more distant colonies, because the demand for emigrants being more restricted in the former, a smaller class of vessels was, before the passing of the Act of 1852, necessarily employed to carry the limited numbers they required; while it has been found, in Liverpool for instance, that since the passing of the present Act, a large ship can, with profit, take 500 passengers from that port to New York at 4 *l.* each, but 60 or 70 at 6 *l.* each to Newfoundland would not pay the cost of outfit and provisions for a vessel of medium size.

It is a subject of regret that the Local Government have not the means at their command to afford that pecuniary encouragement to emigration which the resources of the country and its requirements would appear to warrant. In the absence of such means, however, no proper measures should be left untried to induce emigrants to come to a country where labour is scarce, living is cheap, the climate salubrious, and the staple pursuits of the population, without reference to employment on Government works, afford handsome remuneration to the able and industrious man.

(Correct.)
J. Kent.

Despatch from the Secretary of State.

—No. 5.—

No. 5.
Right Hon. H. Labouchere, M.P., to Governor Sir A. Bannerman.
28 January 1858.
* Page 30.

(No. 5.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere* to Governor Sir *A. Bannerman.*

Sir, Downing-street, 28 January 1858.

I HAVE to acknowledge your despatch, No. 95* of the 8th December, transmitting a Minute of Council, in which it is proposed that, with a view to encourage emigration to Newfoundland, the provisions of the Passenger Act should be relaxed in favour of vessels conveying emigrants to that island.

On this subject I have to observe that the requirements of the Passenger Act are necessarily framed with reference not to an average, but to a maximum voyage; and that though the voyage between Ireland and Newfoundland may be ordinarily performed in from 15 to 30 days, it undoubtedly extends very often to a much longer period; but even assuming that 30 days were the limit of the voyage, it would be no justification for curtailing the space to be allowed to the passengers for neglecting the ventilation, for giving up the life-boat, or the fire-engine, or for any of the other relaxations which are applied for; on the contrary, as the emigration to Newfoundland would be carried on in small vessels, and as the voyage is by no means free from danger, it seems to me that particular attention is necessary to the points specified above, to ensure the well-being of the passengers.

The question moreover arises, whether there is any reason why Her Majesty's Government should stimulate emigration to Newfoundland by exceptional arrangements. I annex a statement of the emigration to the island in the 16 years ending in December 1856. It will be seen that in the six years preceding 1847 the emigration averaged 516 a year, while in the nine years following it averaged only 197; but the variations in the numbers appear to show that the falling off is rightly attributed by you to a failure of the demand for labour, and not to an increase in the cost of passage arising from greater stringency in the law. You state that "from one or two successful fisheries" the island has now become prosperous; but you add afterwards that "fisheries are precarious, and two or three bad seasons might bring along with them the same want of labour and its consequences which took place some years ago." Under such circumstances it would not be desirable that Her Majesty's Government should interfere to give an unusual impulse to emigration to Newfoundland, since they would thereby make themselves to a certain extent responsible for the employment of those who might proceed thither.

Enclosure.

On the whole, I am of opinion that the particular relaxations of the law applied for could not be conceded with safety to the emigration, and that there is no sufficient ground to justify the interference of Her Majesty's Government in any other way.

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

Enclosure in No. 5.

Encl. in No. 5.

STATEMENT of Emigration to *Newfoundland*, for the 16 Years ending December 1856.

Year.	No.	Year.	No.
1841	336	1849	87
1842	490	1850	345
1843	448	1851	241
1844	684	1852	209
1845	618	1853	173
1846	523	1854	95
1847	993	1855	94
1848	343	1856	215

NEW BRUNSWICK.

— No. 6. —

NEW BRUNSWICK.

No. 6.
Annual Report of the Emigration Officer, New Brunswick.

ANNUAL REPORT of the Emigration Officer for *New Brunswick*.

To His Excellency the Honourable *J. H. T. Manners Sutton*, Lieutenant-Governor, &c. &c. &c.

Government Emigration Office,
May it please your Excellency, St. John, 18 January 1858.

1. HEREWITH I have the honour to submit the annual abstract of immigration to this province for the year 1857, showing the whole number of immigrants from the United Kingdom during the year to be 551 souls. These landed at the port of St. John, and I am not advised of immigrants having landed at any other port in the province.

Enclosure.

	Souls.
In 1855 -	1,405
1856 -	712
1857 -	551

2. These immigrants were brought from the United Kingdom in 17 vessels, three only of which came under the provisions of the Passengers Act. They all landed in good health, and there were no deaths on the voyage. With few exceptions, all the immigrants of the year remained in the province.

3. Owing to the demand for labour during the past season on the two lines of railway now in course of construction in this province, there has been a large immigration into it from the United States and the neighbouring colonies, the amount of which it is impossible to ascertain exactly, but it cannot be much less than 3,000 souls. I am advised that the construction of these two lines of railway will be vigorously prosecuted during the coming season, and that in addition to the workmen now employed, from 1,200 to 1,500 able-bodied men (unskilled labourers) will find employment on the railway works for the next two years, at 1 dollar, equal to 4 *s.* 2 *d.* sterling, per day.

4. A number of mechanics of the description usually needed on railways will also be required, in proportion to the unskilled labour, and these mechanics will be sure of employment for two seasons, at fair wages.

5. A considerable number of farm servants, both male and female, will readily find employment throughout the province at good wages. Female servants are much needed both in town and country.

6. Nothing having been done during the past season towards opening up tracts of land for settlers, or giving other facilities for promoting the settlement of the country, that matter remains precisely as it stood at the close of last year. Whatever system may be adopted by the Executive, it is to be hoped that energetic action will be taken during the coming season to promote this most desirable object.

All which is most respectfully submitted by your Excellency's, &c. &c. &c.

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

NEW BRUNSWICK.

Enclosure in No. 6.

Encl. in No. 6.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick* during the Year ending 31 December 1857.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Adults.		Between 12 Years and 1 Year.		Under 1 Year.		Totals.		Whole Number of Souls.
				M.	F.	M.	F.	M.	F.	M.	F.	
Quarter ending—												
31 March - -	Nil.	–	–	–	–	–	–	–	–	–	–	—
30 June - -	5	–	–	108	87	29	26	7	7	144	120	264
30 September -	6	–	–	84	107	13	21	3	3	100	131	231
31 December -	6	–	–	25	22	2	7	–	–	27	29	56
Totals - -	17	–	–	217	216	44	54	10	10	271	280	551

RECAPITULATION.

	M.	F.
Adults - - - - - - - -	217	216
Between 12 Years and 1 Year - - -	44	54
Under 1 Year - - - - - -	10	10
Totals - - -	271	280

Whole number - - - - - - - - - 551 souls.

Government Emigration Office,
St. John, New Brunswick,
31 December 1857.

M. H. Perley,
H. M. Emigration Officer for New Brunswick.

EMIGRATION.

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the NORTH AMERICAN COLONIES (in continuation of Parliamentary Paper, No. 125, Session 2 of 1857).

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed,*
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